
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2614 Session of
2018

INTRODUCED BY TOPPER, ROTHMAN, BLOOM, PICKETT, WARD, JAMES AND
RAPP, SEPTEMBER 5, 2018

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 5, 2018

AN ACT

1 Amending Title 62 (Procurement) of the Pennsylvania Consolidated
2 Statutes, in intergovernmental relations, prohibiting school
3 districts from participating in, sponsoring, conducting or
4 administering a cooperative purchasing agreement for the
5 procurement of construction.

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

8 Section 1. Section 1902 of Title 62 of the Pennsylvania
9 Consolidated Statutes is amended to read:

10 § 1902. Cooperative purchasing authorized.

11 [A] (a) General rule.--Except as provided under subsection
12 (b), a public procurement unit may either participate in,
13 sponsor, conduct or administer a cooperative purchasing
14 agreement for the procurement of any supplies, services or
15 construction with one or more public procurement units or
16 external procurement activities in accordance with an agreement
17 entered into between the participants. The Department of General
18 Services is authorized to enter into cooperative purchasing
19 contracts solely for the use of local public procurement units

1 or State-affiliated entities. The department shall enter into
2 cooperative purchasing contracts for the use of local public
3 procurement units or State-affiliated entities if the number of
4 contractors under a previously existing contract for the same
5 supply or service is reduced to a single contractor or reduced
6 by more than 50% of the number existing on September 30, 2003,
7 and shall award such contracts pursuant to section 517 (relating
8 to multiple awards) using an invitation for bids. Nothing in
9 this section shall prohibit a local public procurement unit or
10 State-affiliated entity from participating in or procuring from
11 other cooperative purchasing agreements awarded by the
12 department. Cooperative purchasing may include, but is not
13 limited to, joint or multiparty contracts between public
14 procurement units and open-ended purchasing agency contracts
15 which are made available to local public procurement units.

16 (b) School district construction.--A school district may not
17 participate in, sponsor, conduct or administer a cooperative
18 purchasing agreement for the procurement of construction.

19 Section 2. The amendment of 62 Pa.C.S. § 1902 shall apply to
20 cooperative purchasing agreements solicited, entered into or
21 renewed on or after the effective date of this section.

22 Section 3. This act shall take effect in 90 days.