

TOWNSHIP OF WARMINSTER
BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF WARMINSTER, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE WARMINSTER TOWNSHIP CODE AND SPECIFICALLY AMENDING CHAPTER 4 (BUILDINGS), PART 1 (RESPONSIBLE BUILDING CONTRACTORS) CHANGING THE PROJECT VALUE THRESHOLD AND ADDING ADDITIONAL REQUIREMENTS FOR RESPONSIBLE CONTRACTORS

WHEREAS, on May 5, 2016, the Warminster Township Board of Supervisors adopted Ordinance 729 setting forth the requirements for responsible contractors bidding on public works projects; and

WHEREAS, Ordinance 729 has been successful in protecting the interests of the Township and the public with respect to public works projects; and

WHEREAS, the Warminster Township Board of Supervisors seeks to build on the success of Ordinance 729 to increase the number of public works projects subject to the responsible contractor requirements and to increase the percentage of skilled craft personnel who have the necessary training and skills needed to complete public works projects;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, Ordinance 729, codified as Chapter 4, Part 1 of the Code of the Township of Warminster is amended to read as follows:

Section 1. Section 4-101 of the Code of the Township of Warminster is amended to read as follows:

- A.** All contractors and subcontractors of any tier that perform work valued at over ~~\$350,000~~ **\$175,000** on any public facility or public works project, including construction, demolition, alteration, renovation, repair and contract service or contract maintenance work, shall meet the requirements of this Part 1.
- B. Beginning January 1, 2023 and continuing annually thereafter, the minimum project value contained in this Section shall be increased by the annual percent increase for the Consumer Price Index for All Urban Consumers for the Philadelphia-Camden-Wilmington Metropolitan Statistical**

Area as reported by the Bureau of Labor Statistics in December of the previous year.

C. For years subsequent to 2023, the minimum project value shall be equal to the prior year's adjusted project value.

D. In the event the annual percentage change of the CPI-U is negative, the minimum project value contained in this Section and as amended shall not be decreased.

Section 2. Section 4-102.3.I. of the Code of the Township of Warminster is amended to read as follows:

All craft labor that will be employed by the firm for the project have completed at least the OSHA ten-hour training course for safety established by the United States Department of Labor, Occupational Safety and Health Administration. **If the firm is a prime contractor, it shall also ensure that at least one person on the project has completed the OSHA 30-hour construction training course established by the U.S. Department of Labor.**

Section 3. Section 4-102.3.K. of the Code of the Township of Warminster is amended to include the following language as new Subparagraph (3):

The construction manager, general contractor or other lead or prime contractor responsible for the project shall ensure that at least 70 percent of the craft labor workers employed on the project shall be comprised of either journey person workers who have successfully completed a Class A Apprenticeship Program as defined above or apprentices registered in such programs. The apprenticeship participation must be in the same trade or craft for which the workers are employed on the project.

Section 4. Severability.

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provisions hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts of provisions of this Ordinance or prior Ordinances. It is hereby declared to be the intent of the Warminster Township Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included.

Section 5. Effective Date.

This Ordinance shall become effective five (5) days after the date of enactment, listed below.

ORDAINED AND ENACTED by the Board of Supervisors of Warminster Township this _____ day of _____, 2022.

Attest:

Tom Scott,
Township Manager

Kenneth Hayes, Chair

Katherine Frescatore, Vice Chair

Judith Hoover, Secretary

Mark McKee, Treasurer

Janice Charlton, Member