

Twin Valley School District

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May 13, 2013

Senator Mike Brubaker Senate Box 203036 Room: 168 Main Capitol Harrisburg, PA 17120-3036 **Note: Same letter sent to the following legislators: Senator Mike Folmer Senator John Rafferty Representative Mark Gillen Representative Tim Hennessey

Dear Senator Brubaker:

The Twin Valley School Board is asking you to support two upcoming bills that would provide mandate relief to Pennsylvania school districts. We are asking you to move both, HB 135 and HB 324, forward with no amendments.

The first bill, Mandate Waiver Program – HB 135 would revive the mandate waiver program that expired in June 2010 to allow school districts to apply to the Department of Education (PDE) to waive certain statutory and regulatory mandates.

Prior to approval, the House Education Committee amended HB 135 to remove the ability of school districts to waive the provisions of the Separations Act and force districts to continue bidding all projects under separate contracts. However, HB 135 retained the option for districts to waive all other provisions, including the bid thresholds, in Section 751 of the Public School Code, which deals with contracting for school construction and renovation projects.

Please support HB 135 as currently drafted, and do NOT support any amendment that would further reduce the scope of the mandate waiver program and effectively deny school districts needed flexibility to think outside of the box and achieve the most efficient use of every taxpayer dollar.

Any further restrictions on the ability of school districts to waive provisions of Section 751 of the Public School Code will dramatically undermine the district's ability to achieve needed mandate relief.

As under the original mandate waiver program, school districts should be able to waive the bid thresholds and competitive bidding and advertising requirements when appropriately justified by the district and approved by PDE. Under the original mandate waiver program, many districts took advantage of increasing these bid thresholds in order to save money on competitive bidding or engage in projects using their own maintenance staff.

The second bill, Separations Act – HB 324 repeals the application of the Separations Act to school districts entirely.

Because the ability of school districts to waive the Separations Act was amended out of HB 135, it is critical that HB 324 be moved concurrently with HB 135.

Please move HB 324 forward to provide school districts needed relief from the Separations Act.

HB 324 gives school districts the flexibility to determine whether a single or multiple prime delivery system provides the most efficient and cost-effective way to complete a project. HB 324 also allows districts to use a single prime contractor for construction and renovation projects, creating the potential to greatly reduce the administrative burden of managing a construction project. This serves to alleviate the drain on a district's administrative resources, reduce the number of change orders on a project, and reduce the cost and burden of schedule overruns and delays.

In these difficult financial times, school districts need as many options as possible to be able to think outside the box and make every taxpayer dollar go further.

Please <u>support HB 135 and HB 324</u>, and to vote no on any amendment to <u>HB 135</u> that would place further limitations on a school district's ability to waive burdensome mandates.

Respectfully,

Thomas Legel

President

Twin Valley School Board

TWIN VALLEY SCHOOL DISTRICT

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