LOURDES A. LEON GUERRERO
Governor
JOSHUA F. TENORIO
Lieutenant Governor

GUAM BEHAVIORAL HEALTH & WELLNESS CENTER

790 Gov. Carlos G. Camacho Rd. Tamuning, Guam 96913 TEL: (671) 647-5330 FAX: (671) 649-6948 THERESA C. ARRIOLA
Director
CARISSA E. PANGELINAN
Deputy Director

REQUEST FOR PROPOSAL

Guam Non-Profit Organizations for Professional Services

To Provide Residential Rehabilitation and Social Detoxification

Substance Treatment for Adult Males

**GBHWC RFP 08-2019** 

AMENDMENT NO. 2

To: All Prospective Offerors

The above numbered and described solicitation is amended as set forth below:

Add as Exhibit B, attached hereto.

U. S. Department of Labor, Wage Determination No. 2015-5694, Revision 9, Issued on August 2, 2019.

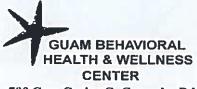
Except as provided herein, all terms and conditions of the document referenced in the solicitation number above remain unchanged and in full force and effect.

Theresa C. Arriola

August 23, 2019

(This amendment must be included with the proposal.)

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## ACKNOWLEDGEMENT RECEIPT GBHWC RFP 08-2019

AMENDMENT NO. 2 Wage Determination No. 2015-5694, Rev. 9

The party identified below is a registered interested party and/or potential offeror for a request for proposal identified above.

Such party acknowledges receipt of the amendment identified hereinabove, and further understands that said amendment must be included as part of the proposal offer.

Received and submitted by:

Name	
Title	
Company/Organization	
Date	

This acknowledgment receipt may be emailed to <u>marilyn.aflague@abhwc.auam.gov</u>; or faxed to (671) 649-6948 <u>AND</u> included in the proposal technical offer.

## EXHIBIT B

"REGISTER OF WAGE DETERMINATIONS UNDER | U.S. DEPARTMENT OF LABOR

THE SERVICE CONTRACT ACT

| EMPLOYMENT STANDARDS ADMINISTRATION

By direction of the Secretary of Labor | WAGE AND HOUR DIVISION

WASHINGTON D.C. 20210

| Wage Determination No.: 2015-5694

Daniel W. Simms

Division of

Revision No.: 9

Director

Wage Determinations| Date Of Last Revision: 08/02/2019

Note: Under Executive Order (EO) 13658 an hourly minimum wage of \$10.60 for calendar year 2019 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 2015. If this contract is covered by the EO the contractor must pay all workers in any classification listed on this wage determination at least \$10.60 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 calendar year 2019. The EO minimum wage rate will be adjusted annually. Additional information on contractor requirements and worker protections under the EO is available at www.dol.gov/whd/govcentracts.

States: Guam Northern Marianas Wake Island

Aroa: Guam Statowide

Northorn Marianas Statowide

Wake Island Statewide

<sup>\*\*</sup>Fringe Benefits Required Follow the Occupational Listing\*\*

UPATION CODE - TITLE	FOOTNOTE	RATE	
00 - Administrative Support And Clerical Occupa	tions		
1011 - Accounting Clerk I		13.57	
1012 - Accounting Clerk II		15.23	
1013 - Accounting Clerk III		17.04	
1020 - Administrative Assistant		19.48	
1035 - Court Reporter		17.40	
041 - Customer Service Representative I		10.89	
042 - Customer Service Representative II		12.25	
.043 - Customer Service Representative III		13.37	
.051 - Data Entry Operator I		12.15	
.052 - Data Entry Operator II		13.25	
060 - Dispatcher Motor Vehicle		14.37	
070 - Document Preparation Clerk		13.85	
090 - Duplicating Machine Operator		13,85	
111 - General Clerk I		10.35	
112 - General Clerk II		11.29	
113 - General Clerk III		12.68	
120 - Housing Referral Assistant		19.39	
141 - Messenger Courier		11.37	
191 - Order Clerk I		12.57	
192 - Order Clerk II		13.71	
261 - Personnol Assistant (Employment) I		15.95	
262 - Personnel Assistant (Employment) II		17.85	
263 - Personnel Assistant (Employment) III		19.89	
270 - Production Control Clerk		21.78	
290 - Rontal Clark		11.10	
300 - Scheduler Maintenance		15.55	
311 - Secrotary I		15.55	
112 - Secretary II		17.40	
BI3 - Secretary III		19.39	
20 - Bervice Order Dispatcher		12.73	
10 - Supply Technician		19.48	
20 - Survey Worker		15.26	
60 - Switchboard Operator/Receptionist		9.67	
31 Travel Clurk !		12.77	
32 Travel Clerk !!		13.03	
33 - Travel Clerk III		14.70	
11 - Word Processor t		14.53	

01612 - Word Processor II	
01613 - Word Processor III	16.31
05000 - Automotive Service Occupations	18.26
05005 - Automobile Body Repairer Fiberglass	
05010 - Automotive Electrician	13.58
05040 - Automotive Glass Installer	13.06
05070 - Automotive Worker	12.10
05110 - Mobile Equipment Servicer	12.10
	10.27
05130 - Motor Equipment Metal Mechanic	13.71
05160 - Motor Equipment Metal Worker	12.10
05190 - Motor Vehicle Mechanic	13.71
05220 - Motor Vehicle Mechanic Helper	10.12
05250 - Motor Vehicle Upholstery Worker	12.10
05280 - Motor Vehicle Wrecker 05310 - Painter Automotive	12.10
	12.87
05340 - Radiator Repair Specialist	12.10
05370 - Tire Repairer	11.44
05400 - Transmission Repair Specialist	13.61
07000 - Food Preparation And Service Occupations	
07010 - Baker	10.47
07041 - Cook I	11.45
07042 - Cook II	13.33
07070 - Dishwasher	9.12
07130 - Food Service Worker	9.34
07210 - Meat Cutter	11.86
07260 - Waiter/Waitress	9.19
09000 - Furniture Maintenance And Repair Occupations	
09010 - Electrostatic Spray Paintor	16.40
09040 - Furniture Handler	9.95
09080 - Furniture Refinisher	16.40
09090 - Furnitura Rolinishar Halper	12.06
09110 - Furniture Repairer Minor	14.27
09130 - Upholateror	16.40
11000 - General Dervices And Support Occupations	
11030 - Cleanor Vehicles	9.35
11060 - Elevator Operator	9.29
11090 - Gardenor	12.90
11122 - Housekaeping Alde	9.29
11150 - Janitor	9.29
11210 - Laborer Grounda Meintenance	9.74

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11240 - Maid or Houseman	9.22
11260 - Pruner	8.72
11270 - Tractor Operator	11.80
11330 - Trail Maintenance Worker	9.74
11360 - Window Cleaner	10.37
12000 - Health Occupations	
12010 - Ambulance Driver	17.77
12011 - Breath Alcohol Technician	17.77
12012 - Certified Occupational Therapist Assistant	24.38
12015 - Certified Physical Therapist Assistant	24.38
12020 - Dental Assistant	14.21
12025 - Dental Hygienist	32.84
12030 - EKG Technician	25.10
12035 - Electroneurodiagnostic Technologist	25.10
12040 - Emergency Medical Technician	17.77
12071 - Licensed Practical Nurse I	15.88
12072 - Licensed Practical Nurse II	17.77
12073 - Licensed Practical Nurse III	19.81
12100 - Medical Assistant	12.26
12130 - Medical Laboratory Technician	18.82
12160 - Medical Record Clerk	13.61
12190 - Modical Record Technician	17.77
12195 - Medical Transcriptionist	15.88
12210 - Nuclear Medicine Technologist	39.04
12221 - Nursing Assistant I	11.03
12222 - Nursing Assistant II	12.43
12223 - Nursing Assistant III	13.54
12224 - Nursing Assistant IV	15.22
12235 - Optical Dispensor	17.77
12236 - Optical Tachnician	15.80
12250 - Pharmacy Tochnician	15.49
12280 - Phiebotomiat	15.22
12305 - Radiologic Technologist	22.69
12311 - Rogistored Nurse I	22.5)
12312 - Registered Nurse II	27.56
12313 - Registored Nurso II Specialist	27.56
12314 - Registered Nurse III	33.34
12315 - Registored Nurse (II Anesthetlat	33.34
12316 - Registered Nurse IV	39.96
12317 - Schoduler (Drug and Alcohol Testing)	22.01

		16
12320 - Substance Abuse Treatment Counselor		22.01
13000 - Information And Arts Occupations		
13011 - Exhibits Specialist I		19.45
13012 - Exhibits Specialist II		24.09
13013 - Exhibits Specialist III		29.47
13041 - Illustrator I		19.45
13042 - Illustrator II		24.09
13043 - Illustrator III		29.47
13047 - Librarian		26.68
13050 - Library Aide/Clerk		15.48
13054 - Library Information Technology Systems		24.09
Administrator		
13058 - Library Technician		16.64
13061 - Media Specialist I		17.38
13062 - Media Specialist II		19.45
13063 - Media Specialist III		21.67
13071 - Photographer I		17.38
13072 - Photographer II		19.45
13073 - Photographer III		24.09
13074 - Photographer IV		29.47
13075 - Photographer V		35.65
13090 - Tochnical Order Library Clerk		18.74
13110 - Video Teleconference Technician		17.38
14000 - Information Technology Occupations		
14041 - Computer Operator I		15.71
14042 - Computer Operator II		17.22
14043 - Computer Operator III		19.19
14044 - Computer Operator IV		21.33
14045 - Computer Operator V		23.62
14071 - Computer Programmer I	(see 1)	15.73
14072 ~ Computer Programmer II	(800 1)	19.50
14073 - Computer Programmer III	(800 1)	23.84
14074 - Computer Programmer IV	(see 1)	
14101 - Computer Systems Analyst I	(200 1)	24.23
14102 - Computer Systems Analyst II	(800 1)	
14103 - Computer Systems Analyst III	(sec 1)	
14150 - Paripheral Equipment Operator		15.71
14160 - Personal Computer Support Technician		21.33
14170 - System Support Specialist		21.24
15000 - Instructional Occupations		

15010 - Aircrew Training Devices Instructor (Non-Rated)	
15020 - Aircraw Training Devices Instructor (Non-Rated)	24.23
	29.32
15030 - Air Crew Training Devices Instructor (Pilot)	34.91
15050 - Computer Based Training Specialist / Instructor 15060 - Educational Technologist	24.23
15070 - Flight Instructor (Pilot)	27.61
15080 - Graphic Artist	34.91
	20.47
15085 - Maintenance Test Pilot Fixed Jet/Prop	34.91
15086 - Maintenance Test Pilot Rotary Wing	34.91
15088 - Non-Maintenance Test/Co-Pilot	34.91
15090 - Technical Instructor	17.65
15095 - Technical Instructor/Course Developer	21.58
15110 - Test Proctor	13.87
15120 - Tutor	13.87
16000 - Laundry Dry-Cleaning Pressing And Rolated Occupations	
16010 - Assembler	9.78
16030 - Counter Attendant	9.78
16040 - Dry Cleaner	11.30
16070 - Finisher Flatwork Machine	9.78
16090 - Presser Hand	9.78
16110 - Presser Machine Drycleaning	9.78
16130 - Prosser Machine Shirts	9.78
16160 - Presser Machine Wearing Apparel Laundry	9.78
16190 - Sawing Machine Operator	11.94
16220 - Tailor	12.44
16250 - Washer Machine	10.24
19000 - Machine Tool Operation And Repair Occupations	
19010 - Machine-Tool Operator (Tool Room)	16.40
19040 - Tool And Die Maker	20.61
·	
•	13.96
	21.78
21040 - Material Expeditor	21.78
	11.37
	9.66
21080 - Production Line Worker (Food Processing)	13.96
21110 - Shipping Packer	14.47
21130 - Shipping/Receiving Clark	14.47
21140 - Store Worker I	14.40
21150 - Block Clock	20.34
21000 - Materials Handling And Packing Occupations  21020 - Forklift Operator  21030 - Material Coordinator  21040 - Material Expeditor  21050 - Material Handling Laborer  21071 - Order Filler  21080 - Production Line Worker (Pood Processing)  21110 - Shipping Packer  21130 - Shipping/Receiving Clark  21140 - Store Worker I	13.96 21.78 21.78 11.37 9.66 13.96 14.47 14.47

전에 가게 많은 항상 없는 이 전에서 가게 있는데 항상의 항상의 전에 대한 전에 있는데 하는데 되었다.	to the same of the
21210 - Tools And Parts Attendant	13.96
21410 - Warehouse Specialist	13.96
23000 - Mechanics And Maintenance And Repair Occupations	
23010 - Aerospace Structural Welder	20.69
23019 - Aircraft Logs and Records Technician	16.09
23021 - Aircraft Mechanic I	19.70
23022 - Aircraft Mechanic II	20.69
23023 - Aircraft Mechanic III	21.74
23040 - Aircraft Mechanic Helper	13.70
23050 - Aircraft Painter	18.50
23060 - Aircraft Servicer	16.09
23070 - Aircraft Survival Flight Equipment Technician	18.50
23080 - Aircraft Worker	17.38
23091 - Aircrew Life Support Equipment (ALSE) Mechanic	17.38
I	
23092 - Aircrew Life Support Equipment (ALSE) Mechanic	19.70
II	
23110 - Appliance Mechanic	16.40
23120 - Bicycle Repairer	13.17
23125 - Cable Splicer	19.59
23130 - Carpenter Maintenance	15.10
23140 - Carpet Layer	15.33
23160 - Electrician Maintenance	18.05
23181 - Electronics Technician Maintenance I	15.33
23182 - Electronics Technician Maintenance II	16.40
23183 - Electronics Technician Maintenance III	10.31
23260 - Fabric Worker	14.27
23290 - Fire Alarm System Mechanic	15.43
23310 - Fire Extinguisher Repairer	13.17
23311 - Fuel Distribution System Hechanic	17.46
23312 - Fuel Distribution System Operator	13.17
23370 - General Maintenance Worker	11.96
23380 - Ground Support Equipment Mechanic	19.70
23361 - Ground Support Equipment Servicer	16.09
23382 - Ground Support Equipment Worker	17.38
23391 - Gunamith I	13.17
23392 - Gunamith II	15.00
2339J - Gunamith III	17.46
23410 - Heating Ventilation And Air-Conditioning	17.16
Hechanic	

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16.12

25010 - Boiler Tender	
25010 - Boller Tender	
25040 - Sewage Plant Operator	
25070 - Stationary Engineer 17.46	
25190 - Ventilation Equipment Tender 12.06	
25210 - Water Treatment Plant Operator 19.63	
27000 - Protective Service Occupations	
27004 - Alarm Monitor	
27007 - Baggage Inspector 9.40	
27008 - Corrections Officer 12.05	
27010 - Court Security Officer 12.05	
27030 - Detection Dog Handler 10.90	
27040 - Detention Officer 12.05	
27070 - Firefighter 12.05	
27101 - Guard I 9.40	
27102 - Guard II 10.90	
27131 - Police Officer I	
27132 - Police Officer II	
28000 - Recreation Occupations	
28041 - Carnival Equipment Operator 12.79	
28042 - Carnival Equipment Repairer 13.97	
28043 - Carnival Worker 9.45	
28210 - Gate Attendant/Gate Tender 13.18	
28310 - Lifeguard 11.01	
28350 - Park Attendant (Aide) 14.74	
28510 - Recreation Aide/Health Facility Attendant 11.84	
28515 - Recreation Specialist 18.26	
28630 - Sports Official 11.74	
28690 - Swimming Pool Operator 17.71	
29000 - Stevedoring/Longshoremen Occupational Services	
29010 - Blocker And Bracer 21.47	
29020 - Hatch Tendor 21.47	
29030 - Line Handler	
29041 - Stevedore I 19.98	
29012 - Stevudoro II 22.96	
10000 - Technical Occupations	
30010 - Air Traffic Control Specialist Center (NFO) (see 2) 38.78	
30011 - Air Traffic Control Specialist Station (NFO) (see 2) 26.74	
30012 - Air Traffic Control Specialist Terminal (NFO) (see 2) 29.45	
30021 - Archeological Technician 1	
30022 - Archeological Technician II	

24.21 23.18 23.08 25.57 28.24 17.49 19.56
23.18 23.08 25.57 28.24 17.49 19.56 20.77
23.08 25.57 28.24 17.49 19.56 20.77
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25.57
31.09

30621 - Weather Observer Senior (see	2) 23.08
31000 - Transportation/Mobile Equipment Operation Occupations	
31010 - Airplane Pilot	29.82
31020 - Bus Aide	8.15
31030 - Bus Driver	9.69
31043 - Driver Courier	9.69
31260 - Parking and Lot Attendant	9.55
31290 - Shuttle Bus Driver	10.59
31310 - Taxi Driver	9.43
31361 - Truckdriver Light	10.59
31362 - Truckdriver Medium	11.61
31363 - Truckdriver Heavy	13.92
31364 - Truckdriver Tractor-Trailer	13.92
99000 - Miscellaneous Occupations	
99020 - Cabin Safety Specialist	14.54
99030 - Cashier	9.33
99050 - Desk Clerk	9.70
99095 - Embalmer	24.65
99130 - Flight Follower	24.65
99251 - Laboratory Animal Caretaker I	22.25
99252 - Laboratory Animal Caretaker II	24.31
99260 - Marketing Analyst	21.54
99310 - Mortician	24.65
99410 - Pest Controller	14.61
99510 - Photofinishing Worker	12.95
99710 - Recycling Laborer	14.32
99711 - Recycling Specialist	21.66
99730 - Refuse Collector	13.63
99810 - Sales Clerk	9.66
99820 - School Crossing Guard	16.44
99830 - Survey Party Chief	22.02
99831 - Burveying Aide	12.52
99832 - Surveying Technician	16.27
99840 - Vending Machine Attendant	22.25
99841 - Vending Machine Repairer	28.30
99842 - Vending Machine Repairer Helper	22.25

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.

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.

Hinimum employer contributions costing an average of \$4.54 per hour computed on the pasts of all hours worked up to 40 hours per weak by service employees employed on the contract.

IEALTH & WELFARE EO 13706: Minimum employer contributions costing an average of \$4. 12 per hour computed on the basis of all hours worked up to 40 hours per week by service employees employed on the covered contracts. \*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; and 4 weeks after 3 years. Length of service includes the whole span of continuous service with the present contractor or successor wherever employed and with the predecessor contractors in the performance of similar work at the same Federal facility. (Reg. 29 CFR 4.173)

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

THE OCCUPATIONS WHICH HAVE NUMBERED FOOTNOTES IN PARENTHESES RECEIVE THE FOLLOWING:

1) COMPUTER EMPLOYEES: Under the SCA at section 8(b) this wage determination does not apply to any employee who individually qualifies as a bona fide executive administrative or professional employee as defined in 29 C.F.R. Part 541. Decause most Computer System Analysts and Computer Programmers who are compensated at a rate not loss than \$27.63 (or on a selary or fee basis at a rate not loss than \$455 per week) an hour would likely qualify as exempt computer professionals (29 C.F.R. 541. 400) wage rates may not be listed on this wage determination for all occupations within those job families. In addition because this wage determination may not list a wage rate for some or all occupations within those job families if the survey

data indicates that the prevailing wage rate for the occupation equals or exceeds \$27.63 per hour conformances may be necessary for certain nonexempt employees. For example if an individual employee is nonexempt but nevertheless performs duties within the scope of one of the Computer Systems Analyst or Computer Programmer occupations for which this wage determination does not specify an SCA wage rate then the wage rate for that employee must be conformed in accordance with the conformance procedures described in the conformance note included on this wage determination.

Additionally because job titles vary widely and change quickly in the computer industry job titles are not determinative of the application of the computer professional exemption. Therefore the exemption applies only to computer employees who satisfy the compensation requirements and whose primary duty 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).
- 2) AIR TRAFFIC CONTROLLERS AND MEATHER OBSERVERS NIGHT PAY & SUNDAY PAY: If you work at night as part of a regular tour of duty you will narn a night differential and receive an additional 10% of basic pay for any hours worked between 6pm and 6nm. If you are a full time employed (40 hours a week) and Sunday is part of your requirely 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 payetime 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 axide 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. Those 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 umployees are required to wear uniforms in the performance of this contract feither 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) lated September 2015 unless otherwise indicated.

\* REQUEST FOR AUTHORIZATION OF ADDITIONAL CLASSIFICATION AND WAGE RATE SLANDARD OF 1444 (SY-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 proparing 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 properts 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 rationals 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) (111)).

Information required by the Regulations must be submitted on ST-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))."