
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE RESOLUTION

No. 139 Session of
2019

INTRODUCED BY FOLMER, PHILLIPS-HILL, MARTIN, STEFANO AND
J. WARD, MAY 28, 2019

REFERRED TO STATE GOVERNMENT, MAY 28, 2019

A RESOLUTION

1 Directing the Joint State Government Commission to establish an
2 advisory committee to conduct a comprehensive study of the
3 costs and efficiencies of the requirements under
4 Pennsylvania's public construction laws.

5 WHEREAS, Public construction in the United States is
6 estimated to be a \$1.1 trillion industry; and

7 WHEREAS, This Commonwealth accounts for a significant portion
8 of public construction spending; and

9 WHEREAS, Public construction includes a wide range of
10 projects, including renovations to State government buildings
11 and local school buildings; and

12 WHEREAS, Public construction constitutes a significant share
13 of economic activity in this Commonwealth and is a major
14 economic driver and job creator; and

15 WHEREAS, For more than 100 years, there have been no
16 substantive changes to this Commonwealth's public construction
17 laws; and

18 WHEREAS, During that period, as with every other industry in
19 the United States, major changes have occurred with technology,

1 management techniques and practices, materials and the need for
2 greater energy efficiency in the design and construction
3 industry; and

4 WHEREAS, The Commonwealth, the design community, contractors,
5 trades people and laborers would benefit from a thorough review
6 and possible recommendations for stakeholders to consider
7 potential changes to this Commonwealth's public construction
8 laws; and

9 WHEREAS, The key principles of any changes to this
10 Commonwealth's public construction laws shall include
11 transparency, flexibility, accountability and efficiency;
12 therefore be it

13 RESOLVED, That the Senate direct the Joint State Government
14 Commission to establish an advisory committee to compare public
15 and private construction projects to identify ways to improve
16 public construction projects; and be it further

17 RESOLVED, That the advisory committee be comprised of:

18 (1) two representatives of contractors, with one
19 representing merit shops and one representing union
20 contractors, who should have the ability to work as a
21 contractor and as a construction manager with bonding and
22 insurance capabilities;

23 (2) two representatives of trade unions;

24 (3) two merit shop contractors with more than 150 full-
25 time employees;

26 (4) two attorneys who dedicate the majority of their
27 practice time to construction law;

28 (5) two design industry representatives;

29 (6) three representatives of public agencies or public
30 sector owners specializing in the procurement process, one

1 representative from the Department of General Services, one
2 representative from the Department of Education and one
3 representative from the Department of Transportation; and

4 (7) two private sector owners who have built more than
5 \$50 million in fully private construction projects within the
6 past three years;

7 and be it further

8 RESOLVED, That the advisory committee review and analyze 20
9 Pennsylvania construction projects, 10 privately bid and
10 awarded, five bid and awarded by the Department of General
11 Services and five bid and awarded by school districts, to
12 compare the estimated original costs, bid costs, actual costs,
13 number and amount of change orders and estimated completion
14 dates and actual completion dates; and be it further

15 RESOLVED, That the Joint State Government Commission submit a
16 report of the study to the Senate no later than 18 months after
17 the adoption of this resolution.