

# REQUEST FOR PROPOSAL (RFP)

Chesapeake Conservancy is a non-profit organization that works with conservation partners and landowners to implement Best Management Practices on agricultural land.

Chesapeake Conservancy is soliciting proposals for the following services:

- Livestock Fence

## RFP OVERVIEW AND PROJECT DESCRIPTION

**RFP Release Date:** March 4, 2026

**Landowner Name:** Andrew and Corinda Snook

**Project Location:** 972 Jones Hill Road  
Middleburg, PA 17842  
Snyder County, Washington Township

**RFP Issuing Office:** Chesapeake Conservancy  
*Email:* [paprograms@chesapeakeconservancy.org](mailto:paprograms@chesapeakeconservancy.org)  
*Phone:* 570-372-4075

**Consultant/Partner:** Natural Resources Conservation Service (NRCS)

**Site Showing/  
Pre-Bid Meeting:** A *non-mandatory* site showing/pre-bid meeting will be held at the Project Location on:  
March 18, 2026 at 11:00 am EDT

Registration for the Site Showing and Pre-Bid Meeting is required electronically:

*Registration Deadline:* March 12, 2026

*Registration By Phone:* 570-372-4075

*Registration Email:* [paprograms@chesapeakeconservancy.org](mailto:paprograms@chesapeakeconservancy.org)

*Include "Snook Fence Site Showing Registration" in the subject line.*

**RFP Due Date:** **All proposals must be submitted by:**  
March 26, 2026 @ 10:00am EDT  
*Proposals will not be accepted after this date and time.*

**RFP Submission:** **All proposals must be submitted electronically to the following email address\*:**

*Email:* [paprograms@chesapeakeconservancy.org](mailto:paprograms@chesapeakeconservancy.org)  
Include "Snook Fence RFP Response" in the subject line.

*\*If bidder is unable to submit proposal via email, please contact Chesapeake Conservancy to arrange another method to submit proposal.*

**RFP Results:** RFP results and notification of award will be distributed no later than:  
April 3, 2026

**Questions:** All questions regarding this RFP should be submitted to:  
Kathy Rohrer, 570-372-4075, [paprograms@chesapeakeconservancy.org](mailto:paprograms@chesapeakeconservancy.org)

**Project Description:**

The successful bidder will be responsible for installing approximately 10,652 feet of 4-strand high tensile fence along portions of the landowner's pasture boundary, streambank, newly installed animal walkway and stream crossings. Contractor will also be responsible for supplying and installing approximately 20 standard gates (not extra heavy duty) and 3 solar fence chargers. The exact location of the fence, gates and chargers will be discussed with the landowner, NRCS and the selected contractor during the pre-construction meeting.

The resulting contract from this RFP will include, but is not limited to, the materials, labor and installation of fence and gates as shown in Attachment A –NRCS Fence Requirements, Layout and Specifications. The installed fence must meet NRCS specifications.

## **RFP TERMS AND CONDITIONS**

Selected contractors will be working with Chesapeake Conservancy and NRCS on the implementation of this project.

### **CONSTRUCTION TIMELINE AND SCHEDULE:**

Installation of the fence is to be completed as soon as possible following the installation of the heavy use area/waste storage facility, pasture water system, animal walkway and stream crossings. Installation of the pasture water system, animal walkway and stream crossings are scheduled to be done in Spring 2026 and installation of the heavy use area/waste storage facility is scheduled for completion in late Spring/early Summer 2026.

Due to grant funding deadlines, some of the fence will need to be installed no later than June 30, 2026. If needed, contractor may be required to install the fence in phases (example: Phase 1 – install fence in field 4, 5, 6 and 7 on the east side of Weller Hill Road once pasture water system, stream crossing and walkway are installed. Phase 2 – install fence in field 1, 15 and 21 on the west side of Weller Hill Road once heavy use area/waste storage facility is installed).

Bidders shall include with their response when they can start installation of the fence, their proposed completion date and if they are willing to install the fence in phases.

*If the contracted services are not completed within the designated time period (as specified in the resulting contract from this RFP), the contract can be extended if agreed to in writing by Chesapeake Conservancy and the contractor.*

### **PENNSYLVANIA ONE CALL:**

Contractor shall follow all laws and regulations relating to the Pennsylvania One-Call System, including submitting all required locate requests to the Pennsylvania One-Call System to assist with the prevention of accidental damage to underground public utilities.

**PA One Call:** **1-800-242-1776 or 811**  
**Project Final Design Serial #:** **20260570965** (Phase 1-east side of Weller Hill Road)  
**20260571051** (Phase 2-west side of Weller Hill Road)

***One Call indicates a potential conflict at project site. Utilities are located near or in a portion of the area to be fenced. Contractor shall follow all setbacks and restrictions to be identified by utility company. Contractor shall confirm location of facilities and setback with utilities.***

### **COMMUNICATION:**

Communication between the contractor, NRCS and Chesapeake Conservancy is crucial to a successful project. Contractor shall notify NRCS at a minimum of three days before the start of work on the fence. Failure to notify NRCS may result in inadequate inspection of construction and the inability to certify that the installation meets the NRCS standards and specifications. Work must be done Monday through Friday between the hours of 7:00 am and 5:00 pm unless approved by NRCS.

Supervision by NRCS is required. An inspection will occur during or upon completion of the work. Payment cannot be made on practices that have not been certified to NRCS specifications.

### **PAYMENT INFORMATION:**

This project is being funded by **multiple grant sources** including an NRCS Regional Conservation Partnership Program (RCP) grant. The remaining project is being funded through Chesapeake Conservancy grants. Selected contractor will receive payments from the landowner and the Conservancy. Payments made by NRCS to the landowner will determine the Conservancy's portion. The Conservancy cannot pay more than it cost to install the practices. Contractors should expect payment from the landowner at the completion of the project when NRCS certifies that the project was installed to NRCS specifications.

Contractor shall invoice the Conservancy for services rendered during the preceding month. The Conservancy will issue payment within thirty (30) days from the date the approved invoice and all required documents are submitted to the Conservancy AND the Conservancy receives reimbursement from its funding source. We anticipate the time from invoice submission to the Conservancy to payment to be 60 days. This may be longer if our payment from our funder is delayed. Since this is an NRCS project, the Conservancy's portion of the payment may be capped until final NRCS certification is calculated to ensure the payment to the Contractor doesn't exceed the total project cost. Required documents may include an invoice with quantities installed and Prevailing Wage documentation.

**GRANTS:**

The terms and conditions of the Pennsylvania Department of Environmental Protection Growing Greener Grant (C990002988), National Fish and Wildlife Foundation Innovative Nutrient and Sediment Reduction Grant (0602.24.082478), National Fish and Wildlife Foundation Small Watershed Grants (Snyder County 0603.24.081009, Centre County 0603.24.079968) and Pennsylvania Hamer Foundation apply to the contracts that result from this RFP. Copies of the grant(s) are available upon request.

**WORKER PROTECTION INVESTMENT AND CERTIFICATION FORM:**

Commonwealth grants require contractors to sign the Commonwealth of Pennsylvania Worker Protection Investment and Certification Form acknowledging compliance with Executive Order 2021-06, Worker Protection and Investment (October 21, 2021). Contractors shall complete the Worker Protection Investment and Certification Form and submit it with their RFP response.

**LOBBYING CERTIFICATION FORM:**

As required by National Fish and Wildlife Foundation grants, the successful bidder will be required to sign a Lobbying Certification Form acknowledging compliance with 43 CFR §18 New Restrictions on Lobbying. This form will be signed at the time of contract execution.

**PREVAILING WAGE REQUIREMENTS:**

**Prevailing Wage Rates apply to all *construction labor* for this RFP and any resulting contracts.** The awarded contractor(s) and any subcontractors shall comply with the provisions of the Act of August 15, 1961 (P.L. 9 87), as amended known as the "Pennsylvania Prevailing Wage Act" and the Regulations issued pursuant thereto by the Department of Labor and Industry. The awarded contractor shall include these requirements in all subcontracts for the project.

**The project is registered with the Pennsylvania Department of Labor and Industry as follows:**

<u>Project Name</u>	<u>Serial Number</u>	<u>Classification</u>
Snook Fence	26-01830	Highway

**Refer to this project when determining the correct project wage rates. Copies of the Bureau of Labor Law Compliance Prevailing Wage Rates and note definitions are included with Attachment B.**

The awarded contractor(s) and any subcontractors shall submit "Weekly Payroll Certification For Public Works Projects" forms and any other required documentation to Conservancy on a weekly basis and the first and last "Weekly Payroll Certification For Public Works Projects" forms are required to be notarized. Failure to do so will put contractor in non-compliance with the PA Department of Labor.

The awarded contractor and any subcontractors shall post the prevailing wage poster and a list of prevailing wage rates at the project location and where paychecks are distributed (typically the contractor's office).

Contractors shall include the Prevailing Wage Acknowledgment Form with their RFP response.

**INSURANCE REQUIREMENTS:**

Bidders shall include with their bid, a copy of their current Certificate of Insurance that reflects their existing levels of liability insurance coverage. Prior to executing a contract with the Conservancy, the successful bidder and all subcontractors must obtain the following minimum levels of liability insurance, ***at their own expense***. Contractors who do not carry commercial liability insurance for religious reasons and/or are self-insured should provide applicable documentation with their bid response.

<i>Type of Insurance Coverage</i>	<i>Limit Required</i>
General Liability -	
Each Occurrence:	\$1,000,000
Automobile Liability -	
Combined Single Limit (Each Accident):	\$1,000,000
Excess or Umbrella Liability -	
Each Occurrence:	\$2,000,000
Workers Compensation and Employer’s Liability* -	
E.L. Each Accident:	\$1,000,000
E.L. Disease - Each Employee:	\$1,000,000
E.L. Disease - Policy Limit:	\$1,000,000

*\*Workers Compensation and Employer’s Liability can be waived for sole proprietors without employees.*

Contractors and subcontractors will be required to include a waiver of subrogation in favor of Chesapeake Conservancy on all liability policies.

“Chesapeake Conservancy” and “National Fish and Wildlife Foundation” must be named as additional insured on all contractor’s and subcontractor’s policies except workers compensation.

**Contractors shall include the cost to obtain additional insurance coverage that is above what they currently carry when calculating their price on the Contractor Response Form.**

Immediately following the RFP award notification, the successful bidder shall work with their insurance agent to obtain the insurance requirements noted above. The awarded Contractor and all subcontractors shall provide Chesapeake Conservancy with a current COI certified by a licensed insurance broker within 14 days of award notification. The approved COIs need to be provided to Chesapeake Conservancy prior to signing a contract.

***Note:*** Bidders ***do not*** need to change their current liability insurance or add additional insured and waiver of subrogation to their policies when responding to the RFP. Only the successful bidder will be required to meet the insurance requirements noted above after the bid is awarded. The Certificate Holder should be as follows: Chesapeake Conservancy, 1212 West Street, Annapolis, MD 21401.

**BIOSECURITY:**

The successful bidder is encouraged to follow basic farm biosecurity practices.

**SAFETY PERFORMANCE:**

Bidders shall provide safety performance information including OSHA records and EMR on their company and any subcontractors.

OSHA Records:

- OSHA reportable incidents for the past three (3) years. If there were no OSHA reportable incidents, indicate “none”. See <https://www.osha.gov/recordkeeping/> for additional information.
- TRIR (Total Recordable Incident Rate) which is the number of incidents x 200,000 / total number of employee hours worked in a year.
- DART (Days Away, Restricted or Transferred Rate). See <https://data.bls.gov/iirc/> to determine the value.

Contractors whose business is not required to keep OSHA records because they have 10 employees or less should check the applicable box on the Contractor Response Form.

Experience Modifier Rate (EMR):

- EMR provided by the insurance company.

**DOMESTIC PREFERENCE FOR PROCUREMENT:**

In accordance with 2 C.F.R. 200.322, the successful bidder shall to the greatest extent practicable, purchase, acquire, or use goods, products or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products).

For purposes of this RFP, the following definitions apply:

- i. Produced in the United States means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States; and
- ii. Manufactured products means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

**DEBARMENT AND TAX LIABILITY:**

Contractors will be required to certify that they and any subcontractors are not listed on the Debarment and Suspension List maintained by the Pennsylvania Department of General Services (<https://www.dgs.internet.state.pa.us/debarmentsearch/debarment/index>) and the General Services Administration’s List of Parties Excluded from Federal Procurement or Nonprocurement Programs ([www.SAM.gov](http://www.SAM.gov)) in accordance with Executive Orders 12549 and 12689, “Debarment and Suspension” and have no outstanding tax liabilities. Contractors will also be required to certify that they and any subcontractors are not in default of a loan or funding agreement administered by any Commonwealth agency.

**SMALL BUSINESS AND SMALL DIVERSE BUSINESS:**

Chesapeake Conservancy encourages the use of small and small diverse businesses when soliciting Requests for Proposals. Contractors are encouraged to register with the federal government at [www.sam.gov](http://www.sam.gov) and with the Pennsylvania Department of General Services at [www.dgs.pa.gov](http://www.dgs.pa.gov) (search [Small Diverse Business Verification](#)). Please note Pennsylvania Department of General Service registration is only valid for three years. Contractors are encouraged to verify that their registration is current.

Contractors and any subcontractors who register on Sam.gov and with the PA Dept of General Services and who qualify as a small and/or small diverse business should check the applicable boxes on the Contractor Response Form. Points will be awarded as per the scoring sheet in Attachment C to contractors whose registration is confirmed by Chesapeake Conservancy.

**EQUAL EMPLOYMENT OPPORTUNITY:**

Chesapeake Conservancy is an equal opportunity employer. The successful bidder shall comply with all federal, state, and local equal employment opportunity requirements. Additional information can be found at <https://www.ecfr.gov> and searching [41 CFR 60-1.4\(b\)](#).

## **SUBMISSION OF PROPOSALS AND SELECTION CRITERIA**

### **SUBMISSION OF PROPOSALS:**

Proposals are requested for the items described in the Project Description and NRCS Requirements, Layout and Specifications included in Attachment A, in accordance with the Terms and Conditions included in this RFP. Any estimated quantities included in this RFP are for information only. Bidders are responsible for determining the quantities needed to complete the project based on the provided design and bid documents.

At a minimum each proposal response must include:

- Contractor Response Form
  - Price
  - Three references
  - List of subcontractors used (if applicable)
  - Proposed start dates
  - Proposed completion dates
  - Willingness to install fence in phases
  - Safety performance
  - Debarment and tax liability certification
  - Insurance requirements - agreement to obtain or documentation of self-insurance
  - Signed by authorized representative
- Prevailing Wage Acknowledgement Form
- Commonwealth of Pennsylvania Worker Protection Investment and Certification Form (signed)
- Current Certificate of Insurance
  - *All policies on the COI must have current dates. Please do not submit expired COIs.*

All proposals must be submitted electronically to Chesapeake Conservancy by the RFP due date specified on Page 1 of the RFP.

It is the responsibility of each contractor to ensure that the proposal is received prior to the due date and time for submission of proposals. No proposal shall be considered if it was sent or received after this date and time.

### **CONTRACTOR SELECTION CRITERIA:**

Proposals will be evaluated based on the criteria listed in Attachment C.

Proposals must be firm. The proposal may be rejected if the items offered by the contractor are not in conformance with the specifications as determined by the Issuing Office.

Proposals will be awarded to the most qualified economic bidder, as determined by Chesapeake Conservancy. Chesapeake Conservancy reserves the right to reject any or all proposals and/or cancel the RFP for any reason and to waive any technical defects, if it determines that it is in the best interest of the landowner, partner or Chesapeake Conservancy.

Chesapeake Conservancy reserves the right to check with other conservation partners and landowners for feedback on working relationship and quality of work of bidders.

# CONTRACTOR RESPONSE FORM

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**Contractor Name:** \_\_\_\_\_

**Project Name:** Snook Fence Project

**Project Location:** 972 Jones Hill Road, Middleburg, PA 17842 (Snyder County)

1. Total price to supply materials, labor and equipment for performing the work included in the design and as described in the Project Description - **Required:**

<u>Service Type</u>	<u>Price</u>
4- strand high tensile	\$_____ per foot
Corners	\$_____ per corner
Ends	\$_____ per end
Underground Wire	\$_____ per foot
10' Standard Gate	\$_____ per gate
12' Standard Gate	\$_____ per gate
16' Standard Gate	\$_____ per gate
Solar fence charger	\$_____ per charger

2. I plan to use the following subcontractors in order to perform parts of this project (include Tax ID):

Name: \_\_\_\_\_ EIN: \_\_\_\_\_  
Name: \_\_\_\_\_ EIN: \_\_\_\_\_

3. The following three references are provided with telephone numbers of projects completed of similar scope and size - **Required:**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

4. Proposed start date - **Required:** \_\_\_\_\_

5. Proposed completion date - **Required:** \_\_\_\_\_

6. I am willing to install the fence in phases, if required (circle one) – **Required:** Yes No

7. Prevailing Wage Rate Compliance Form (See Terms and Conditions for details) - **Required:**

I agree to comply with the provisions of the Pennsylvania Prevailing Wage Act and have included the Prevailing Wage Rate Compliance Form (Attachment C) with my response.

8. Commonwealth of Pennsylvania Worker Protection Investment and Certification Form (See Terms and Conditions for details) - **Required:**

I have included with my response the completed Worker Protection Investment and Certification Form

**CONTRACTOR RESPONSE FORM**

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9. Small Business or Small Diverse Business (See Terms and Conditions for details) - *Check if Applicable*

I have registered with Sam.gov and my business (or any subcontractors listed above) qualifies as a

Small Business and/or  Small Diverse Business

I have registered with the PA Dept of General Services and my business (or any subcontractors listed above) has been certified as a  Small Business and/or  Small Diverse Business.

10. Safety performance (See Terms and Conditions for details) - **Required:**

OSHA Records

I certify that my business does not need to keep OSHA records because we have 10 employees or less.

\_\_\_\_\_ OSHA reportable incidents for the past three years (attach documentation if applicable)

\_\_\_\_\_ TRIR (Total Recordable Incident Rate) (show calculation, if none, write 0)

\_\_\_\_\_ DART (Days Away, Restricted or Transferred Rate) (attach documentation/screen printout, if applicable)

Experience Modifier Rate

\_\_\_\_\_ EMR (attach documentation from insurance company, write N/A if not applicable)

11. Debarment and tax liability status (See Terms and Conditions for details) - **Required:**

I certify that my business, and any subcontractors, are not debarred by the State of Pennsylvania or the federal government.

I certify that my business, and any subcontractors, have no tax liabilities and are not in default of a loan or funding agreement administered by the State of Pennsylvania.

12. Insurance Requirements (See Terms and Conditions for details) - **Required:**

I have included a copy of my current COI. If awarded the contract, I agree to obtain the levels of insurance outlined in the Terms and Conditions of the RFP within 14 days of award notification and prior to signing a contract.

I do not carry commercial liability insurance due to religious reasons and/or I am self-insured. I have included supporting documentation with my response.

This proposal is submitted in response to the RFP for the project described within. The proposal is based on my knowledge of the plans and specifications identified within. This proposal will remain valid for 90 days after submission. If awarded the RFP, I agree to sign a contract with the Chesapeake Conservancy.

Company Name: \_\_\_\_\_ Company Tax ID (EIN): \_\_\_\_\_

Company Address: \_\_\_\_\_

Representative's Name: \_\_\_\_\_ Telephone: \_\_\_\_\_

Email Address: \_\_\_\_\_

Signature: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

## PREVAILING WAGE ACKNOWLEDGEMENT FORM

**Project Name:** Snook Fence

**Project Location (street address):** 972 Jones Hill Road, Middleburg, PA 17842

**Project Serial Number:** 26-01830

**Bid Due Date:** March 26, 2026 at 10:00 am

**Contractor:** \_\_\_\_\_

**Authorized Representative's Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

I, the undersigned, acknowledge and affirm the following:

- I am an authorized representative of the Contractor named above and have the authority to submit this acknowledgement form on behalf of the company.
- I have reviewed the Request for Proposal (RFP) and associated documents for the above-referenced project and fully understand that this project is subject to the Pennsylvania Prevailing Wage Act and associated regulations as enforced by the Pennsylvania Department of Labor & Industry.
- I understand and agree, that if awarded this contract, all construction laborers employed by our company and any subcontractors on the project must be paid prevailing wage rates in accordance with the Pennsylvania Department of Labor wage determinations included in the RFP.
- Our company agrees to comply with the provisions of the Pennsylvania Prevailing Wage Act including submission of the Weekly Payroll Certification for Public Works Projects forms.
- I acknowledge that failure to comply with prevailing wage requirements may result in non-compliance with the Pennsylvania Department of Labor.

\_\_\_\_\_  
Authorized Representative's Signature

\_\_\_\_\_  
Date



**WORKER PROTECTION AND INVESTMENT CERTIFICATION FORM**

- A. Pursuant to Executive Order 2021-06, *Worker Protection and Investment* (October 21, 2021), the Commonwealth is responsible for ensuring that every worker in Pennsylvania has a safe and healthy work environment and the protections afforded them through labor laws. To that end, contractors and grantees of the Commonwealth must certify that they are in compliance with Pennsylvania’s Unemployment Compensation Law, Workers’ Compensation Law, and all applicable Pennsylvania state labor and workforce safety laws including, but not limited to:
1. Construction Workplace Misclassification Act
  2. Employment of Minors Child Labor Act
  3. Minimum Wage Act
  4. Prevailing Wage Act
  5. Equal Pay Law
  6. Employer to Pay Employment Medical Examination Fee Act
  7. Seasonal Farm Labor Act
  8. Wage Payment and Collection Law
  9. Industrial Homework Law
  10. Construction Industry Employee Verification Act
  11. Act 102: Prohibition on Excessive Overtime in Healthcare
  12. Apprenticeship and Training Act
  13. Inspection of Employment Records Law
- B. Pennsylvania law establishes penalties for providing false certifications, including contract termination; and three-year ineligibility to bid on contracts under 62 Pa. C.S. § 531 (Debarment or suspension).

**CERTIFICATION**

I, the official named below, certify I am duly authorized to execute this certification on behalf of the contractor/grantee identified below, and certify that the contractor/grantee identified below is compliant with applicable Pennsylvania state labor and workplace safety laws, including, but not limited to, those listed in Paragraph A, above. I understand that I must report any change in the contractor/grantee’s compliance status to the Purchasing Agency immediately. I further confirm and understand that this Certification is subject to the provisions and penalties of 18 Pa. C.S. § 4904 (Unsworn falsification to authorities).

<i><b>Signature</b></i>	<i><b>Date</b></i>
<i><b>Name (Printed)</b></i>	
<i><b>Title of Certifying Official (Printed)</b></i>	
<i><b>Contractor/Grantee Name (Printed)</b></i>	

**ATTACHMENTS:**

The following Attachments are included for reference as part of this RFP:

Attachment A – NRCS Design, Layout and Specifications

Attachment B – Prevailing Wage Rates and Information

Attachment C – RFP Scoring Sheet



# ATTACHMENT A NRCS Fence Requirements, Layout and Specifications

## FENCE - High Tensile Smooth Wire (Electric)

### CODE 382

#### Pennsylvania Conservation Practice Implementation Requirements and Certification

<b>Cooperator Name</b>	<b>County</b>	<b>Planner</b>	<b>Date</b>
<b>Farm/Tract/Field(s)</b>	<b>Program/Contract No. (if applicable)</b>	<b>Amount Planned</b>  FT	

**Note:** This document is not required when fence detail drawings are included on engineering designs for an associated practice (e.g., Heavy Use Area Protection [561], Waste Storage Facility [313], Waste Transfer [634]).

<b>Purpose:</b> Control the movement of animals, people, and vehicles to accomplish specific conservation objectives.	
<b>Intended Use(s)</b>	
<input type="checkbox"/> Restrict or control access by domestic animals or people into hazardous or environmentally sensitive areas. <input type="checkbox"/> Implement a prescribed grazing plan or provide better distribution of grazing animals. <input type="checkbox"/> Confine livestock on an area. <input type="checkbox"/> Other:	
<b>Associated Practices (must be implemented in combination with this practice)</b>	
<input type="checkbox"/> Access Control (472) <input type="checkbox"/> Riparian Herbaceous Cover (390) <input type="checkbox"/> Other practices (specify): <input type="checkbox"/> Heavy Use Area Protection (561) <input type="checkbox"/> Riparian Forest Buffer (391) <input type="checkbox"/> Prescribed Grazing (528) <input type="checkbox"/> Roofs and Covers (367) <input type="checkbox"/> Pasture and Hay Planting (512) <input type="checkbox"/> Waste Storage Facility (313) <input type="checkbox"/> Pond (378) <input type="checkbox"/> Watering Facility (614)	
<b>Fencing is needed to control movement of: (check all that apply)</b>	
<input type="checkbox"/> Livestock: <input type="checkbox"/> Beef <input type="checkbox"/> Dairy Cattle <input type="checkbox"/> Goats <input type="checkbox"/> Sheep <input type="checkbox"/> Equine <input type="checkbox"/> Other: <input type="checkbox"/> Wildlife: <input type="checkbox"/> People <input type="checkbox"/> Vehicles and/or equipment	
<b>Wire</b>	<input type="checkbox"/> High-tensile, smooth wire that has a minimum thickness of 12½ gauge, is class 3 galvanized, and has a breaking strength of at least 200,000 psi or 1540 lb per wire <input type="checkbox"/> High-tensile vinyl coated or polymer encased wire that has a minimum thickness of 12½ gauge, is coated with UV resistant polymer, and has a breaking strength of at least 1,300 lb per wire or 4,000 lb per rail  Total number of strands: _____    Number of electric strands: _____    Minimum voltage: _____ kilovolts Strand spacing at: _____ inches from ground Wire stays (battens) used? <input type="checkbox"/> Yes <input type="checkbox"/> No    Max. spacing interval between wire stays at: _____ feet <input type="checkbox"/> If used, min. dimensions of wooden top board: 1 inch x 6 inches x _____ feet  12½ gauge overhead or insulated underground transmission line will be used to carry electricity across all gate openings (including electrified gates) to charge the remainder of the fence.
<b>Line Posts</b>	<input type="checkbox"/> <b>Wood:</b> Minimum total length: _____ feet    Minimum dimensions: 4-inch diam. round, or 4-inch square

	<input type="checkbox"/> <b>Galvanized steel:</b> Min. total length: _____ feet      Min. weight: <u>1.25 lb/foot (excluding anchor plate)</u> <input type="checkbox"/> <b>Other:</b> Minimum total length: _____ feet      Approved material: _____ Maximum spacing between line posts: _____ feet      Minimum height above ground: _____ feet Minimum depth set in the ground: <u>1½ feet (steel); 2½ feet (wood)</u> If both wood and steel/other posts are used, indicate the maximum number of steel/other posts (_____) to be installed in between each wood post.
<b>Corner, End, &amp; Gate Posts</b>	Minimum total length: _____ feet      Minimum dimensions: <u>6-inch diam. round or 6-inch square</u> Minimum depth set in the ground: <u>3.5 feet</u>
<b>Brace Posts</b>	Minimum total length: _____ feet      Minimum dimensions: <u>5-inch diam. round or 5-inch square</u> Minimum depth set in the ground: <u>3.5 feet</u> (corner, end, gate braces); <u>2.5 feet</u> (line braces)
<b>Brace Rails</b>	Minimum dimensions: <u>2-inch diam. (steel); or 4-inch diam. round or 4-inch square (wood)</u> Minimum length: <u>7 feet</u>
<b>Brace Assemblies</b>	<input type="checkbox"/> Maximum distance between single span assemblies (if needed): _____ feet <input type="checkbox"/> Maximum distance between double span assemblies (if needed): _____ feet
<p><b>Additional Requirements</b></p> <ul style="list-style-type: none"> <li>• All wood posts shall be pressure-treated pine or other wood of suitable strength and rot-resistance (black locust, redcedar of at least 50% heartwood). Note that lumber dimensions are specified in nominal (common) sizes for commercial wood products; actual sizes are usually ¼ to ½ inch less than the nominal sizes for thickness and width.</li> <li>• Install the fence in the location(s) shown on the attached map or drawing. Refer to the attached Standard Detail drawings and/or specifications for construction requirements.</li> <li>• For optimum strength of fencing, attach the wire to the side of the fence that will receive the greatest pressure from animals. Place wire on the outside of posts on curves and corners.</li> <li>• Fence materials shall be new, and fence shall have minimum expected life of at least 20 years with minimal maintenance.</li> <li>• Comply with current provisions of the PA One-Call utility check and any amendments before performing any work. Contact PA One-Call prior to fence installation by visiting <a href="http://www.pa1call.org">www.pa1call.org</a> or dialing 8-1-1.</li> <li>• Fences and gates shall be adequate to achieve practice objectives and facilitate management needs.</li> <li>• Electric fence charger shall be low-impedance; be UL approved or equivalent; have lightning arrestors, grounding rods, and manufacturer-required safety features installed to meet the recommendations of the charger's manufacturer. Insulators shall be porcelain or UV-stabilized plastic of sufficient strength, strain-resistance, and longevity.</li> </ul>	



# Fencing Plan - 4 Strand High Tensile

Date: 1/29/2026

Client(s): ANDREW R SNOOK  
Snyder County, Pennsylvania

Assisted By: BRANDON FORD  
USDA-NRCS  
MIDDLEBURG SERVICE CENTER  
SNYDER COUNTY CONSERVATION DISTRICT

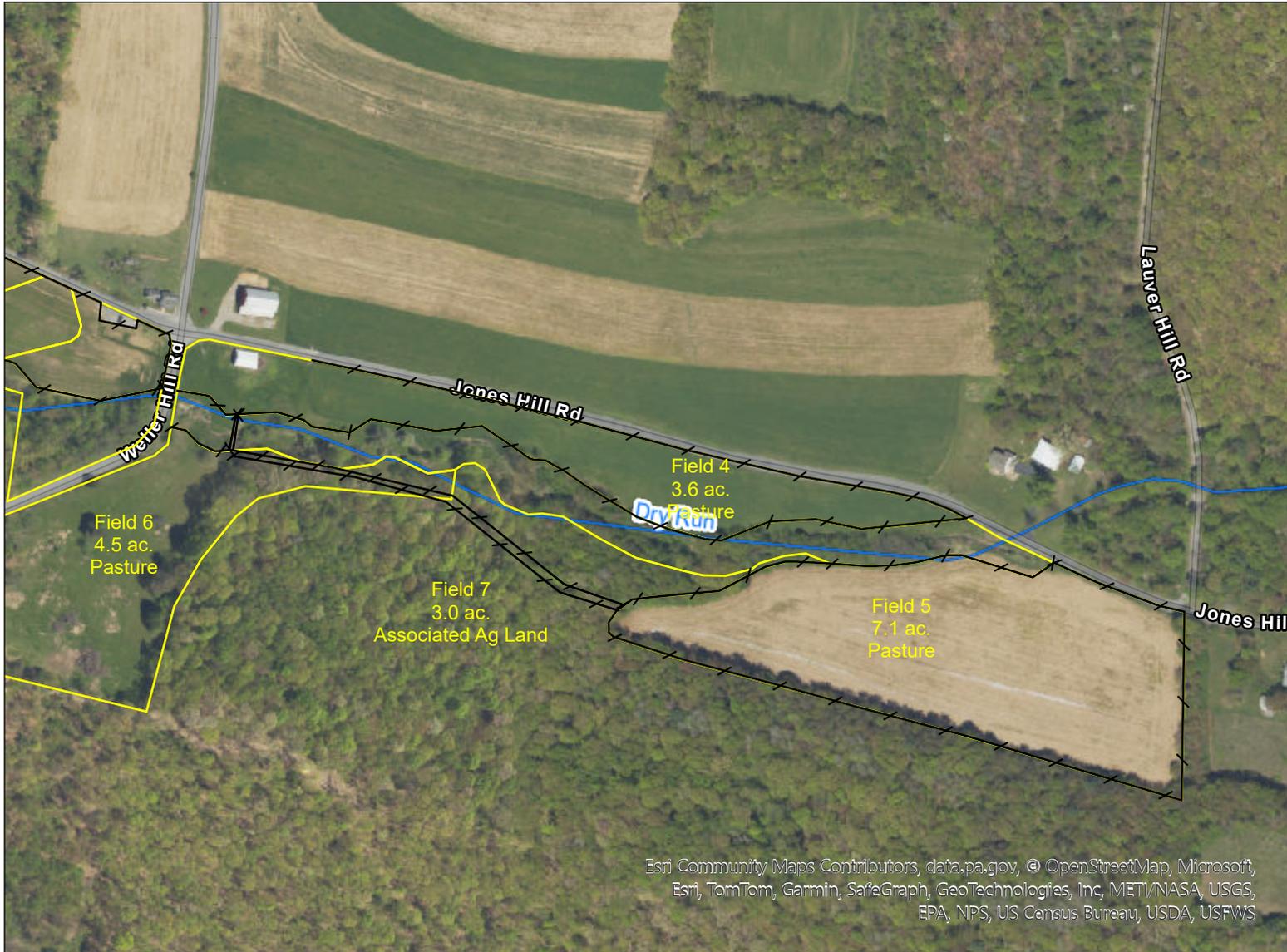


# Fencing Plan - 4 Strand High Tensile

Date: 1/29/2026

Client(s): ANDREW R SNOOK  
Snyder County, Pennsylvania

Assisted By: BRANDON FORD  
USDA-NRCS  
MIDDLEBURG SERVICE CENTER  
SNYDER COUNTY CONSERVATION DISTRICT



Conservation Practice Lines

- Fence (382)
- Practice Schedule PLUs

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Prepared with assistance from USDA-Natural Resources Conservation Service

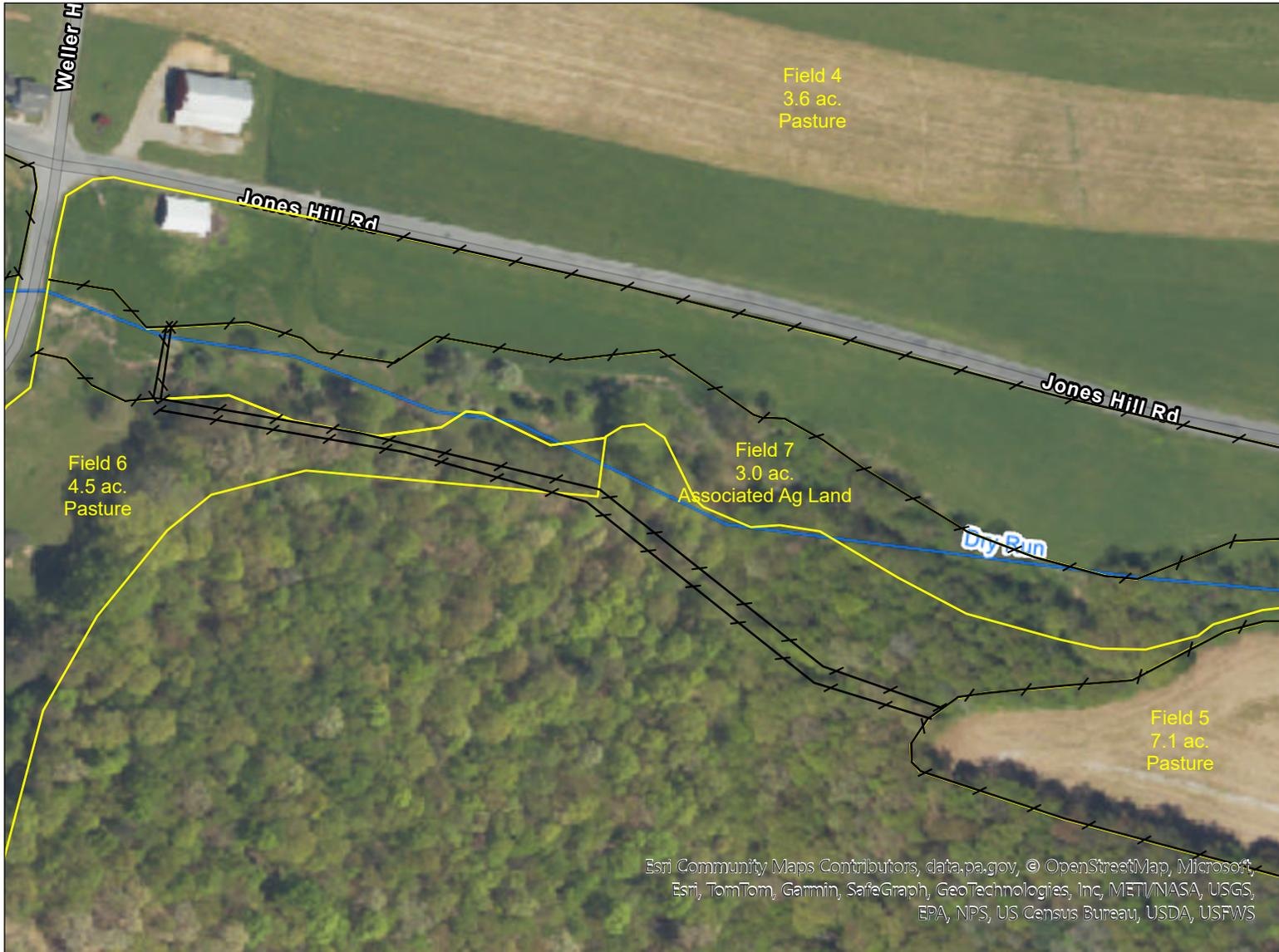


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## FENCE CODE 382

### Pennsylvania Conservation Practice Specifications

These specifications supplement the conservation practice standard for Fence (382) and contain criteria primarily for livestock fences. Other types of fences may be applicable for other purposes.

Fences may be designed for permanent installation or for temporary use. **Permanent fences** are intended to be in place for long periods of time with minimum maintenance. They are constructed with durable materials that have a longer life span than temporary fencing materials.

**Temporary (or portable) fences** are designed to be in place for short periods of time and are often used as subdivision fences for frequent movement of animals where the location of the fence may not be the same from time to time. Temporary fencing offers maximum flexibility in rotational grazing systems for subdividing pastures to enhance grazing efficiency. **Temporary fencing may also be used to provide short-term protection for streams and riparian areas but is not a long-term solution for restricting access to these and other environmentally sensitive areas.**

**Categories of Fence.** Livestock fences are categorized based on the degree of protection provided for the intended use, as follows:

- Critical confinement/exclusion fences – Are permanently installed fences used in areas where a high level of confinement or exclusion is needed. Fences along property lines, near public roads, or adjacent to hazardous areas are included in this category. Table 1 provides a selected list of critical confinement fences that are recommended for various types of livestock. **Other types of critical confinement/exclusion fences may also be appropriate but must be approved in advance by NRCS.**
- Non-critical confinement/exclusion fences – Are permanently installed or temporary (portable) fences used in areas where a lower level of confinement or exclusion is acceptable. These fences are not as strong as critical confinement fences and are less effective for restraining livestock. A greater amount of attention is required of landowners and operators to contain livestock with temporary fencing. Divisional fences in pastures and other light-duty fences are included in this category. Table 2 provides recommendations for non-critical confinement electric fences for various types of livestock. **Other types of non-critical confinement/exclusion fences may also be appropriate but must be approved in advance by NRCS.**

Refer to Tables 1 and 2 to determine the types of fences, fence heights, and wire spacings that are recommended for controlling specific types of livestock.

**Fence Type or Style.** Fence types are described based on materials, design, and uses:

- **Barbed wire fence** is generally used as a multi-strand permanent fencing material for perimeter fences, livestock containment areas, and interior subdivision fencing to facilitate grazing management. Barbed wire fencing is not recommended for horses, sheep, goats, or hogs.
- **Woven wire fences** are used as permanent fences for both perimeter and subdivision fences. Wire-spacing and height varies based on the type of animals being controlled. Woven wire fences consist of a series of horizontal (line) wires and vertical (stay) wires, and are offered in two main types: “hinge joint” and “continuous stay fixed knot.” In a hinge joint woven wire fence, the vertical stays wrap around the line wires. In a continuous stay fixed knot fence, the vertical stay wires are fixed with another separate wire to the line wire. Both main fence types come in various designs (line and stay spacing), tensile strength grades, and metallic coating types and grades.

- **High tensile smooth wire fence** is commonly used as a multi-strand permanent fence for perimeter and subdivision purposes. It can be used to control most livestock when wires are properly spaced. Smooth wire may be steel, aluminum, or vinyl coated, and can be electrified or non-electrified.
- **Electric fences** may be permanent or temporary. The electrical power source can be from 110v or 220v electrical current or from a battery. Batteries may be recharged by solar or electrical grid power. Livestock must be trained to respect electric fences. Electric fences are referred to as “psychological barriers” for livestock, as compared to the physical barrier that other types of fences create. Numerous brands and styles of electric braid, twisted strands, tape, and netting are available. Electric mesh and netting are often used for predator exclusion for small livestock and “pastured” poultry.
- **Board fences** are usually wood and can be used for permanent and subdivision purposes. Vinyl and composite materials are also available, and may be acceptable when pre-approved by NRCS and installed according to manufacturer’s instructions. Board fence is used primarily where aesthetics or animal safety is a concern and is most often used for horses and cattle.
- **Heavy use area containment fencing** is used to control access into and out of livestock feeding areas and other confinement areas. This fencing is usually constructed of board, steel pipe, high tensile smooth wire, or cable, and is built to sustain heavy use by livestock and equipment in a confined space.
- **Other fence types** include chain link, steel pipe, galvanized panel, guard rail, and cable fences. These are commonly used as safety fences adjacent to farmsteads and other structures to restrict access to unsafe or prohibited areas.
- **Non-conventional fencing** includes variations of fence systems that may be acceptable when pre-approved by NRCS and installed according to the manufacturer’s instructions. These alternatives shall meet or exceed current specifications. Alternative fence systems may be applicable for horses and other animals that have special requirements for control.

The following tables provide specifications for commonly used types of fence and degree of protection:

- [Table 3](#) – Woven Wire and Barbed Wire Fences for Critical Confinement/Exclusion.
- [Table 4](#) – Wooden Board Fence for Critical Confinement/Exclusion.
- [Table 5](#) – Chain Link Fence for Critical Confinement/Exclusion.
- [Table 6](#) – High Tensile Smooth Wire for Critical Confinement/Exclusion Fences and Non-Critical Confinement/Exclusion (or Divisional) Fences.
- [Table 7](#) – Electroplastic Twine (Polywire), Electrified Ribbon, and Galvanized Steel Braided Wire for Non-Critical Confinement/Exclusion (or Divisional) Fences.
- [Table 8](#) – Summary of Fence Types and Selected Materials.

Refer to the Pennsylvania 382 Implementation Requirements sheets or Standard Drawings for details of fence types and components.

**Fence Materials and Installation.** The criteria in these specifications for size, gauge, amount, weight, or type of materials for each fence type and the post seating depths shall be regarded as minimums, unless otherwise specified by the fence manufacturer. Post spacing and wire spacing shall be regarded as maximums, unless otherwise specified by the fence manufacturer.

Materials requirements for specific types of fences are provided in Tables 3 to 7. Specifications are provided for wood and steel materials. Lumber dimensions are specified in **nominal (common) sizes** for commercial wood products. This is how lumber is labeled when it is sold. **Actual sizes** of commercial lumber used for fencing are usually 0.25 to 0.5 in. less than the nominal sizes for thickness and width, and are acceptable for this standard. For example, a 1 in. x 6 in. commercial wood board may actually be 0.75 in. x 5.5 in.; a 4 in. square commercial wood post may actually be 3.5 in. square. Differences in length are usually not significant. For example, a post sold as an 8-ft. 4 x 4 is generally very close to the full 8 feet in length.

Any materials or construction features that exceed these specifications or have equivalent or greater effectiveness as specified by the manufacturer, may be acceptable for meeting the criteria of the Fence (382) standard. Alternative materials (e.g., rigid polyvinyl chloride (PVC), fiberglass, wood/plastic composites) may be used for fence **line posts**, provided they are:

- **Not** part of a safety fence or heavy use area containment fence (e.g., a fence around a waste storage facility or livestock confinement area).
- Specified by the manufacturer as having at least a 20-year lifespan and appropriate strength for the type of livestock or other animals to be controlled.
- Installed according to the manufacturer's instructions.

**Other alternative materials or installation methods not described in these specifications may also be acceptable but must be approved in advance by NRCS. Landscape timbers are not acceptable materials for fence posts, battens, or braces.**

For organic operations, the USDA National Organic Program (NOP) regulations state that a producer must not use lumber treated with arsenate or other prohibited materials (creosote, pentachlorophenol, etc.) for new installations or replacement purposes in organic production areas when it can come in contact with soil, crops, or livestock. The NOP prohibits the use of most (but not all) synthetics. Naturally decay-resistant wood (e.g., red cedar, black locust, Osage orange) can be used instead of pressure-treated pine but is often more expensive and may not be readily available from local suppliers. Choose posts that are primarily heartwood; the sapwood is not as decay resistant.

Alternatives to wood (e.g., steel, fiberglass, plastics, wood/plastic composites) may be an option for organic producers, but these materials can contain coatings and/or additives that could be interpreted as unacceptable according to the NOP regulations. Given this uncertainty, it is advisable to consult with the organic certifying agent when considering the use of materials other than natural products. Alternative materials may be determined acceptable from an organic standpoint, but some (especially plastics and wood/plastic composites) may not have been on the market long enough to assess their long-term strength and durability for fence posts, especially in high-stress applications. As noted above, **alternative materials not described in these specifications must be approved in advance by NRCS.**

Prior to construction, the fence line shall be cleared of any obstruction that would hinder fence placement and operation. Clearing along stream banks will be held to a minimum except as required for stream crossings. The soil surface along the fence line shall be relatively smooth such that placement of the bottom wire does not exceed specified maximum wire spacing from soil surface.

**Fence Posts** – A post is a linear piece of wood, steel, or other material set upright in the ground to serve as support for the fence fabric. For each type of permanently installed fence, criteria are established for line, corner, end, gate, and brace posts, as applicable. Posts are defined as follows:

- **Line posts** – Primarily support the fence fabric and are not under significant tension. Line posts are set between the corner, end, gate, and brace post assemblies.
- **Corner, end, gate, and brace posts** – These posts support the fence fabric and are under tension from the pull of the fence. They are usually larger in diameter and are set deeper in the ground than line posts.

Set permanent posts perpendicular to the ground by driving, augering, or hand digging. Backfill material shall be hand tamped in 6-inch lifts. Posts need to be set below the frost line to prevent heaving.

For corner and end posts, and line posts on curves, install posts approximately 2 inches off vertical (leaning away from the direction of pull).

In extremely wet or very sandy soils, and in cases where posts cannot be set to the specified depth, the posts of permanently installed fences must be set in concrete to secure them. ***In all cases, permanent posts must be set firmly so that they cannot be moved horizontally or vertically by hand.***

**Battens** – Battens are narrow, slotted strips of wood or other non-conductive material (e.g., fiberglass, plastic) that are used as wire spacers to keep strands apart in high tensile smooth wire or barbed wire fences. Battens are supported by the fence wires and are not set in the ground.

**Offset Brackets** - Offset brackets can be attached to a standard (non-electric) fence to support an electric wire for electric subdivision fences, or to protect a standard fence from livestock damage. Offset brackets can be attached to the existing fence wires and/or fence posts. For wire attachment, use offset brackets made of galvanized (ASTM Class 3) high tensile spring wire with an insulator of high-density UV-stabilized polyethylene or porcelain. Other corrosion resistant offset brackets with insulators that attach directly to the fence posts can also be used.

Attach offset brackets spaced up to 60 feet apart to the standard fence, either on wire next to the post or on the post itself. Closer spacing is necessary in rolling terrain. Offset brackets must hold the electric wire at least 4 inches from the non-electrified fence material. Make sure no wires of the standard fence come in contact with the electric wire, as a short will occur. The electric wire should be tensioned just tight enough to take the slack out. A 12½ gauge galvanized wire (ASTM Class 3) with at least 170,000 PSI tensile strength is recommended for this purpose.

If control of livestock is desired along the standard fence, place offset brackets at nose height of the animals. For cattle, set the brackets at approximately 30 inches off the ground. For small ruminants, set brackets 18 to 24 inches off the ground. Consider adding a second offset wire at 6 to 8 inches off the ground so small ruminants cannot go under the fence, or coyotes and dogs do not get into the enclosure by digging under the fence.

**Access Gates** – Install gates at locations suitable for providing controlled access. Select gates of appropriate size and materials for the specific fencing system. Install prefabricated gates according to the manufacturer's instructions.

**Flood Gates** – Where a fence crosses a stream at a livestock crossing, install a flood gate (or water gap section) across the stream as needed to keep livestock within the fenced area. Construct the flood gate so as to minimize debris buildup and prevent structural damage to the fence during flooding events.

**TABLE 1: Critical Confinement/Exclusion Livestock Fences: Recommendations for Fence Type, Height and Strand Spacing <sup>1/</sup>**

Type of Livestock	Type of Fence				
	Woven Wire	Barbed Wire	Wooden Board	Non-Electric High Tensile Smooth Wire	Electric High Tensile Smooth Wire
<b>Horses and Foals</b>	<p>Minimum of 48 inches high - 5 horizontal woven wires.</p> <p>Add at least one electrified smooth wire and/or a wooden rail (board) at the top of the woven wire to prevent horses from stretching the fence.</p> <p>If a board is used <u>without</u> an electric wire, note in the O&amp;M that the board will need to be replaced periodically if damaged by horses.</p>	Not recommended.	<p>Minimum of 48 inches high with at least three (3) 6-inch boards. Openings between boards 6-12 inches. Bottom of the lowest board 6-12 inches above the ground.</p> <p><u>3-board fence</u> – Top board at 48 inches. Boards spaced at 15, 30, and 45 inches <i>on center</i> above the ground (~ 9-inch openings between boards). Bottom board: ~ 12-inch ground clearance.</p> <p><u>4-board fence</u> – Top board at 60 inches. Boards spaced at 12, 27, 42, and 57 inches <i>on center</i> above the ground (~ 9-inch openings between boards). Bottom board: ~ 9-inch ground clearance.</p>	<p>Minimum of 6 strands - spaced at 10, 20, 30, 40, 50, and 60 inches above the ground.</p> <p>To increase fence visibility, substitute one or more strands of vinyl coated wire or high tensile vinyl tape for the smooth wire.</p>	<p>Horses only (no foals) - Minimum of 3 strands (at least 2 electrified) - spaced at 30, 40, and 50 inches above the ground.</p> <p>With Foals - Minimum of 4 strands (at least 2 electrified) - spaced at 16, 26, 36, and 46 inches above the ground.</p> <p>To increase fence visibility, substitute one or more strands of vinyl coated wire or high tensile vinyl tape for the smooth wire.</p>
<b>Beef – Steers, Cows and Calves</b>	Minimum of 48 inches high - 5 horizontal woven wires.	Minimum of 3 strands - spaced at 10 to 17 inches, 20 to 27 inches, and 32 to 38 inches above the ground.	<p>Minimum of 48 inches high with at least three (3) 6-inch boards. Openings between boards 6-9 inches. Bottom of the lowest board 6-12 inches above the ground.</p> <p><u>3-board fence</u> – Top board at 48 inches. Boards spaced at 15, 30, and 45 inches <i>on center</i> above the ground (~ 9-inch openings between boards). Bottom board: ~ 12-inch ground clearance.</p> <p><u>4-board fence</u> – Top board at 48 inches. Boards spaced at 9, 21, 33, and 45 inches <i>on center</i> above the ground (~ 6-inch openings between boards). Bottom board: ~ 6-inch ground clearance.</p>	Minimum of 6 strands - spaced at 9, 16, 23, 30, 38, and 46 inches above the ground.	<p>Minimum of 3 strands (all electrified) - spaced at 18, 30, and 42 inches above the ground.</p> <p>Or a minimum of 4 strands (only 2 electrified) - spaced at 10, 22, 34, and 46 inches above the ground.</p>

<b>TABLE 1: Critical Confinement/Exclusion Livestock Fences: Recommendations for Fence Type, Height and Strand Spacing <sup>1/</sup></b>					
<b>Type of Livestock</b>	<b>Type of Fence</b>				
	<b>Woven Wire</b>	<b>Barbed Wire</b>	<b>Wooden Board</b>	<b>Non-Electric High Tensile Smooth Wire</b>	<b>Electric High Tensile Smooth Wire</b>
<b>Dairy Cows and Heifers</b>	Same as above for Beef.	Same as above for Beef.	Same as above for Beef.	Same as above for Beef.	Dairy Cows only - Minimum 2 strands (2 electrified), spaced at 20 and 34 inches above the ground. With Heifers - Minimum of 3 strands (at least 2 electrified), spaced at 18, 30, and 42 inches above the ground.
<b>Bison</b>	Minimum of 60 inches high - fixed-knot high tensile woven wire.	Not recommended.	Not recommended.	Not recommended.	Minimum of 6 strands (at least 2 electrified) - spaced at 12, 20, 28, 36, 44, and 52 inches above the ground.
<b>Goats and Kids</b>	Minimum of 40 inches high - 5 horizontal woven wires, plus at least one additional wire (either barbed or electrified smooth) at the top. Put the first additional wire, if barbed, no more than 3 inches above the top of the woven wire. No additional wire is required if the woven-wire fence is at least 48 inches high.	Not recommended.	Not recommended.	See Note 2 at the end of this table.	Minimum of 5 strands (at least 2 electrified) - spaced at 6, 12, 20, 28, and 36 inches above the ground. Or a minimum of 4 strands, if all are electrified.
<b>Sheep and Lambs</b>					
<b>Hogs</b>	Minimum of 35 inches high - 5 horizontal woven wires, plus one additional wire (electrified smooth) at the bottom.	Not recommended.	Not recommended.	Not recommended.	Minimum of 5 strands (at least 2 electrified) - spaced at 6, 12, 20, 28, and 36 inches above the ground.

<b>TABLE 1: Critical Confinement/Exclusion Livestock Fences: Recommendations for Fence Type, Height and Strand Spacing <sup>1/</sup></b>					
<b>Type of Livestock</b>	<b>Type of Fence</b>				
	<b>Woven Wire</b>	<b>Barbed Wire</b>	<b>Wooden Board</b>	<b>Non-Electric High Tensile Smooth Wire</b>	<b>Electric High Tensile Smooth Wire</b>
<b>Chickens/Turkeys</b>	Minimum of 72 inches high - 2"x4" woven wires.	Not recommended.	Not recommended.	Not recommended.	Not recommended.
<b>Emus/Ostriches</b>	Minimum of 72 inches high - 6"x6" woven wires.	Not recommended.	Not recommended.	Not recommended.	Not recommended.

**TABLE 1 NOTES:**

- 1/ Based on the type of livestock, use the information in this table only as a guide to determine the number of strands and spacing. Adjustments to the number of strands and spacing may be made based on the fence manufacturer's recommendations and landowner's preference for critical confinement/exclusion fences.
- 2/ Non-electric high tensile fence is not recommended for these animals unless: (a) there are electric fences elsewhere on the farm and, as a result, the animals are trained to avoid wire fences, or (b) the fence will be used for non-critical confinement/exclusion.

<b>TABLE 2: Non-Critical Confinement/Exclusion Livestock Fence: Recommendations for the Number of Strands and Spacing (Electric Fence)</b>	
<b>Type of Livestock</b>	<b>Recommended Number of Strands and Spacing <sup>1/</sup></b>
<b>Mature Horses</b>	<u>Permanent or temporary fencing</u> : Minimum of 1 strand (hot) – spaced at 28 to 34 inches above the ground. High visibility strands (e.g. coated wire) are recommended for horses.
<b>Horses and Foals</b>	<u>Permanent or temporary fencing</u> : Minimum of 2 strands (both hot) – spaced at 17 to 22 inches and 32 to 38 inches above the ground. High visibility strands (e.g. coated wire) are recommended for horses.
<b>Cows and Calves</b>	<u>Permanent or temporary fencing</u> : Minimum of 2 strands (both hot) – spaced at 17 to 22 inches and 32 to 38 inches above the ground.
<b>Mature Beef and Dairy Cattle</b>	<u>Permanent or temporary fencing</u> : Minimum of 1 strand (hot) – spaced at 28 to 34 inches above the ground.  For hard to hold animals, use: <u>Permanent or temporary fencing</u> : Minimum of 3 strands (at least 2 hot) – spaced at 10 to 17 inches, 20 to 27 inches, and 32 to 38 inches above the ground.
<b>Bison</b>	<u>Permanent fencing</u> : Minimum 4 strands (at least 2 hot) - spaced at 16, 25, 34, and 43 inches above the ground. Use high tensile smooth wire.
<b>Goats and Kids</b>	<u>Permanent fencing</u> : Minimum 3 strands (at least 2 hot) - spaced at 6, 18, and 35 inches above the ground.
<b>Sheep and Lambs</b>	<u>Temporary fencing</u> : Minimum 4 strands (all hot) - spaced at 8, 16, 24, 32 inches above the ground, <u>or</u> use electric net fencing a minimum of 34 inches tall.
<b>Hogs</b>	<u>Permanent or temporary fencing</u> : Minimum of 2 strands (both hot)- spaced at 10 inches and 18 inches above the ground for sows and growing-finishing pigs, or spaced at 6 inches and 18 inches above the ground for nursing pigs.  <u>Or</u> use temporary electric net fencing a minimum of 34 inches tall.
<b>Poultry</b>	<u>Temporary Fencing</u> : Use electric net fencing a minimum of 40 inches tall.

**TABLE 2 NOTES:**

<sup>1/</sup> Electric fence materials for non-critical confinement may consist of high tensile smooth wire, electroplastic twine (polywire), electrified ribbon or tape, galvanized steel braided wire, electric net fencing, or other materials as specified by the manufacturer.

Based on the type of livestock, use the information in this table as a guide to determine the number of strands and spacing. Adjustments to the number of strands and spacing may be made based on the fence manufacturer's recommendations and landowner preference for non-critical confinement/exclusion fences.

**Temporary fencing may be used to provide short-term protection for streams and riparian areas but is not a long-term solution for restricting access to these and other environmentally sensitive areas.**

**TABLE 3: Woven Wire and Barbed Wire Fences for Critical Confinement/Exclusion**

Woven wire and barbed wire fences are suitable for applications where a high level of confinement is needed, such as near roads and on property lines.

**Wire** – All wire shall be new ASTM Class 3 galvanized or aluminum-coated material.

For optimum strength of fencing, attach the wire to the side of the fence that will receive the greatest pressure from animals. Place wire on the outside of posts on curves and corners.

The type of wire, number of wires, spacing, and minimum height of fence is based on the type of livestock to be confined. See Table 1 for details.

Barbed wire and woven wire shall be spliced by means of a western union splice or by suitable compression sleeves applied with a tool designed for the purpose

Fence wire shall consist of one of the following materials:

1. **Woven wire** – Woven wire shall be a minimum 12½-gauge for all horizontal wires (top, bottom, and intermediate). High tensile woven wire may be used, according to manufacturer recommendations.

Install the fencing so that the bottom wire is at ground level to exclude predators. If predators are not a concern, the bottom wire can be installed at 3 inches above ground level to facilitate maintenance. Add at least one additional wire (either barbed or electrified smooth) above the top of the woven wire. The first additional wire, if barbed, shall be no more than 3 inches above the top of the woven wire. This reduces the possibility that livestock will put their heads through the gap and push down on the woven wire fence.

For horses, a wooden rail (board) may be used instead of, or in addition to, an electric wire at the top of the woven wire to prevent horses from stretching the fence. If a board is used without an electric wire, note in the O&M that the board will need to be replaced periodically if damaged by horses.

Woven wire is not recommended for use in flood prone areas.

2. **Barbed wire** – Standard barbed wire shall be double-strand, a minimum 12½-gauge with 4-point barbs spaced no more than 6 inches apart or 15½-gauge for high tensile barbed wire.

Barbed wire may be used in flood prone areas, but it is more subject to flood damage than high tensile smooth wire fence.

Barbed wire shall not be used for horses, sheep, goats, or hogs.

**Line Posts** – Shall be either wooden or steel and shall meet the following criteria for type of material, size, and spacing:

1. **Wooden posts** – Shall be well seasoned or kiln-dried to minimize warping. Use untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or non-durable wood that is preservative pressure treated. Do not use red pine. Treated lumber shall meet or exceed requirements for AWWPA Use Category 4A (UC4A), Ground Contact, General Use.

Wooden posts shall be at least 4 inches in diameter or 4 inches square. Wooden line posts must be of sufficient length to hold up the fence fabric, while allowing the post to be set in the ground to a minimum depth of 2½ feet. When set in depressions or low places, line posts shall be anchored in the ground or set at an angle to prevent lifting.

Where posts cannot be set to the specified depth, they must be set in concrete to secure them. Set posts in a hole that is at least 12 inches deep, with a diameter that is at least three times the diameter of the post. (For example, a 4-inch diameter post shall have a minimum 12-inch diameter hole filled and set with concrete.) Concrete shall be of a Portland type mix and sloped at the top to provide positive drainage away from the post. Fence wire shall not be attached to posts until at least 5 days after setting the posts in concrete. Other methods for securing posts at less than the required depth may be used with prior approval from NRCS.

2. **Steel posts** – Shall be studded or punched "T", "U", or "Y" shaped with anchor plates, with a minimum weight of 1.25 lbs. per foot (excluding the anchor plate). Posts shall be either galvanized or painted. Galvanized posts shall be hot-dipped with at least 2 ounces of zinc coating per square foot. Painted posts shall be clean of loose scale with one or more coats of weather resistant paint applied.

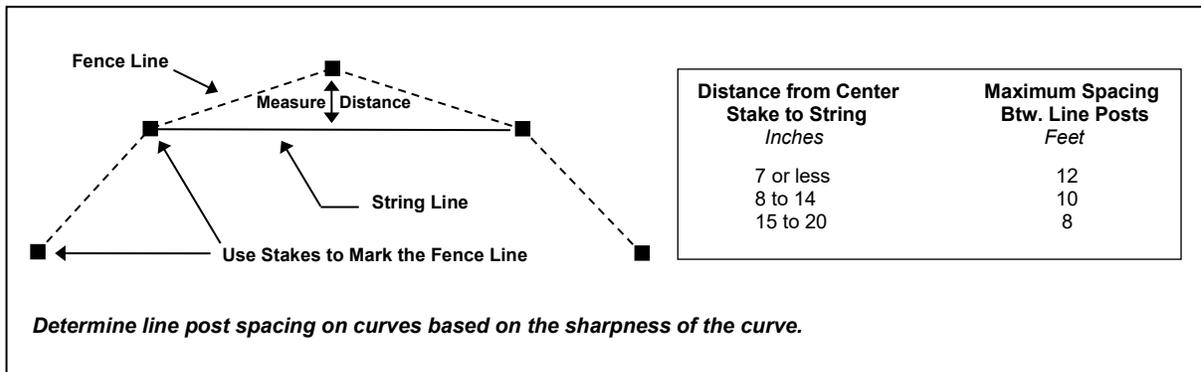
Steel line posts shall be at least 5 feet long and driven into the ground to the top of the anchor plate. Where extra strength and support for the fence is needed, use a wooden post instead of steel for every third or fourth line-post.

**TABLE 3: Woven Wire and Barbed Wire Fences for Critical Confinement/Exclusion**

3. **Spacing** – For conventional woven wire fences, the maximum line post spacing is 10 feet. If high tensile woven wire is used, the maximum line post spacing shall be 20 feet or as based on the manufacturer's recommendation. For barbed wire fences, the maximum line post spacing is 16 feet.

Line posts must be placed closer together on curves to prevent wire tension from moving the posts. Mark the location of the fence line by placing small stakes every 16 feet around the curve. Determine where the curve is greatest, and then start figuring post spacing. The sharper the curve, the closer the posts need to be.

To determine line post spacing for barbed wire fences, set three stakes at the point of maximum curvature. String a line from the first to the third stake. Measure the distance from the center stake to the string and space the posts as shown below. Lean posts outward on the curve approximately 2 inches off vertical at the top. Posts will straighten as the wire is tightened.



**Corner, End, Gate, and Brace Posts** – Shall be meet the following criteria for type of material and size:

1. **Wooden posts** – Shall be well seasoned or kiln-dried to minimize warping. Use untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or non-durable wood that is preservative pressure treated. Do not use red pine. Treated lumber shall meet or exceed requirements for AWPA Use Category 4A (UC4A), Ground Contact, General Use.
2. **Size** – Corner, end, and gate posts shall be at least 6 inches in diameter or 6 inches square. Brace posts shall be at least 5 inches in diameter or 5 inches square.

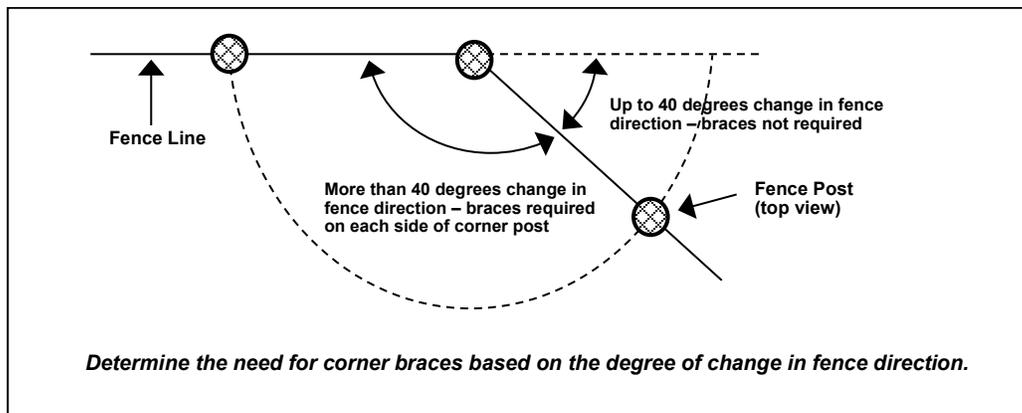
Posts shall be of sufficient length to hold the fence wires while allowing the post to be set in the ground to a minimum depth of 3½ feet for corner, end, and gate brace assemblies, and a minimum depth of 2½ feet for line brace assemblies. Where posts cannot be set to the specified depth, they must be set in concrete to secure them. Set posts in a hole that is at least 24 inches deep, with a diameter that is at least three times the diameter of the post. (For example, a 6-inch diameter post shall have a minimum 18-inch diameter hole filled and set with concrete.) Concrete shall be of a Portland type mix and sloped at the top to provide positive drainage away from the post. Fence wire shall not be attached to posts until at least 5 days after setting the posts in concrete. Other methods for securing posts at less than the required depth may be used with prior approval from NRCS.

3. **Spacing** – Brace posts shall be set a minimum of 7 and a maximum of 10 feet from each corner, end, or gate post. The total length of each brace must be double the height of the fence; a double span (“double H”) brace can be used to add length. Brace assemblies shall be installed as described in the next section of this table.

**TABLE 3: Woven Wire and Barbed Wire Fences for Critical Confinement/Exclusion**

**Brace Assemblies** – Single span or double span brace assemblies are required at all corners, ends, and gates, and where the fence alignment changes direction by more than 40 degrees (see diagram below). **Line brace assemblies** shall also be installed at appropriate intervals in a run of fence and at sharp breaks in grade. A **run** is the distance between a corner, end, or gate post and the next corner, end, or gate post. Types and maximum intervals for bracing shall be as shown below.

Type of Fence	Run of Fence between Corner, End, and/or Gate Posts	Type of Brace Assembly Needed at Corner, End, and/or Gate Posts	Line Brace Assembly Interval in the Run of Fence
Woven wire or barbed wire	Less than 700 feet.	The total length of each brace must be double the height of the fence; a double span ("double H") brace can be used to add length.	Line braces are not required at fixed intervals for this run of fence. Use as needed at bottom of hills.
	More than 700 feet.		At least one every 700 feet in the run of the fence and as needed on the bottoms of hills.



**Horizontal brace rails** shall be installed roughly  $\frac{3}{4}$  of the way up the vertical posts and shall consist of one of the following materials:

1. **Galvanized steel pipe** – Minimum 7 feet long, 2-inch diameter, with minimum wall thickness as specified for a water supply pipe.
2. **Wooden post** – Minimum 7 feet long, 4-inch square or 4-inch diameter round.

**Brace post pins** shall be galvanized steel rods a minimum of 5/16-inch x 9-inch and 5/16-inch x 4-inch.

**Brace wires** shall consist of 12½ gauge or stronger, galvanized, high tensile wire, double wrapped in a figure 8 pattern, with an in-line strainer. Brace wires shall be tightened to secure the brace assemblies.

If a wide stream or gully (i.e. greater than 16 feet) is to be crossed, the fence section shall be terminated on one bank with a brace assembly and a new section started on the other bank.

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**TABLE 3: Woven Wire and Barbed Wire Fences for Critical Confinement/Exclusion**

**Fasteners** – For wood posts, use minimum 9-gauge galvanized wire staples to attach wire to the posts. Staples shall be a minimum of 1¼ inches long for softwood and a minimum of 1 inch long for hardwood such as black locust. Staples shall be driven diagonally across the wood grain to avoid splitting. For high tensile fencing material, the staples shall not be driven into the posts (including line, corner, end, gate, and brace posts) so deeply that the wire will not move when tightened or with expansion and contraction.

For steel line posts, attach wires by wrapping with 12½ to 14-gauge galvanized wire or by use of the manufacturer's specially designed clips.

**Grounding Rods** – Non-electrified metal fences shall be grounded at least every 1,000 feet to protect livestock from lightning strikes. Fences built with metal posts set in the earth will provide sufficient lightning protection and do not require additional grounding.

**TABLE 4: Wooden Board Fence for Critical Confinement/Exclusion**

Board fences are suitable for applications where a high level of confinement or exclusion is needed, such as near roads and on property lines.

Wooden boards (horizontal rails) and posts shall be well seasoned or kiln-dried to minimize warping. Use untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or a non-durable wood that is preservative pressure treated. Treated lumber for boards shall meet or exceed requirements for AWPA Use Category 3B (UC3B), Above Ground, Exposed Use; posts shall meet or exceed requirements for AWPA Use Category 4A (UC4A), Ground Contact, General Use. Boards and posts may be painted if desired.

For optimum strength of fencing, attach the boards to the side of the fence that will receive the greatest pressure from animals. Where appearance is important, the boards may be placed on the outside of the fence.

The number of boards, board spacing, and minimum height of fence is based on the type of livestock to be confined. See Table 1 for details.

**Posts** – Shall meet the following criteria for size, installation, and spacing:

1. **Size** – Line posts shall be at least 4 inches in diameter or 4 inches square, be of sufficient length to support the height of the fence, and be firmly set or driven in the ground a minimum of 2½ feet.

Corner, gate and end posts shall be at least 6 inches in diameter or 6 inches square, be of sufficient length to support the height of the fence, and be firmly set or driven in the ground a minimum of 3 feet.

Where posts cannot be set to the specified depth, they must be set in concrete to secure them. Set posts in a hole that is at least 24 inches deep, with a diameter that is at least three times the diameter of the post. (For example, a 6-inch diameter post shall have a minimum 18-inch diameter hole filled and set with concrete.) Concrete shall be of a Portland type mix and sloped at the top to provide positive drainage away from the post. Fence rails shall not be attached to posts until at least 5 days after setting the posts in concrete. Other methods for securing posts at less than the required depth may be used with prior NRCS approval.

2. **Spacing** – Posts shall be spaced a maximum of 8 feet on center to accommodate rail lengths of a maximum of 16 feet.

**Rails** – The rails (horizontal boards) shall be a nominal minimum of 1 inch thick x 6 inches wide. Board lengths of 16 feet are preferred in order to stagger the unions when placed on posts on 8-foot centers.

**Nails** – Each board shall be attached to the post with a minimum of two 12d (3 1/4-inch) galvanized nails. For better holding power, use ring-shank or screw-shank instead of common nails. Two 3-inch decking screws may be used instead of nails.

**TABLE 5: Chain Link Fence for Critical Confinement/Exclusion**

Chain link fences are suitable for applications where a high level of confinement or exclusion is needed, such as near roads, on property lines, or adjacent to hazardous areas.

**Chain Link Wire Fabric** – Shall be a minimum 5 feet high, 9-gauge wire, standard 2-inch chain link diamond mesh, with a minimum tensile strength of 1,290 lbs. Chain link fence fabric shall conform to the requirements of ASTM A 392, "Standard Specification for Zinc-Coated Steel Chain-Link Fence Fabric," 2-inch woven mesh, and 9-gauge galvanized steel wire. Zinc coating shall be Class 2 (i.e., 2 ounces of zinc coating per square foot).

**Steel Pipes** – Posts and fence framework shall conform to the requirements of ASTM F 669, "Specification for Strength Requirements of Metal Posts and Rails for Industrial Chain Link Fence," Group 1A (Schedule 40); ASTM F 1043 "Standard Specification for Strength and Protective Coatings on Metal Industrial Chain Link Fence Framework," Group 1A; and ASTM F 1083, "Standard Specification for Pipe, Steel, Hot Dipped Zinc Coated (Galvanized) Welded, for Fence Structures," as applicable. Coatings shall be Type A galvanized for both internal and external surfaces.

1. **Line posts** – Shall be a minimum 1.90 inches Outside Diameter standard round (Schedule 40) steel pipe, with a minimum weight of 2.72 lbs./lin. ft. (or 2.28 lbs./lin. ft. for Grade B High Strength Steel). Posts shall be of sufficient length to support the height of the fence, and be set in concrete to a minimum depth of 2 feet;
2. **Top and brace rails** – Shall be a minimum 1.66 inches Outside Diameter standard round (Schedule 40) steel pipe, with a minimum weight of 2.27 lbs./lin. ft. (or 1.84 lbs./lin. ft. for Grade B High Strength Steel);
3. **Terminal posts** – Shall be a minimum 2.375 inches Outside Diameter standard round (Schedule 40) steel pipe, with a minimum weight of 3.65 lbs./lin. ft. (or 3.12 lbs./lin. ft. for Grade B High Strength Steel). Posts shall be of sufficient length to support the height of the fence and be set in concrete to a minimum depth of 2 feet.

**Fittings and Gates** – Fence fittings shall conform to the requirements of ASTM F 626, "Standard Specification for Fence Fittings." Fittings shall be galvanized steel. Wire ties and clips shall be 9-gauge.

Gates, gate posts, and gate accessories shall conform to the requirements of ASTM F 900, "Standard Specification for Industrial and Commercial Swing Gates." Coating shall be the same as selected for adjoining fence and framework.

1. **Gate posts** – Shall be a minimum 2.875 inches Outside Diameter standard round (Schedule 40) steel pipe, with a minimum weight of 5.79 lbs./lin. ft. (or 4.64 lbs./lin. ft. for Grade B High Strength Steel). Posts shall be of sufficient length to support the height of the fence, and be set in concrete to a minimum depth of 2 feet and a width at least 3 times the diameter of the pipe;
2. **Gate frame members** – Shall be a minimum 1.66 inches Outside Diameter standard round (Schedule 40) steel pipe, with a minimum weight of 2.27 lbs./lin. ft. (or 1.84 lbs./lin. ft. for Grade B High Strength Steel).

**Installation** – Unless otherwise specified by the manufacturer, line posts shall be set at intervals not exceeding 10 feet, as measured from center to center of each post.

All posts shall be installed vertically. Where posts are installed on an inclined surface, the angle of the post shall be adjusted so that the post will be vertical.

All posts shall be capped immediately after installation.

Chain link fabric is generally installed on the outside of the fence post. The fabric shall not be attached to posts until at least 3 days after the posts are set in concrete walls, or at least 5 days after posts are set in the ground with concrete backfill. The fabric shall be stretched taut and securely fastened, using 9-gauge tie clips, to posts at intervals not exceeding 15 inches and to top rails or tension wires at intervals not exceeding 2 feet. Care shall be taken to equalize the tension on each side of each post.

Gate frames shall be fabricated and hung so that they sag no more than 1% of the gate width.

**TABLE 6: High Tensile Smooth Wire for Critical Confinement/Exclusion Fences and Non-Critical Confinement/Exclusion (or Divisional) Fences**

High tensile fencing (**electrified or non-electrified**) is suitable for applications where a high level of confinement is needed, such as near roads and on property lines. It may also be used for interior or divisional fences to divide large pasture acreage into manageable units, to divide the paddocks of intensive grazing systems, or for other non-critical applications.

**Wire** – All wire shall be ASTM Class 3 galvanized. Wire may also be poly-coated for improved visibility and livestock safety.

For critical confinement, use 12½ gauge minimum with at least 200,000 PSI tensile strength and at least 1,000 pounds breaking strength. For non-critical confinement, use a minimum of 17 gauge.

For optimum strength of fencing, attach the wire to the side of the fence that will receive the greatest pressure from animals. Place wire on the outside of posts on curves and corners.

Wire shall be tight enough that it does not sag. Tension shall be set with in-line wire strainers and/or tension indicator springs.

Tension springs are recommended for use in the top one to two strands in areas where the fence is near trees or where animal pressure will be heavy. Tension springs may also be used for all strands.

Wrap and twist wires or use crimping sleeves on end and gate posts. At self-insulating corner posts, wrap and twist a separate wire to form an 18 to 20-inch loop to support fence strands, or use a wrap-around insulator. Wire clips used to hold wire in batten slots should allow the wire to slide freely.

The number of wires and spacing is based on the type of livestock to be confined and the purpose and location of the fence. See Tables 1 and 2 for details. In flood prone areas, use no more than six strands of high tensile wire. There is a greater possibility of flood damage if more strands are used.

**Line Posts** – Shall be either wooden or steel and shall meet the following criteria for type of material, size, and spacing:

1. **Wooden posts** – Shall be well seasoned or kiln-dried to minimize warping. Use untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or non-durable wood that is preservative pressure treated. Do not use red pine. Treated lumber shall meet or exceed requirements for AWPA Use Category 4A (UC4A), Ground Contact, General Use.

Wooden posts shall be at least 4 inches in diameter or 4 inches square.

Wooden line posts must be of sufficient length to hold up the fence fabric while allowing the post to be set in the ground to a minimum depth of 2½ feet. When set in depressions or low places, line posts shall be anchored in the ground or set at an angle to prevent lifting.

Where posts cannot be set to the specified depth, they must be set in concrete to secure them. Set posts in a hole that is at least 24 inches deep, with a diameter that is at least three times the diameter of the post. (For example, a 4-inch diameter post shall have a minimum 12-inch diameter hole filled and set with concrete.) Concrete shall be of a Portland type mix and sloped at the top to provide positive drainage away from the post. Fence wire shall not be attached to posts until at least 5 days after setting the posts in concrete. Other methods for securing a post at less than the required depth may be used with prior approval from NRCS.

2. **Steel posts** – Shall be studded or punched "T", "U", or "Y" shaped with anchor plates, with a minimum weight of 1.25 lbs. per foot (excluding the anchor plate). Posts shall be either galvanized or painted. Galvanized posts shall be hot-dipped with at least 2 ounces of zinc coating per square foot. Painted posts shall be clean of loose scale with one or more coats of weather resistant paint applied.

Steel line posts shall be at least 5 feet long and driven into the ground to the top of the anchor plate.

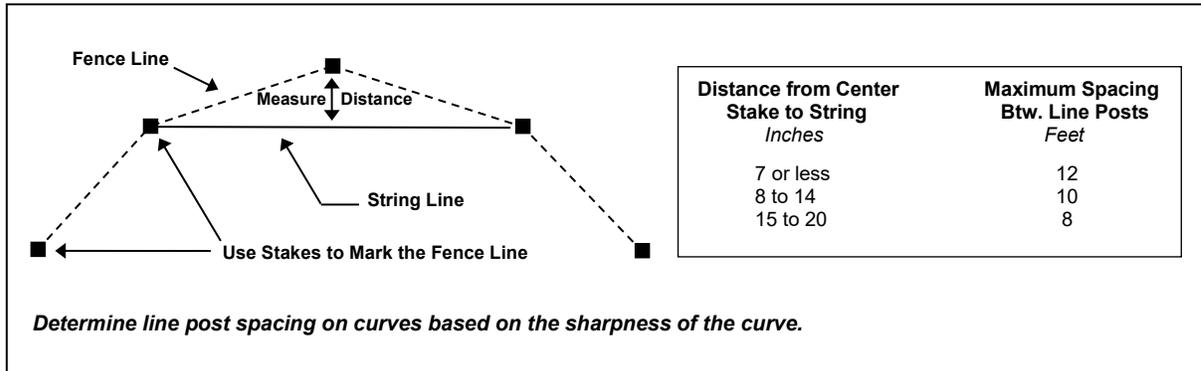
Where extra strength and support for the fence is needed, use a wooden post instead of steel for every third or fourth line post.

3. **Spacing** – Line posts shall be spaced a maximum of 60 feet apart, on center, on smooth, level terrain, or maximum of 90 feet with battens installed at 30 and 60 feet. Reduce the spacing between posts on uneven ground or rolling terrain and to maintain spacing of the bottom wire above the ground.

**TABLE 6: High Tensile Smooth Wire for Critical Confinement/Exclusion Fences and Non-Critical Confinement/Exclusion (or Divisional) Fences**

Line posts must be placed closer together on curves to prevent wire tension from moving the posts. Mark the location of the fence line by placing small stakes every 16 feet around the curve. Determine where the curve is greatest, and then start figuring post spacing. The sharper the curve, the closer the posts need to be.

Select three stakes at the point of maximum curvature. String a line from the first to the third stake. Measure the distance from the center stake to the string and space the posts as shown below. Lean posts outward on the curve approximately 2 inches off vertical at the top. Posts will straighten as the wire is tightened.



**Battens** – If battens are used, distances between line posts can be increased by 30 feet. Battens shall be 1¼-inch x 1¼-inch x 3½ feet long, self-insulating pressure treated softwood, slotted hardwood, light duty fiberglass, or other NRCS approved material.

Spacing between battens will be 30 feet maximum.

For a one-strand fence, use 4-foot (minimum height) wood or insulated steel posts instead of battens.

**Corner, End, Gate, and Brace Posts** – Shall be meet the following criteria for type of material and size:

- 1. Wooden posts** – Shall be well seasoned or kiln-dried to minimize warping. Use untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or non-durable wood that is preservative pressure treated. Do not use red pine. Treated lumber shall meet or exceed requirements for AWPA Use Category 4A (UC4A), Ground Contact, General Use.
- 2. Size** – Corner, end, and gate posts shall be at least 6 inches in diameter or 6 inches square. Brace posts shall be at least 5 inches in diameter or 5 inches square.

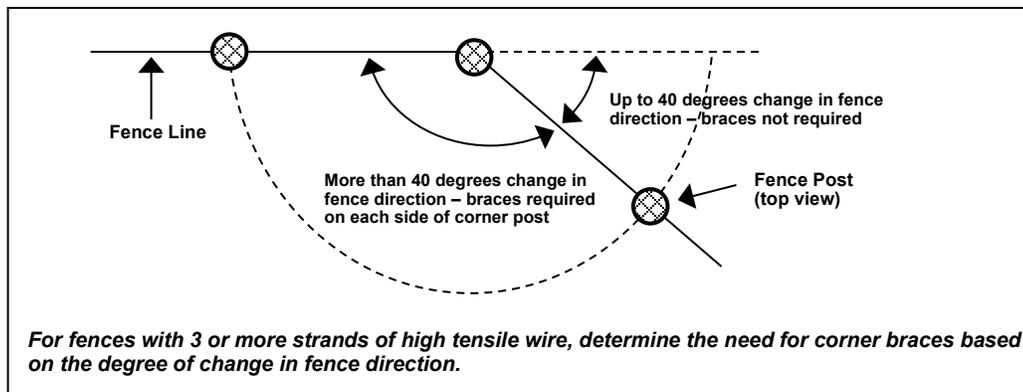
Posts shall be of sufficient length to hold the fence wires while allowing the post to be set in the ground to a minimum depth of 3½ feet for corner, end, and gate brace assemblies, and a minimum depth of 2½ feet for line brace assemblies. Where posts cannot be set to the specified depth, they must be set in concrete to secure them. Set posts in a hole that is at least 24 inches deep, with a diameter that is at least three times the diameter of the post. (For example, a 6-inch diameter post shall have a minimum 18-inch diameter hole filled and set with concrete.) Concrete shall be of a Portland type mix and sloped at the top to provide positive drainage away from the post. Fence wire shall not be attached to posts until at least 5 days after setting the posts in concrete. Other methods for securing posts at less than the required depth may be used with prior approval from NRCS.

- 3. Spacing** – Brace posts shall be set a minimum of 7 and a maximum of 10 feet from each corner, end, or gate post. The total length of each brace must be double the height of the fence; a double span (“double H”) brace can be used to add length. Brace assemblies shall be installed as described in the next section of this table.

**TABLE 6: High Tensile Smooth Wire for Critical Confinement/Exclusion Fences and Non-Critical Confinement/Exclusion (or Divisional) Fences**

**Brace Assemblies** – For fences with 3 or more strands of high tensile wire, **single span or double span brace assemblies** are required at all corners, ends, and gates, and where the fence alignment changes direction by more than 40 degrees (see diagram, next page). **Line brace assemblies** shall also be installed at appropriate intervals in a run of fence and at sharp breaks in grade. A *run* is the distance between a corner, end, or gate post and the next corner, end, or gate post. Types and maximum intervals for bracing shall be as shown below. For fences with fewer than 3 strands, braces are not required if alternatives to braces (such as closer line post spacing and angled end posts) will provide sufficient support for the fence.

Type of Fence	Run of Fence between Corner, End, and/or Gate Posts	Type of Brace Assembly Needed at Corner, End, and/or Gate Posts	Line Brace Assembly Interval in the Run of Fence
High-tensile, 5 or more strands.	Less than 1,300 feet.	The total length of each brace must be double the height of the fence; a double span (“double H”) brace can be used to add length. Use double span braces if fence has 6 or more strands.	Line braces are not required at fixed intervals for this run of fence. Use as needed at bottom of hills.
	More than 1,300 feet.		At least one every 1,300 feet in the run of the fence and as needed on the bottoms of hills.
High-tensile, 3 or 4 strands.	Less than 1,700 feet.	The total length of each brace must be double the height of the fence; a double span (“double H”) brace can be used to add length.	Line braces are not required at fixed intervals for this run of fence. Use as needed at bottom of hills.
	More than 1,700 feet.		At least one every 1,700 feet in the run of the fence and as needed on the bottoms of hills.



**TABLE 6: High Tensile Smooth Wire for Critical Confinement/Exclusion Fences and Non-Critical Confinement/Exclusion (or Divisional) Fences**

**Horizontal brace rails** shall be installed roughly  $\frac{3}{4}$  of the way up the vertical posts and shall consist of one of the following materials:

1. **Galvanized steel pipe** – Minimum 7 feet long, 2-inch diameter, with minimum wall thickness as specified for a water supply pipe;
2. **Wooden post** – Minimum 7 feet long, 4-inch square or 4-inch diameter round.

**Brace post pins** shall be galvanized steel rods a minimum of 5/16-inch x 9-inch and 5/16-inch x 4-inch.

**Brace wires** shall consist of 12½ gauge or stronger, galvanized, high tensile wire, double wrapped in a figure 8 pattern, with an in-line strainer. Brace wires shall be tightened to secure the brace assemblies.

If a wide stream or gully (i.e. greater than 16 feet) is to be crossed, the fence section shall be terminated on one bank with a brace assembly and a new section started on the other bank.

**Fasteners** – For wood posts, use minimum 9-gauge galvanized wire staples to attach wire to the posts. Staples shall be a minimum of 1¼ inches long for softwood and a minimum of 1 inch long for hardwood such as black locust. Staples shall be driven diagonally across the wood grain to avoid splitting. Staples shall not be driven into the post so deeply (including line, corner, end, gate, and brace post) that the wire will not move when tightened or with expansion and contraction.

For steel line posts, attach wires by wrapping with 12½ to 14-gauge galvanized wire or by use of the manufacturer's specially designed clips.

All electrified wires must be properly insulated as specified by the fence manufacturer.

**Electrical Fence Charger** – An electric fence charger (energizer) must have adequate voltage to effectively electrify the system and maintain output to control the type of animals, based on the manufacturer's recommendations. A minimum of two kilovolts on each electrified strand is acceptable for most classes of livestock.

The charger shall be low impedance, UL approved or equivalent, and shall include all of the safety features that are required by the manufacturer.

**Insulators** – If needed, these shall be UV stabilized (plastic) high density polypropylene Type W or type S, high strain end and corner tube insulator, or high strain porcelain corner Type O. Insulators shall be strong enough to support long spans of wire and must allow the wire to slide freely. Insulators shall be used on all posts that are not self-insulating. Do not use aluminum nails or screws on pressure treated posts

**Grounding Rods** – Rods shall meet or exceed the requirements of the manufacturer of the electrical fence charger and shall be installed as per the manufacturer's recommendations.

**TABLE 7: Electroplastic Twine (Polywire), Electrified Ribbon, and Galvanized Steel Braided Wire for Non-Critical Confinement/Exclusion (or Divisional) Fences**

Electrified twine, ribbon type fencing, and/or galvanized steel braided wire may be used as interior (cross) fencing to divide large pasture acreage into manageable units, to divide the paddocks of intensive grazing systems, swath or bale grazing, or similar applications. Electric net fencing, which includes built-in portable posts, may also be suitable for some livestock and poultry applications. Lightweight type fencing shall not be used alone where a high level of confinement is needed.

**Wire** – Shall consist of new materials free of manufacturing or other defects. Polywire shall have a minimum of seven stainless steel strands running through the fabric.

The number of wires and spacing is based on the type of animal to be confined. See Table 2 for details.

**Line Posts** – Shall be manufactured fiberglass, plastic, or other suitable material as approved by NRCS. Posts shall be at least 4 feet long and set deep enough in the ground to withstand livestock. "Step-in" posts designed for this purpose may be used for portable fencing. These posts include a flange or stirrup near the bottom of the post for pressing the post into the ground.

Line posts shall be installed on a spacing as specified by the manufacturer to control specific livestock. Closer spacing shall be used as topographic conditions indicate.

**Corner and End Posts** – When posts are needed at the end or corner of a cross fence, they may be untreated durable wood (e.g., red cedar, black locust, Osage orange), or non-durable wood that is preservative pressure treated. Do not use red pine. Treated lumber shall meet or exceed requirements for AWWPA Use Category 4A (UC4A), Ground Contact, General Use. Posts must have a diameter sufficient to anchor the wire and be long enough to allow them to be set at least 1½ feet in the ground.

**Fasteners** – The fence shall be fastened and insulated from line and end posts by using supplies provided by the manufacturer of the fence material.

**Electrical Fence Charger** – An electric fence charger (energizer) must have adequate voltage to effectively electrify the system and maintain output to control the type of animals, based on the manufacturer's recommendations. A minimum of two kilovolts on each electrified strand is acceptable for most classes of livestock.

The charger shall be low impedance, UL approved or equivalent, and shall include all of the safety features that are required by the manufacturer.

**Grounding Rods** – Rods shall meet or exceed the requirements of the manufacturer of the electrical fence charger and shall be installed as per the manufacturer's recommendations.

**TABLE 8: Summary of Fence Types and Selected Materials <sup>1/</sup>**

Type of Fence	Fence Materials and Installation Requirements							
	Wire Quality	Line Post Type	Line Post Size	Line Post Spacing	Corner, End, Gate, and Brace Post Type	Corner, End, & Gate Post Size	Brace Post Size	Additional Brace Requirements
<b>Woven Wire</b>	ASTM Class 3 galvanized, min. 12½-gauge horizontal wires with min. 14-gauge vertical wire.	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use), or Heavy duty steel "T", "U", or "Y" posts, galvanized or painted, with anchor plates.	<u>Wooden posts</u> : min. 4 inches diameter or 4 inches square. Set in ground to min. depth of 2½ feet. (See Note 2 at the end of this table.) <u>Steel posts</u> : min. 5 feet long. Drive into the ground to the top of the anchor plate.	Max. 10 feet apart, on center, for standard wire. Max 20 feet apart, on center, if high tensile wire.	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use).	Min. 6 inches diameter or 6 inches square. Set in ground to min. depth of 3½ feet. (See Note 2 at the end of this table.)	Min. 5 inches diameter or 5 inches square. Set in ground to min. depth of 3½ feet with corner, end, and gate brace assemblies, and a min. depth of 2½ feet with line brace assemblies. (See Note 2 at the end of this table.)	Length of braces must be double the height of the fence; use double span braces as needed to add length. Use line braces at bottom of hills and to divide fence lengths where runs of fence are more than 700 feet long.
<b>Barbed Wire</b>	ASTM Class 3 galvanized, double-strand, min. 12½-gauge with 4-point barbs spaced no more than 6 inches apart, or 15½-gauge for high tensile.	Same as above.	Same as above.	Max. 16 feet apart, on center.	Same as above.	Same as above.	Same as above.	Same as above.

**TABLE 8: Summary of Fence Types and Selected Materials <sup>1/</sup>**

Type of Fence	Fence Materials and Installation Requirements							
	Wire Quality	Line Post Type	Line Post Size	Line Post Spacing	Corner, End, Gate, and Brace Post Type	Corner, End, & Gate Post Size	Brace Post Size	Additional Brace Requirements
<b>Wooden Board</b>	Wood rails (boards) – untreated durable wood, (e.g., red cedar, black locust, Osage orange), well-seasoned or kiln-dried. Min. 1 inch thick x 6 inches wide, and at least 8 feet long. Non-durable wood must be preservative pressure treated (UC3B, Above Ground, Exposed Use).	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use).	Wooden posts min. 4 inches diameter or 4 inches square.  Length sufficient to support desired height of fence and be set in the ground a min. of 2½ feet deep. (See Note 2 at the end of this table.)	Max. 8 feet apart, on center.	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use).	Wooden posts min. 6 inches diameter or 6 inches square.  Length sufficient to support desired height of fence and be set in ground to min. depth of 3 feet. (See Note 2 at the end of this table.)	Not applicable.	Not applicable.
<b>Chain Link</b>	Min. 9-gauge galvanized wire with 2 ounces of zinc coating per sq. ft. Minimum tensile strength of 1,290 lbs., 2-inch woven mesh.	Steel post, galvanized with 2 ounces of zinc coating per sq. ft., or painted.	Minimum 1.90 inches Outside Diameter standard round (Schedule 40) steel pipe.  Posts shall be of sufficient length to support the height of the fence and be set in concrete to a minimum depth of 2 feet.	Max. 10 feet apart, on center.	Steel post, galvanized with 2 ounces of zinc coating per sq. ft., or painted.	<u>End (terminal) posts</u> – Minimum 2.375 Outside Diameter standard round (Schedule 40) steel pipe.  <u>Gate posts</u> – Minimum 2.875 Outside Diameter standard round (Schedule 40) steel pipe.  Posts shall be of sufficient length to support the height of the fence and be set in concrete to a minimum depth of 2 feet.	Not applicable.	Not applicable.

**TABLE 8: Summary of Fence Types and Selected Materials <sup>1/</sup>**

Type of Fence	Fence Materials and Installation Requirements							
	Wire Quality	Line Post Type	Line Post Size	Line Post Spacing	Corner, End, Gate, and Brace Post Type	Corner, End, & Gate Post Size	Brace Post Size	Additional Brace Requirements
<b>High Tensile Smooth Wire (5 strands or more)</b>	ASTM Class 3 galvanized, min. 12½-gauge 200,000 PSI, 1,000 lbs. breaking strength.	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use), or Heavy duty steel "T", "U", or "Y" posts, galvanized or painted, with anchor plates.	<u>Wooden posts:</u> min. 4 inches diameter or 4 inches square.  Set in ground to min. depth of 2½ feet. (See Note 2, below.) <u>Steel posts:</u> min. 5 feet long. Drive into the ground to the top of the anchor plate.	Max. 60 feet apart, on center, or  Max. 90 feet apart, on center, with battens installed at 30 and 60 feet.	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use).	Min. 6 inches diameter or 6 inches square.  Set in ground to min. depth of 3½ feet. (See Note 2 at the end of this table.)	Min. 5 inches diameter or 5 inches square.  Set in ground to min. depth of 3½ feet with corner, end, and gate brace assemblies, and a min. depth of 2½ feet with line brace assemblies. (See Note 2 at the end of this table.)	Length of braces must be double the height of the fence; use double span braces as needed to add length. Use double span braces if 6 or more strands.  Use line braces at bottom of hills and to divide fence lengths where runs of fence are more than 1,300 feet long.
<b>High Tensile Smooth Wire (4 strands or fewer)</b>	ASTM Class 3 galvanized, min. 12½-gauge 200,000 PSI, 1,000 lbs. breaking strength.	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use), or Heavy duty steel "T", "U", or "Y" posts, galvanized or painted, with anchor plates.	<u>Wooden posts:</u> min. 4 inches diameter or 4 inches square.  Set in ground to min. depth of 2½ feet. (See Note 2, below.) <u>Steel posts:</u> min. 5 feet long. Drive into the ground to the top of the anchor plate.	Max. 60 feet apart, on center, or  Max. 90 feet apart, on center, with battens installed at 30 and 60 feet.	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use).	Min. 6 inches diameter or 6 inches square.  Set in ground to min. depth of 3½ feet. (See Note 2 at the end of this table.)	Min. 5 inches diameter or 5 inches square.  Set in ground to min. depth of 3½ feet with corner, end, and gate brace assemblies, and a min. depth of 2½ feet with line brace assemblies. (See Note 2 at the end of this table.)	Length of braces must be double the height of the fence; use double span braces as needed to add length.  For 3-4 strand fences, use line braces at bottom of hills and to divide fence lengths where runs of fence are more than 1,700 feet long.

**TABLE 8: Summary of Fence Types and Selected Materials <sup>1/</sup>**

Type of Fence	Fence Materials and Installation Requirements							
	Wire Quality	Line Post Type	Line Post Size	Line Post Spacing	Corner, End, Gate, and Brace Post Type	Corner, End, & Gate Post Size	Brace Post Size	Additional Brace Requirements
<b>Electroplastic Twine (Polywire), Electrified Ribbon, and Galvanized Steel Braided Wire</b>	Polywire: min. 7 stainless steel strands running through the fabric.	Fiberglass, plastic, or other suitable material as approved by NRCS.	Min. 4 feet long, set deep enough in the ground to withstand livestock. Can use "step-in" posts for portable fencing.	Use spacing specified by the manufacturer to control livestock.	Untreated durable wood (e.g., red cedar, black locust, Osage orange) with bark removed, or Non-durable wood that is preservative pressure treated (UC4A, Ground Contact, General Use).	Diameter sufficient to anchor the wire. Posts must be long enough to allow them to be set at least 1½ feet in the ground. (See Note 2, below.)	Not applicable.	Not applicable.

**TABLE 8 NOTES:**

<sup>1/</sup> This table briefly summarizes some of the major components (primarily wood and steel) and installation requirements for each fence type. Refer to Tables 1 – 7 for more detailed criteria. Other materials may also be used if approved in advance by NRCS.

<sup>2/</sup> Where posts cannot be set to the specified depth, they must be set in concrete to secure them. Set posts in a hole that is at least 12 inches deep, with a diameter that is at least three times the diameter of the post. (For example, a 4-inch diameter post shall have a minimum 12-inch diameter hole filled and set with concrete.) Concrete shall be of a Portland type mix and sloped at the top to provide positive drainage away from the post.

**BUREAU OF LABOR LAW COMPLIANCE  
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Project Name:	Snook Fence
General Description:	Construction of a livestock fence for dairy operation. Driving in posts and installing fence wire.
Project Locality	972 Jones Hill Road, Middlebur
Awarding Agency:	Chesapeake Conservancy
Contract Award Date:	8/25/2022
Serial Number:	26-01830
Project Classification:	Highway
Determination Date:	2/25/2026
Assigned Field Office:	Harrisburg
Field Office Phone Number:	(717)787-4763
Toll Free Phone Number:	(800)932-0665
Project County:	Snyder County

**BUREAU OF LABOR LAW COMPLIANCE  
PREVAILING WAGES PROJECT RATES**

<b>Project: 26-01830 - Building</b>	<b>Effective Date</b>	<b>Expiration Date</b>	<b>Hourly Rate</b>	<b>Fringe Benefits</b>	<b>Total</b>
Asbestos & Insulation Workers	6/30/2025		\$41.50	\$29.86	\$71.36
Boilermaker (Commercial, Institutional, and Minor Repair Work)	3/1/2024		\$36.71	\$19.13	\$55.84
Boilermakers	1/1/2024		\$52.10	\$35.72	\$87.82
Bricklayers, Stone Masons, Pointers, Caulkers, Cleaners	5/4/2025		\$36.01	\$24.27	\$60.28
Bricklayers, Stone Masons, Pointers, Caulkers, Cleaners	5/3/2026		\$37.86	\$24.27	\$62.13
Carpenters - Piledriver/Welder	1/1/2025		\$43.38	\$22.72	\$66.10
Carpenters - Piledriver/Welder	1/1/2026		\$44.63	\$23.47	\$68.10
Carpenters, Drywall Hangers, Framers, Instrument Men, Lathers, Soft Floor Layers	6/1/2025		\$36.84	\$20.44	\$57.28
Carpenters, Drywall Hangers, Framers, Instrument Men, Lathers, Soft Floor Layers	6/1/2026		\$36.84	\$22.69	\$59.53
Carpenters, Drywall Hangers, Framers, Instrument Men, Lathers, Soft Floor Layers	6/1/2027		\$36.84	\$24.94	\$61.78
Cement Finishers & Plasterers	5/4/2025		\$32.23	\$22.27	\$54.50
Cement Finishers & Plasterers	5/3/2026		\$34.23	\$22.27	\$56.50
Cement Finishers & Plasterers	5/3/2027		\$33.49	\$25.01	\$58.50
Cement Masons	5/1/2025		\$34.65	\$22.95	\$57.60
Drywall Finisher	5/1/2025		\$33.24	\$25.08	\$58.32
Electricians	6/1/2025		\$35.25	\$32.50	\$67.75
Electricians	6/1/2026		\$35.25	\$34.43	\$69.68
Elevator Constructor	1/1/2025		\$63.40	\$40.03	\$103.43
Elevator Constructor	1/1/2026		\$61.26	\$45.78	\$107.04
Glazier	5/1/2024		\$32.46	\$20.93	\$53.39
Iron Workers (Bridge, Structural Steel, Ornamental, Precast, Reinforcing)	7/1/2025		\$38.76	\$33.38	\$72.14
Laborers (Class 01 - See notes)	5/1/2023		\$23.11	\$18.03	\$41.14
Laborers (Class 02 - See notes)	5/1/2023		\$25.11	\$18.03	\$43.14
Laborers (Class 03 - See notes)	4/30/2023		\$27.01	\$18.22	\$45.23
Laborers (Class 04 - See notes)	4/30/2023		\$28.51	\$18.22	\$46.73
Laborers (Class 05 - See notes)	4/30/2023		\$29.01	\$18.22	\$47.23
Laborers (Class 06 - See notes)	5/1/2023		\$25.11	\$18.03	\$43.14
Marble Mason	5/1/2025		\$37.20	\$19.24	\$56.44
Marble Mason	5/1/2026		\$39.15	\$19.24	\$58.39
Millwright	6/1/2025		\$43.00	\$22.95	\$65.95
Millwright	6/1/2026		\$44.97	\$22.95	\$67.92
Operators (Building, Class 01 - See Notes)	5/1/2025		\$44.89	\$30.92	\$75.81
Operators (Building, Class 01 - See Notes)	5/1/2026		\$46.05	\$31.76	\$77.81
Operators (Building, Class 01A - See Notes)	5/1/2025		\$47.14	\$31.58	\$78.72
Operators (Building, Class 01A - See Notes)	5/1/2026		\$48.30	\$32.42	\$80.72
Operators (Building, Class 02 - See Notes)	5/1/2025		\$44.61	\$30.83	\$75.44
Operators (Building, Class 02 - See Notes)	5/1/2026		\$45.77	\$31.67	\$77.44
Operators (Building, Class 02A - See Notes)	5/1/2025		\$46.86	\$31.50	\$78.36
Operators (Building, Class 02A - See Notes)	5/1/2026		\$48.02	\$32.34	\$80.36
Operators (Building, Class 03 - See Notes)	5/1/2025		\$41.88	\$30.03	\$71.91

**BUREAU OF LABOR LAW COMPLIANCE  
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<b>Project: 26-01830 - Building</b>	<b>Effective Date</b>	<b>Expiration Date</b>	<b>Hourly Rate</b>	<b>Fringe Benefits</b>	<b>Total</b>
Operators (Building, Class 03 - See Notes)	5/1/2026		\$43.04	\$30.87	\$73.91
Operators (Building, Class 04 - See Notes)	5/1/2025		\$40.74	\$29.70	\$70.44
Operators (Building, Class 04 - See Notes)	5/1/2026		\$41.90	\$30.54	\$72.44
Operators (Building, Class 05 - See Notes)	5/1/2025		\$40.30	\$29.56	\$69.86
Operators (Building, Class 05 - See Notes)	5/1/2026		\$41.45	\$30.41	\$71.86
Operators (Building, Class 06 - See Notes)	5/1/2025		\$39.42	\$29.30	\$68.72
Operators (Building, Class 06 - See Notes)	5/1/2026		\$40.58	\$30.14	\$70.72
Operators (Building, Class 07A- See Notes)	5/1/2025		\$54.56	\$35.21	\$89.77
Operators (Building, Class 07A- See Notes)	5/1/2026		\$56.03	\$36.14	\$92.17
Operators (Building, Class 07B- See Notes)	5/1/2025		\$54.22	\$35.10	\$89.32
Operators (Building, Class 07B- See Notes)	5/1/2026		\$55.69	\$36.03	\$91.72
Painters Class 1 (see notes)	5/1/2024		\$30.36	\$24.15	\$54.51
Painters Class 1 (see notes)	5/1/2025		\$31.32	\$24.44	\$55.76
Painters - Line Stripping	12/1/2024		\$44.12	\$27.91	\$72.03
Painters - Line Stripping	12/1/2025		\$45.12	\$29.41	\$74.53
Painters Class 2 (see notes)	5/1/2025		\$35.58	\$25.08	\$60.66
Painters Class 3 (see notes)	5/1/2025		\$42.67	\$25.09	\$67.76
Pile Driver Divers (Building, Heavy, Highway)	1/1/2025		\$62.82	\$22.72	\$85.54
Pile Driver Divers (Building, Heavy, Highway)	1/1/2026		\$64.70	\$23.47	\$88.17
Piledrivers	1/1/2025		\$41.88	\$22.72	\$64.60
Piledrivers	1/1/2026		\$43.13	\$23.47	\$66.60
Plasterers	5/1/2024		\$32.93	\$21.08	\$54.01
Plasterers	5/1/2025		\$34.68	\$21.23	\$55.91
Plumber/Pipefitter	5/1/2023		\$41.36	\$29.72	\$71.08
Plumber/Pipefitter	5/1/2025		\$45.30	\$29.91	\$75.21
Roofers (Composition)	5/1/2024		\$44.13	\$34.77	\$78.90
Roofers (Composition)	5/1/2025		\$46.03	\$34.77	\$80.80
Roofers (Shingle)	5/1/2024		\$34.35	\$22.20	\$56.55
Roofers (Slate & Tile)	5/1/2024		\$37.35	\$22.20	\$59.55
Sheet Metal Workers	5/1/2024		\$36.13	\$31.23	\$67.36
Sheet Metal Workers	5/1/2025		\$37.30	\$32.31	\$69.61
Sign Makers and Hangars	7/15/2024		\$32.32	\$25.82	\$58.14
Sign Makers and Hangars	7/15/2025		\$33.48	\$26.41	\$59.89
Sprinklerfitters	4/1/2024		\$46.45	\$28.62	\$75.07
Sprinklerfitters	4/1/2025		\$49.75	\$29.21	\$78.96
Terrazzo Finisher	5/1/2024		\$35.66	\$20.76	\$56.42
Terrazzo Finisher	5/1/2025		\$36.32	\$21.68	\$58.00
Terrazzo Grinder	5/1/2024		\$36.42	\$20.76	\$57.18
Terrazzo Grinder	5/1/2025		\$37.10	\$21.68	\$58.78
Terrazzo Mechanics	5/1/2024		\$36.44	\$22.51	\$58.95
Terrazzo Mechanics	5/1/2025		\$37.17	\$23.43	\$60.60
Tile & Marble Finisher	5/1/2025		\$35.31	\$16.99	\$52.30
Tile & Marble Finisher	5/1/2026		\$37.26	\$16.99	\$54.25
Tile Setter	5/1/2025		\$37.20	\$19.24	\$56.44

**BUREAU OF LABOR LAW COMPLIANCE  
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<b>Project: 26-01830 - Building</b>	<b>Effective Date</b>	<b>Expiration Date</b>	<b>Hourly Rate</b>	<b>Fringe Benefits</b>	<b>Total</b>
Tile Setter	5/1/2026		\$39.15	\$19.24	\$58.39
Truckdriver class 1(see notes)	5/1/2025		\$41.87	\$0.00	\$41.87
Truckdriver class 2 (see notes)	5/1/2025		\$41.94	\$0.00	\$41.94
Truckdriver class 3 (see notes)	5/1/2025		\$42.43	\$0.00	\$42.43
Window Film / Tint Installer	6/1/2024		\$26.37	\$14.83	\$41.20
Window Film / Tint Installer	6/1/2025		\$27.42	\$15.13	\$42.55

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<b>Project: 26-01830 - Heavy/Highway</b>	<b>Effective Date</b>	<b>Expiration Date</b>	<b>Hourly Rate</b>	<b>Fringe Benefits</b>	<b>Total</b>
Carpenter	5/1/2025		\$36.87	\$20.49	\$57.36
Carpenter	5/1/2026		\$37.63	\$21.18	\$58.81
Carpenter Welder	5/1/2025		\$37.62	\$20.49	\$58.11
Carpenter Welder	5/1/2026		\$38.38	\$21.18	\$59.56
Carpenters - Piledriver/Welder	1/1/2025		\$37.62	\$20.49	\$58.11
Carpenters - Piledriver/Welder	1/1/2026		\$38.38	\$21.18	\$59.56
Cement Finishers	5/1/2016		\$26.40	\$22.35	\$48.75
Electric Lineman	1/1/2025		\$66.33	\$30.40	\$96.73
Electric Lineman	9/1/2025		\$68.06	\$32.29	\$100.35
Iron Workers (Bridge, Structural Steel, Ornamental, Precast, Reinforcing)	7/1/2024		\$37.26	\$32.63	\$69.89
Laborers (Class 01 - See notes)	5/1/2025		\$26.61	\$19.99	\$46.60
Laborers (Class 02 - See notes)	5/1/2025		\$33.23	\$19.99	\$53.22
Laborers (Class 03 - See notes)	5/1/2025		\$30.22	\$19.99	\$50.21
Laborers (Class 04 - See notes)	5/1/2025		\$30.57	\$19.99	\$50.56
Laborers (Class 05 - See notes)	5/1/2025		\$31.24	\$19.99	\$51.23
Laborers (Class 06 - See notes)	5/1/2025		\$30.66	\$19.99	\$50.65
Laborers (Class 07 - See notes)	5/1/2025		\$30.95	\$19.99	\$50.94
Laborers (Class 08 - See notes)	5/1/2025		\$31.43	\$19.99	\$51.42
Millwright	6/1/2025		\$45.46	\$23.33	\$68.79
Millwright	6/1/2026		\$47.52	\$23.33	\$70.85
Operators (Heavy, Class 01 - See Notes)	5/1/2024		\$42.30	\$29.66	\$71.96
Operators (Heavy, Class 01 - See Notes)	5/1/2025		\$43.46	\$30.50	\$73.96
Operators (Heavy, Class 01 - See Notes)	5/1/2026		\$44.61	\$31.35	\$75.96
Operators (Heavy, Class 01A - See Notes)	5/1/2024		\$44.55	\$30.32	\$74.87
Operators (Heavy, Class 01A - See Notes)	5/1/2025		\$45.71	\$31.16	\$76.87
Operators (Heavy, Class 01A - See Notes)	5/1/2026		\$46.86	\$32.01	\$78.87
Operators (Heavy, Class 02 - See Notes)	5/1/2024		\$42.02	\$29.57	\$71.59
Operators (Heavy, Class 02 - See Notes)	5/1/2025		\$43.18	\$30.41	\$73.59
Operators (Heavy, Class 02 - See Notes)	5/1/2026		\$44.34	\$31.25	\$75.59
Operators (Heavy, Class 02A - See Notes)	5/1/2024		\$44.27	\$30.24	\$74.51
Operators (Heavy, Class 02A - See Notes)	5/1/2025		\$45.43	\$31.08	\$76.51
Operators (Heavy, Class 02A - See Notes)	5/1/2026		\$46.59	\$31.92	\$78.51
Operators (Heavy, Class 03 - See Notes)	5/1/2024		\$39.11	\$28.70	\$67.81
Operators (Heavy, Class 03 - See Notes)	5/1/2025		\$40.26	\$29.55	\$69.81
Operators (Heavy, Class 03 - See Notes)	5/1/2026		\$41.43	\$30.38	\$71.81
Operators (Heavy, Class 04 - See Notes)	5/1/2024		\$37.96	\$28.38	\$66.34
Operators (Heavy, Class 04 - See Notes)	5/1/2025		\$39.12	\$29.22	\$68.34
Operators (Heavy, Class 04 - See Notes)	5/1/2026		\$40.28	\$30.06	\$70.34
Operators (Heavy, Class 05 - See Notes)	5/1/2024		\$37.51	\$28.25	\$65.76
Operators (Heavy, Class 05 - See Notes)	5/1/2025		\$38.67	\$29.09	\$67.76
Operators (Heavy, Class 05 - See Notes)	5/1/2026		\$39.83	\$29.93	\$69.76
Operators (Heavy, Class 06 - See Notes)	5/1/2024		\$36.64	\$27.98	\$64.62
Operators (Heavy, Class 06 - See Notes)	5/1/2025		\$37.80	\$28.82	\$66.62
Operators (Heavy, Class 06 - See Notes)	5/1/2026		\$38.96	\$29.66	\$68.62

**BUREAU OF LABOR LAW COMPLIANCE  
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<b>Project: 26-01830 - Heavy/Highway</b>	<b>Effective Date</b>	<b>Expiration Date</b>	<b>Hourly Rate</b>	<b>Fringe Benefits</b>	<b>Total</b>
Operators (Heavy, Class 07A - See Notes)	5/1/2024		\$51.39	\$33.77	\$85.16
Operators (Heavy, Class 07A - See Notes)	5/1/2025		\$52.85	\$34.71	\$87.56
Operators (Heavy, Class 07A - See Notes)	5/1/2026		\$54.32	\$35.64	\$89.96
Operators (Heavy, Class 07B - See Notes)	5/1/2024		\$51.04	\$33.67	\$84.71
Operators (Heavy, Class 07B - See Notes)	5/1/2025		\$52.51	\$34.60	\$87.11
Operators (Heavy, Class 07B - See Notes)	5/1/2026		\$53.97	\$35.54	\$89.51
Operators (Highway, Class 01 - See Notes)	5/1/2024		\$41.41	\$29.39	\$70.80
Operators (Highway, Class 01 - See Notes)	5/1/2025		\$42.56	\$30.24	\$72.80
Operators (Highway, Class 01 - See Notes)	5/1/2026		\$43.72	\$31.08	\$74.80
Operators (Highway, Class 01a - See Notes)	5/1/2024		\$43.66	\$30.07	\$73.73
Operators (Highway, Class 01a - See Notes)	5/1/2025		\$44.81	\$30.92	\$75.73
Operators (Highway, Class 01a - See Notes)	5/1/2026		\$45.97	\$31.76	\$77.73
Operators (Highway, Class 02 - See Notes)	5/1/2024		\$40.24	\$29.04	\$69.28
Operators (Highway, Class 02 - See Notes)	5/1/2025		\$41.39	\$29.89	\$71.28
Operators (Highway, Class 02 - See Notes)	5/1/2026		\$42.55	\$30.73	\$73.28
Operators (Highway, Class 03 - See Notes)	5/1/2024		\$39.55	\$28.83	\$68.38
Operators (Highway, Class 03 - See Notes)	5/1/2025		\$40.70	\$29.68	\$70.38
Operators (Highway, Class 03 - See Notes)	5/1/2026		\$41.87	\$30.51	\$72.38
Operators (Highway, Class 04 - See Notes)	5/1/2024		\$39.10	\$28.70	\$67.80
Operators (Highway, Class 04 - See Notes)	5/1/2025		\$40.26	\$29.54	\$69.80
Operators (Highway, Class 04 - See Notes)	5/1/2026		\$41.41	\$30.39	\$71.80
Operators (Highway, Class 05 - See Notes)	5/1/2024		\$38.58	\$28.56	\$67.14
Operators (Highway, Class 05 - See Notes)	5/1/2025		\$39.73	\$29.41	\$69.14
Operators (Highway, Class 05 - See Notes)	5/1/2026		\$40.89	\$30.25	\$71.14
Operators (Highway, Class 06 - See Notes)	5/1/2024		\$41.64	\$29.46	\$71.10
Operators (Highway, Class 06 - See Notes)	5/1/2025		\$42.80	\$30.30	\$73.10
Operators (Highway, Class 06 - See Notes)	5/1/2026		\$43.95	\$31.15	\$75.10
Operators (Highway, Class 06/A - See Notes)	5/1/2024		\$43.89	\$30.12	\$74.01
Operators (Highway, Class 06/A - See Notes)	5/1/2025		\$45.05	\$30.96	\$76.01
Operators (Highway, Class 06/A - See Notes)	5/1/2026		\$46.21	\$31.80	\$78.01
Operators (Highway, Class 07/A - See Notes)	5/1/2024		\$50.32	\$33.45	\$83.77
Operators (Highway, Class 07/A - See Notes)	5/1/2025		\$51.79	\$34.38	\$86.17
Operators (Highway, Class 07/A - See Notes)	5/1/2026		\$53.25	\$35.32	\$88.57
Operators (Highway, Class 07/B - See Notes)	5/1/2024		\$48.91	\$33.03	\$81.94
Operators (Highway, Class 07/B - See Notes)	5/1/2025		\$50.37	\$33.97	\$84.34
Operators (Highway, Class 07/B - See Notes)	5/1/2026		\$51.84	\$34.90	\$86.74
Painters - Line Stripping	12/1/2024		\$44.12	\$27.91	\$72.03
Painters - Line Stripping	12/1/2025		\$45.12	\$29.41	\$74.53
Painters Class 2 (see notes)	5/1/2024		\$34.16	\$24.75	\$58.91
Painters Class 3 (see notes)	5/1/2024		\$41.01	\$24.75	\$65.76
Pile Driver Divers (Building, Heavy, Highway)	1/1/2022		\$56.40	\$20.50	\$76.90
Piledrivers	5/1/2024		\$36.12	\$19.79	\$55.91
Piledrivers	5/1/2025		\$36.87	\$20.49	\$57.36
Piledrivers	5/1/2026		\$37.63	\$21.18	\$58.81

**BUREAU OF LABOR LAW COMPLIANCE  
PREVAILING WAGES PROJECT RATES**

<b>Project: 26-01830 - Heavy/Highway</b>	<b>Effective Date</b>	<b>Expiration Date</b>	<b>Hourly Rate</b>	<b>Fringe Benefits</b>	<b>Total</b>
Steamfitters (Heavy and Highway - Gas Distribution)	5/1/2022		\$48.43	\$40.28	\$88.71
Truckdriver class 1(see notes)	5/1/2025		\$41.87	\$0.00	\$41.87
Truckdriver class 2 (see notes)	5/1/2025		\$41.94	\$0.00	\$41.94
Truckdriver class 3 (see notes)	5/1/2025		\$42.43	\$0.00	\$42.43

# Prevailing Wage Projects

Please contact the Bureau at 1-800-932-0665 or email at [ra-li-slmr-llc@pa.gov](mailto:ra-li-slmr-llc@pa.gov) if you have any questions about a particular project.

The Bureau of Labor Law Compliance updated its Pennsylvania Building Journeyman Laborer Notes to clarify existing tasks performed throughout the Commonwealth. The "Building Laborer Notes" link on the Bureau's website provides a list of those tasks that should be read in conformity with custom and usage of the construction industry in the geographic region in which they are utilized.

The Department of Labor and Industry, through the **Bureau of Labor Law Compliance**, determines prevailing wage rates for the construction industry and enforces the rates and classifications under the heavy highway and building construction projects of \$25,000 or more when public funds are involved.

The Department also determines the prevailing minimum wage rates and employee benefits for specific localities and classifications. The Prevailing Wage Regulations allow the Secretary of Labor and Industry to consider collective bargaining agreements and other data types to determine the wage rates.

*The Bureau of Labor Law Compliance is responsible for administering, educating, and enforcing labor laws. As such, it provides employers and employees with educational outreach seminars, conducts investigations, and resolves disputes when complaints are received.*

Please direct your questions regarding Prevailing Wage to the [Bureau of Labor Law Compliance](#), with offices in Harrisburg, Philadelphia, Pittsburgh, and Scranton.

# **Notes for Building, Heavy, Highway Truckdriver**

## **Truckdriver Class 1**

Single Axle

## **Truckdrivers Class 2**

Tandem

Tri-Axle

Semi-Trailer (Combination)

## **Truckdrivers Class 3**

Speciality Vehicles

# Notes for 29 County Building Common Journeyperson Laborer

Adams, Berks, Bradford, Carbon, Columbia, Cumberland, Dauphin, Juniata, Lackawanna,  
Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Monroe, Montour, Northampton,  
Northumberland, Perry, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne,  
Wyoming & York

**The following updates to the Bureau of Labor Law Compliance's Pennsylvania Building Journeyperson Laborer Notes are meant to provide a reference point for uniformity and clarity throughout the Commonwealth. The Notes may not be comprehensive, and should be read in conformity with the custom and usage of the construction industry in the geographic region in which they are utilized.**

## CLASS 1

### COMMON JOURNEYPELSON

1. Cleaning, scrubbing, washing and polishing floors, furniture and windows (including through the use of bonding or flying cranes); For marble, granite, and terrazzo, cleaning, scrubbing, washing, and polishing after final acceptance.
2. Demolition of interiors and removal of all debris;
3. Grading stone and dirt by hand;
4. Form pinning
5. Pouring handling, and placing of all concrete and related materials and all cure applications;
6. Sheathing, lagging, and mining;
7. Cleaning up debris;
8. Stripping, dismantling, oiling and moving of concrete forms;
9. Loading, unloading and carrying of reinforced steel;
10. Handling and distributing lumber and all other building materials, including final strip, and including materials used or installed by mechanical trades (e.g., electrician, plumber, sheet metal worker, insulator);
11. Unloading, carrying, distributing and laying of pre-cast concrete slabs and planks;
12. Wrecking, moving and demolishing underpinning and shoring of all structures;
13. Using flags and other signaling devices;
14. Performing landscaping and nursery work;
15. Serving as a Toolroom Person, hanging tools, delivering tools;
16. Cleaning precipitators;
17. Watching for fires;
18. Operating conveyors;
19. Using vacuum cleaners of all types (ride or walk-along);
20. Digging and filling holes and trenches using hand tools;
21. Driving stakes;

22. Ripping out material which is to be discarded;
23. Cleaning roof removal materials on the ground. Performs roof removal work for demolition (Roof removal work for roof replacement is performed by roofers);
24. Operating a pressure washer;
25. Unloading, stockpiling and moving materials for carpenters.
26. Operating power buggies and pumps;
27. Operating walk along compacting and vibrating equipment;
28. Operating guniting machines (including potman);
29. Operating steam jennies;
30. Using pumps of 2" and under;
31. Operating burning torches or burners for demolition;
32. Blasting or assisting with blasting;
33. Grading and building scaffolds;
34. Using or assisting with air and hydraulic wagon drills, on or off tracks;
35. Using walk-along or walk behind lifts and similar machines;
36. Serving as a drill runner or drill runner's assistant;
37. Operating a chipping hammer or similar;
38. Mixing mortar or operating a mortar mixing machine (regardless of power used, including starting and stopping);
39. Feeding grout machines and operating grout pumps;
40. Operating concrete saws;
41. Operating air tracks or assisting;
42. Laying on nonmetallic (clay, ironstone, terra cotta, vitrified concrete and plastic) pipe and the making of joints for the same within five feet outside a building, or to the first joint beyond five feet from a building;
43. Operating jackhammers or concrete busters;
44. Operating concrete drills and cutting equipment for trenches, flatwork, and wall coring of multi-use (common) holes;
45. Operating walk behind rollers and similar machines
46. Using a cutting torch for demolition work on steel or other metal structures;
47. Operating salamanders, smudge pots, propane and kerosene burners and all other heating methods;
48. Operating drills and all other pneumatic and electric hand tools for demolition;
49. Using concrete mixers, vibrators and pumps;
50. Operating walk along tamping equipment;
51. Sandblasting (filling the pot, cleaning up of sand, use of the nozzle) pumps 2" or under for demolition;
52. Using welding torches;
53. Working on swing scaffold, sling and Bosun chairs.

## **CLASS 2**

### **ASBESTOS REMOVAL**

Asbestos Removal. Hazardous & Toxic Waste Removal. Lead & Lead-based paint removal. All work in connection with handling, control, removal, abatement, encapsulation or disposal of

asbestos &/or toxic waste &/or lead or lead-based paint removal will be assigned to the members of the Laborers' International Union of North America not to be limited to the erection, moving, servicing & dismantling of all tools & equipment normally used in the handling, control. Removal or encapsulation of hazardous material. This agreement covers work tasks associated with any & all safety requirements & final cleanup & disposal of such hazardous material.

### **CLASS 3**

#### **MASON TENDERS**

Mason Tenders- Mixing of Mortar, mortar pumps, caisson work, blast furnaces. Coke ovens and all related work. Erection and dismantling of all scaffolding, including tubular frame, manual and powered. Climbing scaffold, swing scaffolds, slings, bosun chairs and all associated safety protection including barricades, nets and ropes, scaffold weather enclosures; shoring; mortar buggies; concrete pumps; walk-behind forklifts; electric welders, torches, compressors, generators & the repair and maintenance of same; jackhammers, tampers, cut-off saws and other power equipment required for demolition, rotary-hammer drills, electric and pneumatic hand tools, transits, levels and lasers, tempering mortar; stocking scaffolds with masonry materials including brick, block, mortar, terra cotta, architectural pre-cast concrete, natural stone, insulation and mastic, flashing, anchors and ties, rebar, grout, Mobile lifting platform scaffolding powered by any power, mode or method; clean-up of all masonry debris.

### **CLASS 4**

#### **FORKLIFT LABORER**

Operation of rough terrain forklifts & skid-steering loaders.

### **CLASS 5**

#### **MASON TENDER CRANE OPERATOR**

Pioneer 9000 truck crane and self erecting portable tower crane similar to the POTAIN HDT 80

### **CLASS 6**

#### **PLASTERER AND DRYVIT TENDERS**

1. Mixing of plaster and dryvit.
2. Plaster pumps.
3. Plaster tenders.
4. Scaffold Builders.
5. Mobile lifting platform scaffolding, by any power, mode or method.

Mixing of plaster and dryvit. Plaster pumps. Plaster tenders. Caisson work. Erection and dismantling of all scaffolding, including tubular frame, manual and powered climbing scaffold, swing scaffolds, slings, bosun chairs and all associated safety protection including barricades, nets and ropes, scaffold weather enclosures; shoring, mortar buggies; concrete pumps; walk-behind forklifts; electric welders, torches, compressors, generators & the repair and maintenance of same; jackhammers, tampers; cut-off saws and other power equipment requires for demolition; rotary-hammer drills, electric and pneumatic hand-tools; transits, levels and lasers, and the clean up of all plaster debris.

# Definition for 22 County Building Construction Operators

Tioga, Bradford, Lycoming, Sullivan, Union, Montour, Columbia, Snyder, Northumberland, Juniata, Perry, Dauphin, Cumberland, Lebanon, York, Lancaster, Adams, Schuylkill, Berks, Lehigh, Northampton, Carbon

## Operators Class 1

Machines Doing Hook Work	Cableways
Any Machine Handling Machinery	Drag Lines
Cable Spinning Machines	Derricks
Helicopter	All types of Overhead Cranes
All Types of Cranes *	High Rail/Burro Crane
Rail Loader (Winch Boom Type)	

### *Machines Similar to above including remote control equipment*

\* On all machines with booms, jibs, masts and leads 100 feet from ground up, fifty (\$0.50) cents per hour additional will be paid for each increment of 25 feet over 100 feet. On cranes with booms (including jibs, masts and leads, etc.), 200 feet and over, two (2) operators shall be required, no oilers will be required, with seventy-five (\$0.75) cents in increments of 25 feet.

Tower cranes calculated from ground up and out for purpose of boom pay.

## Operators Class 1a

Machines Doing Hook Work	High Rail/Burro Crane 15 Ton and Over (Factory Rating)
Machines Handling Machinery	Rail Loader, Winch Boom Type, 15 Ton and Over (Factory Rating)
All Types of Cranes 15 Ton and Over (Factory Rating)	Equipment in this wage group that does not require an oiler

### *Machines Similar to above including remote control equipment*

## Operators Class 2

Keystones	Bundle Puller Extractors (Tubular Type)
All Types of Shovels	Scrapers & Tournapulls
All Types of Backhoes	Spreaders
Trench Shovels	Tree Spade
Trenching Machines	Bulldozers & Tractors
Hoists With Two Towers	Vermeer Saw
All Pavers (Blacktop & Concrete)	Side Boom
Building Hoists (Double Drum)	Rollers (High Grade Finishing)
All Front-End Loaders	Mechanic-Welders
Tandem Scrapers	Chipper With Boom
Pippin Type Backhoes	Motor Patrols
Hydro Ax	Concrete Breaking Machines
Boat Captains	Concrete Pumps
Milling Machines	Fine Grade Machines
Batch Plant Operators (Concrete)	Grease Trucks
Bobcat Type (All Attachments)	Directional Boring Machines
All Autograde & Concrete Finishing Machines (Excluding Trowel Machines)	Production Switch Tamper
Drills, Self-Contained Rotary Drills	Ballast Regulators
Fork Lifts (20 Feet & Over)	Tie Replacer
Gradalls	Rail/Road Loader
Mucking Machines in Tunnel	Power Jack Liner

*Machines Similar to above including remote control equipment*

## **Operators Class 2a**

Crawler Backhoes Over One Cubic Yard	Equipment 15 Ton and Over
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Crawler Gradalls Over One Cubic Yard	Concrete Pumps 92 feet of Boom Length (150 yd. pour or less)
Hydraulic Backhoes Over One Cubic Yard	Equipment in this wage group that does not require an oiler

*Machines Similar to above including remote control equipment*

### **Operators Class 3**

Conveyors	Second Class Drill, Self-Contained Rotary Drills
Building Hoists (Single Drum)	Fork Lift Trucks (Under 20 Feet Lift)
High or Low Pressure Boilers	Stump Grinder
Well Drillers	Miscellaneous Equipment Operator
Asphalt Plant Engineers	Tireman (For Power Equipment)
Ditch Witch Type Trenchers	
Core Drill Operator	

*Machines Similar to above including remote control equipment*

### **Operators Class 4**

Welding Machines	Concrete Breaking Machines (Guillotine)
Well Points	Rollers
Compressors	Seaman Pulverizing Mixer
Pumps	Grout Pump
Heaters	Power Broom
Farm Tractors	Forced Air Propane Heater
Form Line Graders	Seeding Spreader
Road Finishing Machines	

*Machines Similar to above including remote control equipment*

## **Operators Class 5**

Fireman

*Machines Similar to above including remote control equipment*

## **Operators Class 6**

Oilers & Deck Hands (personnel Boats)                      Core Drill 2<sup>nd</sup> Class

*Machines Similar to above including remote control equipment*

## **Operators Class 7 (A) (Toxic/Hazardous Waste Removal)**

Machines Doing Hook Work	Derricks
Any Machine Handling Machinery	All Types of Overhead Cranes
Cable Spinning Machines	High Rail/Burro Crane
Helicopters	Rail Loader (Winch Boom Type)
All Types of Cranes	
Cableways	
Drag Lines	

*Machines Similar to above including remote control equipment*

## **Operators Class 7 (B) (Toxic/Hazardous Waste Removal)**

Keystones	Bundle Puller Extractors (Tubular Type)
All Types of Shovels	Scrapers & Tournapulls
All Types of Backhoes	Spreaders
Trench Shovels	Tree Spade
Trenching Machines	Bulldozers & Tractors
Hoists With Two Towers	Side Boom
All Pavers (Blacktop & Concrete)	Rollers (High Grade Finishing)

Building Hoists (double Drum)

Gradalls

Mucking Machines in Tunnel

All Front-End Loaders

Tandem Scrapers

Directional Boring Machines

Pippin Type Backhoes

Hydro Ax

Boat Captains

Finishing Machines (Excluding Trowel  
Machines)

Power Jack Liner

Tie Replacer

Batch plant Operators (Concrete)

Drills, Self-Contained Rotary Drills

Fork Lifts (20 Feet & Over)

Vermeer Saw

Mechanic – Welders

Chipper With Boom

Motor Patrols

Concrete Breaking Machines

Milling Machines

Fine Grade Machines

Concrete Pumps

Grease Trucks

Bobcat Type (All Attachments)

Rail/Road Loader

Production Switch Tamper

Ballast Regulators

*Machines Similar to above including remote control equipment*

# Definitions for 29 County Heavy, Highway Construction Laborers'

Adams, Berks, Bradford, Carbon, Columbia, Cumberland, Dauphin, Juniata, Lackawanna, Lancaster, Lebanon, Lehigh, Luzerne, Lycoming, Monroe, Montour, Northampton, Northumberland, Perry, Pike, Schuylkill, Snyder, Sullivan, Susquehanna, Tioga, Union, Wayne, Wyoming, & York

## Laborers' Class I

Flagperson

## Laborers' Class II

Hazardous/Toxic/Asbestos Waste Handler, Lead Paint handler

## Laborers' Class III

Asphalt Tamper, Concrete Pitman & Puddler, Highway Guide Rail, Right of Way and Property Fence, Highway Slab Reinforcement Placer Laborer (Landscape, Planters, Seeders, Arborists), Magazine Tender, Rail Trackman & Signalmen, Laser Beam Men for Pipe Laying & Paving Machines, Pneumatic & Electric Tool Operators, Jack Hammers, Paving Breakers, Concrete Saws, Whacker Vibrator, Sheet Hammers, Chainsaws, Pipelayers, Asphalt Rake, Lute or Screed Men, Highway Concrete Block Layers, Walk Behind Rollers, Walk Behind Trencher

## Laborers' Class IV

Caisson open Air Below 8', Cofferdam open Air Below 8' where excavating for Circular Caisson and Cofferdam 8' Below Natural elevation of Grade Adjacent to Starting Point, Form Setters Road, Certified Concrete Technician, Concrete Rubber, Wagon Drill, Diamond Point Drill, Guinite Nozzle Operator, Blaster

## Laborers' Class V

Foreman, Form Setter, Road Foreman, Reinforced Steel Placer, Bonding Aligning and Securing, Burning and Welding in conjunction with Rebar, Concrete Surfacers

## Laborers' Class VI

Outside Laborers in conjunction with Tunnels and Rock Shafts

## Laborers' Class VII

Chuck Tenders, Muckers, Nippers, Miners Helpers, Inside Laborers

**Laborers' Class VIII**

Miners, Drillers, Blasters, Pneumatic Shield Operators, Lining, Spotting and Timber Workers,  
Rebar Steel Placer, Bonding Aligning and Securing, Welders and Concrete Surfacers

# Definition for 29 County Heavy Equipment Operators

Tioga, Bradford, Lycoming, Sullivan, Union, Montour, Columbia, Snyder, Northumberland, Juniata, Perry, Dauphin, Cumberland, Lebanon, York, Lancaster, Adams, Schuylkill, Berks, Lehigh, Northampton, Carbon, Susquehanna, Wayne, Wyoming, Lackawanna, Pike, Luzerne, & Monroe

## Operators Class 1

Machines Doing Hook Work	Cableways
Any Machine Handling Machinery	Drag Lines
Cable Spinning Machines	Derricks
Helicopters	High Rail/Burro Crane
All Types of Cranes *	Rail Loader (Winch Boom Type)

### *Machines Similar to above including remote control equipment*

\* On all machines with booms, jibs, masts and leads 100 feet from ground up, fifty (\$0.50) cents per hour additional will be paid for each increment of 25 feet over 100 feet. On cranes with booms (including jibs, masts and leads, etc.), 200 feet and over, two (2) operators shall be required, no oilers will be required, with seventy-five (\$0.75) cents in increments of 25 feet.

## Operators Class 1a

Machines Doing Hook Work	High Rail/Burro Crane 15 Ton and Over (Factory Rating)
Machines Handling Machinery	Rail Loader, Winch Boom Type, 15 Ton and Over (Factory Rating)
All Types of Cranes 15 Ton and Over (Factory Rating)	Equipment in this wage group that does not require an oiler

## Operators Class 2

Keystones	
All Types of Shovels	Drills, Self-Contained Rotary Drills

All Types of Backhoes	Concrete Pumps
Trench Shovels	Fork Lifts (20 Feet & Over)
Trenching Machines	Grease Truck
Hoists With Two Towers	Scrapers & Tournapulls
All Pavers (Blacktop & Concrete)	Side Boom
All Types of Overhead Cranes	Spreaders
Building Hoists (Double Drum)	Bobcat Type (All Attachments)
Concrete Breaking Machines	Bulldozers & Tractors
Gradalls	Vermeer Saw
All Autograde & Concrete Finishing Machines	Boring Machines Including Directional Boring Machines
Mucking Machines in Tunnel	Tree Spade
All Front-End Loaders	Hydro Ax
Bundle Puller Extractors (Tubular)	Chipper with Boom
Tandem Scrapers	Production Switch Tamper
Pippin Type Backhoes	Ballast Regulators
Rollers (High Grade Finishing)	Tie Replacer
Boat Captains	Rail/Road Loader
Mechanic-Welder	Power Jack Liner
Batch Plant Operators (Concrete)	
Motor Patrols	

*Machines Similar to above including remote control equipment*

**Operators Class 2a**

Crawler Backhoes Over One Cubic Yard	Equipment 15 Ton and Over
--------------------------------------	---------------------------

Crawler Gradalls Over One Cubic Yard	Concrete Pumps 92 feet of Boom Length (150 yd. pour or less)
Hydraulic Backhoes Over One Cubic Yard	Equipment in this wage group that does not require an oiler

### **Operators Class 3**

Conveyors	Fork Lift Trucks (Under 20 Feet Lift)
Building Hoists (Single Drum)	Second Class Driller
High Or Low Pressure Boilers	Self Contained Rotary Drills
Well Drillers	Fine Grade Machines
Asphalt Plant Engineers	Stump Grinder
Ditch Witch Type Trenchers	Tireman (For Power Equipment)
Core Drill Operator	

*Machines Similar to above including remote control equipment*

### **Operators Class 4**

Welding Machines	Concrete Breaking Machines (Guillotine Type)
Well Points	Rollers
Compressors	Seaman Pulverizing Mixer
Pumps	Power Broom
Heaters	Miscellaneous Equipment Operator
Farm Tractors	Seeding Spreader
Form Line Graders	
Road Finishing Machines	

*Machines Similar to above including remote control equipment*

### **Operators Class 5**

Fireman

*Machines Similar to above including remote control equipment*

**Operators Class 6**

Oilers & Deck Hands (Personnel Boats)                      Core Drill Helper 2<sup>nd</sup> Class

*Machines Similar to above including remote control equipment*

**Operators Class 7 (A) (Toxic/Hazardous Waste Removal)**

Machines Doing Hook Work	Drag Lines
Any Machine Handling Machinery	Derricks
Cable Spinning Machines	High Rail/Burro Crane
Helicopters	Rail Loader (Winch Boom Type)
All Types of Cranes	
Cableways	

*Machines Similar to above including remote control equipment*

**Operators Class 7 (B) (Toxic/Hazardous Waste Removal)**

Keystones	Bundle Puller Extractors (Tubular Type)>
All Types of Shovels	Scrapers & Tournapulls
All Types of Backhoes	Spreaders
Trench Shovels	Tree Spade
Trenching Machines	Bulldozers & Tractors
Hoists With Two Towers	Side Boom
All Pavers (Blacktop Concrete)	Rollers (High Grade Finishing)
All Types of Overhead Cranes	Vermeer Saw
Building Hoists (Double Drum)	Mechanic – Welders
Gradalls	Chipper With Boom

Mucking Machines in Tunnel

All Front-End Loaders

Tandem Scrapers

Boring Machines Including Directional  
Boring Machines

Pippin Type Backhoes

Hydro Ax

Boat Captains

All Autograde & Concrete Finishing  
Machines (Excluding Trowel Machines)

Batch Plant Operators (Concrete)

Drills, Self-Contained Rotary Drills

Fork Lifts (20 Feet & Over)

Motor Patrols

Concrete Breaking Machines

Concrete Pumps

Grease Trucks

Bobcat Type (All Attachments)

Production Switch Tamper

Ballast Regulators

Tie Replacer

Rail/Road Loader

Power Jack Liner

***Machines Similar to above including remote control equipment***

# Definitions for 29 County Highway Construction Operators

Tioga, Bradford, Lycoming, Sullivan, Union, Montour, Columbia, Snyder, Northumberland, Juniata, Perry, Dauphin, Cumberland, Lebanon, York, Lancaster, Adams, Schuylkill, Berks, Lehigh, Northampton, Carbon, Susquehanna, Wayne, Wyoming, Lackawanna, Pike, Luzerne, & Monroe

## Operators Class 1

All Types of Cranes *	Bulldozers & Tractors
All Type of Backhoes	Log Skidder
Drag Line	Motor Patrols
Keystones	Chipper With Boom
All Types of Shovels	Mechanic Welders
Derricks	Hydro Ax
Trench Shovels	Side Boom
Trenching Machines	Tree Spade
All Pavers (Blacktop & Concrete)	Bob Cat Type (With Attachments)
Gradalls	Boring Machines Including Directional Boring Machines
All Front End Loaders Tandem Scrapers	All Autograde & Concrete Finishing Machines (Excluding Trowel Machines)
Pippin Type Backhoes	Concrete Breaking Machines
Boat Captains	High Rail/Burro Crane
Batch Plant With Mixer	Rail Loader (Winch Boom Type)
Drill Self-Contained (Drillmaster Type)	Production Switch Tamper
Milling Machine	Ballast Regulators
Vermeer Saw	Tie Replacer
Conveyor Loader (Euclid Type)	Rail/Road Loader

Power Jack Liner

Concrete Pumps

\* On all machines with booms, jibs, masts and leads 100 feet and over, twenty-five (\$0.25) cents per hour additional will be paid for each increment of 25 feet over 100 feet. On machines with booms (including jibs, masts and leads, etc.), 200 feet and over, two operating engineers shall be required.

*Machines Similar to above including remote control equipment*

### **Operators Class 1a**

Crawler Backhoes Over One Cubic Yard  
(Factory Rating)

Cherry Picker Type Machinery and  
Equipment 15 Tone and Over

Hydraulic Backhoes Over One Cubic Yard  
(Factory Rating)

Single Person Operation Truck Cranes 15 Ton  
and Over (Factory Rating)

All Types of Cranes 15 Ton and Over  
(Factory Rating)

Equipment in this wage group that does not  
require an oiler

*Machines Similar to above including remote control equipment*

### **Operators Class 2**

Spreaders

Stump Grinder

Asphalt Plant Engineers

Grease Truck

Rollers (High Grade Finishing)

Fork Lifts (20 Feet & Over)

*Machines Similar to above including remote control equipment*

### **Operators Class 3**

Welding Machines

Rollers

Well Points

Miscellaneous Equipment Operator

Compressors

Seaman Pulverizing Mixer

Pumps

Tireman (For Power Equipment)

Heaters	Power Broom Conveyor Landers Other Than Euclid Type
Farm Tractors	Seeding Spreader
Form Line Graders	Conveyors
Ditch Witch Type Trencher	Driller Second Class
Road Finishing Machines	Fork Lifts (Under 20 Feet)
Concrete Breaking Machines (Guillotine Type)	

*Machines Similar to above including remote control equipment*

#### **Operators Class 4**

Fireman

*Machines Similar to above including remote control equipment*

#### **Operators Class 5**

Oilers & Deck Hands (Personnel Boats)

*Machines Similar to above including remote control equipment*

#### **Operators Class 6**

On All machines with Booms (Including Jibs, Masts Leads, Etc.) 100 Feet

*Machines Similar to above including remote control equipment*

#### **Operators Class 6a**

On all machines with Booms (Including Jibs, Masts Leads, Etc.) 100 Feet 15 Ton and Over (Factory Rating)

Equipment in this wage group that does not require an oiler

*Machines Similar to above including remote control equipment*

#### **Operators Class 7a (Toxic/Hazardous Waste Removal)**

Pile Drivers or Engineers - Working with  
Dock Builder & Pile Drivers

All Types of Cranes

All Types of Backhoes

Drag Line

Keystones

All Types of Shovels

Derricks

Trench Shovels

Trenching Machines

All Pavers (Blacktop & Concrete)

Gradalls

All Front End Loaders

Tandem Scrapers

Pippin Type Backhoes

Boat Captains

Batch Plant With Mixer

Drill Self-Contained (Drillmaster Type)

CMI Autograde

Vermeer Saw

Scrapers & Tournapulls

Chipper With Boom

Boring Machines Including

Directional Boring Machine

Conveyor Loader (Euclid Type)

Bulldozers & Tractors

Hydro Ax

Concrete pumps

Tree Spade

Motor Patrols

All Autograde & Concrete Machines  
(Excluding Trowel Machines)

Mechanic Welders

Log Skidder

Concrete Breaking Machines

Side Boom

Bob Cat Type (With Attachments)

Ballast Regulators

Tie Replacer

Rail/Road Loader

Power Jack Liner

***Machines Similar to above including remote control equipment***



**THE NOTARIZATION MUST BE COMPLETED ON FIRST AND LAST SUBMISSIONS ONLY. ALL OTHER INFORMATION MUST BE COMPLETED WEEKLY.**

\*FRINGE BENEFITS EXPLANATION (FB): Bona fide benefits contribution, except those required by Federal or State Law (unemployment tax, workers' compensation, income taxes, etc.)

Please specify the type of benefits provided and contributions per hour:

- 1) Medical or hospital care \_\_\_\_\_
- 2) Pension or retirement \_\_\_\_\_
- 3) Life insurance \_\_\_\_\_
- 4) Disability \_\_\_\_\_
- 5) Vacation, holiday \_\_\_\_\_
- 6) Other (please specify) \_\_\_\_\_

**CERTIFIED STATEMENT OF COMPLIANCE**

1. The undersigned, having executed a contract with \_\_\_\_\_  
(AWARDING AGENCY, CONTRACTOR OR SUBCONTRACTOR)

\_\_\_\_\_ for the construction of the above-identified project, acknowledges that:

- (a) The prevailing wage requirements and the predetermined rates are included in the aforesaid contract.
- (b) Correction of any infractions of the aforesaid conditions is the contractor's or subcontractor's responsibility.
- (c) It is the contractor's responsibility to include the Prevailing Wage requirements and the predetermined rates in any subcontract or lower tier subcontract for this project.

2. The undersigned certifies that:

- (a) Neither he nor his firm, nor any firm, corporation or partnership in which he or his firm has an interest is debarred by the Secretary of Labor and Industry pursuant to Section 11(e) of the PA Prevailing Wage Act, Act of August 15, 1961, P.L. 987 as amended, 43 P.S. § 165-11(e).
- (b) No part of this contract has been or will be subcontracted to any subcontractor if such subcontractor or any firm, corporation or partnership in which such subcontractor has an interest is debarred pursuant to the aforementioned statute.

3. The undersigned certifies that:

(a) the legal name and the business address of the contractor or subcontractor are: \_\_\_\_\_

(b) The undersigned is:  a single proprietorship  a corporation organized in the state of \_\_\_\_\_  
 a partnership  other organization (describe) \_\_\_\_\_

(c) The name, title and address of the owner, partners or officers of the contractor/subcontractor are:

NAME	TITLE	ADDRESS

The willful falsification of any of the above statements may subject the contractor to civil or criminal prosecution, provided in the PA Prevailing Wage Act of August 15, 1961, P.L. 987, as amended, August 9, 1963, 43 P.S. § 165.1 through 165.17.

\_\_\_\_\_  
 (DATE)

\_\_\_\_\_  
 (SIGNATURE)

\_\_\_\_\_  
 SEAL

\_\_\_\_\_  
 (TITLE)

Taken, sworn and subscribed before me this \_\_\_\_\_ Day  
 of \_\_\_\_\_ A.D., \_\_\_\_\_

# **REGULATIONS FOR PENNSYLVANIA PREVAILING WAGE ACT**



COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF LABOR AND INDUSTRY  
BUREAU OF LABOR LAW COMPLIANCE

1997 EDITION

## Subchapter E. PREVAILING REGULATIONS

Sec.

- 9.101. Purpose and scope.
- 9.102. Definitions.
- 9.103. Required provisions.
- 9.104. Duty of the public body.
- 9.105. Determination of classification and general prevailing minimum wage rates.
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- 9.107. Petition for review of rates and hearing.
- 9.108. Posting of wage rates.
- 9.109. Records and inspection.
- 9.110. Certification of rate of wage and payment by contractor or subcontractor.
- 9.111. Remedies and penalties.
- 9.112. Workmen's rights.

### Authority

The provisions of this Subchapter E issued under act of August 15, 1961 (P.L. 987) (43 P.S. § 165-14), unless otherwise noted.

### Source

The provisions of this Subchapter E adopted May 23, 1975, 5 Pa.B. 1347, unless otherwise noted.

### Notes of Decisions

The Secretary of Labor and Industry's definition of workers as "electricians" on a public works project, and therefore subjecting their employer to payment of the wages not paid in violation of the Pennsylvania Prevailing Wage Act (43 P.S. §§ 165-1 — 165-17) would not be disturbed as the determination was neither erroneous nor inconsistent with the statute. *Henkels & McCoy, Inc. v. Department of Labor and Industry*, 598 A.2d 1065 (Pa. Cmwlth. 1991).

#### § 9.101. Purpose and scope.

(a) Every contract to which the Commonwealth, its political subdivisions, an authority created by the General Assembly of the Commonwealth including authorities created under the Municipality Authorities Act of 1945 (53 P. S. §§ 301–401) and instrumentalities or agencies of the Commonwealth is a party, for construction, reconstruction, demolition, alteration or repair work other than maintenance work where the estimated cost of the total project is in excess of \$25,000, which requires or involves the employment by a contractor or subcontractor of laborers, mechanics, skilled and semi-skilled laborers and apprentices in the performance of services directly upon the public work project shall include in its specifications a provision stating the general prevailing minimum wage rates as determined by the Secretary which shall be paid for each craft or classification of workmen needed to perform the contract during the anticipated term thereof in the locality in which the public work is performed.

(b) Every person paid by a contractor or a subcontractor in any manner for his labor in the construction, reconstruction, demolition, alteration or repair work other than maintenance work done under contract and paid for in whole or in part out of the funds of a public body except work performed under a rehabilitation program or manpower training programs is "employed" and "receiving wages."

(c) These regulations do not apply to a public works contracts subject to the Walsh-Healey Act (41 U.S.C.A. §§ 35–45) or section 1 of the Davis-Bacon Act (40 U.S.C.A. § 276(a)).

(d) Work performed under a rehabilitation program arranged by and at a State institution primarily for teaching and up-grading the skills and employment opportunities of the inmates of the institution is not to be considered public work performed by a public body as defined in the act and this Subchapter.

### Notes of Decisions

The court declared the Pennsylvania Prevailing Wage Act (Act) (43 P. S. §§ 165-1–165-17) and its accompanying regulations invalid and unenforceable because they were preempted by ERISA where the Act related to ERISA plans regarding fringe benefits. *Keystone Chapter, Assoc. Builders and Contractors, Ind. v. Foley*, 837 F.Supp. 654 (M. D. PA. 1993).

#### § 9.102. Definitions.

The following words and terms, when used in this subchapter, have the following meanings, unless the context clearly indicates otherwise:

*Act*—The Pennsylvania Prevailing Wage Act (43 P. S. §§ 165-1–165-17).

*Apprentice*—A person employed and working under a bona fide apprenticeship program, directly related to the particular craft involved in the construction industry and registered with an approved by the Pennsylvania Apprenticeship and Training Council and whose training and employment are in full compliance with the provisions of The Apprenticeship and Training Act (43 P. S. §§ 90.1–90.10), approved July 14, 1961.

*Authorized deduction*—Those deductions which are authorized by the Wage Payment and Collection Law (43 P. S. §§ 260.1–260.45), approved July 14, 1961 and the Regulations of the Department of Labor and Industry issued pursuant thereto.

*Bona fide collective bargaining agreement*—The agreement negotiated between the historically established and recognized bargaining representatives for the employers and of the workmen for the particular crafts or classifications involved providing for applicable wage rates, hours of work, working conditions and contributions for employe benefits as defined in "contributions for employe benefits" in this section.

*Classification*—Specific categories of jobs which are performed within a "craft" as defined in this section. The term includes those specific categories of jobs which are performed by a "workman," as defined in section 2(7) of the act (43 P. S. § 165-2(17)) and this section, and "apprentice," as defined in this section.

*Contributions for employe benefits*—"Fringe benefits" paid or to be paid, including payment made whether directly or indirectly, to the workmen for sick, disability, death, other than Workmen's Compensation, medical, surgical, hospital, vacation, travel expense, retirement and pension benefits.

*Craft*—Special skills and trades which are recognized as such by custom and usage in the building and construction industry.

*Department*—The Department of Labor and Industry of the Commonwealth.

*General prevailing minimum wage rates, prevailing wage rates, minimum wage rates and wage rates*—Rates as determined by the Secretary, as payable in the locality in which the public work is to be performed, for the respective crafts and classifications, including the amount of contributions for employe benefits as required by the act.

*Locality*—A political subdivision, or combination of the same, within the county in which the public work is to be performed. When no workmen for which a prevailing minimum wage is to be determined hereunder are employed in the locality, the locality may be extended to include adjoining

political subdivisions where the workmen are employed in those crafts or trades for which there are no workmen employed in the locality as otherwise herein defined.

*Maintenance work*—The repair of existing facilities when the size, type or extent of the facilities is not thereby changed or increased.

*Public body*—The Commonwealth of Pennsylvania, its political subdivisions, authorities created by the General Assembly of the Commonwealth and instrumentalities or agencies of the Commonwealth.

*Public work*—Construction, reconstruction, demolition, alteration or repair work other than maintenance work, done under contract and paid for in whole or in part out of the funds of a public body where the estimated cost of the total project is in excess of \$25,000. The term does not include work performed under a rehabilitation or manpower training program.

*Secretary*—The Secretary of Labor and Industry or his authorized deputy or representative.

*Workman*—Includes laborer, mechanic, skilled and semiskilled laborer and apprentices employed by a contractor or subcontractor and engaged in the performance of services directly upon the public work project, regardless of whether their work becomes a component part thereof. The term does not include material suppliers or their employees who do not perform services at the job site.

## Notes of Decisions

### *Preemption*

The union fund correctly argued that its suit under the Public Works Contractors' Bond Law (8 P. S. § 191 et seq.) was not preempted by Employee Retirement and Income Security Act (ERISA), 29 U.S.C.A. § 1001 et seq., because the Bond Law made no reference to ERISA plans and was not related to employee benefit plans or the enforcement of those plans. Thus, the Union Fund's cause of action against the bond insuring company can survive the company's motion for summary judgment. *Carpenters v. National Union Fire Insurance of Pittsburgh*, 686 A.2d 1373 (Pa. Cmwlth. 1996).

## Cross References

This section cited in 34 Pa. Code § 9.105 (relating to determination of classification and general prevailing minimum wage rates).

### **§ 9.103. Required provisions.**

The specifications for every contract for a public work as defined herein shall contain at least the following conditions, provisions and requirements:

(1) The general prevailing minimum wage rates including contributions for employee benefits as determined by the Secretary which shall be paid to the workmen employed in the performance of the contract. The contract shall specifically provide that the contractor shall pay at least the wage rates as determined in the decision of the Secretary of Labor and Industry and shall comply with the conditions of the act approved August 15, 1961, and the regulations issued thereto, to assure the full and proper payment of the rates.

(2) The contract shall contain the stipulation that workmen shall be paid at least the general prevailing minimum wage rates and other provisions to assure payment thereof as set forth in this section.

(3) The contract provisions apply to work performed on the contract by the contractor and to work performed on the contract by subcontractors.

(4) The contractor shall insert in each of his subcontracts the stipulations contained in these required provisions and other stipulations as may be required.

(5) The contract shall provide that no workmen may be employed on the public work except in accordance with the classifications in the decision of the Secretary. If additional or different classifications are necessary the procedure in § 9.107 (relating to petition for review of rates and hearings) shall be followed.

(6) The contract shall provide that workmen employed or working on the public work shall be paid unconditionally, regardless of whether a contractual relationship exists or the nature of a contractual relationship which may be alleged to exist between a contractor, subcontractor and workmen, at least once a week, without deduction or rebate, on any account, either directly or indirectly except authorized deductions, the full amounts due at the time of payment, computed at the rates applicable to the time worked in the appropriate classification. Nothing in the contract, the act or this title prohibits the payment of more than the general prevailing minimum wage rates as determined by the Secretary to a workman on public work.

(7) The contract shall provide that the contractor and each subcontractor shall post for the entire period of construction the wage determination decisions of the Secretary, including the effective date of changes thereof, in a prominent and easily accessible place or places at the site of the work and at the places used by them to pay workmen their wages. The posted notice of wage rates shall contain the following information:

(i) The name of project.

(ii) The name of the public body for which it is being constructed.

(iii) The crafts and classifications of workmen listed in the Secretary's general prevailing minimum wage rate determination for the particular project.

(iv) The general prevailing minimum wage rates determined for each craft and classification and the effective date of changes.

(v) A statement advising workmen that if they have been paid less than the general prevailing minimum wage rate for their job classification or that the contractor or subcontractor are not complying with the act or this title, they may file a protest in writing with the Secretary within 3 months of the date of the occurrence, objecting to the payment to a contractor to the extent of the amount due or to become due to them as wages for work performed on the public work project. A workmen paid less than the rate specified in the contract shall have a civil right of action for the difference between the wage paid and the wages stipulated in the contract, which right of action shall be exercised within 6 months from the occurrence of the event creating the right.

(8) The contract shall provide that the contractor and subcontractors shall keep an accurate record showing the name, craft or classification, number of hours worked per day and the actual hourly rate of wage paid, including employee benefits, to each workman employed by him in connection with the public work. The record shall include deductions from each workman. The record shall be preserved for 2 years from the date of payment and shall be open at reasonable hours to the inspection of the public body awarding the contract and to the Secretary or his authorized representatives.

(9) The contract shall provide that apprentices shall be limited to numbers in accordance with a bona fide apprenticeship program registered with and approved by The Pennsylvania Apprenticeship and Training Council and only apprentices whose training and employment are in full compliance with The Apprenticeship and Training Act (43 P. S. §§ 90.1–90.10), approved July 14, 1961, and the regulations issued thereto shall be employed on the public work project. A workman using the tools of a craft who does not qualify as an apprentice within this subsection shall be paid the rate predetermined for journeymen in that particular craft or classification.

(10) Wages shall be paid without deductions except authorized deductions. Employers not parties to a contract requiring contributions for employee benefits which the Secretary has determined to be included in the general prevailing minimum wage rate shall pay the monetary equivalent thereof directly to the workmen.

(11) Payment of compensation to workmen for work performed on public work on a lump sum basis, or a piece work system, or a price certain for the completion of a certain amount of work, or the production of a certain result shall be deemed a violation of the act and this subchapter, regardless of the average hourly earnings resulting therefrom.

(12) The contract shall also provide that each contractor and each subcontractor shall file a statement each week and a final statement at the conclusion of the work on the contract with the contracting agency, under oath, and in form satisfactory to the Secretary, certifying that workmen have been paid wages in strict conformity with the provisions of the contract as prescribed by this section or if wages remain unpaid to set forth the amount of wages due and owing to each workman respectively.

(13) The provisions of the act and this subchapter shall be incorporated by reference in the contract.

### **Cross References**

This section cited in 34 Pa. Code § 9.108 (relating to posting of wage rates); and 34 Pa. Code § 9.110 (relating to certification of rate of wage and payment by contractor or subcontractor).

### **§ 9.104. Duty of the public body.**

(a) It is the duty of the public body awarding a contract for public work to request the Secretary for determination of the general prevailing minimum wage rates to be paid workmen on the public work project. The request shall be made on forms issued for the purpose by the Department. A new request for predetermination shall be made if the contract is not awarded within 120 days from the determination date.

(b) It is the duty of the public body to enforce the posting of wage rate determinations in accordance with the provisions of section 9 of the act (43 P. S. § 165-9) and § 9.108 (relating to posting of wage rates). The fiscal officer of the public body, the treasurer or other officer of the public body, charged with the custody and disbursement of the funds of the public body, shall ascertain that the wage rates as determined by the Secretary are paid and that the job classifications are maintained, otherwise it is his duty to hold up final payment and to inform the Secretary of the failure by the contractor or a subcontractor to comply with the act.

### **Notes of Decisions**

#### *Time Limitations*

Although the borough awarded the company the contract more than 120 days after the determination of the prevailing minimum wage and although the borough never made a new request for a predetermination, the company waived its right to protest the predetermination by failing to adhere to the 120 day time period. *Linde Enter., Inc. v. Prevailing Wage Appeals Board*, 676 A.2d 310 (Pa. Cmwlth. 1996).

### **§ 9.105. Determination of classification and general prevailing minimum wage rates.**

(a) For the purpose of making a determination of the general prevailing minimum wage rates in the locality in which the public work is to be performed for each craft or classification during the anticipated term of the contract, the Secretary may ascertain and consider the wage rates and employee benefits established by collective bargaining agreements.

(b) If a bona fide collective bargaining agreement has expired by the terms thereof, the Secretary

may ascertain and consider the wage rates and employee benefits established thereby until a new bona fide collective bargaining agreement, as defined in § 9.102 (relating to definitions), has been executed.

(c) The Secretary may also consider the following:

(1) Information obtained from Federal agencies charged with the administration of labor standards provisions of Federal acts applicable to contracts covering contractors and subcontractors on public building and public work and on building and work financed in whole or in part by loans and grants of the United States, within the locality.

(2) The number of skilled, competent and experienced workmen within the locality who are generally available for employment on public work.

(3) Statements signed and certified by contractors and subcontractors and union representatives showing wage rates paid on projects, within the locality. These statements to be relevant to a wage determination shall indicate the names and addresses of the contractors, including the subcontractors, the locations, approximate cost, dates of construction and type of projects, the number of workmen employed and the number of man hours worked in each craft or classification on each project and the respective wage rates paid the workmen, which wage rates shall consist only of rates paid for services performed solely within the classification for which it is submitted.

(4) Other information pertinent to the determination of prevailing minimum wage rates.

(d) The Secretary will conduct a continuing program for obtaining and compiling of wage rate information and shall encourage the voluntary submission of wage rate data by contractors, contractors' associations, labor organizations, public officials and other interested parties, reflecting wage rates paid to workmen in the various types of construction in the locality. Rates shall be determined for varying types of projects within the entire range of work performed by the building and construction industry. Information submitted shall reflect not only the specified wage rate or rates paid to a particular craft in the locality but also the type or types of construction on which the wage rate or rates have been paid. If the Secretary deems that the data at hand is insufficient to make a determination with respect to the crafts or classifications necessary to perform the proposed public work, he may have a field survey conducted by his staff representative for the purpose of obtaining additional information upon which to make a determination of the wage rates, and also the customs, usages and practices as to the type of work to which the wage rates apply and the size of available force of qualified workmen within the locality in which the public work is to be performed.

### **Notes of Decisions**

Granting authority to the Secretary to consider fringe benefits determined by collective bargaining when he is making prevailing wage determinations is not an unconstitutional denial of equal protection to nonunion contractors and employees, since he is not required to make his determination solely on the basis of rates in collective bargaining. *Keystone Chapter of Associated Builders and Contractors, Inc. v. Department of Labor and Industry*, 414 A.2d 1129 (Pa. Cmwlth. 1980).

If the parties introduce exhibits which in some way do not comply with the standards of 34 Pa. Code § 9.105(c)(3), the Secretary may give more weight to evidence which includes fringe benefits and projects of every nature and which clearly demonstrates prevailing wage rates for the year in question rather to evidence which does not include fringe benefits, excludes public works projects and some major private projects, and lumps together wage rates from previous years to establish current wage rates. *Keystone Chapter of Associated Builders and Contractors, Inc. v. Department of Labor and Industry*, 414 A.2d 1129 (Pa. Cmwlth. 1980).

### **§ 9.106. Payment of general prevailing minimum wage rates.**

(a) Not less than the general prevailing minimum wage rates determined by the Secretary under the

act and this subchapter may be paid unconditionally, by contractors and subcontractors to workmen in their respective crafts and classifications on public work and the workmen can not be required to refund, directly or indirectly, part of the wages. It is no defense that workmen accepted or agreed to accept less than the required rate of wages or voluntarily made refunds, in any form or manner.

(b) Wages shall be paid without deductions except authorized deductions. Employers not parties to a contract requiring contributions for employee benefits which the Secretary has determined to be included in the general prevailing minimum wage rate shall pay the monetary equivalent thereof directly to the workmen.

(c) Payment of compensation to workmen for work performed on public work on a lump sum basis or a piece work system or a price certain for the completion of certain amount of work or the production of a certain result shall be deemed a violation of the act and this subchapter, regardless of the average hourly earnings resulting therefrom.

#### **§ 9.107. Petition for review of rates and hearings.**

(a) A prospective bidder or his representative, a representative of a group of employers engaged in the particular type of construction, reconstruction, demolition, alteration or repair work, a representative of a craft or classification of workmen or the public body affected by the determination made by the Secretary, may on verified petition request a review of this determination in accordance with the procedures required by section 8 of the act (43 P. S. § 165-8).

(b) The Secretary will, after notice and hearing as prescribed by section 8 of the act, make a final determination of the general prevailing minimum wage rates to be paid to workmen on the public work project. The public body when notified by the Secretary that a verified petition has been filed shall extend the closing date for the submission of bids until 5 days after the Secretary's final determination. Within 10 days after hearing the Secretary will make a determination and transmit it in writing to the public body and to the interested parties. This determination shall be final unless within 10 days an appeal is filed with the Appeals Board.

(c) If, after a contract has been awarded, it is deemed advisable by the public body because of unforeseen construction development to list an additional classification and wage rate therefor the public body shall request, in writing, a determination thereof by the Secretary. A copy of this request shall be given to interested parties and shall also be posted at an appropriate place at the site of the public work project. The Secretary will thereupon give consideration to the request and if he determines that the additional classification requested is necessary, he will determine the classification and wage rate therefor and notify the interested parties of his determination, which shall be effective as of the date on which it is made. Additional classifications shall be made in conformity with this procedure.

#### **Cross References**

This section cited in 34 Pa. Code § 9.103 (relating to required provisions).

#### **§ 9.108. Posting of wage rates.**

The contractors and subcontractors on the public work project shall post a notice or notices in the manner and form prescribed by § 9.103 (relating to required provisions). This notice is to be clearly legible and placed in a prominent and easily accessible place at the site of the public work project and at places used by them to pay workmen their wages.

#### **Cross References**

This section cited in 34 Pa. Code § 9.104 (relating to duty of the public body).

#### **§ 9.109. Records and inspection.**

The accurate record of employment and wage payments required to be kept and preserved by contrac-

tors and subcontractors on public work shall include at least the following information:

(1) The name, address and social security number of each workman.

(2) The craft, if applicable, the classification within each craft, and any other classification including apprenticeship, at which the workman worked. These records shall show the number of hours in each day, specified by actual calendar date, during which each workman worked and if he worked in more than one craft or classification for which different rates were payable the records shall show the number of hours in each day as aforesaid in which he worked at the different crafts or classifications. Time cards of employes shall be kept and preserved as records required by the act and this subchapter. In addition, the original signed indentures for each apprentice and the approvals of the Pennsylvania Apprenticeship and Training Council shall be kept. The records shall be preserved for 2 years from date of payment and shall be open at all reasonable hours for inspection by the public body awarding the contract and by the Secretary, and shall be made easily accessible within this Commonwealth within a period of 7 days from the date on which the Secretary requests in writing that these records be made so available.

#### **§ 9.110. Certification of rate of wage and payment by contractor or subcontractor.**

(a) It is the duty of the treasurer or other officer charged with the custody and disbursement of public funds applicable to the public work contract under and pursuant to which payment is made, to require the contractor and subcontractor to file a statement each week and a final statement at the conclusion of the work on the contract with the contracting agency under oath in form satisfactory to the Secretary certifying that workmen have been paid wages in strict conformity with the contract as prescribed by § 9.103(7) (relating to required provisions) or if wages remain unpaid to set forth the amount of wages due and owing to each workman respectively.

(b) It is the duty of the treasurer or other officer charged with the custody and disbursement of public funds to withhold the amount of wages unpaid or not paid in accordance with § 9.103 for the benefit of the workman whose wages have not been paid by the contractor and he may pay directly to a workman the amount shown to be due him. Each contractor and subcontractor shall also certify that he is not receiving or requiring, or will not receive or require, directly or indirectly, from a workman a refund of the minimum wage.

(c) A contractor or subcontractor who shall, under oath, verify the statements required to be filed under section 10 of the act (43 P. S. § 165-10) which are known to him to be false, shall be guilty of a misdemeanor, and shall, upon conviction, be sentenced to pay a fine of not exceeding \$2,500 or to undergo imprisonment not exceeding 5 years, or both.

#### **§ 9.111. Remedies and penalties.**

(a) It is the duty of the Secretary where a timely protest has been filed by a workman that he has been paid less than the general prevailing minimum wage rate, to investigate the matter and determine whether or not there has been a failure to pay the general prevailing minimum wage rate and whether this failure was intentional or otherwise. The Secretary will hold appropriate hearings upon due notice to interested parties including the workman, the employer and their respective representatives, if any. If the Secretary, after hearing, has determined that the failure to pay the general prevailing minimum wage rate was not intentional he shall afford the person or firm a reasonable opportunity to adjust the matter by making payment to the workmen or providing adequate security to insure payment. If the Secretary determines that the failure to pay the general prevailing minimum wage rates intentional, he will thereupon notify the public bodies of the names of the persons or firms and no contract may be awarded to the person or firms or to a firm, corporation or partnership in which the person or firms have an interest until 3 years have elapsed from the date of the notice to the public bodies. The Secretary may, in addition thereto, request the Attorney General to proceed to recover the penalties for the Commonwealth of Pennsylvania which are payable under section 11(f) of the act (43 P. S. 16511(f)).

(b) The following constitutes substantial evidence of intentional failure to pay prevailing wage rates:

(1) Acts of omission or commission done willfully or with a knowing disregard of the rights of workmen resulting in the payment of less than prevailing wage rates.

(2) If the Secretary has made a finding that a person or firm has failed to pay the general prevailing minimum wage rate as determined by the Secretary in accordance with the act, and thereafter a person or firm continues to fail to pay the prevailing wages or a person or firm fails to comply with an opportunity to adjust differences which shall be afforded him by the Secretary.

(c) If the Secretary has determined that a person or firm has failed to pay the prevailing wages under section 11(e) and (f) of the act (43 P. S. § 165(e) and 165(f)), he may direct the public body to terminate, and the public body may terminate, the contractor's right to proceed with the public work.

### **Notes of Decisions**

#### *Statute of Limitations*

There is no language in this regulation which provides for a statute of limitations applicable to the Department of Labor and Industry's initiation of enforcement actions for underpayment of workers. *Linde Enter., Inc. v. Prevailing Wage Appeals Board*, 676 A.2d 310 (Pa. Cmwlth. 1996).

#### **§ 9.112. Workmen's rights.**

(a) A workman who has been paid less than the general prevailing minimum wage rate for his job classification as specified in the contract or who has not been paid, may file a protest, in writing with the Secretary within 3 months of the date of the occurrence, objecting to the payment to a contractor to the extent of the amount due or to become due to him as wages for work performed on the public work project. If the formal protest is filed with the Secretary, it is the duty of the Secretary to direct the fiscal or financial officer of the public body or the person charged with the custody of the disbursement of the funds of the public body, to deduct the money so due and owing from the whole amount or of any payment due the contractor.

(b) Any workmen paid less than the rates specified in the contract shall have a right of action for the difference between the wage paid and the wages stipulated in the contract, which right of action must be exercised within 6 months from the occurrence of the event creating the right.

### **Notes of Decisions**

#### *Statute of Limitations*

There is no language in this regulation which provides for a statute of limitations applicable to the Department of Labor and Industry's initiation of enforcement actions for underpayment of workers. *Linde Enter., Inc. v. Prevailing Wage Appeals Board*, 676 A.2d 310 (Pa. Cmwlth. 1996).



**pennsylvania**

DEPARTMENT OF LABOR & INDUSTRY

BUREAU OF LABOR LAW COMPLIANCE

## Independent Labor

The Prevailing Wage Act requires **all contractors** to complete certified payroll records, and to comply with the regulations, for the Act.

Independent labor and sole proprietors are no exception to this rule.

Any person or persons who contract with a public body, or utilize public dollars, will be required to fill out certified payroll forms.

As mentioned above, a sole proprietor, such as an independent truck driver, laborer, craftsman or other contracted employee, must adhere to this rule.

**Proper classification and complete records, as called for, are imperative and required.**

**Terry E. Peck, Director**

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*Auxiliary aids and services are available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program*

# ATTACHMENT C RFP Scoring Sheet

**Landowner/Job Name:**  
**BMP #:**  
**Project Location:**  
**RFP Due Date:**

Evaluation Criteria / Points	%	Bidder Name		Bidder Name		Bidder Name		Bidder Name	
		Score (1-10)	Result						
Adherence to RFP Instructions 1 (some documents filled out completely) - 10 (all documents filled out completely)	10		0		0		0		0
Bid Price 1 (highest price) - 10 (lowest price)	25		0		0		0		0
Safety Record 1 (did not provide record) - 10 (no reportables/good record)	10		0		0		0		0
Confidence in Quality of Work <i>(Conservancy may also check with other partners for feedback)</i> 1 (no references provided and unknown) - 10 (references provided and has done great work)	25		0		0		0		0
Small, Small Diverse Business 1 (no information provided) - 10 (federal and state small and small diverse business)	10		0		0		0		0
Construction Schedule Adherence 1 (no dates or schedule provided) - 10 (schedule completed within preferred timeframe & phases, if required)	20		0		0		0		0
<b>Total -- All Evaluation Points</b>	<b>100</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>