Service Contract Labor Standards Exemption Documentation

Conditions exist to procure services exceeding $2,500, that are exempt from the Service Contract Labor Standards and compliance with a Wage Determination is not required. ***Note: Convenience checks are not authorized.***

Conditions. The exemption for the services applies if ***all*** the following conditions are met:

- ☐ The services are offered and sold regularly to non-Governmental customers and are provided by the contractor to the general public in substantial quantities in the course of normal business operations.
- ☐ The 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.
- ☐ Each service employee who will perform the services will spend only a small portion of their 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) on this transaction.
- ☐ The contractor will use the same compensation (wage and fringe benefits) plan for all service employees performing work under this contract/order as the contractor uses for these employees and equivalent employees servicing commercial customers.

Consistent with FAR 22.1003-4(d)(2), the Buyer affirms the Contractor was selected based on other factors in addition to price (i.e., service availability, past performance, etc.) or sole source:

Print Name Signature Date

By signing below, the Contractor certifies that exemption conditions above will be met:
(*Return one (1) copy to the Buyer once signed)**:**

Print Name Signature Date

Title