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## **General Contractors Association of Pennsylvania Testifies on Separations Act Modernization Legislation**

### *House Bill 163 Amends the 1913 Construction Procurement Requirement*

*Harrisburg, PA* – The Pennsylvania House of Representatives State Government Committee hosted an informational meeting today on legislation that modernizes the Separations Act.

Enacted in 1913, this Act mandates that public entities must solicit separate bids and award separate contracts to at least four prime contractors for one construction project. Pennsylvania is the only state that abides by this form of multiple prime contracting, which leads to claims, delays and change orders and this leads to Pennsylvania overpaying for construction. Forty-nine states, the federal government, and the private sector are all free to choose their delivery method and rarely do these entities select multiple prime delivery. House Bill 163 amends the Separations Act to allow public owners to choose from the following delivery methods: Design-Bid-Build Multiple Prime (current requirement); Design-Bid-Build Single Prime; Construction Management At Risk; and, Design Build.

At today's informational meeting, the following individuals spoke in support of House Bill 163: Jon O'Brien, General Contractors Association of PA (GCAP); Mike Gossert, Cumberland Valley School District Board Member; and, Richard Thomas, Design Build Institute of America.

"We applaud State Government Committee Chairmen Garth Everett and Kevin Boyle for wanting to educate committee members on the Separations Act," said Jon O'Brien, GCAP Executive Director. "The supporters of the status quo focused on bid day, which at the

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frontend of a project multiple prime bid projects do tend to come in at a lower price; however, we have to look at the final cost of a project, especially when tax dollars are involved. The other side doesn't take into account that the so-called 'savings' are lost during the project with the absence of a general contractor, which weakens the ability to control work resulting in less efficient jobsite that's more costly for work. Management and coordination are vital for project success and this is evident in the fact that the private sector, federal government, and 49 states build using some form of single prime contracting."

The Senate companion legislation to House Bill 163 is currently gathering cosponsors through a cosponsor memo being circulated by Senator John DiSanto.

For more information on the efforts to modernize the Separations Act, please feel free to contact one of the following administrators of the 19 organizations that united in this coalition:

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**ABOUT GCAP:** Established in 1953, GCAP is an organization representing the memberships of General Building Contractors Association, Keystone Contractors Association, and Master Builders' Association. Collectively, GCAP represents over 600-plus commercial construction companies based throughout the Commonwealth of Pennsylvania. For more information visit <https://generalcontractorsofpa.com/>.

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