

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT				1. CONTRACT ID CODE	PAGE OF PAGES	
				J	1	2
2. AMENDMENT/MODIFICATION NO. 0003		3. EFFECTIVE DATE 17-Dec-2002	4. REQUISITION/PURCHASE REQ. NO. W68MD9-2280-8799		5. PROJECT NO.(If applicable)	
6. ISSUED BY USA ENGINEER DISTRICT, SEATTLE ATTN: CENWS-CT P.O. BOX 3755 SEATTLE WA 98124-3755		CODE DACW67	7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)				X	9A. AMENDMENT OF SOLICITATION NO. DACW67-03-B-0002	
				X	9B. DATED (SEE ITEM 11) 22-Nov-2002	
					10A. MOD. OF CONTRACT/ORDER NO.	
					10B. DATED (SEE ITEM 13)	
CODE		FACILITY CODE				
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS						
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.						
12. ACCOUNTING AND APPROPRIATION DATA (If required)						
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.						
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.						
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).						
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:						
D. OTHER (Specify type of modification and authority)						
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.						
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) DACW67-03-B-0002, Renovate Small Lock Guard Gates, Lake Washington Ship Canal Seattle, Washington						
1. This amendment three (0003) provides for the following changes:						
<p>Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.</p>						
15A. NAME AND TITLE OF SIGNER (Type or print)				16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
				TEL: _____ EMAIL: _____		
15B. CONTRACTOR/OFFEROR		15C. DATE SIGNED	16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)			BY _____ (Signature of Contracting Officer)		17-Dec-2002	

Replacement of Wage Determination 1977-1136, Revision No. 20 with Wage Determination 1977-1136, Revision No. 25, dated March 15, 2002.

2. The attached revised section(s) are to be replaced in their entirety.
3. The date and time of bid opening of December 23, 2002 at 2:00 p.m. LOCAL TIME remains the same.
4. NOTICE TO BIDDERS: Bidders must acknowledge receipt of this amendment by number and date on bid or by telegram. Please mark outside of envelope in which your bid is enclosed to show amendment received.

Encl:

Wage Determination 1977-1136, Revision No. 25

(End of Summary of Changes)

REGISTER OF WAGE DETERMINATIONS UNDER THE SERVICE CONTRACT ACT

By direction of the Secretary of Labor

William W.Gross
Director

Division of Wage
Determinations

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
WAGE AND HOUR DIVISION
WASHINGTON, D.C. 20210

Wage Determination No.: 1977-1136
Revision No.: 25
Date of Last Revision: 03/15/2002

NATIONWIDE: This wage determination applies to the continental U.S. , Alaska, and Hawaii.

NEW ENGLAND AREA; From the border of New Brunswick, Canada down to longitude that is parrallel to the border between Massachusetts and Rhode Island so as to include Nantucket Island and Martha's Vineyard.

NEW YORK AREA: From the above down to the line between Monmouth and Ocean Counties, New Jersey.

SOUTHEAST AREA: From the above to the Southern tip of Florida.

GULF OF MEXICO AREA: All land areas adjacent to the Gulf of Mexico, except Gulf of Mexico area in Texas and Louisiana.

SOUTHERN CALIFORNIA AND HAWAII AREA: From the border of Mexico to a line starting from the border between San Luis Obispo and Monterey Counties, California parallel to the latudinal lines, including Hawaii.

NORTHERN CALIFORNIA AREA: From the above longitudinal parallel line extending out from the border of Oregon and California.

OREGON AREA: From the above longitudinal parallel line extending out from the border of Washington and Oregon.

WASHINGTON AREA: From the above to a longitudinal parallel line extending out from the border of Canada and Washington.

ALASKS AREA: Alaska Coastline.

****Fringe Benefits Required Follow the Occupational Listing****

Employed on contract for diving services.

Divers and Tenders shall be paid a minimum of 8 hours for any part of a shift (consisting of 8 hours).

Diver can negotiate pay under the following conditions:

For dives deeper than depths specified

For special penetration situations

OCCUPATION TITLE

MINIMUM WAGE RATE

Diver

* Oregon Area - Stand By Diver

30 .73

* Oregon Area - Diver

61 .45

Alaska Area - Stand By Diver

29 .40

Alaska Area - Diver

58 .80

Gulf of Mexico Area - Diver/Helper	18 .51	
Gulf of Mexico Area -Journeyman Diver	24 .84	
New England Area - 60 feet or less	35 .81	
New York Area	41 .17	
Northern California Area - Stand By Diver	252 .16	
Southeast Area	27 .22	
Southern California Area - Diver-Diving (wet pay) (\$486.08 per day)	60 .76	
Southern California Area - Stand-by-Diver (\$243.04 per day)	30 .38	
Washington Area - Diver	67 .96	
Washington Area - Stand-by Diver	33 .98	
Northern California Area; plus \$90.00 per day/shift wet pay	342 .16	Daily
Diver Tender		
* Southern California - Assistant Tender	27 .88	
* Southern California Area - Day Rate - 235.04 - Tender	29 .38	
Alaska Area - Assistant Tender	25 .24	
Alaska Area - Tender	28 .40	
New England Area	25 .58	
New York Area	30 .39	
Oregon Area	27 .03	
Southeast Area	24 .22	
Washington Area	30 .29	
Northern California Area - Assistant Tender	233 .20	Daily
Northern California Area - Tender	252 .16	Daily

Divers and Tenders shall be paid a minimum of 8 hours for any part of a shift (consisting of 8 hours).

Diver can negotiate pay under the following conditions:

For dives deeper than depths specified

For special penetration situations

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

NEW ENGLAND AREA Fringe Benefits:

Divers and tenders shall be paid a minimum of 8 hours for any part of a shift (consisting of 8 hours)

DEPTH PAY: Over 60 ft. - 100 ft. - \$.55/ft./per dive.
 Over 101 ft. - 150 ft. - \$1.05/ft./per dive
 Over 151 ft. - 200 ft. - \$1.60/ft./per dive
 Over 200 ft. - Diver/negotiated

PENETRATION PAY: 1 ft. - 150 ft. - \$.55/ft per dive
 151 ft. and over - \$.80/ft per dive
 Special situation - subject to negotiation per dfive

HEALTH AND WELFARE: \$2.72 per hour

PENSION: \$4.25 per hour

ANNUITY: \$6.27 per hour

APPRENTICESHIP: \$.40

NEW YORK AREA Fringe Benefits:

AIR DIVES:060-74 FT. \$.25/ft./day from and over 60 ft.
75-125 FT. \$.78/ft./day from and over 75 ft.

MIXED GAS DIVES: 75-125 FT. \$.78/ft./day from and over 75 ft.

AIR & MIXED GAS DIVES: Over 125 ft. - diver negotiated

HEALTH AND WELFARE: \$8.80 per hour

VACATION: \$4.40 per hour

PENSION: \$5.41 per hour

ANNUITY: \$4.70 per hour

APPRENTICESHIP: \$.29 per hour

SUPPLEMENTAL: \$.04 per hour

SOUTHEAST AREA Fringe Benefits:

Hull cleaning and underwater shiphusbandry service may be compensated at an hourly rate of \$26.50 - 212.00/8 hours.

A diver, when using his/her own equipment, shall receive \$50.00/day.

DEPTH PAY:050 - 100 ft. - \$.2.00/ft. extra per day.
Over - 100 ft. - Diver negotiated

HEALTH AND WELFARE: \$2.40 per hour.

PENSION: \$2.90 per hour.

APPRENTICESHIP: \$.30 per hour.

ANNUITY - 1.05

GULF OF MEXICO AREA (except areas in Texas and Louisiana) Fringe benefits:

HAZARD PAY: \$35.00 per eight hours shift for divers where work involves entry into any area where vertical ascent is not possible (tunnels, wrecks, etc.), live boating (diving from a moving vessel) or blasting.

DEPTH PAY:050 - 100 ft. - \$1.00/ft.
100 - 150 ft. - \$2.00/ft.
151 - 200 ft. - \$3.00/ft.
201 - 250 ft. - \$4.00/ft.
251 - 350 ft. - \$6.00/ft.
351 - 400 ft. - \$7.00/ft.
401 - 500 ft. - \$8.00/ft.
500 ft. and over - Diver negotiated but not less than \$8.00/ft.

HEALTH AND WELFARE: \$2.26 per hour.

APPRENTICE TRAINING: \$0.16 per hour.

PENSION: \$1.32 per hour.

SOUTHERN CALIFORNIA AND HAWAII AREA Fringe Benefits:

The listed wage rates are for depths up to and including 50 feet.

DEPTH PAY:050 - 100 ft. - \$1.50/ft./day
101 - 150 ft. - \$2.00/ft./day
151 - 200 ft. - \$2.50/ft./day
221 - Deeper \$3.00

TUNNEL OR PIPE PAY (based on distance traveled from the entrance):

150 - 200 ft. - an additional \$10.00/day
201 - 250 ft. - an additional \$10.00/day
251-300 ft. - an additional \$10.00/day
Each succeeding 50 ft., or part thereof, an additional \$20.00. These premiums are per day, midnight to midnight.

Where diver is unable to stand erect in tunnel or pipe:

005 - 50 ft. - \$3.00/day
051 - 100 ft. - an additional \$3.00/day
101 - 150 ft. - an additional \$3.00/day
151 - 200 ft. - an additional \$6.00
In excess of 200 ft. an additional \$1.00 per ft.

HEALTH AND WELFARE: \$2.30 per hour.

VACATION: \$2.02 per hour.

PENSION: \$1.01 per hour.

APPRENTICE TRAINING: \$.30 per hour.

NORTHERN CALIFORNIA AREA Fringe benefits:

DEPTH PAY:050 - 100 ft. - \$1.32/ft.
100 - 150 ft. - \$66.00 plus \$1.85/ft.
150 - 200 ft. - \$158.00 plus 2.65/ft.
Over 200 ft. - Diver negotiated

TUNNEL OR PIPE PAY: (based on distance traveled from the entrance):

005 - 50 ft. - \$2.68/day
050 - 100 ft. - \$5.37/day
100 - 150 ft. -\$10.73/day
Each succeeding 50 ft. - an additional \$5.30/day

Where diver is unable to stand erect in tunnel or pipe:

005 - 50 ft. - \$2.98/day
050 - 100 ft. - \$5.96/day
100 - 150 ft. - \$13.29/day
150 - 200 ft. - \$40.55/day
200 - 300 ft. - an additional \$.60/ft.
300 - 450 ft. - an additional \$1.19/ft.
450 - 600 ft. - an additional \$2.08/ft.

TENDER DEPTH PAY:

Over 50 ft. - \$.15/ft.
100 - 150 ft. - \$7.50 plus \$.18/ft.
150 - 200 ft. - \$16.50 plus \$.20/ft.
Over 200 ft. - Tender negotiated

MIXED GAS MANIFOLD TECHNICIAN/DECOMPRESSION CHAMBER OPERATOR - \$2.00 PER HOUR ABOVE TENDER RATE

HEALTH AND WELFARE: \$3.905 per hour.

VACATION: \$3.11 per hour.

PENSION: \$2.60 per hour.

APPRENTICE TRAINING: \$.33 per hour

ANNUITY: \$4.00 per hour.

When the diver uses and furnishes his/her own gear, he/she shall receive \$30.00/day, plus \$20.00/day for use of his/her own compressor; plus \$15.00/day for use of his/her own torch.

OREGON AREA Fringe benefits:

DEPTH PAY:050 - 100 ft. - \$1.00/ft.

101 - 150 ft. - \$1.50/ft.

151 - 200 ft. - \$2.00/ft.

Over 200 ft. - Diver negotiated

TUNNEL PAY (tunnel, pipe, or other enclosure in which there is no vertical escape based on distance traveled from the entrance):

005 - 50 ft. - \$4.00/day

050 - 100 ft. - \$5.00/day

100 - 150 ft. - \$8.00/day

150 - 200 ft. - \$20.00/day

200 - 300 ft. - \$.40/ft.

300 - 450 ft. - \$.80/ft.

450 - 600 ft. - \$1.60/ft.

Over 600 ft. - Diver negotiated

HEALTH AND WELFARE: \$3.78 per hour.

PENSION: \$4.01 per hour.

APPRENTICE TRAINING: \$.50 per hour.

DRUG TEST: \$.10 per hour.

WASHINGTON AREA Fringe benefits:

DEPTH PAY: 050 - 100 ft. - \$1.00/ft.

100 - 175 ft. - \$2.25/ft.

175 - 250 ft. - \$5.50/ft.

Over 250 ft. - Diver negotiated

TUNNEL OR PIPE PAY (based on distance traveled from the entrance)

001 - 050 ft. - \$2.00/day

050 - 100 ft. - \$4.00/day

100 - 150 ft. - \$8.00/day

150 - 200 ft. - \$32.00/day

200 - 300 ft. - An additional \$.40/ft.

300 - 450 ft. - An additional \$.80/ft.

450 - 600 ft. - An additional \$1.60/ft.

HEALTH AND WELFARE: \$3.39 per hour.

PENSION: \$3.87 an hour.

APPRENTICE TRAINING: \$.35 per hour.

ALASKA AREA Fringe benefits:

DEPTH PAY: 050 - 100 ft. - \$1.00/ft.
101 - 200 ft. - \$2.00/ft.
Over 200 Divers negotiated

HELIUM - OXYGEN SURFACE DIVING DEPTH PAY:
200 - 250 ft. - \$3.00/ft.
251 - 300 ft/ - \$4.00/ft.

TUNNEL OR PIPE PAY (based on distance traveled from the entrance):
005 - 050 ft. - \$1.00/day
050 - 100 ft. - \$2.00/day
100 - 150 ft. - \$3.00/day
Over 150 ft. - Diver negotiated

HEALTH AND WELFARE: \$3.50 per hour.

PENSION: \$7.40 per hour.

APPRENTICE TRAINING: \$.70 per hour.

**** UNIFORM ALLOWANCE ****

If employees are required to wear uniforms in the performance of this contract (either by the terms of the Government contract, by the employer, by the state or local law, etc.), the cost of furnishing such uniforms and maintaining (by laundering or dry cleaning) such uniforms is an expense that may not be borne by an employee where such cost reduces the hourly rate below that required by the wage determination. The Department of Labor will accept payment in accordance with the following standards as compliance:

The contractor or subcontractor is required to furnish all employees with an adequate number of uniforms without cost or to reimburse employees for the actual cost of the uniforms. In addition, where uniform cleaning and maintenance is made the responsibility of the employee, all contractors and subcontractors subject to this wage determination shall (in the absence of a bona fide collective bargaining agreement providing for a different amount, or the furnishing of contrary affirmative proof as to the actual cost), reimburse all employees for such cleaning and maintenance at a rate of \$3.35 per week (or \$.67 cents per day). However, in those instances where the uniforms furnished are made of "wash and wear" materials, may be routinely washed and dried with other personal garments, and do not require any special treatment such as dry cleaning, daily washing, or commercial laundering in order to meet the cleanliness or appearance standards set by the terms of the Government contract, by the contractor, by law, or by the nature of the work, there is no requirement that employees be reimbursed for uniform maintenance costs.

**** NOTES APPLYING TO THIS WAGE DETERMINATION ****

Source of Occupational Title and Descriptions:

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations," Fourth Edition, January 1993, as amended by the Third Supplement, dated March 1997, unless otherwise indicated. This publication may be obtained from the Superintendent of Documents, at 202-783-3238, or by writing to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Copies of specific job descriptions may also be obtained from the appropriate contracting officer.

REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE {Standard Form 1444 (SF 1444)}

Conformance Process:

The contracting officer shall require that any class of service employee which is not listed herein and which is to be employed under the contract (i.e., the work to be performed is not performed by any classification listed in the wage determination), be classified by the contractor so as to provide a reasonable relationship (i.e., appropriate

level of skill comparison) between such unlisted classifications and the classifications listed in the wage determination. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 (C)(vi)} When multiple wage determinations are included in a contract, a separate SF 1444 should be prepared for each wage determination to which a class(es) is to be conformed.

The process for preparing a conformance request is as follows:

- 1) When preparing the bid, the contractor identifies the need for a conformed occupation(s) and computes a proposed rate(s).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title(s), a Federal grade equivalency (FGE) for each proposed classification(s), job description(s), and rationale for proposed wage rate(s), including information regarding the agreement or disagreement of the authorized representative of the employees involved, or where there is no authorized representative, the employees themselves. This report should be submitted to the contracting officer no later than 30 days after such unlisted class(es) of employees performs any contract work.
- 3) The contracting officer reviews the proposed action and promptly submits a report of the action, together with the agency's recommendations and pertinent information including the position of the contractor and the employees, to the Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).
- 4) Within 30 days of receipt, the Wage and Hour Division approves, modifies, or disapproves the action via transmittal to the agency contracting officer, or notifies the contracting officer that additional time will be required to process the request.
- 5) The contracting officer transmits the Wage and Hour decision to the contractor.
- 6) The contractor informs the affected employees.

Information required by the Regulations must be submitted on SF 1444 or bond paper.

When preparing a conformance request, the "Service Contract Act Directory of Occupations" (the Directory) should be used to compare job definitions to insure that duties requested are not performed by a classification already listed in the wage determination. Remember, it is not the job title, but the required tasks that determine whether a class is included in an established wage determination. Conformances may not be used to artificially split, combine, or subdivide classifications listed in the wage determination.