

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES
			1	1
2. AMENDMENT/MODIFICATION NO.:	3. EFFECTIVE DATE	4. REQUISITION/PURCHASE REQ. NO.	PROJECT NO. (If applicable)	
0005	16 JUN 03	W81W3G-3122-9461		
6. ISSUED BY USAED-Baltimore District Contracting Division P.O. Box 1715 Baltimore, MD 21203-1715	CODE CW31	ADMINISTERED BY: USAED – Baltimore District Contracting Division, Contracts Br 10 S. Howard Street, Room 7000 Baltimore, MD 21201	CODE	E1P0100
8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State and ZIP Code)			(x)	9A. AMENDMENT OF SOLICITATION NO.
			X	DACW31-03-B-0012
				9B. DATED (SEE ITEM 11) 20 MAY 03
				10A. MODIFICATION OF CONTRACT/ ORDER NO.
				10B. DATED (SEE ITEM 13)
CODE	FACILITY CODE			

11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS

The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ___ is extended ___ X ___ is not extended.

Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:
(a) By completing Items 8 and 15, and returning ___1___ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.

A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER No. ITEM 10A
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR43.103(b)
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:
D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ___ is not, ___ is required to sign this document and return ___ copies to the issuing office.

14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)

CUMBERLAND FLOOD MITIGATION PROJECT, C & O CANAL REWATERING PROJECT UNIT 1, CUMBERLAND, MD

Solicitation, Section 00800
Information Text – “Wage Determination”

Delete Wage Determination MD020031 in its entirety and replace with the attached Wage Determination MD030031 dated 13 June 2003.

Attachment: Wage Determination MD030031 dated 13 June 2003

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect

15A. NAME AND TITLE OF SIGNER (Type or print)		16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)	
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA	16C. DATE SIGNED
BY _____ (signature of person authorized to sign)		BY _____ (Signature of Contracting Officer)	

**WAGE DETERMINATION DECISION
of the SECRETARY OF LABOR**

The following wage determination will be used to conform with the requirements of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) of the Contract Clauses*:

Decision No. MD030031 dated 13 June 2003

*WAGE DETERMINATIONS: The provisions of the Davis-Bacon Act also apply to employees who work at off-site facilities such as batch plants, rock quarries, sand pits, and the like, which are set up exclusively to furnish material to the on-site construction project and are reasonably near the construction site. Accordingly, contractors are required to maintain complete records on such employees. However, operations of a “commercial supplies” or “material-man” established in proximity to but not on the actual site of work prior to the opening of bids are not covered by the Act even if dedicated exclusively to the Federal project for a time. (29 CFR 5.2(1))

General Decision Number MD030031

General Decision Number MD030031
 Superseded General Decision No. MD020031
 State: Maryland
 Construction Type: HEAVY and SEWER AND WATER LINE
 County(ies): ALLEGANY

HEAVY CONSTRUCTION PROJECTS (Including Sewer and Water Lines)

Modification Number Publication Date
 0 06/13/2003

COUNTY(ies): ALLEGANY
 ELEC0307A 06/03/2002

	Rates	Fringes
ELECTRICIANS	22.80	9.00+4.50%

 ENGI0037S 05/01/2003

	Rates	Fringes
POWER EQUIPMENT OPERATORS:		
Cranes	21.72	8.55+a
Backhoes, Bulldozers and Loaders	20.57	8.55+a

HAZARDOUS MATERIAL PROJECTS RECEIVE A 10% PREMIUM ON THE GROUP 1 RATE
 a. PAID HOLIDAYS: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans' Day,
 Thanksgiving Day and Christmas Day.

 LABO0616E 05/01/2002

	Rates	Fringes
LABORERS:		
Flagmen	15.23	6.68
Unskilled Laborers, Carpenter Tenders	15.56	6.68
Concrete Laborers, Power Tool Operators, Rodman/Chainman, Pipe Layers	15.78	6.68

 PLAS0296C 05/01/2002

	Rates	Fringes
CEMENT MASONS	21.47	5.05

 PLUM0489A 05/01/2002

	Rates	Fringes
PLUMBERS AND STEAMFITTERS	21.27	8.14

 SUMD2037A 09/24/1996

	Rates	Fringes
POWER EQUIPMENT OPERATORS:		
Excavators	16.10	5.67

 TEAM0453B 05/01/1999

	Rates	Fringes
TRUCK DRIVERS:		
GROUP 1	15.04	7.18
GROUP 2	15.26	7.18
GROUP 3	15.55	7.18
GROUP 4	15.82	7.18

GROUP 5	16.15	7.18
GROUP 6	16.51	7.18
GROUP 7	16.68	7.18

TRUCK DRIVERS CLASSIFICATIONS

GROUP 1: Dumpmen and flagmen.

GROUP 2: Pick-up trucks, dump trucks under 5 yard capacity, straight trucks.

GROUP 3: Yardmen (unloaders), checkers (material), receivers, panel trucks, straight trucks with multiple axle, dumpsters under 5 yard capacity, transit mix, dump trucks from 5 to 9 yard capacity, flatbody material trucks (straight jobs), greasers, tiremen, rubber-tired (towing or pushing flatbody vehicles), form trucks, dispatcher.

GROUP 4: Dump trucks (10 to 15 yard capacity).

GROUP 5: Dump trucks over 15 yard capacity, bottom and end dump euclids, all other euclid type trucks, turnarockers, ross carriers, athey wagons, A frames, mechanics, utility drivers, semi-trailers or tractor trailers, low boy trucks, asphalt distributor trucks, agitator mixer, dumpcreters or batch trucks, specialized earth moving equipment, off-highway tandem bank-dump, twin engine equipment and double hitched equipment (where not self-loaded).

GROUP 6: All equipment listed in Group 5 over 49 to 59 ton capacity.

GROUP 7: All equipment listed in group 5 over 59 ton capacity.

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.
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Unlisted classifications needed for work not included within the scope of the classifications listed may be added after award only as provided in the labor standards contract clauses (29 CFR 5.5(a)(1)(ii)).

In the listing above, the "SU" designation means that rates listed under that identifier do not reflect collectively bargained wage and fringe benefit rates. Other designations indicate unions whose rates have been determined to be prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests for summaries of surveys, should be with the Wage and Hour Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U. S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U. S. Department of Labor
200 Constitution Avenue, N. W.
Washington, D. C. 20210

4.) All decisions by the Administrative Review Board are final.

END OF GENERAL DECISION