

**Attachment 3: EXEMPTION OF SERVICE CONTRACT LABOR STANDARDS**

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Exemption of Service Contract Labor Standards to Contracts for Maintenance, Calibration, or Repair of Certain Equipment-Certification (excerpt from FAR Part 22.1003-4, Administrative limitations, variations, tolerances, and exemptions.)

(ii)The services under the contract are offered and sold regularly to non-Governmental customers, and are provided by the contractor (or subcontractor in the case of an exempt subcontract) to the general public in substantial quantities in the course of normal business operations.

(iii)The contract services are furnished at prices that are, or are based on, established catalog or market prices. As defined at 29 CFR 4.123(e)(2)(ii)(C)-

(A)An established catalog price is a price included in a catalog, price list, schedule, or other form that is regularly maintained by the contractor, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public; and

(B)An established market price is a current price, established in the usual course of trade between buyers and sellers free to bargain, which can be substantiated from sources independent of the manufacturer or contractor.

(iv)Each service employee who will perform the services under the contract will spend only a small portion of his or her time (a monthly average of less than 20 percent of the available hours on an annualized basis, or less than 20 percent of available hours during the contract period if the contract period is less than a month) servicing the Government contract.

(v)The contractor will use the same compensation (wage and fringe benefits) plan for all service employees performing work under the contract as the contractor uses for these employees and equivalent employees servicing commercial customers.

As an authorized signatory for \_\_\_\_\_, I certify that the conditions stated above ARE/ARE NOT (circle one) with this contract. I agree that if the conditions are not met the solicitation will be modified to incorporate the applicable Service Contract Labor Standards statute and therefore the applicable Service Contract Act Wage Determination.

Signature\_\_\_\_\_ Date\_\_\_\_\_