

# **EARLE ELECTRIC CONTRACT**

## **TECHNICAL EVALUATION**

The requester seeks to obtain a contract for electrical services at the FEMA Office/Warehouse Complex located at Naval Weapons Station Earle (NWS), 201 Route 34-Building C-54, Colts Neck, NJ 07722. This technical evaluation will be performed by the operational component who will assess the factors in the technical evaluation make a determination of the vendor's completeness in providing the components requested in the solicitation. The Government will award a Best Value multiple BPA resulting this solicitation. The factors identified above will be the evaluation factors used to evaluate all offers received. Quotes must be specific in details and clearly identify all the government requirements.

### **Technical Evaluation Criteria**

#### **Factor 1. Technical approach/methodology**

The technical evaluation will consider the merits of the proposed technical approach/methodology. The merits of the work plan will be considered to determine the degree the proposed solution will successfully achieve the requirements of the SOO. The plan will be evaluated to assess the level of confidence that the offeror will successfully meet the requirements of the SOO that meet industry regulations and standards that are in full compliance with the applicable documents set forth in the PWS.

#### **Factor 2. Work Plan**

The work plan will be evaluated to assess the offeror's understanding of the requirements of the SOO. Overall, the technical approach will be evaluated to determine how well the offeror will accomplish the requirements of the SOO. The work plan shall be clear, concise, specific, and efficient. Consideration will be given to the proposed functions and disciplines involved for each objective, skill levels, quantity of resources and methods of operation required for each contract period of performance. Consideration will be given to the proposed allocation of resources (i.e., distribution of staff, types of labor categories, subcontractors, etc.).

#### **Factor 3. Past Performance**

The submitted past performance experiences shall be of contractual work that is similar to the requirements set forth in this solicitation. Past experience summaries shall be for projects completed in the last five years or currently in process, which are of similar size, scope, and complexity relevant to the effort required by this solicitation. Contracts listed may include those entered into by the Federal Government, agencies of State and local governments, and commercial customers. Contracts with the parent or an affiliate of the offeror may not be used. The following information shall be provided for each referenced contract:

- a. Program title or product name
- b. Contract number
- c. Contract type
- d. Brief synopsis of work performed
- e. Brief discussion of how the work performed is relevant to this solicitation
- f. Contract Value

The Government will consider the above information, as well as information obtained from any other sources, when evaluating the offeror's experience. The past performance evaluation will assess the Offeror's record of relevant and recent work for government and private sector clients.

**The technical evaluation rating criteria are as follow:**

Rating	DESCRIPTION
Superior	Demonstrates an excellent understanding of the requirements and an approach that significantly exceeds performance or capability standards. Proposal has significant strengths that will significantly benefit the Government and risk of unsuccessful performance is very low.
Good	Demonstrates a good understanding of the requirement and an approach that exceeds performance or capability standards. Proposal has one or more strengths that will benefit the Government and risk of unsuccessful performance is low.
Satisfactory	Demonstrates an understanding of the requirement and an approach that meets performance or capability standards. Proposal presents an acceptable solution with few or no strengths and risk unsuccessful performance is moderate.
Marginal	Demonstrates a shallow understanding of the requirement and an approach that only marginally meets performance or capability standards necessary for minimal but acceptable contract performance. The risk of unsuccessful performance is high.
Unsatisfactory	Fails to meet requirement and one or more deficiencies exist for which correction would require a major revision or redirection of the proposal.

**Definitions:**

- Strengths- An element of a proposal which exceeds a requirement of the solicitation in a beneficial way to the Government.
- Weakness-A flaw in the proposal that increases the risk of unsuccessful contract performance.
- Deficiency- A material failure of an offer to meet a Government requirement or a combination of significant weaknesses in an offer that increases the risk of unsuccessful contract performance to an unacceptable level.

**The Past Performance rating criteria are as follow:**

- a. The government is not bound by the offeror's opinion of relevance. The following definitions apply:
- Very Relevant: Past/present performance effort involved essentially the same magnitude of effort, complexities, and contract dollars this task order proposal requires.
  - Relevant: Past/present performance effort involved much of the magnitude of effort, complexities, and contract dollars this task order proposal requires.

**b. Rating System for Past Performance Evaluation Factors:**

- Superior: Based on the offeror's past performance record, essentially no doubt exists that the Offeror will successfully perform the required effort.
- Satisfactory: Based on the offeror's past performance record, it is likely that the Offeror will successfully perform the required effort.
- Unsatisfactory: Based on the offeror's past performance record, it is not likely that the Offeror will successfully perform the required effort.

***Factor 4 Price Analysis***

Price Analysis will be utilized to determine a fair and reasonable price. Price will be evaluated in accordance with FAR 15.404-1, but not rated. Price will be evaluated to determine whether it is fair and reasonable and if it reflects the offeror's understanding of the work. The analysis will include price reasonableness. Offeror are cautioned unreasonably high or low prices may cause your proposal to be deemed unacceptable and rejected.

These are the Technical Review components that will be used for this contract solicitation.

TECHNICAL EVALUATION FACTORS	DUE DATE	RATING
Pre-bid Site Inspection	Prior to submission of RFP or quote	
Contractor's Work Plan (how the job will be done)	With submission of RFP or Quote	
Contractor will submit a quote inclusive of all cost to perform the work outlined in this SOO	With submission of RFP or Quote	

Contractor's proof of license to perform electrical work	Contractor submission of RFP or Quote	
Contractor's Experience and Qualifications	Contractor submission of RFP or Quote	
Contractor attendance at Pre-Construction Meeting	At the Pre-Construction Meeting	
Contractor Insurance Verification	At the Pre-Construction Meeting	
Identification of the Contractor's Project Manager	At the Pre-Construction Meeting	
Pre-Construction Meeting	Prior to the start of construction	
List of Contractor's Employees for identification purposes to permit access to the construction site	At the Pre-Conference Meeting	
Final Inspection and Walk through	Mutually agreed date after completion of each task order work	

<b>SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS</b> <b>OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, &amp; 30</b>				1. REQUISITION NUMBER		PAGE 1 OF 16					
2. CONTRACT NO.		3. AWARD/ EFFECTIVE DATE	4. ORDER NUMBER			5. SOLICITATION NUMBER 70FBR223Q000000060		6. SOLICITATION ISSUE DATE 08/04/2023			
7. <b>FOR SOLICITATION INFORMATION CALL:</b>		a. NAME Kendall Feaster			b. TELEPHONE NUMBER (No collect calls) 202-288-2189		8. OFFER DUE DATE/LOCAL TIME 08/11/2023 1700 ET				
9. ISSUED BY FEMA REGION 02 FEDERAL EMERGENCY MANAGEMENT AGENCY REGION II 1 WORLD TRADE CENTER 52ND FLOOR NEW YORK NY 10007				CODE 70FBR2		10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: % FOR:  <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED SMALL BUSINESS PROGRAM <input type="checkbox"/> EDWOSB NAICS: 238210 <input type="checkbox"/> SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> 8(A) SIZE STANDARD: \$19					
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input checked="" type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS			13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700)		13b. RATING				
15. DELIVER TO FEMA REGION 2 NWS EARLE 201 ROUTE 34 S COLTS NECK NJ 07722				CODE FEMA		16. ADMINISTERED BY			CODE		
17a. CONTRACTOR/ OFFEROR		CODE		FACILITY CODE		18a. PAYMENT WILL BE MADE BY			CODE		
TELEPHONE NO.				18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM							
19. ITEM NO.		20. SCHEDULE OF SUPPLIES/SERVICES				21. QUANTITY	22. UNIT	23. UNIT PRICE		24. AMOUNT	
		The Department of Homeland Security (DHS) Federal Emergency Management Agency (FEMA) Region 2 has a requirement for a vendor who will be assigned work orders or tasks to perform electrical work. Work orders or tasks will fluctuate depending on the work and equipment necessary to achieve the objective.  As a result of this combined synopsis/solicitation, the Government intends on awarding multiple Firm Fixed Price Blanket <i>(Use Reverse and/or Attach Additional Sheets as Necessary)</i>									
25. ACCOUNTING AND APPROPRIATION DATA								26. TOTAL AWARD AMOUNT (For Govt. Use Only)			
27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.											
27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.											
28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN 1 COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED.						29. AWARD OF CONTRACT: OFFER DATED . YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:					
30a. SIGNATURE OF OFFEROR/CONTRACTOR						31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)					
30b. NAME AND TITLE OF SIGNER (Type or print)				30c. DATE SIGNED		31b. NAME OF CONTRACTING OFFICER (Type or print) Kendall P. Feaster				31c. DATE SIGNED	

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
0001	<p>Purchase Agreement(s) (BPA) in accordance with the Federal Acquisition Regulation (FAR) 13.303, attached Terms and Conditions and Statement of Work.</p> <p>Quotes will be evaluated as a Technical Review. Evaluation criteria is provided with attached Technical Evaluation.</p> <p>Questions: Offerors must submit questions not later than 02:00 p.m. (EST) on Thursday, August 2023. Please email your questions to Kendall.feaster@fema.dhs.gov and Bernadette.barriosrosario@fema.dhs.gov</p> <p>Quotes Due: Offerors must submit their required information not later than 12:00 p.m. (EST) on Friday, 11 August 2023. Please email quotes to Kendall.feaster@fema.dhs.gov and Bernadette.barriosrosario@fema.dhs.gov</p> <p>NWS Earle Electrical Services in accordance with SOO.</p> <p>Ordering Period is not to exceed 5 years</p> <p>Product/Service Code: N059</p> <p>Product/Service Description: INSTALLATION OF EQUIPMENT- ELECTRICAL AND ELECTRONIC EQUIPMENT COMPONENTS</p> <p>Continued ...</p>	1	EA		

32a. QUANTITY IN COLUMN 21 HAS BEEN

☐ RECEIVED    ☐ INSPECTED    ☐ ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED: \_\_\_\_\_

32b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE		32c. DATE	32d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE	
32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE			32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE	
			32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE	
33. SHIP NUMBER	34. VOUCHER NUMBER	35. AMOUNT VERIFIED CORRECT FOR	36. PAYMENT	37. CHECK NUMBER
<input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL			<input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL	
38. S/R ACCOUNT NUMBER	39. S/R VOUCHER NUMBER	40. PAID BY		
41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT		42a. RECEIVED BY ( <i>Print</i> )		
41b. SIGNATURE AND TITLE OF CERTIFYING OFFICER		42b. RECEIVED AT ( <i>Location</i> )		
		42c. DATE REC'D (YY/MM/DD)		42d. TOTAL CONTAINERS

**CONTINUATION SHEET**

REFERENCE NO. OF DOCUMENT BEING CONTINUED

70FBR223Q00000060

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NAME OF OFFEROR OR CONTRACTOR

ITEM NO. (A)	SUPPLIES/SERVICES (B)	QUANTITY (C)	UNIT (D)	UNIT PRICE (E)	AMOUNT (F)
1001	Option Period 1: NWS Earle Electrical Services in accordance with SOO. Ordering Period is not to exceed 5 years (Option Line Item) Date Option to be Exercised 0 Product/Service Code: N059 Product/Service Description: INSTALLATION OF EQUIPMENT- ELECTRICAL AND ELECTRONIC EQUIPMENT COMPONENTS	1	EA		
2001	Option Period 2: NWS Earle Electrical Services in accordance with SOO. Ordering Period is not to exceed 5 years (Option Line Item) Date Option to be Exercised 0 Product/Service Code: N059 Product/Service Description: INSTALLATION OF EQUIPMENT- ELECTRICAL AND ELECTRONIC EQUIPMENT COMPONENTS	1	EA		
3001	Option Period 3: NWS Earle Electrical Services in accordance with SOO. Ordering Period is not to exceed 5 years (Option Line Item) Date Option to be Exercised 0 Product/Service Code: N059 Product/Service Description: INSTALLATION OF EQUIPMENT- ELECTRICAL AND ELECTRONIC EQUIPMENT COMPONENTS	1	EA		
4001	Option Period 4: NWS Earle Electrical Services in accordance with SOO. Ordering Period is not to exceed 5 years (Option Line Item) Date Option to be Exercised 0 Product/Service Code: N059 Product/Service Description: INSTALLATION OF EQUIPMENT- ELECTRICAL AND ELECTRONIC EQUIPMENT COMPONENTS	1	EA		

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G - Contract Administration Data .....	12
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K - Representations, Certifications, and Other Statements of Bidders .....	13
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#### **A - Solicitation/Contract Form**

#### **52.204-19 Incorporation by Reference of Representations and Certifications. (DEC 2014)**

#### **52.204-23 Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities. (NOV 2021)**

#### **52.204-26 Covered Telecommunications Equipment or Services-Representation. (OCT 2020)**

(a) *Definitions.* As used in this provision, "covered telecommunications equipment or services" and "reasonable inquiry" have the meaning provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) *Procedures.* The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for "covered telecommunications equipment or services".

(c) *Representations.* (1) The Offeror represents that it ☐ does, ☐ does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.

(2) After conducting a reasonable inquiry for purposes of this representation, the offeror represents that it ☐ does, ☐ does not use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services.

(End of provision)

#### **52.212-4 Contract Terms and Conditions - Commercial Products and Commercial Services. (DEC 2022)**

#### **52.212-5 Contract Terms and Conditions Required To Implement Statutes or Executive Orders - Commercial Products and Commercial Services. (JUN 2023)**

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services:

(1) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).



(2) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (NOV 2021) (Section 1634 of Pub. L. 115-91).

(3) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (NOV 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(4) 52.209-10, Prohibition on Contracting with Inverted Domestic Corporations (NOV 2015).

(5) 52.232-40, Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (31 U.S.C. 3903 and 10 U.S.C. 3801).

(6) 52.233-3, Protest After Award (AUG 1996) (31 U.S.C. 3553).

(7) 52.233-4, Applicable Law for Breach of Contract Claim (OCT 2004) (Public Laws 108-77 and 108-78 (19 U.S.C. 3805 note)).

(b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services: *[Contracting Officer check as appropriate.]*

☐ (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (JUN 2020), with *Alternate I* (NOV 2021) (41 U.S.C. 4704 and 10 U.S.C. 4655).

☐ (2) 52.203-13, Contractor Code of Business Ethics and Conduct (NOV 2021) (41 U.S.C. 3509).

☐ (3) 52.203-15, Whistleblower Protections under the American Recovery and Reinvestment Act of 2009 (JUN 2010) (Section 1553 of Pub. L. 111-5). (Applies to contracts funded by the American Recovery and Reinvestment Act of 2009.)

☐ (4) 52.204-10, Reporting Executive Compensation and First-Tier Subcontract Awards (JUN 2020) (Pub. L. 109-282) (31 U.S.C. 6101 note).

(5) [Reserved]

☐ (6) 52.204-14, Service Contract Reporting Requirements (OCT 2016) (Pub. L. 111-117, section 743 of Div. C).

☐ (7) 52.204-15, Service Contract Reporting Requirements for Indefinite-Delivery Contracts (OCT 2016) (Pub. L. 111-117, section 743 of Div. C).

☐ (8) 52.204-27, Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).

☐ (9) 52.209-6, Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment. (NOV 2021) (31 U.S.C. 6101 note).

☐ (10) 52.209-9, Updates of Publicly Available Information Regarding Responsibility Matters (OCT 2018) (41 U.S.C. 2313).

☐ (11) [Reserved]

☐ (12) 52.219-3, Notice of HUBZone Set-Aside or Sole-Source Award (OCT 2022) (15 U.S.C. 657a).

☐ (13) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (OCT 2022) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).

☐ (14) [Reserved]

☐ (15)(i) 52.219-6, Notice of Total Small Business Set-Aside (NOV 2020) (15 U.S.C. 644).

☐ (ii) Alternate I (MAR 2020) of 52.219-6.

☐ (16)(i) 52.219-7, Notice of Partial Small Business Set-Aside (NOV 2020) (15 U.S.C. 644).

☐ (ii) Alternate I (MAR 2020) of 52.219-7.

☐ (17) 52.219-8, Utilization of Small Business Concerns (OCT 2022) (15 U.S.C. 637(d)(2) and (3)).

☐ (18)(i) 52.219-9, Small Business Subcontracting Plan (OCT 2022) (15 U.S.C. 637(d)(4)).

☐ (ii) Alternate I (NOV 2016) of 52.219-9.

☐ (iii) Alternate II (NOV 2016) of 52.219-9.

☐ (iv) Alternate III (JUN 2020) of 52.219-9.

☐ (v) Alternate IV (SEP 2021) of 52.219-9.

☐ (19)(i) 52.219-13, Notice of Set-Aside of Orders (MAR 2020) (15 U.S.C. 644(r)).

☐ (ii) Alternate I (MAR 2020) of 52.219-13.

☐ (20) 52.219-14, Limitations on Subcontracting (OCT 2022) (15 U.S.C. 657s).

☐ (21) 52.219-16, Liquidated Damages-Subcontracting Plan (SEP 2021) (15 U.S.C. 637(d)(4)(F)(i)).

☐ (22) 52.219-27, Notice of Service-Disabled Veteran-Owned Small Business Set-Aside (OCT 2022) (15 U.S.C. 657f).

☐ (23)(i) 52.219-28, Post-Award Small Business Program Rerepresentation (MAR 2023) (15 U.S.C. 632(a)(2)).

☐ (ii) Alternate I (MAR 2020) of 52.219-28.

☐ (24) 52.219-29, Notice of Set-Aside for, or Sole-Source Award to, Economically Disadvantaged Women-Owned Small Business Concerns (OCT 2022) (15 U.S.C. 637(m)).

☐ (25) 52.219-30, Notice of Set-Aside for, or Sole-Source Award to, Women-Owned Small Business Concerns Eligible Under the Women-Owned Small Business Program (OCT 2022) (15 U.S.C. 637(m)).

[ ] (26) 52.219-32, Orders Issued Directly Under Small Business Reserves (MAR 2020) (15 U.S.C. 644(r)).

[ ] (27) 52.219-33, Nonmanufacturer Rule (SEP 2021) (15 U.S.C. 657s).

[ ] (28) 52.222-3, Convict Labor (JUN 2003) (E.O. 11755).

[ ] (29) 52.222-19, Child Labor-Cooperation with Authorities and Remedies (DEC 2022) (E.O. 13126).

[ ] (30) 52.222-21, Prohibition of Segregated Facilities (APR 2015).

[ ] (31)(i) 52.222-26, Equal Opportunity (SEPT 2016) (E.O. 11246).

[ ] (ii) Alternate I (FEB 1999) of 52.222-26.

[ ] (32)(i) 52.222-35, Equal Opportunity for Veterans (JUN 2020) (38 U.S.C. 4212).

[ ] (ii) Alternate I (July 2014) of 52.222-35.

[ ] (33)(i) 52.222-36, Equal Opportunity for Workers with Disabilities (JUN 2020) (29 U.S.C. 793).

[ ] (ii) Alternate I (July 2014) of 52.222-36.

[ ] (34) 52.222-37, Employment Reports on Veterans (JUN 2020) (38 U.S.C. 4212).

[ ] (35) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496).

[ ] (36)(i) 52.222-50, Combating Trafficking in Persons (NOV 2021) (22 U.S.C. chapter 78 and E.O. 13627).

[ ] (ii) *Alternate I* (MAR 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O. 13627).

[ ] (37) 52.222-54, Employment Eligibility Verification (MAY 2022). (E. O. 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial products or commercial services as prescribed in FAR 22.1803.)

[ ] (38)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Items (MAY 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

[ ] (ii) Alternate I (MAY 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

[ ] (39) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (JUN 2016) (E.O. 13693).

[ ] (40) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016) (E.O. 13693).

[ ] (41)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O.s 13423 and 13514).

[ ] (ii) Alternate I (OCT 2015) of 52.223-13.

[ ] (42)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (JUN 2014) (E.O.s 13423 and 13514).

[ ] (ii) Alternate I (JUN 2014) of 52.223-14.

[ ] (43) 52.223-15, Energy Efficiency in Energy-Consuming Products (MAY 2020) (42 U.S.C. 8259b).

[ ] (44)(i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (OCT 2015) (E.O.s 13423 and 13514).

[ ] (ii) Alternate I (JUN 2014) of 52.223-16.

[ ] (45) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (JUN 2020) (E.O. 13513).

[ ] (46) 52.223-20, Aerosols (JUN 2016) (E.O. 13693).

[ ] (47) 52.223-21, Foams (JUN 2016) (E.O. 13693).

[ ] (48)(i) 52.224-3, Privacy Training (JAN 2017) (5 U.S.C. 552a).

[ ] (ii) Alternate I (JAN 2017) of 52.224-3.

[ ] (49)(i) 52.225-1, Buy American-Supplies (OCT 2022)) (41 U.S.C. chapter 83).

[ ] (ii) Alternate I (OCT 2022) of 52.225-1.

[ ] (50)(i) 52.225-3, Buy American-Free Trade Agreements-Israeli Trade Act (DEC 2022) (19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, 19 U.S.C. chapter 29 (sections 4501-4732), Public Law 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).

[ ] (ii) Alternate I [Reserved].

[ ] (iii) Alternate II (DEC 2022) of 52.225-3.

[ ] (iv) Alternate III (JAN 2021) of 52.225-3.

[ ] (v) Alternate IV (OCT 2022) of 52.225-3.

[ ] (51) 52.225-5, Trade Agreements (DEC 2022) (19 U.S.C. 2501, *et seq.*, 19 U.S.C. 3301 note).

[ ] (52) 52.225-13, Restrictions on Certain Foreign Purchases (FEB 2021) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).

[ ] (53) 52.225-26, Contractors Performing Private Security Functions Outside the United States (OCT 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).

[ ] (54) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (NOV 2007) (42 U.S.C. 5150).

[ ] (55) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (NOV 2007) (42 U.S.C. 5150).

[ ] (56) 52.229-12, Tax on Certain Foreign Procurements (FEB 2021).

[ ] (57) 52.232-29, Terms for Financing of Purchases of Commercial Products and Commercial Services (NOV 2021) (41 U.S.C. 4505, 10 U.S.C. 3805).

[ ] (58) 52.232-30, Installment Payments for Commercial Products and Commercial Services (NOV 2021) (41 U.S.C. 4505, 10 U.S.C. 3805).

[ ] (59) 52.232-33, Payment by Electronic Funds Transfer-System for Award Management (OCT 2018) (31 U.S.C. 3332).

[ ] (60) 52.232-34, Payment by Electronic Funds Transfer - Other than System for Award Management (JUL 2013) (31 U.S.C. 3332).

[ ] (61) 52.232-36, Payment by Third Party (MAY 2014) (31 U.S.C. 3332).

[ ] (62) 52.239-1, Privacy or Security Safeguards (AUG 1996) (5 U.S.C. 552a).

[ ] (63) 52.242-5, Payments to Small Business Subcontractors (JAN 2017)(15 U.S.C. 637(d)(13)).

[ ] (64)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (NOV 2021) (46 U.S.C. 55305 and 10 U.S.C. 2631).

[ ] (ii) Alternate I (APR 2003) of 52.247-64.

[ ] (iii) Alternate II (NOV 2021) of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial products and commercial services: *[Contracting Officer check as appropriate.]*

[ ] (1) 52.222-41, Service Contract Labor Standards (AUG 2018) (41 U.S.C. chapter 67).

[ ] (2) 52.222-42, Statement of Equivalent Rates for Federal Hires (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

[ ] (3) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (AUG 2018) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

[ ] (4) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (MAY 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

[ ] (5) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (MAY 2014) (41 U.S.C. chapter 67).

[ ] (6) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (MAY 2014) (41 U.S.C. chapter 67).

[ ] (7) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).

[ ] (8) 52.222-62, Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706).

[ ] (9) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020) (42 U.S.C. 1792).

(d) *Comptroller General Examination of Record.* The Contractor shall comply with the provisions of this paragraph (d) if this contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, as defined in FAR 2.101, on the date of award of this contract, and does not contain the clause at 52.215-2, Audit and Records - Negotiation.

(1) The Comptroller General of the United States, or an authorized representative of the Comptroller General, shall have access to and right to examine any of the Contractor's directly pertinent records involving transactions related to this contract.

(2) The Contractor shall make available at its offices at all reasonable times the records, materials, and other evidence for examination, audit, or reproduction, until 3 years after final payment under this contract or for any shorter period specified in FAR Subpart 4.7, Contractor Records Retention, of the other clauses of this contract. If this contract is completely or partially terminated, the records relating to the work terminated shall be made available for 3 years after any resulting final termination settlement. Records relating to appeals under the disputes clause or to litigation or the settlement of claims arising under or relating to this contract shall be made available until such appeals, litigation, or claims are finally resolved.

(3) As used in this clause, records include books, documents, accounting procedures and practices, and other data, regardless of type and regardless of form. This does not require the Contractor to create or maintain any record that the Contractor does not maintain in the ordinary course of business or pursuant to a provision of law.

(e)(1) Notwithstanding the requirements of the clauses in paragraphs (a), (b), (c), and (d) of this clause, the Contractor is not required to flow down any FAR clause, other than those in this paragraph (e)(1), in a subcontract for commercial products or commercial services. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause-

(i) 52.203-13, Contractor Code of Business Ethics and Conduct (NOV 2021) (41 U.S.C. 3509).

(ii) 52.203-19, Prohibition on Requiring Certain Internal Confidentiality Agreements or Statements (JAN 2017) (section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions)).

(iii) 52.204-23, Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities (NOV 2021) (Section 1634 of Pub. L. 115-91).

(iv) 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (NOV 2021) (Section 889(a)(1)(A) of Pub. L. 115-232).

(v) 52.204-27, Prohibition on a ByteDance Covered Application (JUN 2023) (Section 102 of Division R of Pub. L. 117-328).

(vi) 52.219-8, Utilization of Small Business Concerns (OCT 2022) (15 U.S.C. 637(d)(2) and (3)), in all subcontracts that offer further subcontracting opportunities. If the subcontract (except subcontracts to small business concerns) exceeds the applicable threshold specified in FAR 19.702(a) on the

date of subcontract award, the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(vii) 52.222-21, Prohibition of Segregated Facilities (APR 2015).

(viii) 52.222-26, Equal Opportunity (SEP 2016) (E.O. 11246).

(ix) 52.222-35, Equal Opportunity for Veterans (JUN 2020) (38 U.S.C. 4212).

(x) 52.222-36, Equal Opportunity for Workers with Disabilities (JUN 2020) (29 U.S.C. 793).

(xi) 52.222-37, Employment Reports on Veterans (JUN 2020) (38 U.S.C. 4212).

(xii) 52.222-40, Notification of Employee Rights Under the National Labor Relations Act (DEC 2010) (E.O. 13496). Flow down required in accordance with paragraph (f) of FAR clause 52.222-40.

(xiii) 52.222-41, Service Contract Labor Standards (AUG 2018) (41 U.S.C. chapter 67).

(xiv) [ ] (A) 52.222-50, Combating Trafficking in Persons (NOV 2021) (22 U.S.C. chapter 78 and E.O. 13627).

[ ] (B) Alternate I (MAR 2015) of 52.222-50 (22 U.S.C. chapter 78 and E.O. 13627).

(xv) 52.222-51, Exemption from Application of the Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Requirements (MAY 2014) (41 U.S.C. chapter 67).

(xvi) 52.222-53, Exemption from Application of the Service Contract Labor Standards to Contracts for Certain Services-Requirements (MAY 2014) (41 U.S.C. chapter 67).

(xvii) 52.222-54, Employment Eligibility Verification (MAY 2022) (E. O. 12989).

(xviii) 52.222-55, Minimum Wages for Contractor Workers Under Executive Order 14026 (JAN 2022).

(xix) 52.222-62 Paid Sick Leave Under Executive Order 13706 (JAN 2022) (E.O. 13706).

(xx)(A) 52.224-3, Privacy Training (JAN 2017) (5 U.S.C. 552a).

(B) Alternate I (JAN 2017) of 52.224-3.

(xxi) 52.225-26, Contractors Performing Private Security Functions Outside the United States (OCT 2016) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. Subtitle A, Part V, Subpart G Note).

(xxii) 52.226-6, Promoting Excess Food Donation to Nonprofit Organizations (JUN 2020) (42 U.S.C. 1792). Flow down required in accordance with paragraph (e) of FAR clause 52.226-6.

(xxiii) 52.232-40, Providing Accelerated Payments to Small Business Subcontractors (MAR 2023) (31 U.S.C. 3903 and 10 U.S.C. 3801). Flow down required in accordance with paragraph (c) of 52.232-40.

(xxiv) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (NOV 2021) (46 U.S.C. 55305 and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

(2) While not required, the Contractor may include in its subcontracts for commercial products and commercial services a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

**B - Supplies or Services/Prices**

**C - Description/Specifications**

**D - Packaging and Marking**

**E - Inspection and Acceptance**

**F - Deliveries or Performance**

**G - Contract Administration Data**

**H - Special Contract Requirements**

**I - Contract Clauses**

**52.202-1 Definitions. (JUN 2020)**

**52.203-5 Covenant Against Contingent Fees. (MAY 2014)**

**52.203-6 Restrictions on Subcontractor Sales to the Government. (JUN 2020)**

**52.203-7 Anti-Kickback Procedures. (JUN 2020)**

**52.203-17 Contractor Employee Whistleblower Rights and Requirement To Inform Employees of Whistleblower Rights. (JUN 2020)**

**52.204-25 Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment. (NOV 2021)**

**52.216-25 Contract Definitization. (OCT 2010)**

(a) A [insert specific type of contract] definitive contract is contemplated. The Contractor agrees to begin promptly negotiating with the Contracting Officer the terms of a definitive contract that will include (1) all clauses required by the Federal Acquisition Regulation (FAR) on the date of execution of the letter contract, (2) all clauses required by law on the date of execution of the definitive contract, and (3) any other mutually agreeable clauses, terms, and conditions. The Contractor agrees to submit a [insert specific type of proposal (e.g., fixed-price or cost-and-fee)] proposal, including data other than certified cost or pricing data, and certified cost or pricing data, in accordance with FAR 15.408, Table 15-2, supporting its proposal.

(b) The schedule for definitizing this contract is: [insert target date for definitization of the contract and dates for submission of proposal, beginning of negotiations, and, if appropriate, submission of make-or-buy and subcontracting plans and certified cost or pricing data]



(c) If agreement on a definitive contract to supersede this letter contract is not reached by the target date in paragraph (b) above, or within any extension of it granted by the Contracting Officer, the Contracting Officer may, with the approval of the head of the contracting activity, determine a reasonable price or fee in accordance with subpart 15.4 and part 31 of the FAR, subject to Contractor appeal as provided in the Disputes clause. In any event, the Contractor shall proceed with completion of the contract, subject only to the Limitation of Government Liability clause.

(1) After the Contracting Officer's determination of price or fee, the contract shall be governed by-

(i) All clauses required by the FAR on the date of execution of this letter contract for either fixed-price or cost-reimbursement contracts, as determined by the Contracting Officer under this paragraph (c);

(ii) All clauses required by law as of the date of the Contracting Officer's determination; and

(iii) Any other clauses, terms, and conditions mutually agreed upon.

(2) To the extent consistent with subparagraph (c)(1) above, all clauses, terms, and conditions included in this letter contract shall continue in effect, except those that by their nature apply only to a letter contract.

(End of clause)

**52.222-50 Combating Trafficking in Persons. (NOV 2021)**

**52.223-18 Encouraging Contractor Policies To Ban Text Messaging While Driving. (JUN 2020)**

**52.232-1 Payments. (APR 1984)**

**52.232-39 Unenforceability of Unauthorized Obligations. (JUN 2013)**

**52.232-40 Providing Accelerated Payments to Small Business Subcontractors. (MAR 2023)**

**52.233-3 Protest After Award. (AUG 1996)**

**52.233-4 Applicable Law for Breach of Contract Claim. (OCT 2004)**

**52.244-6 Subcontracts for Commercial Products and Commercial Services. (JUN 2023)**

#### **J - List of Documents, Exhibits and Other Attachments**

<b>Attachment Number</b>	<b>Title</b>	<b>Date</b>

#### **K - Representations, Certifications, and Other Statements of Bidders**

**52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment. (NOV 2021)**

The Offeror shall not complete the representation at paragraph (d)(1) of this provision if the Offeror has represented that it "does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument" in paragraph (c)(1) in the provision at 52.204-26, Covered Telecommunications Equipment or Services-Representation, or in paragraph (v)(2)(i) of the provision at 52.212-3, Offeror

Representations and Certifications-Commercial Products and Commercial Services. The Offeror shall not complete the representation in paragraph (d)(2) of this provision if the Offeror has represented that it "does not use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services" in paragraph (c)(2) of the provision at 52.204-26, or in paragraph (v)(2)(ii) of the provision at 52.212-3.

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

*Backhaul, covered telecommunications equipment or services, critical technology, interconnection arrangements, reasonable inquiry, roaming, and substantial or essential component* have the meanings provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.

(b) *Prohibition.* (1) Section 889(a)(1)(A) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2019, from procuring or obtaining, or extending or renewing a contract to procure or obtain, any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. Nothing in the prohibition shall be construed to-

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(2) Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232) prohibits the head of an executive agency on or after August 13, 2020, from entering into a contract or extending or renewing a contract with an entity that uses any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. This prohibition applies to the use of covered telecommunications equipment or services, regardless of whether that use is in performance of work under a Federal contract. Nothing in the prohibition shall be construed to-

(i) Prohibit the head of an executive agency from procuring with an entity to provide a service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or

(ii) Cover telecommunications equipment that cannot route or redirect user data traffic or cannot permit visibility into any user data or packets that such equipment transmits or otherwise handles.

(c) *Procedures.* The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for "covered telecommunications equipment or services."

(d) *Representations.* The Offeror represents that-

(1) It [ ] will, [ ] will not provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation. The Offeror shall provide the additional disclosure information required at paragraph (e)(1) of this section if the Offeror responds "will" in paragraph (d)(1) of this section; and

(2) After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that-

It [ ] does, [ ] does not use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The Offeror shall provide the additional disclosure information required at paragraph (e)(2) of this section if the Offeror responds "does" in paragraph (d)(2) of this section.

(e) *Disclosures.* (1) Disclosure for the representation in paragraph (d)(1) of this provision. If the Offeror has responded "will" in the representation in paragraph (d)(1) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment-

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the original equipment manufacturer (OEM) or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(ii) For covered services-

(A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the Product Service Code (PSC) of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(1) of this provision.

(2) Disclosure for the representation in paragraph (d)(2) of this provision. If the Offeror has responded "does" in the representation in paragraph (d)(2) of this provision, the Offeror shall provide the following information as part of the offer:

(i) For covered equipment-

(A) The entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known);

(B) A description of all covered telecommunications equipment offered (include brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); and

(C) Explanation of the proposed use of covered telecommunications equipment and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(ii) For covered services-

(A) If the service is related to item maintenance: A description of all covered telecommunications services offered (include on the item being maintained: Brand; model number, such as OEM number, manufacturer part number, or wholesaler number; and item description, as applicable); or

(B) If not associated with maintenance, the PSC of the service being provided; and explanation of the proposed use of covered telecommunications services and any factors relevant to determining if such use would be permissible under the prohibition in paragraph (b)(2) of this provision.

(End of provision)

**52.225-25 Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and Certifications. (JUN 2020)**

**L - Instructions, Conditions, and Notices to Bidders**

**M - Evaluation Factors for Award**

"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
Daniel W. Simms Director	Division of Wage Determinations	Wage Determination No.: 2015-4195 Revision No.: 23 Date Of Last Revision: 06/30/2023

Note: Contracts subject to the Service Contract Act are generally required to pay at least the applicable minimum wage rate required under Executive Order 14026 or Executive Order 13658.

If the contract is entered into on or after January 30, 2022, or the contract is renewed or extended (e.g., an option is exercised) on or after January 30, 2022:	Executive Order 14026 generally applies to the contract. The contractor must pay all covered workers at least \$16.20 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2023.
If the contract was awarded on or between January 1, 2015 and January 29, 2022, and the contract is not renewed or extended on or after January 30, 2022:	Executive Order 13658 generally applies to the contract. The contractor must pay all covered workers at least \$12.15 per hour (or the applicable wage rate listed on this wage determination, if it is higher) for all hours spent performing on the contract in 2023.

The applicable Executive Order minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the Executive Orders is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

State: New Jersey

Area: New Jersey Counties of Monmouth, Ocean

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

OCCUPATION CODE - TITLE	FOOTNOTE	RATE
01000 - Administrative Support And Clerical Occupations		
01011 - Accounting Clerk I		19.90
01012 - Accounting Clerk II		22.35
01013 - Accounting Clerk III		25.00
01020 - Administrative Assistant		38.71
01035 - Court Reporter		42.17
01041 - Customer Service Representative I		18.12
01042 - Customer Service Representative II		19.77
01043 - Customer Service Representative III		22.21
01051 - Data Entry Operator I		18.71
01052 - Data Entry Operator II		20.41
01060 - Dispatcher, Motor Vehicle		25.79
01070 - Document Preparation Clerk		19.81
01090 - Duplicating Machine Operator		19.81
01111 - General Clerk I		18.55
01112 - General Clerk II		20.24
01113 - General Clerk III		22.72

01120 - Housing Referral Assistant	28.42
01141 - Messenger Courier	19.30
01191 - Order Clerk I	16.43
01192 - Order Clerk II	17.93
01261 - Personnel Assistant (Employment) I	21.74
01262 - Personnel Assistant (Employment) II	24.32
01263 - Personnel Assistant (Employment) III	27.11
01270 - Production Control Clerk	28.02
01290 - Rental Clerk	18.29
01300 - Scheduler, Maintenance	22.79
01311 - Secretary I	22.79
01312 - Secretary II	25.50
01313 - Secretary III	28.42
01320 - Service Order Dispatcher	22.15
01410 - Supply Technician	38.71
01420 - Survey Worker	23.16
01460 - Switchboard Operator/Receptionist	18.31
01531 - Travel Clerk I	19.70
01532 - Travel Clerk II	21.35
01533 - Travel Clerk III	23.21
01611 - Word Processor I	18.82
01612 - Word Processor II	21.14
01613 - Word Processor III	23.64
05000 - Automotive Service Occupations	
05005 - Automobile Body Repairer, Fiberglass	27.95
05010 - Automotive Electrician	28.50
05040 - Automotive Glass Installer	27.31
05070 - Automotive Worker	27.31
05110 - Mobile Equipment Servicer	24.42
05130 - Motor Equipment Metal Mechanic	29.68
05160 - Motor Equipment Metal Worker	27.31
05190 - Motor Vehicle Mechanic	29.68
05220 - Motor Vehicle Mechanic Helper	23.15
05250 - Motor Vehicle Upholstery Worker	26.12
05280 - Motor Vehicle Wrecker	27.31
05310 - Painter, Automotive	28.50
05340 - Radiator Repair Specialist	27.31
05370 - Tire Repairer	18.57
05400 - Transmission Repair Specialist	29.68
07000 - Food Preparation And Service Occupations	
07010 - Baker	18.55
07041 - Cook I	20.55
07042 - Cook II	22.94
07070 - Dishwasher	16.30
07130 - Food Service Worker	16.64
07210 - Meat Cutter	19.44
07260 - Waiter/Waitress	16.65
09000 - Furniture Maintenance And Repair Occupations	
09010 - Electrostatic Spray Painter	22.40
09040 - Furniture Handler	16.41
09080 - Furniture Refinisher	22.53
09090 - Furniture Refinisher Helper	18.21
09110 - Furniture Repairer, Minor	20.49
09130 - Upholsterer	22.88
11000 - General Services And Support Occupations	
11030 - Cleaner, Vehicles	17.54
11060 - Elevator Operator	18.04
11090 - Gardener	22.64
11122 - Housekeeping Aide	18.04
11150 - Janitor	18.04
11210 - Laborer, Grounds Maintenance	18.62
11240 - Maid or Houseman	18.01
11260 - Pruner	17.31
11270 - Tractor Operator	21.31
11330 - Trail Maintenance Worker	18.62

11360 - Window Cleaner	19.41
12000 - Health Occupations	
12010 - Ambulance Driver	24.39
12011 - Breath Alcohol Technician	27.04
12012 - Certified Occupational Therapist Assistant	35.10
12015 - Certified Physical Therapist Assistant	33.14
12020 - Dental Assistant	22.74
12025 - Dental Hygienist	47.38
12030 - EKG Technician	38.68
12035 - Electroneurodiagnostic Technologist	38.68
12040 - Emergency Medical Technician	24.39
12071 - Licensed Practical Nurse I	24.17
12072 - Licensed Practical Nurse II	27.04
12073 - Licensed Practical Nurse III	30.14
12100 - Medical Assistant	20.58
12130 - Medical Laboratory Technician	38.55
12160 - Medical Record Clerk	24.41
12190 - Medical Record Technician	27.29
12195 - Medical Transcriptionist	21.99
12210 - Nuclear Medicine Technologist	48.88
12221 - Nursing Assistant I	15.87***
12222 - Nursing Assistant II	17.85
12223 - Nursing Assistant III	20.01
12224 - Nursing Assistant IV	21.87
12235 - Optical Dispenser	29.21
12236 - Optical Technician	20.31
12250 - Pharmacy Technician	18.16
12280 - Phlebotomist	22.22
12305 - Radiologic Technologist	39.65
12311 - Registered Nurse I	32.76
12312 - Registered Nurse II	38.41
12313 - Registered Nurse II, Specialist	38.41
12314 - Registered Nurse III	49.39
12315 - Registered Nurse III, Anesthetist	49.39
12316 - Registered Nurse IV	59.22
12317 - Scheduler (Drug and Alcohol Testing)	33.51
12320 - Substance Abuse Treatment Counselor	28.73
13000 - Information And Arts Occupations	
13011 - Exhibits Specialist I	27.27
13012 - Exhibits Specialist II	33.78
13013 - Exhibits Specialist III	41.32
13041 - Illustrator I	32.71
13042 - Illustrator II	40.20
13043 - Illustrator III	49.20
13047 - Librarian	37.33
13050 - Library Aide/Clerk	17.56
13054 - Library Information Technology Systems Administrator	33.71
13058 - Library Technician	23.36
13061 - Media Specialist I	24.32
13062 - Media Specialist II	27.21
13063 - Media Specialist III	30.33
13071 - Photographer I	20.81
13072 - Photographer II	24.10
13073 - Photographer III	31.90
13074 - Photographer IV	37.88
13075 - Photographer V	43.69
13090 - Technical Order Library Clerk	22.05
13110 - Video Teleconference Technician	30.64
14000 - Information Technology Occupations	
14041 - Computer Operator I	25.29
14042 - Computer Operator II	28.30
14043 - Computer Operator III	31.56
14044 - Computer Operator IV	35.08
14045 - Computer Operator V	38.83

14071 - Computer Programmer I	(see 1)	
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		25.29
14160 - Personal Computer Support Technician		36.77
14170 - System Support Specialist		40.71
15000 - Instructional Occupations		
15010 - Aircrew Training Devices Instructor (Non-Rated)		40.97
15020 - Aircrew Training Devices Instructor (Rated)		48.13
15030 - Air Crew Training Devices Instructor (Pilot)		57.71
15050 - Computer Based Training Specialist / Instructor		40.97
15060 - Educational Technologist		38.23
15070 - Flight Instructor (Pilot)		57.71
15080 - Graphic Artist		37.28
15085 - Maintenance Test Pilot, Fixed, Jet/Prop		57.19
15086 - Maintenance Test Pilot, Rotary Wing		57.19
15088 - Non-Maintenance Test/Co-Pilot		57.19
15090 - Technical Instructor		30.50
15095 - Technical Instructor/Course Developer		37.29
15110 - Test Proctor		24.61
15120 - Tutor		24.61
16000 - Laundry, Dry-Cleaning, Pressing And Related Occupations		
16010 - Assembler		18.53
16030 - Counter Attendant		18.53
16040 - Dry Cleaner		21.18
16070 - Finisher, Flatwork, Machine		18.53
16090 - Presser, Hand		18.53
16110 - Presser, Machine, Drycleaning		18.53
16130 - Presser, Machine, Shirts		18.53
16160 - Presser, Machine, Wearing Apparel, Laundry		18.53
16190 - Sewing Machine Operator		22.05
16220 - Tailor		22.94
16250 - Washer, Machine		19.41
19000 - Machine Tool Operation And Repair Occupations		
19010 - Machine-Tool Operator (Tool Room)		26.96
19040 - Tool And Die Maker		31.24
21000 - Materials Handling And Packing Occupations		
21020 - Forklift Operator		21.54
21030 - Material Coordinator		28.02
21040 - Material Expediter		28.02
21050 - Material Handling Laborer		17.76
21071 - Order Filler		17.22
21080 - Production Line Worker (Food Processing)		21.54
21110 - Shipping Packer		20.34
21130 - Shipping/Receiving Clerk		20.34
21140 - Store Worker I		19.25
21150 - Stock Clerk		24.13
21210 - Tools And Parts Attendant		21.54
21410 - Warehouse Specialist		21.54
23000 - Mechanics And Maintenance And Repair Occupations		
23010 - Aerospace Structural Welder		40.66
23019 - Aircraft Logs and Records Technician		34.27
23021 - Aircraft Mechanic I		39.14
23022 - Aircraft Mechanic II		40.66
23023 - Aircraft Mechanic III		42.18
23040 - Aircraft Mechanic Helper		30.46
23050 - Aircraft, Painter		37.67
23060 - Aircraft Servicer		34.27
23070 - Aircraft Survival Flight Equipment Technician		37.67
23080 - Aircraft Worker		36.12
23091 - Aircrew Life Support Equipment (ALSE) Mechanic		36.12



I		
23092	- Aircrew Life Support Equipment (ALSE) Mechanic	39.14
II		
23110	- Appliance Mechanic	27.41
23120	- Bicycle Repairer	19.31
23125	- Cable Splicer	53.71
23130	- Carpenter, Maintenance	32.74
23140	- Carpet Layer	28.73
23160	- Electrician, Maintenance	40.52
23181	- Electronics Technician Maintenance I	30.54
23182	- Electronics Technician Maintenance II	31.85
23183	- Electronics Technician Maintenance III	33.09
23260	- Fabric Worker	41.90
23290	- Fire Alarm System Mechanic	28.97
23310	- Fire Extinguisher Repairer	29.73
23311	- Fuel Distribution System Mechanic	47.17
23312	- Fuel Distribution System Operator	39.00
23370	- General Maintenance Worker	24.23
23380	- Ground Support Equipment Mechanic	39.14
23381	- Ground Support Equipment Servicer	34.27
23382	- Ground Support Equipment Worker	36.12
23391	- Gunsmith I	29.73
23392	- Gunsmith II	33.19
23393	- Gunsmith III	35.96
23410	- Heating, Ventilation And Air-Conditioning Mechanic	35.25
23411	- Heating, Ventilation And Air Contidioning Mechanic (Research Facility)	36.62
23430	- Heavy Equipment Mechanic	36.87
23440	- Heavy Equipment Operator	42.64
23460	- Instrument Mechanic	31.98
23465	- Laboratory/Shelter Mechanic	34.61
23470	- Laborer	17.76
23510	- Locksmith	27.60
23530	- Machinery Maintenance Mechanic	30.69
23550	- Machinist, Maintenance	27.49
23580	- Maintenance Trades Helper	19.70
23591	- Metrology Technician I	32.42
23592	- Metrology Technician II	33.69
23593	- Metrology Technician III	34.95
23640	- Millwright	40.73
23710	- Office Appliance Repairer	27.87
23760	- Painter, Maintenance	27.66
23790	- Pipefitter, Maintenance	37.30
23810	- Plumber, Maintenance	35.90
23820	- Pneudraulic Systems Mechanic	35.96
23850	- Rigger	37.83
23870	- Scale Mechanic	33.19
23890	- Sheet-Metal Worker, Maintenance	35.65
23910	- Small Engine Mechanic	23.31
23931	- Telecommunications Mechanic I	35.34
23932	- Telecommunications Mechanic II	36.72
23950	- Telephone Lineman	47.42
23960	- Welder, Combination, Maintenance	26.94
23965	- Well Driller	36.84
23970	- Woodcraft Worker	35.96
23980	- Woodworker	29.73
24000	- Personal Needs Occupations	
24550	- Case Manager	20.47
24570	- Child Care Attendant	16.08***
24580	- Child Care Center Clerk	20.05
24610	- Chore Aide	16.08***
24620	- Family Readiness And Support Services Coordinator	20.47
24630	- Homemaker	20.47

25000 - Plant And System Operations Occupations	
25010 - Boiler Tender	43.36
25040 - Sewage Plant Operator	37.04
25070 - Stationary Engineer	43.36
25190 - Ventilation Equipment Tender	33.74
25210 - Water Treatment Plant Operator	37.04
27000 - Protective Service Occupations	
27004 - Alarm Monitor	28.05
27007 - Baggage Inspector	18.16
27008 - Corrections Officer	37.15
27010 - Court Security Officer	39.73
27030 - Detection Dog Handler	20.36
27040 - Detention Officer	37.15
27070 - Firefighter	44.02
27101 - Guard I	18.16
27102 - Guard II	20.36
27131 - Police Officer I	39.72
27132 - Police Officer II	44.15
28000 - Recreation Occupations	
28041 - Carnival Equipment Operator	18.81
28042 - Carnival Equipment Repairer	19.99
28043 - Carnival Worker	15.28***
28210 - Gate Attendant/Gate Tender	21.16
28310 - Lifeguard	15.07***
28350 - Park Attendant (Aide)	23.67
28510 - Recreation Aide/Health Facility Attendant	17.27
28515 - Recreation Specialist	29.33
28630 - Sports Official	18.84
28690 - Swimming Pool Operator	22.31
29000 - Stevedoring/Longshoremen Occupational Services	
29010 - Blocker And Bracer	44.51
29020 - Hatch Tender	44.51
29030 - Line Handler	44.51
29041 - Stevedore I	41.12
29042 - Stevedore II	44.47
30000 - Technical Occupations	
30010 - Air Traffic Control Specialist, Center (HFO) (see 2)	50.33
30011 - Air Traffic Control Specialist, Station (HFO) (see 2)	34.70
30012 - Air Traffic Control Specialist, Terminal (HFO) (see 2)	38.22
30021 - Archeological Technician I	20.15
30022 - Archeological Technician II	22.54
30023 - Archeological Technician III	27.93
30030 - Cartographic Technician	27.93
30040 - Civil Engineering Technician	32.63
30051 - Cryogenic Technician I	30.93
30052 - Cryogenic Technician II	34.16
30061 - Drafter/CAD Operator I	20.15
30062 - Drafter/CAD Operator II	22.54
30063 - Drafter/CAD Operator III	25.13
30064 - Drafter/CAD Operator IV	30.93
30081 - Engineering Technician I	19.28
30082 - Engineering Technician II	22.03
30083 - Engineering Technician III	24.65
30084 - Engineering Technician IV	31.22
30085 - Engineering Technician V	38.08
30086 - Engineering Technician VI	46.20
30090 - Environmental Technician	26.77
30095 - Evidence Control Specialist	27.93
30210 - Laboratory Technician	27.78
30221 - Latent Fingerprint Technician I	34.45
30222 - Latent Fingerprint Technician II	38.05
30240 - Mathematical Technician	36.98
30361 - Paralegal/Legal Assistant I	25.38
30362 - Paralegal/Legal Assistant II	31.45
30363 - Paralegal/Legal Assistant III	38.46

30364 - Paralegal/Legal Assistant IV	46.53
30375 - Petroleum Supply Specialist	34.16
30390 - Photo-Optics Technician	27.93
30395 - Radiation Control Technician	34.16
30461 - Technical Writer I	30.30
30462 - Technical Writer II	37.05
30463 - Technical Writer III	44.82
30491 - Unexploded Ordnance (UXO) Technician I	31.99
30492 - Unexploded Ordnance (UXO) Technician II	38.70
30493 - Unexploded Ordnance (UXO) Technician III	46.39
30494 - Unexploded (UXO) Safety Escort	31.99
30495 - Unexploded (UXO) Sweep Personnel	31.99
30501 - Weather Forecaster I	30.93
30502 - Weather Forecaster II	37.62
30620 - Weather Observer, Combined Upper Air Or (see 2)	25.13
Surface Programs	
30621 - Weather Observer, Senior (see 2)	27.93
31000 - Transportation/Mobile Equipment Operation Occupations	
31010 - Airplane Pilot	38.70
31020 - Bus Aide	26.99
31030 - Bus Driver	34.77
31043 - Driver Courier	20.37
31260 - Parking and Lot Attendant	16.03***
31290 - Shuttle Bus Driver	19.65
31310 - Taxi Driver	17.64
31361 - Truckdriver, Light	21.64
31362 - Truckdriver, Medium	22.92
31363 - Truckdriver, Heavy	28.38
31364 - Truckdriver, Tractor-Trailer	28.38
99000 - Miscellaneous Occupations	
99020 - Cabin Safety Specialist	18.87
99030 - Cashier	15.55***
99050 - Desk Clerk	17.55
99095 - Embalmer	39.23
99130 - Flight Follower	31.99
99251 - Laboratory Animal Caretaker I	18.37
99252 - Laboratory Animal Caretaker II	19.51
99260 - Marketing Analyst	41.76
99310 - Mortician	36.79
99410 - Pest Controller	22.37
99510 - Photofinishing Worker	22.88
99710 - Recycling Laborer	33.83
99711 - Recycling Specialist	38.72
99730 - Refuse Collector	31.43
99810 - Sales Clerk	16.72
99820 - School Crossing Guard	18.85
99830 - Survey Party Chief	31.72
99831 - Surveying Aide	18.90
99832 - Surveying Technician	30.18
99840 - Vending Machine Attendant	24.40
99841 - Vending Machine Repairer	28.93
99842 - Vending Machine Repairer Helper	24.40

\*\*\*Workers in this classification may be entitled to a higher minimum wage under Executive Order 14026 (\$16.20 per hour) or 13658 (\$12.15 per hour). Please see the Note at the top of the wage determination for more information. Please also note that the minimum wage requirements of Executive Order 14026 and 13658 are not currently being enforced as to contracts or contract-like instruments entered into with the federal government in connection with seasonal recreational services or seasonal recreational equipment rental for the general public on federal lands.

Note: Executive Order (EO) 13706, Establishing Paid Sick Leave for Federal Contractors, applies to all contracts subject to the Service Contract Act for which the contract is awarded (and any solicitation was issued) on or after January 1, 2017. If this contract is covered by the EO, the contractor must provide employees with 1 hour of paid sick leave for every 30 hours they work, up to 56 hours of paid sick leave each year. Employees must be permitted to use paid sick leave for their own illness, injury or other health-related needs, including preventive care; to assist a family member (or person who is like family to the employee) who is ill, injured, or has other health-related needs, including preventive care; or for reasons resulting from, or to assist a family member (or person who is like family to the employee) who is the victim of, domestic violence, sexual assault, or stalking. Additional information on contractor requirements and worker protections under the EO is available at [www.dol.gov/whd/govcontracts](http://www.dol.gov/whd/govcontracts).

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$4.98 per hour, up to 40 hours per week, or \$199.20 per week or \$863.20 per month

HEALTH & WELFARE EO 13706: \$4.57 per hour, up to 40 hours per week, or \$182.80 per week, or \$792.13 per month\*

\*This rate is to be used only when compensating employees for performance on an SCA-covered contract also covered by EO 13706, Establishing Paid Sick Leave for Federal Contractors. A contractor may not receive credit toward its SCA obligations for any paid sick leave provided pursuant to EO 13706.

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 twelve paid holidays per year: New Year's Day, Martin Luther King Jr's Birthday, Washington's Birthday, Good Friday, Memorial Day, Juneteenth National Independence 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) COMPUTER EMPLOYEES: This wage determination does not apply to any individual employed in a bona fide executive, administrative, or professional capacity, as defined in 29 C.F.R. Part 541. (See 41 C.F.R. 6701(3)). Because most Computer Systems Analysts and Computer Programmers who are paid at least \$27.63 per hour (or at least \$684 per week if paid on a salary or fee basis) likely qualify as exempt computer professionals under 29 U.S.C. 213(a)(1) and 29 U.S.C. 213(a)(17), this wage determination may not include wage rates for all occupations within those job families. In such instances, a conformance will be necessary if there are nonexempt employees in these job families working on the contract.

Job titles vary widely and change quickly in the computer industry, and are not determinative of whether an employee is an exempt computer professional. To be exempt, computer employees who satisfy the compensation requirements must also have a primary duty that consists of:

(1) The application of systems analysis techniques and procedures, including consulting with users, to determine hardware, software or system functional specifications;

(2) The design, development, documentation, analysis, creation, testing or modification of computer systems or programs, including prototypes, based on and

related to user or system design specifications;

(3) The design, documentation, testing, creation or modification of computer programs related to machine operating systems; or

(4) A combination of the aforementioned duties, the performance of which requires the same level of skills. (29 C.F.R. 541.400).

Any computer employee who meets the applicable compensation requirements and the above duties test qualifies as an exempt computer professional under both section 13(a)(1) and section 13(a)(17) of the Fair Labor Standards Act. (Field Assistance Bulletin No. 2006-3 (Dec. 14, 2006)). Accordingly, this wage determination will not apply to any exempt computer employee regardless of which of these two exemptions is utilized.

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 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 re-grading 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.

**\*\* SERVICE CONTRACT ACT DIRECTORY OF OCCUPATIONS \*\***

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations", Fifth Edition (Revision 1), dated September 2015, unless otherwise indicated.

**\*\* 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 (See 29 CFR 4.6(b)(2)(i)). Such conforming procedures shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees (See 29 CFR 4.6(b)(2)(ii)). The Wage and Hour Division shall make a final determination of conformed classification, wage rate, and/or fringe benefits which shall be paid to all employees performing in the classification from the first day of work on which contract work is performed by them in the classification. Failure to pay such unlisted employees the compensation agreed upon by the interested parties and/or fully determined by the Wage and Hour Division retroactive to the date such class of employees commenced contract work shall be a violation of the Act and this contract. (See 29 CFR 4.6(b)(2)(v)). 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 the 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 U.S. Department of Labor, Wage and Hour Division, for review (See 29 CFR 4.6(b)(2)(ii)).
- 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 Division's decision to the contractor.

6) Each affected employee shall be furnished by the contractor with a written copy of such determination or it shall be posted as a part of the wage determination (See 29 CFR 4.6(b)(2)(iii)).

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"" should be used to compare job definitions to ensure 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 (See 29 CFR 4.152(c)(1))."