



RFQ No. DACW67-02-Q-0048

**US Army Corps
of Engineers®**
Seattle District

Project: ANNUAL BRUSHING RENTAL

Location: PUYALLUP & STILLAGUAMISH RIVERS, WASHINGTON

**SERVICE SOLICITATION
AND SPECIFICATIONS**

Closing Date: 20 MARCH 2002
Closing Time: 9:00 AM LOCAL TIME

REMARKS: Quotes may be faxed to (206) 764-6817, Attention: Jackie Johnson, or mailed to US Army, Corps of Engineers, Seattle District, Attention: Jackie Johnson, P.O. Box 3755, Seattle, WA 98124-3755.

REQUEST FOR QUOTATIONS (THIS IS NOT AN ORDER)		THIS RFQ <input checked="" type="checkbox"/> IS <input type="checkbox"/> IS NOT A SMALL BUSINESS SET-ASIDE			PAGE	OF PAGES			
1. REQUEST NO. DACW67-02-Q-0048		2. DATE ISSUED 08-Mar-2002		3. REQUISITION/PURCHASE REQUEST NO. SEE SCHEDULE		4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1		RATING	
5a. ISSUED BY USA ENGINEER DISTRICT, SEATTLE ATTN: CENWS-CT P.O. BOX 3755 SEATTLE WA 98124-3755				6. DELIVER BY (Date) 15-Apr-2002			7. DELIVERY		
5b. FOR INFORMATION CALL: (Name and Telephone no.) (No collect calls) JACQUELINE W JOHNSON 206-764-6693				[X] FOB DESTINATION			[] OTHER (See Schedule)		
8. TO: NAME AND ADDRESS, INCLUDING ZIP CODE				9. DESTINATION (Consignee and address, including ZIP Code) SUPPLY & FACILITIES MGMT BR. 4735 E. MARGINAL WAY S. SEATTLE WA 98134-2385 Phone: FAX:					
10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFFICE IN BLOCK 5a ON OR BEFORE CLOSE OF BUSINESS: (Date) 20-Mar-2002									
IMPORTANT: This is a request for information, and quotations furnished are not offers. If you are unable to quote, please so indicate on this form and return it to the address in Block 5a. This request does not commit the Government to pay any costs incurred in the preparation of the submission of this quotation or to contract for supplies or services. Supplies are of domestic origin unless otherwise indicated by quoter. Any representations and/or certifications attached to this Request for Quotations must be completed by the quoter.									
11. SCHEDULE (Include applicable Federal, State, and local taxes)									
ITEM NO. (a)	SUPPLIES/ SERVICES (b)			QUANTITY (c)	UNIT (d)	UNIT PRICE (e)	AMOUNT (f)		
SEE SCHEDULE									
12. DISCOUNT FOR PROMPT PAYMENT		a. 10 CALENDAR DAYS (%)		b. 20 CALENDAR DAYS (%)		c. 30 CALENDAR DAYS (%)		d. CALENDAR DAYS No. (%)	
NOTE: Additional provisions and representations <input type="checkbox"/> are <input type="checkbox"/> are not attached.									
13. NAME AND ADDRESS OF QUOTER (Street, City, County, State, and ZIP Code)				14. SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION			15. DATE OF QUOTATION		
				16. NAME AND TITLE OF SIGNER (Type or print)			TELEPHONE NO. (Include area code)		

SECTION B Supplies or Services and Prices

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001	RENTAL EQUIPMENT FOR ANNUAL BRUSHING, PUYALLUP RIVER FFP - PROVIDE VEGETATION MAINTENANCE CONTROL ON THE PUYALLUP RIVER IN ACCORDANCE WITH THE SCOPE OF WORK. PERIOD OF PERFORMANCE: 15- 26 APRIL 2002 . WAGE DETERMINATION NO. 94-2567 REV (20) DATED 07/13/2001 FOR PIERCE COUNTY INCORPORATED HEREIN.	1.00	Lump Sum		

RUBBER TIRED Hydraulic Excavator with 37 ft boom reach, brushing head operator, and groundsman. Price shall include groundsman.

Approximately 80 hours. Hourly rate: \$_____

(X) 80 hours, Total: \$_____

Mobilization and Demobilization (total job) Rate: \$_____

PURCHASE REQUEST NUMBER W68MD9-2050-2836

NET AMT _____

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0002	RENTAL EQUIP ANNUAL BRUSHING, STILLAGUAMISH RIVER FFP - PROVIDE VEGETATION MAINTENANCE CONTROL FOR ANNUAL STILLAGUAMISH RIVER IN ACCORDANCE WITH THE SCOPE OF WORK. PERIOD OF PERFORMANCE 29 APRIL - 24 MAY 2002 . WAGE DETERMINATION NO. 94-2563 REV (19) DATED 07/13//2001 INCORPORATED HEREIN.	1.00	Lump Sum		

TRACKED MOUNTED Hydraulic Excavator with 37 ft boom reach, brushing head, operator, and groundsman. Prices shall include groundsman.

Approximately 160 hours. Hourly rate: \$_____

(X) 160 hours, Total: \$_____

Mobilization and Demobilization (total job) Rate: \$_____

PURCHASE REQUEST NUMBER W68MD9-2039-2292

NET AMT _____

SECTION C Descriptions and Specifications

Request for a copy of Request for Quote can be made by fax at: 206/764-6817, Attn: Jackie Johnson.

FOR SMALL BUSINESS SET-ASIDE LARGE BUSINESS WILL NOT BE CONSIDERED**NOTES:**

1. REPRESENTATIONS AND CERTIFICATIONS CONTAINED HEREIN MUST BE COMPLETED BY QUOTERS AND RETURNED WITH OFFERS.
2. MARKINGS OF QUOTE ENVELOPES, QUOTES SHALL BE PLAINLY MARKED AS FOLLOWS:

QUOTE FOR: BRUSHING RENTAL -PUYALLUP
REQUEST FOR QUOTATION NO. DACW67-02-Q-0048
CLOSING DATE AND TIME: **MARCH 20, 2002 9 A.M. PT**

AMENDMENTS NUMBERED _____ WILL BE ACCEPTED UNTIL THE TIME AND DATE FOR CLOSING.

3. FAXED QUOTES SHALL BE ACCEPTED BEFORE CLOSING AT FAX: (206) 764-6817 **ATTN: JACKIE JOHNSON**. MAILED QUOTES SHALL BE ACCEPTED BEFORE CLOSING @ US ARMY CORPS OF ENGINEERS, SEATTLE DISTRICT, PO BOX 3755 SEATTLE, WA 98124. PHYSICAL: 4735 E MARGINAL WAY S., SEATTLE, WA 98134-2385. PLEASE REFERENCE BY RFQ NO. DACW67-02-Q-0048.

4. CONTRACTORS OUTSIDE EDI SHALL BE ALLOWED TO QUOTE.

5. ANY CONTRACTOR RECEIVING AN AWARD IS REQUIRED TO BE REGISTERED IN THE CCR (CENTRAL CONTRACTING REGISTRY).

6. AWARD SHALL BE MADE TO THE RESPONSIVE RESPONSIBLE OFFEROR WITH THE LOWEST TOTAL BID PER ITEM. SEPARATE AWARDS MAY BE MADE. GOVERNMENT RESERVES THE RIGHT TO AWARD ALL OR NONE.

CONTRACTOR IS REQUIRED TO PROVIDE THE FOLLOWING INFORMATION WITH YOUR QUOTE:

FEDERAL TAX ID NUMBER: _____

DUN AND BRADSTREET NUMBER: _____
CONTRACTOR CAN OBTAIN DUNS NUMBER BY CALLING 800/333-0505

IS CONTRACTOR REGISTERED IN THE CCR? YES _____ NO _____

CCR NO. _____

PROSPECTIVE OFFERORS: THE DIRECTOR OF DEFENSE PROCUREMENT HAS ISSUED A FINAL RULE AMENDING THE DEFENSE FEDERAL ACQUISITION REGULATION SUPPLEMENT (DFARS) TO REQUIRE CONTRACTORS TO BE REGISTERED IN THE DOD CENTRAL CONTRACTOR REGISTRATION (CCR) FOR AWARDS RESULTING FROM SOLICITATION ISSUED AFTER MAY 31, 1998.

THIS RULE MORE EFFICIENTLY IMPLEMENTS THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 AS IT REQUIRES CONTRACTORS TO BE REGISTERED IN CCR FOR CONSIDERATION OF FUTURE SOLICITATIONS, AWARDS, AND PAYMENT. REGISTRATION IS REQUIRED PRIOR TO AWARD OF ANY CONTRACT, BASIC AGREEMENT, BASIC ORDERING AGREEMENT, OR BLANKET PURCHASE AGREEMENT FROM A SOLICITATION ISSUED AFTER MAY 31, 1998. LACK OF REGISTRATION IN THE CCR DATABASE WILL MAKE AN OFFER INELIGIBLE FOR AWARD.

THE CCR WEB SITE MAY BE ACCESSED AT <http://ccr/edi/.disa.mil/>. YOU MAY CALL 1-888-227-2423 TO OBTAIN A REGISTRATION PACKET OR REGISTER ONLINE AT www.acq.osd.mil/ec.

SCOPE OF WORK FOR EQUIPMENT RENTAL

1. LOCATION

Equipment and operators furnished under this purchase order shall be delivered to and used at multiple locations along both banks of the Puyallup and/or Stillaguamish Rivers, specific work sites will be determined by the on-site government representative.

2. WORK TO BE DONE

The project consists of brushing grasses and vegetation from the top and side slopes of the flood control levee. Some interim mobilizations will be required to access all work locations.

3. COMMENCEMENT, PROSECUTION AND COMPLETION

- a. It is anticipated that work will be accomplished from 15 – 26 April 2002 for Puyallup.
- b. It is anticipated that work will be accomplished from 29-24 May 2002 for Stillaguamish.

4. INSPECTION AND SUPERVISION

All work will be conducted under direction of the Emergency Management Branch, Seattle District, Corps of Engineers.

5. SAFETY REQUIREMENTS

Operation of equipment shall be conducted in accordance with the requirements of EM 385-1-1 "Safety and Health Requirements Manual", dated 3 September 1996. Back-up alarms are required for all trucks.

6. MEASUREMENT AND PAYMENT

(a) Measurement

For the purpose of calculating payrolls, the workweek is based on seven (7) consecutive days, beginning at 0001 hours (0:01 AM) Monday and ending at 2400 hours (12:00 midnight) Sunday. This workweek shall remain fixed throughout the performance period of this purchase order. Overtime will be paid for work performed under this contract in excess of 40 hours within a workweek.

(b) Payment

(1) Mobilization and Demobilization: Payment will be made at the purchase order lump sum price for (items including) Mobilization and Demobilization, payment of which shall constitute full compensation for assembling equipment at site preparatory to starting work, and for removing it therefrom at completion of the work under direction of the Contracting Officer.

(2) Hourly Payment: Hourly Payment will made based on the actual number of hours each type of equipment with the driver/operator(s) work on this purchase order.

WAGE DETERMINATION NO: 94-2567 REV (20) AREA: WA,TACOMA

WAGE DETERMINATION NO: 94-2567 REV (20) AREA: WA,TACOMA		U.S. DEPARTMENT OF LABOR
REGISTER OF WAGE DETERMINATIONS UNDER		***FOR OFFICIAL USE ONLY BY FEDERAL AGENCIES PARTICIPATING IN MOU WITH DOL***
		WASHINGTON D.C. 20210
		Wage Determination No.: 1994-2567
		Revision No.: 20
William W.Gross	Division of	Date Of Last Revision: 07/13/2001
Director	Wage Determinations	

State: Washington

Area: Washington Counties of Lewis, Pierce, Thurston

Fringe Benefits Required Follow the Occupational Listing

OCCUPATION TITLE	MINIMUM WAGE RATE
Administrative Support and Clerical Occupations	
Accounting Clerk I	10.28
Accounting Clerk II	11.54
Accounting Clerk III	13.39
Accounting Clerk IV	15.53

Court Reporter	13.85
Dispatcher, Motor Vehicle	13.36
Document Preparation Clerk	10.51
Duplicating Machine Operator	11.53
Film/Tape Librarian	12.67
General Clerk I	8.57
General Clerk II	9.59
General Clerk III	11.43
General Clerk IV	12.58
Housing Referral Assistant	15.92
Key Entry Operator I	10.27
Key Entry Operator II	11.90
Messenger (Courier)	10.13
Order Clerk I	10.63
Order Clerk II	11.60
Personnel Assistant (Employment) I	10.68
Personnel Assistant (Employment) II	12.00
Personnel Assistant (Employment) III	13.25
Personnel Assistant (Employment) IV	15.33
Production Control Clerk	14.34
Rental Clerk	11.48
Scheduler, Maintenance	12.79
Secretary I	12.79
Secretary II	13.79
Secretary III	15.95
Secretary IV	18.09
Secretary V	20.77
Service Order Dispatcher	14.57
Stenographer I	13.43
Stenographer II	15.26
Supply Technician	15.28
Survey Worker (Interviewer)	12.17
Switchboard Operator-Receptionist	10.39
Test Examiner	13.79
Test Proctor	13.79
Travel Clerk I	9.89
Travel Clerk II	10.77
Travel Clerk III	11.59
Word Processor I	11.63
Word Processor II	11.99
Word Processor III	13.42
Automatic Data Processing Occupations	
Computer Data Librarian	14.33
Computer Operator I	13.93
Computer Operator II	15.58
Computer Operator III	16.71
Computer Operator IV	18.84
Computer Operator V	20.93
Computer Programmer I (1)	15.08
Computer Programmer II (1)	18.33
Computer Programmer III (1)	25.81
Computer Programmer IV (1)	27.50
Computer Systems Analyst I (1)	23.32
Computer Systems Analyst II (1)	27.62
Computer Systems Analyst III (1)	27.62
Peripheral Equipment Operator	13.93
Automotive Service Occupations	
Automotive Body Repairer, Fiberglass	18.00
Automotive Glass Installer	16.91
Automotive Worker	16.91
Electrician, Automotive	18.00
Mobile Equipment Servicer	15.33
Motor Equipment Metal Mechanic	18.00
Motor Equipment Metal Worker	16.91
Motor Vehicle Mechanic	18.00
Motor Vehicle Mechanic Helper	15.33
Motor Vehicle Upholstery Worker	16.91
Motor Vehicle Wrecker	16.91
Painter, Automotive	17.45
Radiator Repair Specialist	16.91

Tire Repairer	14.81
Transmission Repair Specialist	18.00
Food Preparation and Service Occupations	
Baker	11.01
Cook I	10.12
Cook II	11.15
Dishwasher	8.83
Food Service Worker	8.83
Meat Cutter	14.51
Waiter/Waitress	9.27
Furniture Maintenance and Repair Occupations	
Electrostatic Spray Painter	17.45
Furniture Handler	15.33
Furniture Refinisher	17.45
Furniture Refinisher Helper	15.33
Furniture Repairer, Minor	16.37
Upholsterer	16.91
General Services and Support Occupations	
Cleaner, Vehicles	8.83
Elevator Operator	9.61
Gardener	11.69
House Keeping Aid I	8.33
House Keeping Aid II	9.61
Janitor	9.61
Laborer, Grounds Maintenance	10.86
Maid or Houseman	8.33
Pest Controller	13.79
Refuse Collector	11.67
Tractor Operator	13.10
Window Cleaner	10.09
Health Occupations	
Dental Assistant	13.23
Emergency Medical Technician (EMT)/Paramedic/Ambulance Driver	14.79
Licensed Practical Nurse I	11.78
Licensed Practical Nurse II	13.21
Licensed Practical Nurse III	14.79
Medical Assistant	12.24
Medical Laboratory Technician	13.04
Medical Record Clerk	13.06
Medical Record Technician	13.85
Nursing Assistant I	8.37
Nursing Assistant II	8.94
Nursing Assistant III	9.75
Nursing Assistant IV	11.52
Pharmacy Technician	12.52
Phlebotomist	13.21
Registered Nurse I	16.09
Registered Nurse II	19.68
Registered Nurse II, Specialist	19.68
Registered Nurse III	23.91
Registered Nurse III, Anesthetist	23.91
Registered Nurse IV	28.65
Information and Arts Occupations	
Audiovisual Librarian	18.00
Exhibits Specialist I	15.41
Exhibits Specialist II	19.04
Exhibits Specialist III	23.31
Illustrator I	15.41
Illustrator II	19.04
Illustrator III	23.31
Librarian	21.02
Library Technician	13.24
Photographer I	16.11
Photographer II	18.01
Photographer III	22.25
Photographer IV	27.23
Photographer V	33.06
Laundry, Dry Cleaning, Pressing and Related Occupations	
Assembler	7.38
Counter Attendant	7.38

Dry Cleaner	9.09
Finisher, Flatwork, Machine	7.38
Presser, Hand	7.38
Presser, Machine, Drycleaning	7.38
Presser, Machine, Shirts	7.38
Presser, Machine, Wearing Apparel, Laundry	7.38
Sewing Machine Operator	10.13
Tailor	10.79
Washer, Machine	8.01
Machine Tool Operation and Repair Occupations	
Machine-Tool Operator (Toolroom)	17.53
Tool and Die Maker	20.27
Material Handling and Packing Occupations	
Forklift Operator	17.65
Fuel Distribution System Operator	18.25
Material Coordinator	12.77
Material Expediter	12.77
Material Handling Laborer	13.49
Order Filler	12.87
Production Line Worker (Food Processing)	13.49
Shipping Packer	12.54
Shipping/Receiving Clerk	12.54
Stock Clerk (Shelf Stocker; Store Worker II)	14.42
Store Worker I	12.23
Tools and Parts Attendant	15.33
Warehouse Specialist	13.49
Mechanics and Maintenance and Repair Occupations	
Aircraft Mechanic	18.00
Aircraft Mechanic Helper	15.33
Aircraft Quality Control Inspector	18.57
Aircraft Servicer	16.37
Aircraft Worker	16.91
Appliance Mechanic	16.91
Bicycle Repairer	14.81
Cable Splicer	20.70
Carpenter, Maintenance	18.83
Carpet Layer	16.91
Electrician, Maintenance	21.22
Electronics Technician, Maintenance I	18.85
Electronics Technician, Maintenance II	21.44
Electronics Technician, Maintenance III	23.00
Fabric Worker	15.33
Fire Alarm System Mechanic	18.00
Fire Extinguisher Repairer	16.37
Fuel Distribution System Mechanic	18.00
General Maintenance Worker	14.54
Heating, Refrigeration and Air Conditioning Mechanic	18.00
Heavy Equipment Mechanic	19.80
Heavy Equipment Operator	22.53
Instrument Mechanic	22.28
Laborer	10.15
Locksmith	16.91
Machinery Maintenance Mechanic	20.07
Machinist, Maintenance	19.10
Maintenance Trades Helper	12.47
Millwright	18.36
Office Appliance Repairer	16.35
Painter, Aircraft	17.45
Painter, Maintenance	17.45
Pipefitter, Maintenance	20.48
Plumber, Maintenance	19.85
Pneudraulic Systems Mechanic	18.00
Rigger	17.45
Scale Mechanic	16.35
Sheet-Metal Worker, Maintenance	19.33
Small Engine Mechanic	16.35
Telecommunication Mechanic I	18.00
Telecommunication Mechanic II	20.41
Telephone Lineman	18.00
Welder, Combination, Maintenance	18.00

Well Driller	18.00
Woodcraft Worker	17.45
Woodworker	16.91
Miscellaneous Occupations	
Animal Caretaker	9.69
Carnival Equipment Operator	11.56
Carnival Equipment Repairer	11.98
Carnival Worker	8.83
Cashier	9.21
Desk Clerk	10.80
Embalmer	22.36
Lifeguard	9.62
Mortician	22.36
Park Attendant (Aide)	12.08
Photofinishing Worker (Photo Lab Tech., Darkroom Tech)	11.06
Recreation Specialist	12.55
Recycling Worker	13.21
Sales Clerk	11.11
School Crossing Guard (Crosswalk Attendant)	11.68
Sport Official	9.62
Survey Party Chief (Chief of Party)	25.90
Surveying Aide	14.35
Surveying Technician (Instr. Person/Surveyor Asst./Instr.)	19.66
Swimming Pool Operator	9.66
Vending Machine Attendant	9.92
Vending Machine Repairer	12.66
Vending Machine Repairer Helper	10.83
Personal Needs Occupations	
Child Care Attendant	9.39
Child Care Center Clerk	12.19
Chore Aid	8.33
Homemaker	13.55
Plant and System Operation Occupations	
Boiler Tender	18.51
Sewage Plant Operator	20.19
Stationary Engineer	19.23
Ventilation Equipment Tender	15.33
Water Treatment Plant Operator	20.19
Protective Service Occupations	
Alarm Monitor	13.03
Corrections Officer	18.00
Court Security Officer	22.90
Detention Officer	22.90
Firefighter	22.32
Guard I	7.03
Guard II	10.28
Police Officer	23.48
Stevedoring/Longshoremen Occupations	
Blocker and Bracer	17.25
Hatch Tender	17.25
Line Handler	17.25
Stevedore I	16.68
Stevedore II	17.83
Technical Occupations	
Air Traffic Control Specialist, Center (2)	27.69
Air Traffic Control Specialist, Station (2)	19.10
Air Traffic Control Specialist, Terminal (2)	21.03
Archeological Technician I	17.72
Archeological Technician II	19.81
Archeological Technician III	24.54
Cartographic Technician	24.74
Civil Engineering Technician	21.28
Computer Based Training (CBT) Specialist/ Instructor	22.25
Drafter I	14.67
Drafter II	16.47
Drafter III	18.59
Drafter IV	23.03
Engineering Technician I	15.93
Engineering Technician II	17.87
Engineering Technician III	20.17

Engineering Technician IV	24.99
Engineering Technician V	30.56
Engineering Technician VI	36.96
Environmental Technician	18.92
Flight Simulator/Instructor (Pilot)	22.97
Graphic Artist	19.35
Instructor	20.01
Laboratory Technician	13.94
Mathematical Technician	16.45
Paralegal/Legal Assistant I	14.95
Paralegal/Legal Assistant II	16.80
Paralegal/Legal Assistant III	18.64
Paralegal/Legal Assistant IV	20.13
Photooptics Technician	17.78
Technical Writer	17.95
Unexploded (UXO) Safety Escort	17.60
Unexploded (UXO) Sweep Personnel	17.60
Unexploded Ordnance (UXO) Technician I	17.60
Unexploded Ordnance (UXO) Technician II	21.29
Unexploded Ordnance (UXO) Technician III	25.52
Weather Observer, Combined Upper Air and Surface Programs (3)	17.42
Weather Observer, Senior (3)	19.37
Weather Observer, Upper Air (3)	17.42
Transportation/ Mobile Equipment Operation Occupations	
Bus Driver	15.30
Parking and Lot Attendant	8.95
Shuttle Bus Driver	10.97
Taxi Driver	10.57
Truckdriver, Heavy Truck	16.57
Truckdriver, Light Truck	10.97
Truckdriver, Medium Truck	16.30
Truckdriver, Tractor-Trailer	16.92

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$2.02 an hour or \$80.80 a week or \$350.13 a month.

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 5 years, and 4 weeks after 15 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of ten paid holidays per year: New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

THE OCCUPATIONS WHICH HAVE PARENTHESES AFTER THEM RECEIVE THE FOLLOWING BENEFITS (as numbered):

1) Does not apply to employees employed in a bona fide executive, administrative, or professional capacity as defined and delineated in 29 CFR 541. (See CFR 4.156)

2) APPLICABLE TO AIR TRAFFIC CONTROLLERS ONLY - NIGHT DIFFERENTIAL: An employee is entitled to pay for all work performed between the hours of 6:00 P.M. and 6:00 A.M. at the rate of basic pay plus a night pay differential amounting to 10 percent of the rate of basic pay.

3) WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

HAZARDOUS PAY DIFFERENTIAL: An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordnance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordnance, explosives, and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives. Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving regrading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with, or in close proximity to ordnance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordnance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance, explosives, and incendiary material differential pay.

** 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.

WAGE DETERMINATION NO: 94-2563 REV (19) AREA: WA,SEATTLE

WAGE DETERMINATION NO	94-2563 REV (19)	AREA: WA,SEATTLE
REGISTER OF WAGE DETERMINATIONS UNDER	U.S. DEPARTMENT OF LABOR	
FOR OFFICIAL USE ONLY BY FEDERAL AGENCIES PARTICIPATING IN MOU WITH DOL		
	WASHINGTON D.C. 20210	
William W.Gross	Division of	Wage Determination No.: 1994-2563
Director	Wage Determinations	Revision No.: 19
		Date Of Last Revision: 07/13/2001

State: Washington

Area: Washington Counties of King, Snohomish, Whatcom

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

OCCUPATION TITLE	MINIMUM WAGE RATE
Administrative Support and Clerical Occupations	
Accounting Clerk I	10.26
Accounting Clerk II	11.51
Accounting Clerk III	13.38
Accounting Clerk IV	15.44

Court Reporter	13.85
Dispatcher, Motor Vehicle	13.85
Document Preparation Clerk	11.90
Duplicating Machine Operator	11.90
Film/Tape Librarian	11.90
General Clerk I	8.65
General Clerk II	9.59
General Clerk III	13.06
General Clerk IV	14.25
Housing Referral Assistant	15.33
Key Entry Operator I	10.40
Key Entry Operator II	12.69
Messenger (Courier)	9.84
Order Clerk I	10.10
Order Clerk II	13.35
Personnel Assistant (Employment) I	10.50
Personnel Assistant (Employment) II	11.78
Personnel Assistant (Employment) III	14.42
Personnel Assistant (Employment) IV	15.27
Production Control Clerk	16.46
Rental Clerk	11.02
Scheduler, Maintenance	12.67
Secretary I	14.71
Secretary II	13.79
Secretary III	15.33
Secretary IV	18.09
Secretary V	22.82
Service Order Dispatcher	11.86
Stenographer I	12.96
Stenographer II	14.55
Supply Technician	18.09
Survey Worker (Interviewer)	12.87
Switchboard Operator-Receptionist	10.39
Test Examiner	13.79
Test Proctor	13.79
Travel Clerk I	10.87
Travel Clerk II	11.70
Travel Clerk III	12.36
Word Processor I	12.32
Word Processor II	13.83
Word Processor III	18.65
Automatic Data Processing Occupations	
Computer Data Librarian	12.65
Computer Operator I	13.47
Computer Operator II	14.48
Computer Operator III	16.67
Computer Operator IV	18.84
Computer Operator V	20.86
Computer Programmer I (1)	14.08
Computer Programmer II (1)	18.02
Computer Programmer III (1)	24.05
Computer Programmer IV (1)	25.04
Computer Systems Analyst I (1)	23.36
Computer Systems Analyst II (1)	26.42
Computer Systems Analyst III (1)	27.62
Peripheral Equipment Operator	13.93
Automotive Service Occupations	
Automotive Body Repairer, Fiberglass	19.68
Automotive Glass Installer	18.42
Automotive Worker	18.42
Electrician, Automotive	19.03
Mobile Equipment Servicer	17.19
Motor Equipment Metal Mechanic	19.68
Motor Equipment Metal Worker	18.42
Motor Vehicle Mechanic	19.62
Motor Vehicle Mechanic Helper	16.56
Motor Vehicle Upholstery Worker	17.81
Motor Vehicle Wrecker	18.42
Painter, Automotive	19.03
Radiator Repair Specialist	18.42

Tire Repairer	16.61
Transmission Repair Specialist	19.68
Food Preparation and Service Occupations	
Baker	11.82
Cook I	11.03
Cook II	11.82
Dishwasher	9.38
Food Service Worker	9.38
Meat Cutter	13.59
Waiter/Waitress	11.91
Furniture Maintenance and Repair Occupations	
Electrostatic Spray Painter	21.06
Furniture Handler	16.94
Furniture Refinisher	21.06
Furniture Refinisher Helper	18.25
Furniture Repairer, Minor	19.54
Upholsterer	21.06
General Services and Support Occupations	
Cleaner, Vehicles	9.42
Elevator Operator	9.95
Gardener	11.69
House Keeping Aid I	8.82
House Keeping Aid II	9.95
Janitor	9.95
Laborer, Grounds Maintenance	10.75
Maid or Houseman	8.82
Pest Controller	12.17
Refuse Collector	10.79
Tractor Operator	11.65
Window Cleaner	10.44
Health Occupations	
Dental Assistant	12.22
Emergency Medical Technician (EMT)/Paramedic/Ambulance Driver	12.94
Licensed Practical Nurse I	12.68
Licensed Practical Nurse II	14.23
Licensed Practical Nurse III	15.93
Medical Assistant	11.94
Medical Laboratory Technician	11.94
Medical Record Clerk	11.94
Medical Record Technician	13.41
Nursing Assistant I	6.92
Nursing Assistant II	8.52
Nursing Assistant III	9.75
Nursing Assistant IV	11.52
Pharmacy Technician	12.42
Phlebotomist	10.38
Registered Nurse I	20.30
Registered Nurse II	24.76
Registered Nurse II, Specialist	24.76
Registered Nurse III	29.43
Registered Nurse III, Anesthetist	29.43
Registered Nurse IV	32.95
Information and Arts Occupations	
Audiovisual Librarian	15.88
Exhibits Specialist I	16.36
Exhibits Specialist II	18.66
Exhibits Specialist III	22.95
Illustrator I	17.52
Illustrator II	19.98
Illustrator III	24.58
Librarian	22.95
Library Technician	13.90
Photographer I	26.37
Photographer II	16.69
Photographer III	18.66
Photographer IV	22.95
Photographer V	28.22
Laundry, Dry Cleaning, Pressing and Related Occupations	
Assembler	7.68
Counter Attendant	7.68

Dry Cleaner	9.86
Finisher, Flatwork, Machine	7.68
Presser, Hand	7.68
Presser, Machine, Drycleaning	7.68
Presser, Machine, Shirts	7.68
Presser, Machine, Wearing Apparel, Laundry	7.68
Sewing Machine Operator	10.55
Tailor	11.23
Washer, Machine	8.49
Machine Tool Operation and Repair Occupations	
Machine-Tool Operator (Toolroom)	21.09
Tool and Die Maker	23.67
Material Handling and Packing Occupations	
Forklift Operator	17.65
Fuel Distribution System Operator	18.70
Material Coordinator	17.56
Material Expediter	17.56
Material Handling Laborer	15.16
Order Filler	11.48
Production Line Worker (Food Processing)	14.21
Shipping Packer	13.03
Shipping/Receiving Clerk	13.03
Stock Clerk (Shelf Stocker; Store Worker II)	14.73
Store Worker I	12.36
Tools and Parts Attendant	16.88
Warehouse Specialist	16.34
Mechanics and Maintenance and Repair Occupations	
Aircraft Mechanic	21.71
Aircraft Mechanic Helper	18.25
Aircraft Quality Control Inspector	27.53
Aircraft Servicer	19.54
Aircraft Worker	20.41
Appliance Mechanic	21.06
Bicycle Repairer	18.25
Cable Splicer	24.97
Carpenter, Maintenance	21.06
Carpet Layer	24.05
Electrician, Maintenance	23.45
Electronics Technician, Maintenance I	21.05
Electronics Technician, Maintenance II	22.59
Electronics Technician, Maintenance III	27.85
Fabric Worker	19.54
Fire Alarm System Mechanic	21.71
Fire Extinguisher Repairer	18.89
Fuel Distribution System Mechanic	21.71
General Maintenance Worker	17.86
Heating, Refrigeration and Air Conditioning Mechanic	21.71
Heavy Equipment Mechanic	21.71
Heavy Equipment Operator	21.71
Instrument Mechanic	21.71
Laborer	10.48
Locksmith	20.96
Machinery Maintenance Mechanic	21.75
Machinist, Maintenance	20.97
Maintenance Trades Helper	17.93
Millwright	24.28
Office Appliance Repairer	21.06
Painter, Aircraft	21.06
Painter, Maintenance	21.06
Pipefitter, Maintenance	25.13
Plumber, Maintenance	23.38
Pneudraulic Systems Mechanic	21.71
Rigger	21.71
Scale Mechanic	20.41
Sheet-Metal Worker, Maintenance	21.71
Small Engine Mechanic	18.55
Telecommunication Mechanic I	21.71
Telecommunication Mechanic II	22.37
Telephone Lineman	21.71
Welder, Combination, Maintenance	21.71

Well Driller	21.71
Woodcraft Worker	21.71
Woodworker	18.89
Miscellaneous Occupations	
Animal Caretaker	10.51
Carnival Equipment Operator	10.66
Carnival Equipment Repairer	11.07
Carnival Worker	9.38
Cashier	9.54
Desk Clerk	10.81
Embalmer	19.34
Lifeguard	9.62
Mortician	19.34
Park Attendant (Aide)	12.08
Photofinishing Worker (Photo Lab Tech., Darkroom Tech)	10.84
Recreation Specialist	14.96
Recycling Worker	12.29
Sales Clerk	11.04
School Crossing Guard (Crosswalk Attendant)	10.16
Sport Official	9.62
Survey Party Chief (Chief of Party)	21.28
Surveying Aide	11.87
Surveying Technician (Instr. Person/Surveyor Asst./Instr.)	16.26
Swimming Pool Operator	13.59
Vending Machine Attendant	12.29
Vending Machine Repairer	12.40
Vending Machine Repairer Helper	12.29
Personal Needs Occupations	
Child Care Attendant	8.03
Child Care Center Clerk	10.01
Chore Aid	9.06
Homemaker	13.95
Plant and System Operation Occupations	
Boiler Tender	21.71
Sewage Plant Operator	21.09
Stationary Engineer	21.71
Ventilation Equipment Tender	18.25
Water Treatment Plant Operator	21.09
Protective Service Occupations	
Alarm Monitor	14.50
Corrections Officer	16.99
Court Security Officer	22.90
Detention Officer	22.90
Firefighter	22.32
Guard I	8.06
Guard II	14.50
Police Officer	23.48
Stevedoring/Longshoremen Occupations	
Blocker and Bracer	15.81
Hatch Tender	15.81
Line Handler	15.81
Stevedore I	15.28
Stevedore II	16.33
Technical Occupations	
Air Traffic Control Specialist, Center (2)	27.69
Air Traffic Control Specialist, Station (2)	19.10
Air Traffic Control Specialist, Terminal (2)	21.03
Archeological Technician I	14.84
Archeological Technician II	16.60
Archeological Technician III	20.56
Cartographic Technician	21.52
Civil Engineering Technician	21.51
Computer Based Training (CBT) Specialist/ Instructor	23.42
Drafter I	12.41
Drafter II	14.58
Drafter III	18.93
Drafter IV	20.56
Engineering Technician I	14.80
Engineering Technician II	16.61
Engineering Technician III	19.95

Engineering Technician IV	24.62
Engineering Technician V	29.65
Engineering Technician VI	35.87
Environmental Technician	17.51
Flight Simulator/Instructor (Pilot)	24.60
Graphic Artist	21.74
Instructor	17.60
Laboratory Technician	14.66
Mathematical Technician	18.66
Paralegal/Legal Assistant I	13.27
Paralegal/Legal Assistant II	16.37
Paralegal/Legal Assistant III	18.07
Paralegal/Legal Assistant IV	24.21
Photooptics Technician	18.66
Technical Writer	20.47
Unexploded (UXO) Safety Escort	17.60
Unexploded (UXO) Sweep Personnel	17.60
Unexploded Ordnance (UXO) Technician I	17.60
Unexploded Ordnance (UXO) Technician II	21.29
Unexploded Ordnance (UXO) Technician III	25.52
Weather Observer, Combined Upper Air and Surface Programs (3)	16.65
Weather Observer, Senior (3)	18.62
Weather Observer, Upper Air (3)	16.65
Transportation/ Mobile Equipment Operation Occupations	
Bus Driver	16.72
Parking and Lot Attendant	9.24
Shuttle Bus Driver	10.26
Taxi Driver	8.96
Truckdriver, Heavy Truck	17.54
Truckdriver, Light Truck	10.26
Truckdriver, Medium Truck	17.28
Truckdriver, Tractor-Trailer	17.54

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$2.02 an hour or \$80.80 a week or \$350.13 a month.

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 5 years, and 4 weeks after 15 years. Length of service includes the whole span of continuous service with the present contractor or successor, wherever employed, and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

HOLIDAYS: A minimum of ten paid holidays per year: New Year's Day, Martin Luther King Jr.'s Birthday, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Columbus Day, Veterans' Day, Thanksgiving Day, and Christmas Day. (A contractor may substitute for any of the named holidays another day off with pay in accordance with a plan communicated to the employees involved.) (See 29 CFR 4.174)

THE OCCUPATIONS WHICH HAVE PARENTHESES AFTER THEM RECEIVE THE FOLLOWING BENEFITS (as numbered):

1) Does not apply to employees employed in a bona fide executive, administrative, or professional capacity as defined and delineated in 29 CFR 541. (See CFR 4.156)

2) APPLICABLE TO AIR TRAFFIC CONTROLLERS ONLY - NIGHT DIFFERENTIAL: An employee is entitled to pay for all work performed between the hours of 6:00 P.M. and 6:00 A.M. at the rate of basic pay plus a night pay differential amounting to 10 percent of the rate of basic pay.

3) WEATHER OBSERVERS - NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty, you will earn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6am. If you are a full-time employed (40 hours a week) and Sunday is part of your regularly scheduled workweek, you are paid at your rate of basic pay plus a Sunday premium of 25% of your basic rate for each hour of Sunday work which is not overtime (i.e. occasional work on Sunday outside the normal tour of duty is considered overtime work).

HAZARDOUS PAY DIFFERENTIAL: An 8 percent differential is applicable to employees employed in a position that represents a high degree of hazard when working with or in close proximity to ordnance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordnance, explosives, and pyrotechnic compositions such as lead azide, black powder and photoflash powder. All dry-house activities involving propellants or explosives. Demilitarization, modification, renovation, demolition, and maintenance operations on sensitive ordnance, explosives and incendiary materials. All operations involving regrading and cleaning of artillery ranges.

A 4 percent differential is applicable to employees employed in a position that represents a low degree of hazard when working with, or in close proximity to ordnance, (or employees possibly adjacent to) explosives and incendiary materials which involves potential injury such as laceration of hands, face, or arms of the employee engaged in the operation, irritation of the skin, minor burns and the like; minimal damage to immediate or adjacent work area or equipment being used. All operations involving, unloading, storage, and hauling of ordnance, explosive, and incendiary ordnance material other than small arms ammunition. These differentials are only applicable to work that has been specifically designated by the agency for ordnance, explosives, and incendiary material differential pay.

** 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.

&&&&&&&&&&&

SECTION I Contract Clauses

CLAUSES INCORPORATED BY FULL TEXT

52.213-4 TERMS AND CONDITIONS--SIMPLIFIED ACQUISITIONS (OTHER THAN COMMERCIAL ITEMS) (FEB 2002)

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses that are incorporated by reference:

(1) The clauses listed below implement provisions of law or Executive order:

(i) 52.222-3, Convict Labor (Aug 1996) (E.O. 11755).

(ii) 52.225-13, Restrictions on Certain Foreign Purchases (July 2000) (E.O.'s 12722, 12724, 13059, 13067, 13121, and 13129).

(iii) 52.233-3, Protest After Award (Aug 1996) (31 U.S.C. 3553).

(2) Listed below are additional clauses that apply:

(i) 52.232-1, Payments (Apr 1984).

(ii) 52.232-8, Discounts for Prompt Payment (Feb 2002).

(iii) 52.232-11, Extras (Apr 1984).

(iv) 52.232-25, Prompt Payment (Feb 2002).

(v) 52.233-1, Disputes (Dec 1998).

(vi) 52.244-6, Subcontracts for Commercial Items and Commercial Components (May 2001).

(vii) 52.253-1, Computer Generated Forms (Jan 1991).

(b) The Contractor shall comply with the following FAR clauses, incorporated by reference, unless the circumstances do not apply:

(1) The clauses listed below implement provisions of law or Executive order:

(i) 52.222-20, Walsh-Healey Public Contracts Act (DEC 1996) (41 U.S.C. 35-45) (Applies to supply contracts over \$10,000 in the United States).

(ii) 52.222-26, Equal Opportunity (FEB 1999) (E.O. 11246) (Applies to contracts over \$10,000).

(iii) 52.222-35, Affirmative Action for Disabled Veterans and Veterans of the Vietnam Era (APR 1984) (38 U.S.C. 4212) (Applies to contracts over \$10,000).

(iv) 52.222-36, Affirmative Action for Workers with Disabilities (APR 1984) (29 U.S.C. 793) (Applies to contracts over \$10,000).

(v) 52.222-37, Employment Reports on Disabled Veterans and Veterans of the Vietnam Era (JAN 1999) (38 U.S.C. 4212) (Applies to contracts over \$10,000).

(vi) 52.222-41, Service Contract Act, As Amended (May 1989) (41 U.S.C. 351, et seq.) (Applies to services performed on Federal facilities).

(vii) 52.222-19, Child Labor--Cooperation with Authorities and Remedies (FEB 2001) (E.O. 13126). (Applies to contracts for supplies exceeding the micro-purchase threshold.)

(viii) 52.223-5, Pollution Prevention and Right-to-Know Information (APR 1998) (E.O. 12856) (Applies to services performed on Federal facilities).

(x) 52.225-1, Buy American Act--Balance of Payments Program--Supplies (Feb 2000) (41 U.S.C. 10a-10d) (Applies to contracts for supplies, and to contracts for services involving the furnishing of supplies, for use within the United States if the value of the supply contract or supply portion of a service contract exceeds the micro-purchase threshold and the acquisition--

(A) Is set aside for small business concerns; or

(B) Cannot be set aside for small business concerns (see 19.502-2), and does not exceed \$25,000.)

(xi) 52.232-33, Payment by Electronic Funds Transfer--Central Contractor Registration (May 1999). (Applies when the payment will be made by electronic funds transfer (EFT) and the payment office uses the Central Contractor Registration (CCR) database as its source of EFT information.)

(xii) 52.232-34, Payment by Electronic Funds Transfer--Other than Central Contractor Registration (May 1999). (Applies when the payment will be made by EFT and the payment office does not use the CCR database as its source of EFT information.)

(2) Listed below are additional clauses that may apply:

(i) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (JULY 1995) (Applies to contracts over \$25,000).

(ii) 52.211-17, Delivery of Excess Quantities (SEPT 1989) (Applies to fixed-price supplies).

(iii) 52.247-29, F.o.b. Origin (JUN 1988) (Applies to supplies if delivery is f.o.b. origin).

(iv) 52.247-34, F.o.b. Destination (NOV 1991) (Applies to supplies if delivery is f.o.b. destination).

(c) FAR 52.252-2, Clauses Incorporated by Reference (FEB 1998). This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

<http://www.arnet.gov/far>

(d) Inspection/Acceptance. The Contractor shall tender for acceptance only those items that conform to the requirements of this contract. The Government reserves the right to inspect or test any supplies or services that have been tendered for acceptance. The Government may require repair or replacement of nonconforming supplies or reperformance of nonconforming services at no increase in contract price. The Government must exercise its postacceptance rights--

(1) Within a reasonable period of time after the defect was discovered or should have been discovered; and

(2) Before any substantial change occurs in the condition of the item, unless the change is due to the defect in the item.

(e) Excusable delays. The Contractor shall be liable for default unless nonperformance is caused by an occurrence beyond the reasonable control of the Contractor and without its fault or negligence, such as acts of God or the public enemy, acts of the Government in either its sovereign or contractual capacity, fires, floods, epidemics, quarantine restrictions, strikes, unusually severe weather, and delays of common carriers. The Contractor shall notify the Contracting Officer in writing as soon as it is reasonably possible after the commencement of any excusable delay, setting forth the full particulars in connection therewith, shall remedy such occurrence with all reasonable dispatch, and shall promptly give written notice to the Contracting Officer of the cessation of such occurrence.

(f) Termination for the Government's convenience. The Government reserves the right to terminate this contract, or any part hereof, for its sole convenience. In the event of such termination, the Contractor shall immediately stop all work hereunder and shall immediately cause any and all of its suppliers and subcontractors to cease work. Subject to the terms of this contract, the Contractor shall be paid a percentage of the contract price reflecting the percentage of the work performed prior to the notice of termination, plus reasonable charges that the Contractor can demonstrate to the satisfaction of the Government, using its standard record keeping system, have resulted from the termination. The Contractor shall not be required to comply with the cost accounting standards or contract cost principles for this purpose. This paragraph does not give the Government any right to audit the Contractor's records. The Contractor shall not be paid for any work performed or costs incurred that reasonably could have been avoided.

(g) Termination for cause. The Government may terminate this contract, or any part hereof, for cause in the event of any default by the Contractor, or if the Contractor fails to comply with any contract terms and conditions, or fails to provide the Government, upon request, with adequate assurances of future performance. In the event of termination for cause, the Government shall not be liable to the Contractor for any amount for supplies or services not accepted, and the Contractor shall be liable to the Government for any and all rights and remedies provided by law. If it is determined that the Government improperly terminated this contract for default, such termination shall be deemed a termination for convenience.

(h) Warranty. The Contractor warrants and implies that the items delivered hereunder are merchantable and fit for use for the particular purpose described in this contract.

(End of clause)

52.219-1 SMALL BUSINESS PROGRAM REPRESENTATIONS (MAY 2001)

(a)(1) The North American Industry Classification System (NAICS) code for this acquisition is 234990.

(2) The small business size standard is \$27.5 M.

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b) Representations. (1) The offeror represents as part of its offer that it () is, () is not a small business concern.

(2) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents, for general statistical purposes, that it () is, () is not a small disadvantaged business concern as defined in 13 CFR 124.1002.

(3) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it () is, () is not a women-owned small business concern.

(4) (Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.) The offeror represents as part of its offer that it () is, () is not a veteran-owned small business concern.

(5) (Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (b)(4) of this provision.) The offeror represents as part of its offer that it () is, () is not a service-disabled veteran-owned small business concern.

(c) Definitions. As used in this provision--

Service-disabled veteran-owned small business concern--

(1) Means a small business concern--

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

"Small business concern," means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

Veteran-owned small business concern means a small business concern--

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

"Women-owned small business concern," means a small business concern --

(1) That is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

(d) Notice.

(1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in this solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.

(2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, HUBZone small, small disadvantaged, or women-owned small business concern in order to obtain a contract to be awarded under the preference programs established pursuant to section 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall--

(i) Be punished by imposition of fine, imprisonment, or both;

(ii) Be subject to administrative remedies, including suspension and debarment; and

(iii) Be ineligible for participation in programs conducted under the authority of the Act.

(End of provision)