



pennsylvania

DEPARTMENT OF TRANSPORTATION

LOCAL TECHNICAL ASSISTANCE PROGRAM

**Bidding Requirements
for
Municipalities**

9/27/2017

>Welcome

Presenter: Jason A. Snyder, PE, F.ASCE

Date: 09/27/2017

Location: 2017 Dirt, Gravel, and Low-Volume Road
Annual Maintenance Workshop
Sayre, Pennsylvania

Local Technical Assistance Program

- Types of Services
 - Training
 - Open classes
 - Road shows
 - Technical Support Services
 - On-site
 - Phone



▶ www.ltap.state.pa.us



[Home](#)

[LTAP Tools](#) ▾

[Sign In](#) ▾



Local Technical Assistance Program

The Pennsylvania Local Technical Assistance Program (LTAP) was created to share transportation knowledge, improve road maintenance and safety skills, and put research and new technology into practice at the municipal level. [Sign up today](#)

[LTAP Programs](#)

[Upcoming Courses](#)



pennsylvania
DEPARTMENT OF TRANSPORTATION
PennDOT Local Technical Assistance Program

moving FORWARD

SUMMER 2014 A quarterly review of news and information about Pennsylvania local roads.

Pennsylvania Records Lowest Number of Traffic Deaths Ever

The number of highway deaths on Pennsylvania roads tumbled to a record low last year when 1,208 were recorded, the lowest number since

recordkeeping began in 1928. Accidents on local roads also dropped from 32,040 in 2012 to 31,567 in 2013. This included 176 fatal crashes with 183 fatalities in 2013, down from 192 fatal crashes with 201 fatalities the prior year. Major-injury crashes also dropped from 724 with 800 major injuries in 2012 to 600 with 689 major injuries last year.

Safer Local Roads, Too

Crashes on local roads in Pennsylvania dropped last year, going from 32,040 in 2012 to 31,567 in 2013. This included 176 fatal crashes with 183 fatalities in 2013, down from 192 fatal crashes with 201 fatalities the prior year. Major-injury crashes also dropped from 724 with 800 major injuries in 2012 to 600 with 689 major injuries last year.



ALSO IN THIS ISSUE

- Safer Trail Crossings2
- Transportation News Briefs5
- STIC Spotlight6
- Advisory Member Profile6
- Upcoming Workshops7
- Before & After7
- Build a Better Mousetrap Winner8

Transportation Barry J. Schoch. "However, our efforts cannot reach their potential if drivers refuse to do their part by observing traffic laws and always using common sense on our roads."

Although the number of highway deaths dropped in many types of crashes, significant decreases were noted in unbuckled, speeding, and single-vehicle, run-off-the-road related deaths. Unbuckled fatalities dropped from 503 in 2012 to 425 in

2013. Speeding-related fatalities decreased from 262 in 2012 to 193 last year. Likewise, deaths attributed to single-vehicle, run-off-the-road crashes declined to 566 in 2013, down from 648 the previous year.

Another area where significant decreases in fatalities were noted involved crashes with a drinking driver. Deaths caused by drunk drivers decreased from 377 in 2012 to 342 last year, the lowest number since 1997 when this data collection began.

While decreases in highway deaths are to be applauded, unfortunately Pennsylvania also experienced an increase in fatalities caused by certain types of crashes, including those involving distracted drivers and in head-on or opposite-direction sideswipe crashes.

In 2013, 64 fatalities from crashes were attributed to distracted drivers, up from 57 in 2012. In addition, deaths in head-on or opposite-direction sideswipe crashes increased to 178, a 20 percent increase from 148 in 2012. Fatalities in crashes involving drivers ages 75 and older also increased, going from 126 in 2012 to 142 last year.

Over the last five years, PennDOT has invested \$50 million for safety improvements at approximately 4,000 locations. These improvements include low-cost safety measures such as the addition of centerline and edge-line rumble strips.

PennDOT also invests about \$20 million annually in state and federal funds for safety education and enforcement efforts statewide. Safety tips can be found at PennDOT's highway safety information website, www.JustDrivePA.com.

PennDOT LTAP
technical
INFORMATION
SHEET #172
SUMMER/2016

INSPECTION AND ASSESSMENT OF LOCALLY OWNED BRIDGES

by Ronald J. Ladyka, PE and Benjamin T. Wigton, EIT

Prior to the collapse of the Silver Bridge between Point Pleasant, W.Va., and Gallipolis, Ohio, in December 1967, a comprehensive, nationwide database on the number, type, location, and condition of the nation's bridges did not exist. The collapse, which killed 46 people, generated national concern about bridge safety and prompted legislation that mandated the National Bridge Inspection Standards and the creation of the National Bridge Inventory.

This tech sheet, the second in a three-part series on locally owned bridges, will review inspection and assessment of bridges.

National Bridge Inventory and Inspection

The Federal Highway Administration (FHWA) is required to maintain a complete inventory of all bridges on public highways. A bridge is defined as a vehicle-carrying structure that has a total span greater than 20 feet measured along the centerline of the highway. One major function of the National Bridge Inventory (NBI) is to maintain data related to the location, type and geometry, features intersected, responsible owner, age, material type, and design-load capacity for each bridge.

Another major purpose of the NBI is to maintain condition or bridge inspection data, which describes the condition and capacity of the major components of each bridge. The NBIIS requires all bridges on public roadways to be inspected by qualified inspectors on a two-year cycle. Inventory information is verified or updated, and the inspectors rate the condition of the bridge elements on a scale from 0 (closed or failed condition) through 9 (new or excellent condition). Information is provided every year by each state department of transportation (DOT), which enables FHWA to update the NBI database. Database users can assess the status of bridges on a state-by-state basis or on a national level.

The National Bridge Inspection Standards (NBIS) regulate the inspection of all publicly owned bridges greater than 20 feet in length on public roadways. According to PennDOT's website (March 2016), 2,141 of the 6,487 locally owned bridges in Pennsylvania, or 33 percent of the total, are structurally deficient. Pennsylvania administers the federal National Bridge Inspection Standards, as they pertain to bridges within the commonwealth, through the use of its own Bridge Management System (BMS2). PennDOT employees or private consultants who are certified bridge safety inspectors (CBSI) inspect and manage the inventory and inspection information by using BMS2.

Although bridges less than 20 feet in length are not required to be inspected and inventoried by federal requirements, these bridges should be inspected using the same inspection criteria. Exclusion from the federal program does not release bridge owners from safety and liability issues or from the bridge owners' responsibility to the traveling public. For example, PennDOT inspects 10,000



▶ Bidding Requirements for Municipalities

Beginning on January 1, 2017, the bidding thresholds for municipalities will be as follows:

- Purchases and contracts below \$10,700 require no formal bidding or written/telephonic quotations.
- Purchases and contracts between \$10,700 and \$19,700 require three written/telephonic quotations.
- Purchases in excess of \$19,700 require competitive bidding.

➤ Bidding Requirements for Municipalities

Municipalities cannot make purchases on a piecemeal basis (either a series of purchases over time or a number of simultaneous purchases) to avoid the competitive bidding threshold when, “in the exercise of reasonable discretion and prudence,” those purchases could be made as a single purchase.

➤ Bidding Requirements for Municipalities

Failure to engage in competitive bidding by county, city, borough, and township officials may be subject to a surcharge, which can be 10 percent of the full amount of the contract or purchase. Evasion of competitive bidding requirements is also considered a misdemeanor of the third degree for which imprisonment is a possible penalty.

➤ Bidding Requirements for Municipalities

There are nine (9) exemptions from public bidding:

1. Maintenance, repairs, or replacements for water, electric light, or other public works of the municipality if they do not constitute new additions.
2. Improvements, repairs, and maintenance of any kind made or provided by the municipality through its own employees. However, all materials used for street improvement, maintenance, and/or construction projects that cost in excess of \$19,700 are subject to the bidding requirements.

▶ Bidding Requirements for Municipalities

There are nine (9) exemptions from public bidding:

3. Purchases where particular types, models, or pieces of equipment, articles, apparatus, appliances, vehicles, or parts thereof are patented and manufactured or copyrighted products.
4. Purchases of any insurance policies or surety company bonds and contracts made for public utility service, electricity, natural gas, or telecommunications service.
5. Purchases of any public utility service under tariffs on file with the Pennsylvania Public Utility Commission.

▶ Bidding Requirements for Municipalities

There are nine (9) exemptions from public bidding:

6. Intergovernmental contracts made with another political subdivision or county, the state or federal government or any of their agencies, or any municipal authority. (Example: COSTARS)
7. Contracts for purchase of personal or professional services, including, but not limited to, those provided by lawyers, engineers, auditors, and accountants.
8. Purchases of real estate are negotiable.

➤ Bidding Requirements for Municipalities

9. County contracts with nonprofit cooperative hospital service associations for county homes or hospitals.

Municipal officials should be very cautious when asserting one of these exemptions because competitive bidding requirements are a well-established public policy intended to prevent fraud and favoritism and to protect public funds.

▶ Bidding Requirements for Municipalities

Construction projects (construction, reconstruction, demolition, alteration and or repair work *other than maintenance work*) financed by a public body where the estimated cost is at least \$25,000 require Pennsylvania prevailing wages under the Pennsylvania Prevailing Wage Act (43 P.S. §§ 165-1 through 165-17). *A municipality has the responsibility of obtaining Pennsylvania prevailing wage rates from the Commonwealth, Department of Labor & Industry for a project. The public body must also include Pennsylvania prevailing wage rates in the contracts, notice for bids and advertisements.* 43 P.S. § 154-4; 34 Pa. Code § 9.104.

➤ Bidding Requirements for Municipalities

For Pennsylvania prevailing wage purposes, *maintenance work* is defined as: “the repair of existing facilities when the size, type or extent of such facilities is not thereby changed or increased.” Maintenance work also occurs when a facility, once in usable condition, was restored to that condition by being partially overhauled or patched.

▶ Bidding Requirements for Municipalities

Sample activities and their corresponding L&I determination:

Repaving	→	Construction
Widening	→	Construction
Shoulder Upgrade	→	Construction
Cleaning of Drainage Features		
	→	Maintenance
Repair or Replacement of Drainage Features		
	→	Construction

➤ Bidding Requirements for Municipalities

Advertising. Advertising requirements vary slightly by municipality class. Municipalities should refer to their individual codes.

➤ Bidding Requirements for Municipalities

Bid Bonds. Bid bonds in a reasonable amount are required for purchases and contracts for more than \$19,700 for second through eighth class counties. For cities, bid bonds, certified checks, or bank checks may be required for advertised purchases and contracts exceeding \$19,700, but the amount is unspecified. For boroughs, any bid bonds are at the discretion of the council and must be in the form of cash, money order, certified or cashier's check, or letter of credit. There are no bid bond requirements for townships.

➤ Bidding Requirements for Municipalities

Payment Bonds. The Public Works Contractors' Bond Law requires payment bonds in the full amount of the contract for all contracts for construction, reconstruction, alteration, or repair of public buildings, works, or improvements, including highways, if the amount of the contract exceeds \$10,000. All of the municipal codes reference the Public Works Contractors' Bond Law, which is intended to offer protection to subcontractors.

➤ Bidding Requirements for Municipalities

Performance Bonds. The municipal codes also include provisions for performance bonds from contractors. For example, boroughs and townships may require a bond, letter of credit, or other reasonable security valued between 10 and 100 percent of the contract amount, which shall be due 20 days after the award, unless the council or board sets a shorter period, which cannot be less than 10 days. Counties may require similar security in a sufficient amount, which shall be due within 30 days unless the county sets a shorter period.

▶ Bidding Requirements for Municipalities

For additional Information:

Governor's Center for Local Government Services
Department of Community and Economic Development
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, Pennsylvania 17120-0225
(717) 787-8158 1-888-223-6837
E-mail: ra-dcedclgs@pa.gov

▶ Contact LTAP

**Address : Pennsylvania Department of Transportation
Bureau of Planning and Research
400 North Street, 6th Floor
Harrisburg, PA 17120**

Web Site: <http://www.ltap.state.pa.us>

Phone: 1-800-FOR-LTAP or 717-787-5243

Fax: 717-783-9152

E-mail: ltap@state.pa.us



pennsylvania

DEPARTMENT OF TRANSPORTATION

LOCAL TECHNICAL ASSISTANCE PROGRAM