

## **Pennsylvania Statute**

The language can be a little confusing. Electronic auctions cannot be used for construction projects due to the historically high default rate. The PennBid Program is a full Sealed Bid platform, not electronic auction, and can be used for all RFP and RFQ solicitations including engineering and construction projects.

### **Title 62 - Procurement**

#### **Chapter 46 - Excerpt**

§ 4603. Electronic bidding.

Notwithstanding any other provision of law concerning the requirements for competitive bidding for purchases and contracts by a local government unit, a local government unit may permit the electronic submission of bids and may receive bids electronically if the local government unit has the electronic capability to maintain the confidentiality of the bid until the bid opening time.

§ 4604. Competitive electronic auction bidding.

(a) Conditions for use.--Notwithstanding any other provision of law concerning the requirements for competitive bidding for purchases and contracts, if a local government unit determines by resolution that use of competitive electronic auction bidding is in the best interests of the local government unit, a contract for supplies or services, but not for construction or design professional services, may be entered into by competitive electronic auction bidding.

### **Title 62 - Procurement**

#### **Chapter 5 - Excerpt**

513. Competitive sealed proposals.

(d) Receipt of proposals.--Offerors shall submit their proposals to ensure that their proposals are received prior to the time and date established for receipt of the proposals. **Proposals shall be submitted in the format required by the request for proposals.**