United States Department of Justice

United States Attorney's Office
District of Delaware

Request for Quotation No. DJJ-14-R-USA15-0001

August 30, 2013

REQUEST FOR QUOTATION
(THIS IS NOT AN ORDER)

THIS RFQ [X] IS [ ] IS NOT A SMALL BUSINESS SET-ASIDE

PAGE 1 OF 1 PAGES

1. REQUEST NO. DJJ-14-USA15-0001	2. DATE ISSUED 8/30/2013	3. REQUISITION/PURCHASE REQUEST NO.	4. CERT. FOR NAT. DEF. UNDER BDSA REG. 2 AND/OR DMS REG. 1 ▶ RATING

5a. ISSUED BY
U.S. Attorney's Office, District of Delaware

6. DELIVER BY *(Date)*
Oct 1,2013

5b. FOR INFORMATION CALL *(NO COLLECT CALLS)*

NAME	TELEPHONE NUMBER AREA CODE	NUMBER
Lauren K. Williams	302	573-6277

7. DELIVERY
[X] FOB DESTINATION [ ] OTHER *(See Schedule)*

8. TO:

a. NAME	b. COMPANY
Prospective Offerors	

c. STREET ADDRESS

d. CITY | e. STATE | f. ZIP CODE

9. DESTINATION

a. NAME OF CONSIGNEE
U.S. Attorney's Office

b. STREET ADDRESS
1007 Orange Street

c. CITY
Wilmington

d. STATE DE | e. ZIP CODE 19801

10. PLEASE FURNISH QUOTATIONS TO THE ISSUING OFICE IN BLOCK 5a ON OR BEFORE CLOSE OF BUSINESS *(Date)*
9/16/2013

IMPORTANT: This is a request for information, and quotations furnished are not officers. 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 service. Supplies are of domestic origin unless otherwise indicated by quoter. Any representations and/or certifications attached to this Request for Quotation 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 attached statement of work which outlines requirements. Contract to conform with US Department of Labor Wage Determination No.: 2005 - 2098 Revision No.16, dated 6/19/2013				

12. DISCOUNT FOR PROMPT PAYMENT ▶	a. 10 CALENDAR DAYS (%)	b. 20 CALENDAR DAYS (%)	c. 30 CALENDAR DAYS (%)	d. CALENDAR DAYS NUMBER	PERCENTAGE

NOTE: Additional provisions and representations [X] are [ ] are not attached.

13. NAME AND ADDRESS OF QUOTER

a. NAME OF QUOTER

b. STREET ADDRESS

c. COUNTY

d. CITY | e. STATE | f. ZIP CODE

14. SIGNATURE OF PERSON AUTHORIZED TO SIGN QUOTATION

15. DATE OF QUOTATION

16. SIGNER

a. NAME *(Type or print)*

b. TELEPHONE AREA CODE NUMBER

c. TITLE *(Type or print)*

STATEMENT OF WORK

The United States Attorney's Office is requesting quotes from prospective contractors to perform local courier service for the District of Delaware. Prospective contractors must submit proposals in accordance with requirements in this statement of work by September 16, 2013.

Scope of Work

The United States Attorney's Office for the District of Delaware (USAO/DE) has a requirement for document hand delivery and pickup services. The U.S. Attorney's Office for the District of Delaware is located at 1007 Orange Street, Wilmington, DE 19801.

The contractor will be required to pick up and deliver mail to the United States Attorney's Office (USAO), run documents for filing to Federal District Court and state court, pick up documents in the U.S. Attorney's mailbox at the Clerk's Office for return to the USAO, pick up mail at the U.S. Post Office, deliver mail to the courthouse for scanning through x-ray machine, and make hand deliveries throughout the city of Wilmington on a daily basis. **A 2-hour turnaround time is required on all filings and deliveries.**

The services include:

9:30 a.m.	Pickup of mail at U.S. Post Office. Bring mail to Federal Bldg. for x-ray scanning and then deliver to USAO Pickup of court mail at Clerk's Office and deliver to USAO
10:15 a.m.	Pickup of hand deliveries and court filings at U.S. Attorney's Office Delivery of court mail to USAO
1:00 p.m.	Pickup of hand deliveries and court filings at U.S. Attorney's Office Delivery of court mail to USAO
3:30 p.m.	Pickup of hand deliveries and court filings at USAO Delivery of court mail to USAO
5:30 p.m.	Pickup of outgoing U.S. mail and Fed Ex packages (No hand deliveries or court filings) Delivery of court mail to USAO
As needed	Occasional run (3 times a month) to city law firm or location just outside of city limits

Additional services that are nonrecurring, but <u>may be required</u> on an as needed basis:

Box deliveries
Delivery service to Dover, Philadelphia & Philadelphia Fed-Ex
Rush local deliveries

Please quote a monthly fee for all services (including the occasional box deliveries and non-routine runs which will be included in the monthly fee). The U.S. Attorney's Office is open Monday through Friday from 8:30 a.m. to 5:45 p.m. and closed weekends and federal holidays.

Facilities, Supplies and Services

Contractor will provide cleared dedicated couriers to service this contract. Contractor will provide locking mail bags for carrying post office mail. All couriers and office staff working on this contract are required to have fingerprints and fill out a Security Questionnaire and be satisfactorily security cleared by the Department of Justice to work on this contract. Contractor is responsible for costs associated with fingerprinting.

Period of Performance

The period of performance is FY-2014 (October 1, 2013 through September 30, 2014). Quote may include pricing for base year (10/1/13 through 9/30/14) and two option years (FY-14 and FY-15).

Security Provisions

Department of Justice regulations require that the contractor supply fingerprinting and a background security questionnaire for all contractor staff (managers, couriers, and office personnel). The prospective contract employees will be required to successfully complete a favorable review of a background investigation. Personnel working on the contract must be free of any prior criminal record.

The contractor shall exercise all prudent measures to ensure documents are handled and safeguarded in a manner consistent with the level of importance of the information contained therein. To this degree, all documents under this scope of work are considered "sensitive information." Sensitive information can be defined as information, that the loss, misuse or unauthorized access to, or modification of, could adversely affect the interests of the entity or entities seeking to use said information. Any instance of a security lapse must be promptly reported to the U.S. Attorney's Office <u>within 24 hours</u> of the occurrence.

Contractor charged with handling and safeguarding documents under this task order must adhere to the following principles for its proper protection:

- Confidentiality – Assuring only appropriate persons have access to the documents and protection of all documents while in contractor custody.

- Availability – Ensuring protection and subsequent access to the documents in the event of disaster (i.e., fire, flooding, etc).

Contractor must ensure documents are secure at all times. Methods of securing documents should be used such as, lockable courier bags, file cabinets or fire-protected safes/containers. All document media must be secured during non-duty hours.

Contract Administration

The Contracting Officer for this order can be reached at:

U.S. Attorneys Office
District of Delaware
1007 Orange Street, Suite 700
Wilmington, DE 19801
Attn: Lauren Williams

(302) 573-6277

Contractor Employee Residency Requirement

All contractor employees assigned to this contract and working within the United States shall meet the DOJ Residency Requirement. The Residency Requirement states that, for three of the five years immediately prior to applying for a position, the individual must have: 1) resided in the United States; 2) worked for the United States overseas in a Federal or military capacity; or 3) be a dependant of a Federal or military employee serving overseas. See attached FAR Clause.

FAR 52.252-2	Clauses Incorporated by Reference (FEB 98) - This Request for Quotation incorporates the following clauses by reference with the same force and effect as if they were given in full text. The contractor shall complete any required information items below in applicable provisions/clauses and submit this attachment with their quotation. Clauses clearly not applicable by virtue of the nature of the requirement (e.g., the option clause(s) in a requirement without option quantities or periods), are considered self-deleting.
FAR 52.204-3	Tax Identification Number (OCT 98) - If known, please indicate your Tax Identification Number (TIN).
FAR 52.204-6	Data Universal Numbering System (DUNS) (APR 08) - If known, please indicate your Contractor Identification Number (DUNS #)
FAR 52.204-9	Personal Identity Verification of Contractor Personnel (Jan 2011) - When performance requires contractor personnel to have access to Department of Justice facilities or information systems.
FAR 52.217-3	Evaluation Exclusive of Options (APR 84) - When the RFQ indicates option quantities will not be considered as part of the evaluation process.
FAR 52-217-5	Evaluation of Options (JUL 90) - When the RFQ indicates option quantities will be considered as part of the evaluation process.
FAR 52.219-1	Small Business Representation (Apr 2012) - Complete if the estimated dollar value of the purchase exceeds the micro-purchase threshold and the contractor will perform the contract inside the United States or its outlying areas. Contracting Officer shall provide NAICS code and size standard below. (a) (1) The North American Industry Classification System (NAICS) code for this acquisition is _____ *[insert NAICS code].* (2) The small business size standard is _____ *[insert size standard].* (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) Women-owned small business (WOSB) concern eligible under the WOSB Program. [Complete only if the offeror represented itself as a women-owned small business concern in paragraph (b)(3) of this provision.] The offeror represents as part of its offer that—

(i) It [_] is, [_] is not a WOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and

(ii) It [_] is, [_] is not a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (b)(4)(i) of this provision is accurate for each WOSB concern eligible under the WOSB Program participating in the joint venture. [The offeror shall enter the name or names of the WOSB concern eligible under the WOSB Program and other small businesses that are participating in the joint venture: _____.] Each WOSB concern eligible under the WOSB Program participating in the joint venture shall submit a separate signed copy of the WOSB representation.

(5) Economically disadvantaged women-owned small business (EDWOSB) concern. [Complete only if the offeror represented itself as a women-owned small business concern eligible under the WOSB Program in (b)(4) of this provision.] The offeror represents as part of its offer that--

(i) It [_] is, [_] is not an EDWOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and

(ii) It [_] is, [_] is not a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (b)(5)(i) of this provision is accurate for each EDWOSB concern participating in the joint venture. [The offeror shall enter the name or names of the EDWOSB concern and other small businesses that are participating in the joint venture: _____.] Each EDWOSB concern participating in the joint venture shall submit a separate signed copy of the EDWOSB representation.

(6) [*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.

(7) [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (b)(6) of this provision.] The offeror

represents as part of its offer that is [_] is, [_] is not a service-disabled veteran-owned small business concern.

(8) [*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 –

(i) It [_] is, [_] is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material changes in ownership and control, principal office, or HUBZone employee percentage have occurred since it was certified in accordance with 13 CFR part 126; and

(ii) It [_] is, [_] is not a HUBZone joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (b)(8)(i) of this provision is accurate for each HUBZone small business concern participating in the HUBZone joint venture. [*The offeror shall enter the names of each of the HUBZone small business concerns participating in the HUBZone joint venture:* _____.] Each HUBZone small business concern participating in the HUBZone joint venture shall submit a separate signed copy of the HUBZone representation.

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

"Economically disadvantaged women-owned small business (EDWOSB) concern" means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States and who are economically disadvantaged in accordance with 13 CFR part 127. It automatically qualifies as a women-owned small business concern eligible under the WOSB Program.

"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 service-disabled 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.
"Women-owned small business (WOSB) concern eligible under the WOSB Program (in accordance with 13 CFR part 127)," means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States.
(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 business concern that is small, HUBZone small, small disadvantaged, service-disabled veteran-owned small, economically disadvantaged women-owned small, or women-owned small eligible under the WOSB Program in order to obtain a contract to be awarded under the preference programs established pursuant to section 8, 9, 15, 31, and 36 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)

FAR 52.222-18 Certification Regarding Knowledge of Child Labor for Listed End Products (FEB 01) - This certification must be completed if the contractor is informed that the product or service being offered is included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor, as identified by their country of origin.

The following end product(s) being acquired under this Request for Quotation is (are) included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor, identified by their country of origin.

Listed End Product	Listed Countries of Origin

Certification.

The Government will not make award to an offeror unless the offeror, by checking the appropriate block, certifies to either paragraph (c)(1) or paragraph (c)(2) of this provision.

[ ] The offeror will not supply any end product listed above that was mined, produced, or manufactured in a corresponding country as listed for that end product.

[ ] The offeror may supply an end product listed above that was mined, produced, or manufactured in the corresponding country as listed for that product provided the offeror has certified that it has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture such end product. On the basis of those efforts, the offeror certifies that it is not aware of any such use of child labor.

FAR 52.225-2 Buy American Act Certificate (Feb 2009)

(a) The offeror certifies that each end product, except those listed in paragraph (b) of this provision, is a domestic end product and that for other than COTS items, the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The offeror shall list as foreign end products those end products manufactured in the United States that do not qualify as domestic end products, i.e., an end product that is not a COTS item and does not meet the component test in paragraph (2) of the definition of "domestic end product". The terms "commercially available off-the-shelf (COTS) item",
"component," "domestic end product," "end product," "foreign end product," and "United States" are defined in the clause of this solicitation entitled "Buy American Act-Supplies."

(b) Foreign End Products:

Line Item No.	Country of Origin
_____	_____
_____	_____
_____	_____

[List as necessary]

(c) The Government will evaluate offers in accordance with the policies and procedures of Part 25 of the Federal Acquisition Regulation.

(End of provision)

NOTICE OF CONTRACTOR PERSONNEL SECURITY CLEARANCE REQUIREMENTS

Where performance under this contract/task or delivery order/call requires contractor personnel to have access to Department of Justice (DOJ) information, systems or facilities, contractor personnel will be subject to the background clearance requirements of Homeland Security Presidential Directive (HSPD)-12, OMB Guidance Memorandum M-05-24, FIPS Publication 201 and DOJ policy implementing HSPD-12 requirements.

Background clearance requirements are determined by the risk level of each position, type of access and length of access required. Further information on background security clearance requirements applicable to contractor personnel proposed for performance on this contract/order/call may be obtained from the Contracting Officer.

All contractor personnel must meet the DOJ Residency Requirements. He/She must have lived in the United States three of the last five years immediately prior to start of performance on this contract/order/call, and/or worked for the United States overseas in a federal or military capacity, and/or be a dependent of a federal or military employee serving overseas. Specific limited waiver request requirements - contractor personnel performing duties for a cumulative total of 14 days or less where there is a critical need for their specialized and unique skills (as solely determined by the Government) may be proposed for a waiver of the Residency Requirement by the contractor. Contractor personnel who are non-US citizens proposed for such a waiver of the Residency Requirement must be from a country allied with the United States (Since the countries on the Allied Countries List are subject to change, the contractor may review the following website for current information:

http://www.opm.gov/employ/html/Citizen.htm

For contracts/orders/calls where access to DOJ information systems is involved, non-US citizens are not permitted to have access to or assist in the development, operation, management or maintenance of any DOJ IT system, unless a waiver is granted by the head of the Component, with concurrence of the Department Security Officer (DSO) and DOJ Chief Information Officer (CIO). Any such waiver must be in writing and be obtained prior to allowing any contractor employee who is the subject of the waiver request to begin work under this contract/order/call.

The above requirements apply to any and all contractor employees requiring access to DOJ information systems or facilities, including subcontractor personnel, if applicable.

FAR 52.252-2	Clauses Incorporated by Reference (FEB 98) - This order incorporates the following clauses by reference with the same force and effect as if they were given in full text. The contractor shall complete any required information items below in applicable provisions/clauses. Clauses clearly not applicable by virtue of the nature of the requirement (e.g., the option clause(s) in a requirement without option quantities or periods), are considered self-deleting.
FAR 52.204-2	Security Requirements (AUG 96) - When the order requires access to classified documents.
FAR 52.204-7	Central Contractor Registration (Feb 2012) - in all orders unless an exception applies as listed in FAR 4.1102(a).
FAR 52.204-9	Personal Identity Verification of Contractor Personnel (Jan 2011) - When performance requires contractor personnel to have access to Department of Justice facilities or information systems.
FAR 52.211-11	Liquidated Damages-Supplies, Services, or Research and Development (SEP 00) - When the order specifies that liquidated damages will be charged for late delivery, liquidated damages of $ _____ shall be charged per calendar day of delay.
FAR 52.213-2	Invoices (APR 84) - Applies to orders that authorize advance payments for subscriptions or other charges for newspapers, magazines, periodicals, or other publications.
FAR 52.213-3	Notice to Suppliers (APR 84) - Applies to unpriced (Not-To-Exceed (NTE)) purchase orders.
FAR 52-213-4	Terms and Conditions-Simplified Acquisitions (Other than Commercial Items) (Mar 2012) - Applies to simplified acquisitions that exceed the micro-purchase threshold that are for other than commercial items.
FAR 52-217-6	Option for Increased Quantity (MAR 89) - Exercise of the option shall be provided within _____ days of expiration of the current period. (If no specified number of days, the Government may exercise the option quantity up to the last day of the current period).
FAR 52.217-8	Option to Extend Services (NOV 99) - Exercise of the option shall be provided within (insert) days of expiration of the current period. (If no specified number of days, the Government may exercise the option quantity up to the last day of the current period).
FAR 52.217-9	Option to Extend the Term of the Contract (MAR 00) - Preliminary written notice of the Governments intention to exercise of the option shall

be provided within _____ days of expiration of the current period. The Government shall exercise the option period in writing within _____ days of the expiration of the current period. (Unless a different number of days is specified above, the days shall be 60 and 30, respectively).

FAR 52.222-19 Child Labor - Cooperation with Authorities and Remedies (Mar 2012) - Include in all solicitations and contracts/orders for the acquisition of supplies that are expected to exceed the micro-purchase threshold.

FAR 52.222-22 Previous Contracts and Compliance Reports (FEB 99) - Required when the Equal Opportunity clause is required:

TO BE COMPLETED BY VENDOR - Contractor has _____ has not_____ participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation; Contractor has _____ has not_____ filed all required compliance reports.

FAR 52.223-6 Drug-Free Workplace (MAY 01) - Applies to all solicitations and contracts, including modifications to contracts issued under FAR 6.3, except - actions under the *simplified acquisition threshold* (unless awarded to an individual); for the acquisition of commercial items; when performed outside the United States and its outlying areas; if determined by a Law Enforcement Agency Head that application would be inappropriate in connection with the law enforcement agency's undercover operations.

FAR 52.232-18 Availability of funds (APR 84) - Applies if order will be chargeable to funds of the new year and the contracting action is to be initiated before funds become available. A clear indication of the application of the Availability of Funds clause to the order should be clearly indicated on the front page of the order.

FAR 52.232-23 Assignment of Claims (JAN 86) - Applies when the order is expected to exceed the micro-purchase threshold, unless the order specifically prohibits assignment of claims.

FAR 52.232-34 Payment by Electronic Funds Transfer - Other than Central Contractor Registration (MAY 99). (Applies to contracts/orders where the solicitation/contract requires EFT as the method of payment, but does not include the clause at 52.204-7, Central Contractor Registration).

FAR 52.232-36* Payment by Third Party (FEB 2010) - Payment by Governmentwide Commercial Purchase Card.

FAR 52.233-4 Applicable Law for Breach of Contract Claim (OCT 04)

FAR 52.242-15 Stop Work Order (AUG 89)

FAR 52.246-1	Contractor Inspection (APR 84)
FAR 52.247-29	F.o.b. Origin (FEB 06) - Applies when the delivery term is f.o.b. origin.
FAR 52.247-34*	F.o.b. Destination (NOV 91) - Applies when the delivery term is f.o.b. destination.
FAR 52.247-35	F.o.b. Destination within Consignee's Premises (APR 84) - Applies when the delivery term is f.o.b. destination within consignee's premises.
FAR 52.249-1	Termination for the Convenience of the Government (Fixed-Price) (Short Form) (APR 84).

***NOTE - FAR 52.232-36 Payment by Third Party clause to be included when the Government Purchase Card is used as a vehicle of payment in the order.**

***NOTE - Unless otherwise specifically indicated in the RFQ or order, the F.o.b Destination clause (FAR 52.247-34) shall be deemed to be the applicable clause in this order.**

FAR 52.252-2	Clauses Incorporated by Reference (FEB 98) - This order incorporates the following clauses by reference with the same force and effect as if they were given in full text. The contractor shall complete any required information items below in applicable provisions/clauses. Clauses clearly not applicable by virtue of the nature of the requirement (e.g., the option clause(s) in a requirement without option quantities or periods), are considered self-deleting.
FAR 52.222-41	Service Contract Act (NOV 07) - Applies to orders over $2,500 to which the Service Contract Act applies.
FAR 52.222-42	Statement of Equivalent Rates (MAY 89) - Applies if the order is expected to be over $2,500 and the Service Contract Act is applicable.
FAR 52.222-43	Fair Labor Standards Act and Service Contract Act-Price Adjustment (Multiple Year and Option Contracts) (SEP 09) - Applies to orders containing the Service Contract Act and is a multiple year contract or is a contract with options to renew.
FAR 52.222-48	Exemption from Application of Service Contract Act to Contracts for Maintenance, Calibration, or Repair of Certain Equipment Certification. (FEB 09) - Applies to any order calling for maintenance, calibration, and/or repair of information technology, scientific and medical and/or office and business equipment that is exempt from the Service Contract Act.
FAR 52.222-50	Combating Trafficking in Persons (FEB 09) - applies to all acquisitions for services except those acquired under FAR Part 12 (Commercial Services).
FAR 52.223-12	Refrigeration Equipment and Air Conditioners (MAY 95) - Applies when the order includes maintenance, repair, or disposal of any equipment or appliance using ozone-depleting substances as a refrigerant, such as air conditioners, including motor vehicles, refrigerators, chillers, or freezers.
FAR 52.224-1	Privacy Act Notification (APR 84) - Required when the design, development, or operation of a system of records on individuals is required to accomplish an agency function.
FAR 52.224-2	Privacy Act (APR 84) - Required when FAR 52.224-1 is used.

FAR 52.227-14	Rights in Data-General (DEC 07) - Applies to orders if it is contemplated that data will be produced, furnished, or acquired under the order.
FAR 52.232-36*	Payment by Third Party (FEB 2010) - Payment by Governmentwide Commercial Purchase Card.
FAR 52.237-1	Site Visit (APR 84) - Applies when services are to be performed on Government installations, unless the Request for Quotations is for construction.
FAR 52.237-2	Protection of Government Buildings (APR 84) - Applies when services are to be performed on Government installations, unless a construction contract is contemplated.
FAR 52.239-1	Privacy or Security Safeguards (AUG 96) - Applies to orders for information technology which require security of information technology, and/or are for the design, development, or operation of a system of records using commercial information technology services or support services.
FAR 52.243-1	Changes-Fixed Price (AUG 87), Alternate I (APR 84).

***NOTE - FAR 52.232-36 Payment by Third Party clause to be included when the Government Purchase Card is used as a vehicle of payment in the order.**

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WD 05-2098 (Rev.-16) was first posted on www.wdol.gov on 06/25/2013
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REGISTER OF WAGE DETERMINATIONS UNDER
THE SERVICE CONTRACT ACT
By direction of the Secretary of Labor

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

Wage Determination No.: 2005-2098
Revision No.: 16
Date Of Revision: 06/19/2013

Diane C. Koplewski
Director

Division of
Wage Determinations

States: Delaware, Maryland, New Jersey

Area: Delaware Counties of Kent, New Castle
Maryland Counties of Caroline, Cecil, Dorchester, Kent, Talbot
New Jersey County of Salem

Fringe Benefits Required Follow the Occupational Listing

OCCUPATION CODE - TITLE	FOOTNOTE	RATE
01000 - Administrative Support And Clerical Occupations		
01011 - Accounting Clerk I		14.53
01012 - Accounting Clerk II		16.31
01013 - Accounting Clerk III		18.24
01020 - Administrative Assistant		27.42
01040 - Court Reporter		21.74
01051 - Data Entry Operator I		14.22
01052 - Data Entry Operator II		15.51
01060 - Dispatcher, Motor Vehicle		17.92
01070 - Document Preparation Clerk		13.66
01090 - Duplicating Machine Operator		13.66
01111 - General Clerk I		13.45
01112 - General Clerk II		14.68
01113 - General Clerk III		16.48
01120 - Housing Referral Assistant		24.11
01141 - Messenger Courier		12.91
01191 - Order Clerk I		14.81
01192 - Order Clerk II		15.68
01261 - Personnel Assistant (Employment) I		16.56
01262 - Personnel Assistant (Employment) II		18.52
01263 - Personnel Assistant (Employment) III		20.64
01270 - Production Control Clerk		22.74
01280 - Receptionist		14.72
01290 - Rental Clerk		16.83
01300 - Scheduler, Maintenance		17.52
01311 - Secretary I		19.12
01312 - Secretary II		21.84
01313 - Secretary III		24.11
01320 - Service Order Dispatcher		16.76
01410 - Supply Technician		27.02
01420 - Survey Worker		17.92
01531 - Travel Clerk I		13.22
01532 - Travel Clerk II		14.16
01533 - Travel Clerk III		15.16
01611 - Word Processor I		15.91
01612 - Word Processor II		17.86
01613 - Word Processor III		19.98
05000 - Automotive Service Occupations		

05005 - Automobile Body Repairer, Fiberglass	22.36
05010 - Automotive Electrician	22.35
05040 - Automotive Glass Installer	20.34
05070 - Automotive Worker	21.19
05110 - Mobile Equipment Servicer	19.63
05130 - Motor Equipment Metal Mechanic	22.81
05160 - Motor Equipment Metal Worker	21.22
05190 - Motor Vehicle Mechanic	22.83
05220 - Motor Vehicle Mechanic Helper	18.71
05250 - Motor Vehicle Upholstery Worker	20.54
05280 - Motor Vehicle Wrecker	21.22
05310 - Painter, Automotive	22.14
05340 - Radiator Repair Specialist	21.22
05370 - Tire Repairer	13.58
05400 - Transmission Repair Specialist	23.49
07000 - Food Preparation And Service Occupations	
07010 - Baker	13.05
07041 - Cook I	12.99
07042 - Cook II	13.84
07070 - Dishwasher	9.76
07130 - Food Service Worker	11.55
07210 - Meat Cutter	19.04
07260 - Waiter/Waitress	10.10
09000 - Furniture Maintenance And Repair Occupations	
09010 - Electrostatic Spray Painter	19.40
09040 - Furniture Handler	17.39
09080 - Furniture Refinisher	22.85
09090 - Furniture Refinisher Helper	19.50
09110 - Furniture Repairer, Minor	21.21
09130 - Upholsterer	19.41
11000 - General Services And Support Occupations	
11030 - Cleaner, Vehicles	12.81
11060 - Elevator Operator	12.33
11090 - Gardener	16.09
11122 - Housekeeping Aide	12.81
11150 - Janitor	12.81
11210 - Laborer, Grounds Maintenance	13.67
11240 - Maid or Houseman	11.29
11260 - Pruner	12.83
11270 - Tractor Operator	15.33
11330 - Trail Maintenance Worker	13.76
11360 - Window Cleaner	13.61
12000 - Health Occupations	
12010 - Ambulance Driver	17.48
12011 - Breath Alcohol Technician	20.44
12012 - Certified Occupational Therapist Assistant	22.91
12015 - Certified Physical Therapist Assistant	22.60
12020 - Dental Assistant	18.36
12025 - Dental Hygienist	32.95
12030 - EKG Technician	30.31
12035 - Electroneurodiagnostic Technologist	30.31
12040 - Emergency Medical Technician	17.48
12071 - Licensed Practical Nurse I	20.15
12072 - Licensed Practical Nurse II	22.05
12073 - Licensed Practical Nurse III	24.57
12100 - Medical Assistant	14.97
12130 - Medical Laboratory Technician	21.14
12160 - Medical Record Clerk	15.47
12190 - Medical Record Technician	17.31
12195 - Medical Transcriptionist	17.02
12210 - Nuclear Medicine Technologist	34.99
12221 - Nursing Assistant I	10.52

12222 - Nursing Assistant II		11.83
12223 - Nursing Assistant III		12.91
12224 - Nursing Assistant IV		14.49
12235 - Optical Dispenser		21.62
12236 - Optical Technician		16.60
12250 - Pharmacy Technician		15.13
12280 - Phlebotomist		14.49
12305 - Radiologic Technologist		26.93
12311 - Registered Nurse I		29.51
12312 - Registered Nurse II		32.76
12313 - Registered Nurse II, Specialist		32.76
12314 - Registered Nurse III		39.32
12315 - Registered Nurse III, Anesthetist		39.32
12316 - Registered Nurse IV		47.11
12317 - Scheduler (Drug and Alcohol Testing)		23.50
13000 - Information And Arts Occupations		
13011 - Exhibits Specialist I		21.66
13012 - Exhibits Specialist II		26.74
13013 - Exhibits Specialist III		31.85
13041 - Illustrator I		22.72
13042 - Illustrator II		28.98
13043 - Illustrator III		33.08
13047 - Librarian		32.55
13050 - Library Aide/Clerk		16.83
13054 - Library Information Technology Systems Administrator		28.66
13058 - Library Technician		18.32
13061 - Media Specialist I		18.36
13062 - Media Specialist II		20.56
13063 - Media Specialist III		22.88
13071 - Photographer I		17.96
13072 - Photographer II		20.21
13073 - Photographer III		25.04
13074 - Photographer IV		30.62
13075 - Photographer V		37.06
13110 - Video Teleconference Technician		21.03
14000 - Information Technology Occupations		
14041 - Computer Operator I		18.50
14042 - Computer Operator II		20.70
14043 - Computer Operator III		23.06
14044 - Computer Operator IV		25.64
14045 - Computer Operator V		28.39
14071 - Computer Programmer I	(see 1)	27.62
14072 - Computer Programmer II	(see 1)	
14073 - Computer Programmer III	(see 1)	
14074 - Computer Programmer IV	(see 1)	
14101 - Computer Systems Analyst I	(see 1)	
14102 - Computer Systems Analyst II	(see 1)	
14103 - Computer Systems Analyst III	(see 1)	
14150 - Peripheral Equipment Operator		18.50
14160 - Personal Computer Support Technician		25.64
15000 - Instructional Occupations		
15010 - Aircrew Training Devices Instructor (Non-Rated)		33.14
15020 - Aircrew Training Devices Instructor (Rated)		40.11
15030 - Air Crew Training Devices Instructor (Pilot)		48.06
15050 - Computer Based Training Specialist / Instructor		33.14
15060 - Educational Technologist		30.33
15070 - Flight Instructor (Pilot)		48.06
15080 - Graphic Artist		24.99
15090 - Technical Instructor		24.41
15095 - Technical Instructor/Course Developer		29.85
15110 - Test Proctor		19.71

15120 - Tutor	19.71
16000 - Laundry, Dry-Cleaning, Pressing And Related Occupations	
16010 - Assembler	9.07
16030 - Counter Attendant	9.07
16040 - Dry Cleaner	10.99
16070 - Finisher, Flatwork, Machine	9.07
16090 - Presser, Hand	9.07
16110 - Presser, Machine, Drycleaning	9.07
16130 - Presser, Machine, Shirts	9.07
16160 - Presser, Machine, Wearing Apparel, Laundry	9.07
16190 - Sewing Machine Operator	11.71
16220 - Tailor	12.51
16250 - Washer, Machine	9.79
19000 - Machine Tool Operation And Repair Occupations	
19010 - Machine-Tool Operator (Tool Room)	20.94
19040 - Tool And Die Maker	24.29
21000 - Materials Handling And Packing Occupations	
21020 - Forklift Operator	19.21
21030 - Material Coordinator	20.91
21040 - Material Expediter	20.91
21050 - Material Handling Laborer	12.78
21071 - Order Filler	13.73
21080 - Production Line Worker (Food Processing)	19.21
21110 - Shipping Packer	16.45
21130 - Shipping/Receiving Clerk	16.45
21140 - Store Worker I	14.39
21150 - Stock Clerk	19.11
21210 - Tools And Parts Attendant	19.21
21410 - Warehouse Specialist	19.21
23000 - Mechanics And Maintenance And Repair Occupations	
23010 - Aerospace Structural Welder	26.75
23021 - Aircraft Mechanic I	25.74
23022 - Aircraft Mechanic II	26.75
23023 - Aircraft Mechanic III	28.06
23040 - Aircraft Mechanic Helper	19.86
23050 - Aircraft, Painter	23.81
23060 - Aircraft Servicer	22.76
23080 - Aircraft Worker	21.61
23110 - Appliance Mechanic	21.01
23120 - Bicycle Repairer	16.17
23125 - Cable Splicer	31.33
23130 - Carpenter, Maintenance	24.40
23140 - Carpet Layer	22.57
23160 - Electrician, Maintenance	28.70
23181 - Electronics Technician Maintenance I	25.72
23182 - Electronics Technician Maintenance II	27.79
23183 - Electronics Technician Maintenance III	29.80
23260 - Fabric Worker	20.10
23290 - Fire Alarm System Mechanic	23.71
23310 - Fire Extinguisher Repairer	21.37
23311 - Fuel Distribution System Mechanic	26.89
23312 - Fuel Distribution System Operator	22.07
23370 - General Maintenance Worker	21.37
23380 - Ground Support Equipment Mechanic	25.74
23381 - Ground Support Equipment Servicer	22.76
23382 - Ground Support Equipment Worker	21.61
23391 - Gunsmith I	21.37
23392 - Gunsmith II	23.77
23393 - Gunsmith III	25.51
23410 - Heating, Ventilation And Air-Conditioning Mechanic	25.17
23411 - Heating, Ventilation And Air Contditioning	26.15

Mechanic (Research Facility)	
23430 - Heavy Equipment Mechanic	24.33
23440 - Heavy Equipment Operator	27.08
23460 - Instrument Mechanic	25.03
23465 - Laboratory/Shelter Mechanic	24.46
23470 - Laborer	15.44
23510 - Locksmith	23.29
23530 - Machinery Maintenance Mechanic	24.32
23550 - Machinist, Maintenance	23.37
23580 - Maintenance Trades Helper	18.52
23591 - Metrology Technician I	25.03
23592 - Metrology Technician II	26.01
23593 - Metrology Technician III	26.83
23640 - Millwright	25.21
23710 - Office Appliance Repairer	23.06
23760 - Painter, Maintenance	21.97
23790 - Pipefitter, Maintenance	30.24
23810 - Plumber, Maintenance	26.77
23820 - Pneudraulic Systems Mechanic	25.51
23850 - Rigger	25.51
23870 - Scale Mechanic	23.77
23890 - Sheet-Metal Worker, Maintenance	26.51
23910 - Small Engine Mechanic	18.79
23931 - Telecommunications Mechanic I	25.91
23932 - Telecommunications Mechanic II	26.92
23950 - Telephone Lineman	28.29
23960 - Welder, Combination, Maintenance	20.91
23965 - Well Driller	23.10
23970 - Woodcraft Worker	25.51
23980 - Woodworker	19.28
24000 - Personal Needs Occupations	
24570 - Child Care Attendant	12.00
24580 - Child Care Center Clerk	14.97
24610 - Chore Aide	10.88
24620 - Family Readiness And Support Services Coordinator	14.06
24630 - Homemaker	16.64
25000 - Plant And System Operations Occupations	
25010 - Boiler Tender	23.83
25040 - Sewage Plant Operator	22.82
25070 - Stationary Engineer	23.83
25190 - Ventilation Equipment Tender	18.03
25210 - Water Treatment Plant Operator	22.82
27000 - Protective Service Occupations	
27004 - Alarm Monitor	20.30
27007 - Baggage Inspector	13.48
27008 - Corrections Officer	24.29
27010 - Court Security Officer	27.70
27030 - Detection Dog Handler	19.14
27040 - Detention Officer	24.29
27070 - Firefighter	27.25
27101 - Guard I	13.48
27102 - Guard II	19.14
27131 - Police Officer I	28.28
27132 - Police Officer II	31.43
28000 - Recreation Occupations	
28041 - Carnival Equipment Operator	11.43
28042 - Carnival Equipment Repairer	12.02
28043 - Carnival Equpment Worker	9.59
28210 - Gate Attendant/Gate Tender	16.04
28310 - Lifeguard	12.78
28350 - Park Attendant (Aide)	17.94

28510 - Recreation Aide/Health Facility Attendant		11.64
28515 - Recreation Specialist		22.22
28630 - Sports Official		14.29
28690 - Swimming Pool Operator		16.68
29000 - Stevedoring/Longshoremen Occupational Services		
29010 - Blocker And Bracer		24.30
29020 - Hatch Tender		24.30
29030 - Line Handler		24.30
29041 - Stevedore I		23.38
29042 - Stevedore II		25.20
30000 - Technical Occupations		
30010 - Air Traffic Control Specialist, Center (HFO)	(see 2)	38.17
30011 - Air Traffic Control Specialist, Station (HFO)	(see 2)	26.31
30012 - Air Traffic Control Specialist, Terminal (HFO)	(see 2)	28.98
30021 - Archeological Technician I		20.13
30022 - Archeological Technician II		22.75
30023 - Archeological Technician III		28.18
30030 - Cartographic Technician		28.81
30040 - Civil Engineering Technician		23.40
30061 - Drafter/CAD Operator I		20.33
30062 - Drafter/CAD Operator II		22.75
30063 - Drafter/CAD Operator III		25.43
30064 - Drafter/CAD Operator IV		31.30
30081 - Engineering Technician I		18.92
30082 - Engineering Technician II		21.23
30083 - Engineering Technician III		26.18
30084 - Engineering Technician IV		31.87
30085 - Engineering Technician V		38.78
30086 - Engineering Technician VI		42.58
30090 - Environmental Technician		25.50
30210 - Laboratory Technician		25.35
30240 - Mathematical Technician		28.72
30361 - Paralegal/Legal Assistant I		19.08
30362 - Paralegal/Legal Assistant II		23.64
30363 - Paralegal/Legal Assistant III		28.92
30364 - Paralegal/Legal Assistant IV		34.98
30390 - Photo-Optics Technician		28.27
30461 - Technical Writer I		21.76
30462 - Technical Writer II		26.62
30463 - Technical Writer III		32.20
30491 - Unexploded Ordnance (UXO) Technician I		24.25
30492 - Unexploded Ordnance (UXO) Technician II		29.35
30493 - Unexploded Ordnance (UXO) Technician III		35.17
30494 - Unexploded (UXO) Safety Escort		24.25
30495 - Unexploded (UXO) Sweep Personnel		24.25
30620 - Weather Observer, Combined Upper Air Or Surface Programs	(see 2)	24.19
30621 - Weather Observer, Senior	(see 2)	28.18
31000 - Transportation/Mobile Equipment Operation Occupations		
31020 - Bus Aide		14.29
31030 - Bus Driver		18.56
31043 - Driver Courier		17.63
31260 - Parking and Lot Attendant		13.52
31290 - Shuttle Bus Driver		19.00
31310 - Taxi Driver		12.09
31361 - Truckdriver, Light		19.00
31362 - Truckdriver, Medium		19.28
31363 - Truckdriver, Heavy		19.99
31364 - Truckdriver, Tractor-Trailer		19.99
99000 - Miscellaneous Occupations		
99030 - Cashier		11.80
99050 - Desk Clerk		12.64

99095 - Embalmer	28.63
99251 - Laboratory Animal Caretaker I	11.48
99252 - Laboratory Animal Caretaker II	12.37
99310 - Mortician	33.98
99410 - Pest Controller	17.02
99510 - Photofinishing Worker	14.65
99710 - Recycling Laborer	18.85
99711 - Recycling Specialist	21.14
99730 - Refuse Collector	17.57
99810 - Sales Clerk	12.68
99820 - School Crossing Guard	11.57
99830 - Survey Party Chief	19.84
99831 - Surveying Aide	13.14
99832 - Surveying Technician	18.07
99840 - Vending Machine Attendant	14.61
99841 - Vending Machine Repairer	16.98
99842 - Vending Machine Repairer Helper	14.61

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: Life, accident, and health insurance plans, sick leave, pension plans, civic and personal leave, severance pay, and savings and thrift plans. Minimum employer contributions costing an average of $3.81 per hour computed on the basis of all hours worked by service employees employed on the contract.

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 5 years, 4 weeks after 10 years, and 5 weeks after 20 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 eleven paid holidays per year: New Year's Day, Martin Luther King Jr's Birthday, Washington's Birthday, Good Friday, 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 NUMBERED FOOTNOTES IN PARENTHESES RECEIVE THE FOLLOWING:

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) AIR TRAFFIC CONTROLLERS AND 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 ordinance, explosives, and incendiary materials. This includes work such as screening, blending, dying, mixing, and pressing of sensitive ordance, 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 ordance, (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 ordance, 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 ordance, 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 **

Under the policy and guidance contained in All Agency Memorandum No. 159, the Wage and Hour Division does not recognize, for section 4(c) purposes, prospective wage rates and fringe benefit provisions that are effective only upon such contingencies as "approval of Wage and Hour, issuance of a wage determination, incorporation of the wage determination in the contract, adjusting the contract price, etc." (The relevant CBA section) in the collective bargaining agreement between (the parties) contains contingency language that Wage and Hour does not recognize as reflecting "arm's length negotiation" under section 4(c) of the Act and 29 C.F.R. 5.11(a) of the regulations. This wage determination therefore reflects the actual CBA wage rates and fringe benefits paid under the predecessor contract.

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations", Fifth Edition, April 2006, unless otherwise indicated. Copies of the Directory are available on the Internet. A links to the Directory may be found on the WHD home page at http://www.dol.

gov/esa/whd/ or through the Wage Determinations On-Line (WDOL) Web site at http://wdol.gov/.

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.