

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1149 Session of 2015

INTRODUCED BY AUMENT, ALLOWAY, STEFANO, FOLMER, SMUCKER,
EICHELBERGER AND WAGNER, MARCH 4, 2016

REFERRED TO EDUCATION, MARCH 4, 2016

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in grounds and buildings, providing
6 for final approval of bid specifications and bids.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding a
11 section to read:

12 Section 742. Final Approval of Bid Specifications and
13 Bids.--(a) Department of Education approval shall require bid
14 proposal formats which support such cost breakdowns as are
15 requisite to the several constraint, appraisal and reimbursement
16 calculations.

17 (b) Department of Education approval of proposed contract
18 awards following receipt and analysis of bids shall be a
19 condition for reimbursement thereon.

20 (c) When a school district seeks and the Department of

1 Education grants emergency status for a project in accordance
2 with section 751 of this act, solicited quotations for the
3 required construction or installation and a proposed contract
4 award may be forwarded to the Department of Education for
5 consideration prior to local board resolution. In no instance
6 shall a contract be awarded prior to Department of Education
7 approval.

8 (d) Contract specifications may not include any of the
9 following:

10 (1) A requirement that a successful bidder or any of its
11 subcontractors utilize workers:

12 (i) represented by a designated labor organization; or

13 (ii) referred by a designated labor organization.

14 (2) A requirement that a successful bidder's existing work
15 force or any of its subcontractors' work forces affiliate with
16 or pay dues to a labor organization.

17 (3) A requirement that a successful bidder or any of its
18 subcontractors recognize a labor organization as the exclusive
19 representative of any of its employes on the project.

20 (e) No school district may consider or use as a criterion in
21 its selection process the union or nonunion status of a bidder's
22 work force.

23 Section 2. This act shall take effect in 60 days.