

STATUTORY REQUIREMENTS

Each and every provision of law and clause required by law to be inserted in this Contract shall be deemed to be inserted herein and the Contract shall be read and enforced as though it were included herein, and if through mistake or otherwise such provision is not inserted, or is not correctly inserted, then upon the application of either party, the Contract shall forthwith be physically amended to make such insertion.

ARTICLE 1 – LABOR

1.1 CITIZENS

- 1.1.1 Only citizens of the United States of America shall be employed, in any capacity, in the performance of any Work under the Contract; provided, however, that apprentices to a trade or professions who may be under twenty-one (21) years of age shall not be subject to the foregoing restriction.

1.2 COMPETENT WORKMEN

- 1.2.1 According to Section 752 of the Public School Code of 1949, no person shall be employed to do Work under such Contract except competent and first class Workers and mechanics.
- 1.2.2 No workmen shall be regarded as competent first class, within the meaning of this Act, except those who are duly skilled in their respective branches of labor, and who shall be paid not less than such rates of wages and for such hours work as shall be established and current rates of wages paid for such hours by employers of organized labor in doing of similar work in the school district where Work is being done.

1.3 DISCRIMINATION

1.3.1 THE HUMAN RELATIONS ACT

The provisions of the Pennsylvania Human Relations Act, Act 222 of October 27, (1955 P.L. 744) (43 P.S. Section 951, et. seq.) of the Commonwealth of Pennsylvania prohibit discrimination because of race, color, familial status, religious creed, ancestry, age, sex, national origin, handicap, disability, or use of guide or support animal, by employers, employment agencies, labor organizations, contractors and others. The Contractor shall agree to comply with the provisions of this Act as amended that is made part of this Specification. Your attention is directed to the language of the Commonwealth's non-discrimination clause in 16 PA Code §49.101.

1.3.2 DISCRIMINATION PROHIBITED

According to 62 Pa. C.S.A. §3701 the Contractor agrees that:

(1) In the hiring of employees for the performance of work, under the Contract or any subcontract, no contractor, subcontractor, or any person acting on behalf of the Contractor or Subcontractor shall, by reason of gender, race, creed, or color, discriminate against any citizen of this Commonwealth who is qualified and available to perform the Work to which the employment relates.

(2) No Contractor or any Subcontractor or any person on their behalf shall in any manner discriminate against or intimidate any employee hired for the performance of Work under the Contract on account of gender, race, creed, or color.

(3) Contract may be cancelled or terminated by the government agency; and all money due or to become due under the Contract may be forfeited for a violation of the terms or conditions of that portion of the Contract.

1.4 MISCELLANEOUS PROVISIONS

- 1.4.1 Contractors shall comply with all requirements of Act 1984-159, "The Right-To-Know Law" 65 P.S. Section 66.1; et seq., as enacted by the Pennsylvania Legislature as amended from time to time. Contractors shall provide all information regarding the composition of all materials and products used or installed as part of this project Work when required.

1.4.2 PENNSYLVANIA UNIFORM CONSTRUCTION CODE

Contractors shall comply with all requirements of the Pennsylvania Construction Code Act (Act 45 of 1999), which establishes requirements for Pennsylvania's Uniform Construction Code, including all subsequent, applicable revisions. The most recent amendments are those by Act 36 of 2017 and the Pennsylvania Department of Labor & Industry letter of April 29, 2021, outlining the adoption of the 2018 International Codes.

1. 2018 International Building Code (as amended),
2. 2018 International Fire Code (as amended),
3. 2018 International Energy Conservation Code,
4. NEC as referenced in Chapter 27 of the 2018 International Building Code,
5. 2018 International Performance Code for Buildings and Facilities 2018
6. 2018 International Existing Building Code
7. ICC A117.1 - 2017,
8. Chapter 11, 2021 International Building Code, Accessibility requirements
9. and any locally adopted amendments, not limited to Plumbing, Mechanical and Electrical Codes.

1.4.3 CRIMINAL HISTORY INFORMATION

(1) Pursuant to Section 111 of the Public School Code of 1949, Act 34 of March 10, 1949, P.L. 30, No. 14, as amended, by H.B. 185, Session of 2006 (24 P.S. Section 1-111, et seq.) prospective employees of public and private schools, intermediate units and area vocational-technical schools, including, but not limited to, teachers, substitutes, janitors, cafeteria workers, independent contractors and their employees, except those employees and independent contractors and their employees who have no direct contact with children, are required, prior to employment, to furnish certain information, as set forth in the Public School Code.

(2) Act 34 Pennsylvania State Police Criminal Record Check. The successful vendor shall submit, on a prescribed form, a report of criminal history record information from the Pennsylvania State Police for each employee assigned to and prior to such employee performing Work on the Project site. The report from the Pennsylvania State Police shall be no more than one (1) year old. To obtain this document, visit <https://epatch.state.pa.us> or mail a completed hard copy of the request form to the Pennsylvania State Police. (Request form for mail can be found on the ePatch website.) Contractor shall submit the original of the required document if awarded the Bid before commencing the Project.

(3) Act 114 Federal Criminal History Record. Act 114 of 2006, which adds an additional requirement to Section 111 of the Public School Code of 1949, requires independent contractors, subcontractors and their employees to submit to the Administrative Director or their designee a copy of their Federal criminal history record that is no more than one year old at time of submission. In order to obtain a Federal criminal history record, the applicant must be fingerprinted. Applicant can register with Register with IdentoGO at <https://uenroll.identogo.com> or by calling 1-844-321-2101. When registering, use the Service Code – 1KG6XN to begin. All Contractors or any of their employees who are on the Project site shall submit, prior to entering the Project site, a copy of the Federal Criminal History record from the FBI completed in the manner prescribed by the Department of Education.

(4) All Contractors shall have background checks done on all of their employees and all of the Subcontractors' employees working on this Project. Background checks shall be in accordance with Section

111 of the Public School Code of 1949, Act 34 of March 10, 1949, P.L. 30, No. 14, as amended, by H.B. 185, Session of 2006 (24 P.S. Section 1-111, et seq.). Contractors shall submit the original background check to the Cocalico School District Human Resources Office, prior to an employee entering the Project site. The Owner shall have the right to determine fitness and exclude any Contractors' and/or Subcontractors' personnel who have a criminal record that would otherwise make the individual ineligible for employment with a public school under applicable law.

(5) All Contractors and Subcontractors shall refuse to employ as an independent contractor or employee on a public or private school, intermediate unit or area vocational-technical school any prospective employee whose Pennsylvania State Police Criminal Record Check and/or Federal Criminal History record information indicates that such prospective employee has been convicted of any of the following offenses:

- (a) An offense under one (1) or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:
 - Chapter 25 (relating to criminal homicide).
 - Section 2702 (relating to aggravated assault).
 - Former section 2709(b) (relating to stalking).
 - Section 2709.1 (relating to stalking).
 - Section 2901 (relating to kidnapping).
 - Section 2902 (relating to unlawful restraint).
 - Section 3121 (relating to rape).
 - Section 3122.1 (relating to statutory sexual assault).
 - Section 3123 (relating to involuntary deviate sexual intercourse).
 - Section 3124.1 (relating to sexual assault).
 - Section 3125 (relating to aggravated indecent assault).
 - Section 3126 (relating to indecent assault).
 - Section 3127 (relating to indecent exposure).
 - Section 4302 (relating to incest).
 - Section 4303 (relating to concealing death of child).
 - Section 4304 (relating to endangering welfare of children).
 - Section 4305 (relating to dealing in infant children).
 - A felony offense under Section 5902(b) (relating to prostitution and related offenses).
 - Section 5903(c) or (d) (relating to obscene and other sexual materials and performances).
 - Section 6301 (relating to corruption of minors).
 - Section 6312 (relating to sexual abuse of children).
- (b) An offense designated as a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."
- (c) An out-of-State or Federal offense similar in nature to those crimes listed in Paragraphs 1.4.3.6(a) and 1.4.3.6(b).

(6) Notwithstanding Paragraphs 1.4.3.2, 1.4.3.3 and 1.4.3.4, prior to April 1, 2007, the Owner may, at its discretion, employ in-State applicants on a provisional basis for a single period not to exceed thirty (30) days and, out-of-State applicants on a provisional basis for a single period not to exceed ninety (90) days, and, after March 31, 2007, the Owner may employ any applicants on a provisional basis for a single period not to exceed ninety (90) days, except during a lawful strike proceeding under the provisions of the act of July 23, 1970 (P.L. 563, No. 195), known as the "Public Employee Relations Act (43 P.S. Section 1101.201, et seq.)," provided that all of the following conditions are met: (a) the applicant has applied for the information required under Paragraphs 1.4.3.2, 1.4.3.3 and 1.4.3.4, where applicable, and the applicant provides a copy of the appropriate completed request forms to the Owner; (b) the Owner has no knowledge of information pertaining to the applicant which would disqualify him or her from employment pursuant to Paragraph 1.4.3.6; (c) the applicant swears or affirms in writing that he or she is not disqualified from employment pursuant to Paragraph 1.4.3.6; (d) if the information obtained pursuant to Paragraphs 1.4.3.2,

1.4.3.3 and 1.4.3.4 reveals that the applicant is disqualified from employment pursuant to Paragraph 1.4.3.6, the applicant shall be suspended and subject to termination proceedings as provided for by law; and (e) the Owner requires that the applicant not be permitted to work alone with children and that the applicant work in the immediate vicinity of a permanent employee.

(7) If the decision not to award a contract to the low bidder is based in whole or in part on criminal history record information, the contractor will be so notified in writing.

(8) Criminal History Record Information shall be submitted prior to any such personnel being on the Project site.

(9) Act 24 of 2011 and Act 82 of 2012 Arrest/Conviction Report and Certification Form (PDE-6004). The successful vendor shall have the Arrest/Conviction Report and Certification Form (PDE-6004) completed by any of their employees who are assigned to the Project site, and shall submit this form to the Owner for review prior to the employee entering or performing Work on the Project site.

1.4.4 ACT 151 CHILD ABUSE HISTORY INFORMATION

1. Any personnel of the Contractor or their Subcontractors or suppliers, who may come in contact with students during the Work of this Project, shall be subject to a Child Abuse History Clearance.
2. Prior to commencing Work under the Contract, Contractor shall submit for any employee or independent contractor who would be working on the School District's site, pursuant to Work contemplated in the Contract, an official clearance statement obtained from the Pennsylvania Department of Public Welfare pursuant to Act 151 of December 16, 1994 (P.L. 1292), subchapter C.2 of the Child Protective Services Law, as amended from time to time. The clearance may be obtained by visiting <https://www.compass.state.pa.us/cwis> or by mailing a completed hard copy of the request form to the Department of Public Welfare. (The hard copy request form can be found at http://www.dpw.state.pa.us/cs/groups/webcontent/documents/form/s_001762.pdf.)
3. Child Abuse History Clearance Forms shall be submitted prior to personnel being allowed on the site.
4. The Owner shall have the right to exclude any of the Contractor's personnel who have a record of criminal activity that involves a minor from the Work of this Project.
5. Non submission or late submissions of these forms shall be grounds for withholding of payments or for the adjustment of payments as determined by the Owner and Architect.
6. Included at the end of this document is a list of Clearance Requirements for Contractors and Vendors (for reference only).

1.4.5 CHECK IF FORM PDE-6004 (ARREST/CONVICTION REPORTS) NEED TO BE ADDED HERE

1.4.6 PENNSYLVANIA PUBLIC WORKS EMPLOYMENT VERIFICATION ACT

1. The Pennsylvania Public Works Employment Verification Act (43 P.S. §§ 167.1-167.11) requires Contractors and Subcontractors performing work on "public works projects" to comply with federal employment eligibility requirements, including verification through the U.S. Department of Homeland Security's E-Verify program which compares I-9 employment verification data to data from the Department of Homeland Security and Social Security Administration records, in order to confirm that employees are authorized to work in the United States.
2. All Contractors shall submit a "Public Works Employment Verification Form" to the Owner through the Architect at the same time when performance and payments bonds are submitted. Submission of this form is a precondition of the Contract being awarded and executed. These requirements apply to all employees hired by the Contractor or Subcontractor regardless of whether the employee will be working onsite or offsite.
3. Subcontracts between the Contractor and its Subcontractors or between any Subcontractor and its Subcontractors are required to contain notification of applicability of the Act, the requirement to provide a "Public Works Employment Verification Form" as stated under number 4 below, and reference to the Department of General Services website as stated under number 6 below.

4. All Subcontractors shall submit a "Public Works Employment Verification Form" to the Contractor, who shall submit the form to the Owner through the Architect prior to the Subcontractor beginning either onsite or offsite work. Submission of this form shall be a precondition of the Subcontract remaining in force, and the Contractor shall terminate the Subcontract if the Subcontractor does not comply. These requirements apply to all employees hired by the Subcontractor regardless of whether the employee will be working onsite or offsite. "Subcontractor" includes any entity that performs work on the project other than the prime Contractor and other than an individual. The term does not include an entity that is solely a material supplier for the project.
5. The Contractor or Subcontractor shall be responsible for any penalties imposed for failure to comply with this Act.
6. Contractors and Subcontractors may access the form at www.dgs.state.pa.us. The Chapter 66 Guidelines may be located at <http://www.pabulletin.com/secure/data/vol42/42-52/index.html>.

1.4.6 COMMONWEALTH OF PENNSYLVANIA SEXUAL MISCONDUCT / ABUSE DISCLOSURE RELEASE
(PURSUANT TO ACT 168 OF 2014)

1. Instructions

- a. This standardized form has been developed by the Pennsylvania Department of Education, pursuant to Act 168 of 2014, to be used by school entities and independent contractors of school entities and by applicants who would be employed by or in a school entity in a position involving direct contact with children to satisfy the Act's requirement of providing information related to abuse or sexual misconduct. As required by Act 168, in addition to fulfilling the requirements under section 111 of the School Code and the Child Protective Services Law ("CPSL"), an applicant who would be employed by or in a school entity in a position having direct contact with children, must provide the information requested in SECTION 1 of this form and a written authorization that consents to and authorizes the disclosure by the applicant's current and former employers of the information requested in SECTION 2 of this form. The applicant shall complete one form for the applicant's current employer(s) and one for each of the applicant's former employers that were school entities or where the applicant was employed in a position having direct contact with children (therefore, the applicant may have to complete more than one form). Upon completion by the applicant, the hiring school entity or independent contractor shall submit the form to the applicant's current and former employers to complete SECTION 2. A school entity or independent contractor may not hire an applicant who does not provide the required information for a position involving direct contact with children.

2. Relevant Definitions:

- a. Direct Contact with Children is defined as: "the possibility of care, supervision, guidance or control of children or routine interaction with children.
- b. Sexual Misconduct is defined as: "any act, including, but not limited to, any verbal, nonverbal, written or electronic communication or physical activity, directed toward or with a child or a student regardless of the age of the child or student that is designated to establish a romantic or sexual relationship with the child or student. Such acts include but are not limited to: (1) sexual or romantic invitation; (2) dating or soliciting dates; (3) engaging in sexualized or romantic dialogue; (4) making sexually suggestive comments; (5) self-disclosure or physical exposure of a sexual, romantic or erotic nature; or (6) any sexual, indecent, romantic or erotic contact with the child or student.
- c. Abuse is defined as "conduct that falls under the purview and reporting requirements of the CPSL, 23 Pa.C.S. Ch. 63, is directed toward or against a child or a student, regardless of the age of the child or student.

3. Please Note

- a. A prospective employer that receives any requested information regarding an applicant may use the information for the purpose of evaluating the applicant's fitness to be hired or for continued employment and shall report the information as appropriate to the Department of Education, a state licensing agency, law enforcement agency, child protective services agency, another school entity or to a prospective employer.
- b. If the prospective employer decides to further consider an applicant after receiving an affirmative response to any of the questions listed in SECTIONS 1 and 2 of this form, the prospective employer shall request that former employers responding affirmatively to the questions provide additional information about the matters disclosed and include any related records. The Commonwealth of Pennsylvania Sexual Misconduct/Abuse Disclosure Information Request can be used to request this follow-up information. Former employers shall provide the additional information and records within 60 days of the prospective employer's request.
- c. The completed form and any information or records received shall not be considered public records for the purposes of the Act of February 14, 2008 (P.L. 6, No. 3) known as the "Right to Know Law."
- d. The Department of Education shall have jurisdiction to determine willful violations of Act 168 and may, following a hearing, assess a civil penalty not to exceed \$10,000. School entities shall be barred from entering into a contract with an independent contractor who is found to have willfully violated the provisions of Act 168.

1.4.7 ARREST/CONVICTION REPORT AND CERTIFICATION FORM (UNDER ACT 24 OF 2011 AND ACT 82 OF 2012)

1. Instructions

- a. Pursuant to 24 P.S. §1-111(c.4) and (j), the Pennsylvania Department of Education developed this standardized form (PDE-6004) to be used by current and prospective employees of public and private schools, intermediate units, and area vocational-technical schools.
- b. As required by subsection (c.4) and (j)(2) of 24 P.S. §1-111, this form shall be completed and submitted by all current and prospective employees of said institutions to provide written reporting of any arrest or conviction for an offense enumerated under 24 P.S. §§1-111(e) and (f.1) and to provide notification of having been named as a perpetrator of a founded report of child abuse within the past five (5) years as defined by the Child Protective Services Law.
- c. As required by subsection (j)(4) of 24 P.S. §1-111, this form also shall be utilized by current and prospective employees to provide written notice within seventy-two (72) hours after a subsequent arrest or conviction for an offense enumerated under 24 P.S. §§1-111(e) or (f.1).
- d. In accordance with 24 P.S. §1-111, employees completing this form are required to submit the form to the administrator or other person responsible for employment decisions in a school entity. Please contact a supervisor or the school entity administration office with any questions regarding the PDE 6004, including to whom the form should be sent.

2. A reportable offense enumerated under 24 P.S. §1-111(e) consists of any of the following:

- a. An offense under one or more of the following provisions of Title 18 of the Pennsylvania Consolidated Statutes:

- Chapter 25 (relating to criminal homicide)
 - Section 2702 (relating to aggravated assault)
 - Section 2709.1 (relating to stalking)
 - Section 2901 (relating to kidnapping)
 - Section 2902 (relating to unlawful restraint)
 - Section 2910 (relating to luring a child into a motor vehicle or structure)
 - Section 3121 (relating to rape)
 - Section 3122.1 (relating to statutory sexual assault)
 - Section 3123 (relating to involuntary deviate sexual intercourse)
 - Section 3124.1 (relating to sexual assault)
 - Section 3124.2 (relating to institutional sexual assault)
 - Section 3125 (relating to aggravated indecent assault)
 - Section 3126 (relating to indecent assault)
 - Section 3127 (relating to indecent exposure)
 - Section 3129 (relating to sexual intercourse with animal)
 - Section 4302 (relating to incest)
 - Section 4303 (relating to concealing death of child)
 - Section 4304 (relating to endangering welfare of children)
 - Section 4305 (relating to dealing in infant children)
 - A felony offense under section 5902(b) (relating to prostitution and related offenses)
 - Section 5903(c) or (d) (relating to obscene and other sexual materials and performances)
 - Section 6301(a)(1) (relating to corruption of minors)
 - Section 6312 (relating to sexual abuse of children)
 - Section 6318 (relating to unlawful contact with minor)
 - Section 6319 (relating to solicitation of minors to traffic drugs)
 - Section 6320 (relating to sexual exploitation of children)
- b. An offense designated as a felony under the act of April 14, 1972 (P.L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act."
- c. An offense SIMILAR IN NATURE to those crimes listed above in clauses (a) and (b) under the laws or former laws of:
- the United States; or
 - one of its territories or possessions; or
 - another state; or
 - the District of Columbia; or
 - the Commonwealth of Puerto Rico; or
 - a foreign nation; or
 - under a former law of this Commonwealth.
- d. A reportable offense enumerated under 24 P.S. §1-111(f.1) consists of any of the following:
- 1) An offense graded as a felony offense of the first, second or third degree, other than one of the offenses enumerated under 24 P.S. §1-111(e), if less than (10) ten years has elapsed from the date of expiration of the sentence for the offense.
 - 2) An offense graded as a misdemeanor of the first degree, other than one of the offenses enumerated under 24 P.S. §1-111(e), if less than (5) five years has elapsed from the date of expiration of the sentence for the offense.
 - 3) An offense under 75 Pa.C.S. § 3802(a), (b), (c) or (d)(relating to driving under influence of alcohol or controlled substance) graded as a misdemeanor of the first degree under 75

Pa.C.S. § 3803 (relating to grading), if the person has been previously convicted of such an offense and less than (3) three years has elapsed from the date of expiration of the sentence for the most recent offense.

ARTICLE 2 – MATERIALS

2.1 STEEL PRODUCTS PROCUREMENT ACT

- 2.1.1 Provision for the Use of Steel and Steel Products Made in the U.S.: In accordance with Act 3 of the 1978 General Assembly of the Commonwealth of Pennsylvania, if any steel or steel products are to be used or supplied in the performance of the Contract, only those produced in the United States, as defined therein, shall be used or supplied in the performance of the Contract or any Subcontracts thereunder.
- 2.1.2 In accordance with Act 161 of 1982, cast iron products shall also be included and produced in the United States. Act 144 of 1984 further defines "steel products" to include machinery and equipment. The Act also provides clarifications and penalties.

ARTICLE 3 – WAGES

3.1 PENNSYLVANIA PREVAILING WAGE RATES

- 3.2.1 Projects where the total estimated cost is greater than \$25,000, paid for in whole or in part out of funds of a public body, except for maintenance work or work performed under a rehabilitation program or manpower training program must specify "Prevailing Wages." Further information on implementation of the act, definition of maintenance work and prevailing wage rates may be requested from the Pennsylvania Department of Labor and Industry at (800) 932-0665 or (717) 705-5969. When applicable, use Davis-Bacon wage rates for federally assisted projects.
- 3.2.2 Recommended procedure is to include the applicable published wage rates for the project within the body of the specification, if possible, or at least issue the rates accompanying the specifications, or by addendum.
- 3.2.3 The conditions, provisions and requirements of the Pennsylvania Prevailing Wage Act, by proper references, shall be specified for compliance. The following brief reference may be used for minor project specifications:
 - 3.2.3.1 Pennsylvania Prevailing Wage Rates: This regulation and the general Pennsylvania prevailing minimum wage rates, (Act 442 of 1961, P.L. 987, amended), as determined by the Secretary of Labor and Industry, which shall be paid for each craft or classification of all workers needed to perform the contract during the anticipated term therefore in the locality in which public work is performed, are made part of this specification.

ARTICLE 4 – SAFETY

4.1 SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION

- 4.1.1 The Contractor shall be fully informed with and shall comply with all local, state and federal regulations for construction as amended to date, as the rules and regulations in detail apply for the construction Work under the Contract. All applicable rules and regulations governing bodies are hereby made a part of this document by reference, as if written out in full within.

- 4.1.2 The Contractor shall comply with all aspects of the Federal Occupational Safety and Health Act of 1970 (O.S.H.A.) including specific responsibilities to perform reporting and recording requirements. The Contractor is responsible to obtain information regarding their responsibilities under the Act.
- 4.1.3 The Contractor shall maintain and continually update one set of MSDS on the site for inspection by regulatory authorities and the Owner and Architect as needed.

ARTICLE 5 – ENVIRONMENT

5.1 ANTI-POLLUTION LEGISLATION

- 5.1.1 62 PA C.S.A. Section 3301 requires that Bidders on construction Contracts for the Commonwealth of Pennsylvania be advised that there are provisions of Local, State and Federal statutes, rules and regulations dealing with the prevention of environmental pollution and the preservation of public natural resources that affect the Project on which Bids are being received.
- 5.1.2 The Bidder shall become thoroughly acquainted with the terms of the listed statutes, rules and regulations, including, but not limited to, Flood Plain Management Act (32 P.S. Section 679.101, et seq.), Pennsylvania Scenic Rivers Act (32 P.S. Section 820.21, et seq.), Dam Safety and Encroachment Act (32 P.S. Sec. 693.1, et seq.), Bluff Recession and Setback Act (32 P.S. Section 5201, et seq.), Storm Water Management Act (32 P.S. Section 680, et seq.), Pennsylvania Sewage Facilities Act (35 P.S. Section 750.1, et seq.), Pennsylvania Solid Waste Management Act (35 P.S. Section 6018.101, et seq.), Pennsylvania Safe Drinking Water Act (35 P.S. Section 721.1, et seq.), the Clean Streams Law (35 P.S. Section 691.901 et seq. and 35 P.S. Section 691.1 et seq.), Air Pollution Control Act (35 P.S. Section 4001, et seq.), Pennsylvania Historic Preservation Act (37 Pa. C.S.A. Section 501, et seq.), Pennsylvania Hazardous Sites Clean Up Act (35 P.S. Section 6020.101, et seq.), Pennsylvania Storage Tank and Spill Prevention Act (35 P.S. Sec. 6021.101, et seq.), Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (P.L. 96-510), as amended, including, but not limited to, the Superfund Amendments and Reauthorization Act (P.L. 99-499), Federal Solid Waste Disposal Act (P.L. 89-272), Federal Clean Air Act (Air Pollution Act) (July 14, 1955, Ch. 360, 69 Stat. 322), Federal Safe Drinking Water Act (P.L. 93-523), Wild and Scenic River Act (P.L. 90-542), Endangered Species Conservation Act of 1969 (P.L. 89-669), Federal Clean Water Act of 1977 (P.L. 95-217), Rivers and Harbor Act of 1970 (P.L. 91-611), Federal Insecticide, Fungicide, and Rodenticide Act (June 25, 1947, Ch. 125, 61 Stat. 163), Toxic Substance Control Act (P.L. 94-469), Resource Conservation and Recovery Act of 1976 (P.L. 94-580), Pennsylvania Worker and Community Right-to-Know Act (35 P.S. Section 7301, et seq.), Asbestos Hazard Emergency Response Act of 1986 (P.L. 99-519), Delaware River Basin Compact (32 P.S. Section 815.101 et seq.), Pennsylvania Municipalities Planning Code (53 P.S. Section 10101 et seq.), regulations, ordinances, and other actions pursuant to the foregoing, regulations pertaining to Pennsylvania Erosion and Sediment Control, and so on. No separate or additional payment will be made for such compliance. In the event that the listed statutes, rules and regulations are amended, or if new statutes, rules or regulations become effective, after date of receipt of Bids, upon receipt of documentation which causes the Contractor to perform additional Work, the Owner may issue a Change Order setting forth the additional Work that must be undertaken and such additional Work shall be undertaken at no additional cost to the Owner. It is also the responsibility of the Contractor to determine what local ordinances, if any, will affect their portion of the Work. The Contractor shall check for any County, City, Borough or Township rules or regulations applicable to the area in which the Project is being constructed and, in addition, for any rules or regulations of other organizations having jurisdiction, including, without limitation, chambers of commerce, planning commissions, industries or utility companies who have jurisdiction over lands which the Contractor occupies. Any costs of compliance with local controls shall be included in the prices bid, even though documents of such local controlling agencies are not listed herein.
- 5.1.3 It is the responsibility of the Contractor to determine what local ordinances, if any, will affect their Work. The Contractor shall check for any County, City, Borough or Township rules or regulations applicable to the area in which the Project is being constructed and, in addition, for any rules or regulations of other organizations having jurisdiction, such as chambers of commerce, planning commissions, industries or

utility companies who have jurisdiction over lands which the Contractor occupies. Any costs of compliance with local controls shall be included in the prices bid, even though documents of such local controlling agencies are not listed herein.

5.2 SUSPECTED LEAD BASED PAINT

Contractors shall be "EPA-Certified" and comply with the EPA 2008 Lead Rule, OSHA 29 CFR 1926.62 (Lead) Safety & Health Regulations for Construction, Section 402 (c) and 406 (b) of the Toxic Substances Control Act (TSCA), EPA 40 CFR Part 745, Subpart E and all other laws and regulations governing this hazardous material when dealing with these surfaces in occupancies or parts of occupancies determined to be a "child-occupied facility" as defined by the Rule.

END OF DOCUMENT

Clearance Requirements for Contractors and Vendors

Cocalico School District

Employees of independent contractors who have direct contact with children while working in public schools are required to undergo certain background checks. The required background checks have specifically prescribed methods for completion and include the following:

1. **Act 34 Pennsylvania State Police Criminal Record Check** – This clearance may be completed online at <https://epatch.pa.gov> or by mailing a completed hard copy of the request form to the PA State Police. (Request form for mail can be found on the same website.)
2. **Act 151 Child Abuse History Clearance** – This clearance may be completed online at <https://www.compass.state.pa.us/cwis> or by mailing a completed hard copy of the request form to the Department of Human Services. (The hard copy request form can be found at http://www.dhs.pa.gov/cs/groups/webcontent/documents/form/s_001762.pdf.) Online submissions will require you to create an account and Keystone ID (user ID) to begin. You will receive an email notification when your results are available to print.
3. **Act 114 FBI Criminal History Check Procedures** – Register with Identigo at <https://uenroll.identigo.com> or by phone Monday through Friday 8:00 a.m. to 6:00 p.m. EST by calling 1-844-321-2101. When registering, use the **Service Code – 1KG6XN** to begin. Be prepared to provide your name, address, and other personal information as part of the registration process. At the time of fingerprinting, you will be required to provide identification – make sure your name on your identification exactly matches the information you enter when registering for this clearance. At the completion of the registration process, you will be provided with a summary page to print and take with you to the fingerprint site, along with your identification. Once your fingerprints have been captured, you will be provided with a receipt containing your Universal Enrollment ID (UEID). Forward this UEID to the Human Resources office.
4. **Arrest/Conviction Report and Certification Form (PDE-6004)** – This form must be completed by each individual dispatched to the Cocalico School District. The form can be found online at www.education.pa.gov/Documents/Teachers-Administrators/Background%20Checks/Arrest%20or%20Conviction%20form.pdf. Please note this form was updated 3/31/16; the most recent form must be used.
5. **Act 168 Employment History Review** – This regulation requires an employment history review for employees of independent contractors. Contractors should have employees complete a ***Commonwealth of Pennsylvania Sexual Misconduct/Abuse Disclosure Release*** according to the directions on the form which can be found by search at www.education.pa.gov. Contractors must ensure the employment history review has been completed according to current regulations; affirmative responses require additional documentation.

Important Information: The Cocalico School District requires contractors and vendors to submit the required clearances/documents for all employees who will be working in the district. **Valid** (less than one year old) clearance documents must be submitted to the district's Human Resources Office for review prior to an employee being assigned or dispatched to the district. The district reserves the right to review the clearances and approve or deny access to a contractor's employee(s) based on guidelines set forth by the Pennsylvania School Code and applicable regulations. Employees of contractors who do not have approved clearances on file with the district will be denied access.

Any questions related to the clearance process can be directed to the Human Resources Office by calling 717-336-1417.

6/19/2023

SWL