

AN ORDINANCE

Amending Section 17-111, entitled “Energy Efficiency and Environmental Design in Construction of Buildings,” to update requirements and make technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 17 of The Philadelphia Code is amended to read as follows:

TITLE 17. CONTRACTS AND PROCUREMENT

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CHAPTER 17-100. PROCUREMENT CONTRACTS

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17-111. Energy Efficiency and Environmental Design in Construction of Buildings.

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(2) Definitions. The following definitions shall apply to this Section:

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(g) [Silver-level LEED Rating. A Silver-level rating based on the LEED Rating System for New Construction and Major Renovation in effect on the date that a City project is registered with the Green Building Certification Institute, with at least 5 points earned in the category of Energy and Atmosphere.] *Gold-level LEED Rating. A Gold-level rating based on the LEED Rating System for New Construction and Major Renovation in effect on the date that a City project is registered with the Green Building Certification Institute, with at least 5 points earned in the category of Energy and Atmosphere.*

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(3) Contract Requirements.

(a) Every City contract for the design or construction of a large City public works project that, based on the characteristics of the project, is capable of meeting the minimum program requirements for the LEED Rating System for New Construction and Major Renovation, and that involves the expenditure of primarily City capital dollars, shall include

requirements [intended to ensure] that the finished project will [achieve] *certify* as a [silver-level] *gold-level* LEED rating.

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(4) *Regulations.* The [City Planning Commission] *Office of Sustainability*, subject to the approval of the Director of Finance, is authorized to promulgate such regulations as are necessary and appropriate for the implementation of this Section, including *such procedures as may be required to establish alternative standards or exceptions.* [(i) regulations allowing contract requirements pursuant to subsection (3)(a) to be based on attainment of alternative standards for integrated design and high performance that are similar to LEED standards; (ii) exceptions where strict compliance with the terms of this Ordinance would prohibit the use of federal or state funding in connection with a particular project; and (iii) exceptions for specific projects where strict conformance with the terms of this Ordinance will conflict with other City priorities, such as historic preservation goals, or where attainment of LEED certification will cause overall life-cycle project costs to exceed by more than ten percent (10%) the expected life-cycle costs of a similar project for which certification is not sought.]

(5) The [Philadelphia City Planning Commission] *Office of Sustainability* shall prepare and provide to Council an annual summary of the status of City projects that are subject to the terms of this Ordinance.

SECTION 2. This Ordinance shall take effect upon certification to the Council by the Director of Sustainability that the necessary implementing regulations are in place.