

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, AND 30				1. REQUISITION NUMBER W81W3G-4146-8502		PAGE 1 OF 18	
2. CONTRACT NO. W912DR-04-P-0407		3. AWARD/EFFECTIVE DATE 08-Jul-2004		4. ORDER NUMBER		5. SOLICITATION NUMBER W912DR-04-T-0082	
7. FOR SOLICITATION INFORMATION CALL:		a. NAME WILLIAM EPPS		b. TELEPHONE NUMBER (No Collect Calls) 410-962-5610		6. SOLICITATION ISSUE DATE 27-May-2004	
9. ISSUED BY USAED - BALTIMORE 10 SOUTH HOWARD STREET BALTIMORE MD 21201		CODE W912DR		10. THIS ACQUISITION IS <input type="checkbox"/> UNRESTRICTED <input checked="" type="checkbox"/> SET ASIDE: 100 % FOR <input checked="" type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> HUBZONE SMALL BUSINESS <input type="checkbox"/> 8(A) NAICS: 561730 SIZE STANDARD: 6.0m		11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE 13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700) 13b. RATING 14. METHOD OF SOLICITATION <input checked="" type="checkbox"/> RFQ <input type="checkbox"/> IFB <input type="checkbox"/> RFP	
15. DELIVER TO USACE-BALTIMORE SEE SCHEDULE FOR SUPPLIES, SERVICES, AND SHIPPING ADDRESS BALTIMORE MD 21201-2530		CODE 00000000		16. ADMINISTERED BY SEE ITEM 9			
17a. CONTRACTOR/ OFFEROR MCDONNELL LANDSCAPE INC TIMOTHY F. MCDONNELL 20315 GEORGIA AVENUE PO BOX 400 BROOKEVILLE MD 20833-0400		CODE 3FV52 FACILITY CODE 3FV52		18a. PAYMENT WILL BE MADE BY USACE FINANCE CENTER ATTN: DISBURSING 5722 INTEGRITY DRIVE MILLINGTON TN 38054-5005			
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER		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
	SEE SCHEDULE						
25. ACCOUNTING AND APPROPRIATION DATA See Schedule					26. TOTAL AWARD AMOUNT (For Govt. Use Only) \$80,200.00		
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1. 52.212-4. FAR 52.212-3. 52.212-5 ARE ATTACHED.				ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED			
<input checked="" type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED.				ADDENDA <input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED			
28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN <u>0</u> 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 HEREIN.				29. AWARD OF CONTRACT: REFERENCE W912DR-04-T-0082 <input checked="" type="checkbox"/> OFFER DATED <u>21-Jun-2004</u> . YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS: SEE SCHEDULE			
30a. SIGNATURE OF OFFEROR/CONTRACTOR			31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)			31c. DATE SIGNED	
						08-Jul-2004	
30b. NAME AND TITLE OF SIGNER (TYPE OR PRINT)		30c. DATE SIGNED		31b. NAME OF CONTRACTING OFFICER (TYPE OR PRINT) KENNETH MITCHELL, MAJ / Added by SUMI TEL: 410-962-5617 EMAIL:			

**SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS
(CONTINUED)**

19. ITEM NO.	20. SCHEDULE OF SUPPLIES/ SERVICES	21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT
<p>SEE SCHEDULE</p>					

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
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32e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE	32f. TELEPHONE NUMBER OF AUTHORIZED GOVERNMENT REPRESENTATIVE
	32g. E-MAIL OF AUTHORIZED GOVERNMENT REPRESENTATIVE

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

Section SF 1449 - CONTINUATION SHEET

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0001		1	Lump Sum	\$80,200.00	\$80,200.00

BASE YEAR LANDSCAPE SERVICES
FFP

The Landscape Contractor will provide for the Supply, Installation, Watering, and Maintenance per the revised plan C001 to be issued as an amendment to subject solicitation. It defines the scope of the Basic Contract as the planting of 22 trees at \$80,200.00. The scope for Option 1 is defined as the planting of the remaining 74 trees at \$173,000.00 shown to the west. It is our intent to execute Option 1 as soon as MDE issues the permit.

LOCATION: CONGRESSIONAL CAMPUS, FT. MEADE MARYLAND

POC (REQUESTOR) PATRICIA KIESWETTER (410) 962-4370

POC (VENDOR) TIMOTHY F. MCDONNELL (301) 924-2600/mcdlandinc@aol.com

POC (CONTRACTING OFFICE) WILLIAM (TONY) EPPS (410) 962-5610/EMAIL: TONY.EPPS@USACE.ARMY.MIL

Note: Copies of the Solicitation can be download from the EBS Web Site (<https://ebs.nab.usace.army.mil>) Please contact Ms. Paul Schultz for any problem with the Web Site at (410) 962-4000. No Phone or Fax requests for a copy of solicitation will be accepted. All questions shall be submitted via email to my attention (Tony Epps). Bids can be submitted via email to my attention, faxed (410) 962-0933 or mailed to U.S. Army Corps of Engineers, Contracting Division, 10 South Howard Street, Baltimore, MD 21201-2530. See Numbered note 22 except change forty-five (45) days to fifteen (15) days.

PURCHASE REQUEST NUMBER: W81W3G-4146-8502

NET AMT \$80,200.00

ACRN AA Funded Amount \$80,200.00

FOB: Destination

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0002		1	Lump Sum		
OPTION	OPTION YEAR 1 LANDSCAPE SERVICES FFP THE LANDSCAPE CONTRACTOR WILL PROVIDE FOR THE SUPPLY, INSTALLATION, WATERING, AND MAINTENANCE OF APPROXIMATELY 96 EVERGREEN AND DECIDUOUS TREES PER THE ATTACHED STATEMENT OF WORK. LOCATION: CONGRESSIONAL CAMPUS, FT. MEADE MARYLAND POC (REQUESTOR) PATRICIA KIESWETTER (410) 962-4370 POC (VENDOR) POC (CONTRACTING OFFICE) WILLIAM (TONY) EPPS (410) 962- 5610/EMAIL: TONY.EPPS@USACE.ARMY.MIL PURCHASE REQUEST NUMBER: W81W3G-4146-8502				
				NET AMT	\$0.00
				Funded Amount	\$0.00
	FOB: Destination				

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0003		1	Lump Sum		
OPTION	OPTION YEAR 2 LANDSCAPE SERVICES FFP THE LANDSCAPE CONTRACTOR WILL PROVIDE FOR THE SUPPLY, INSTALLATION, WATERING, AND MAINTENANCE OF APPROXIMATELY 96 EVERGREEN AND DECIDUOUS TREES PER THE ATTACHED STATEMENT OF WORK. LOCATION: CONGRESSIONAL CAMPUS, FT. MEADE MARYLAND POC (REQUESTOR) PATRICIA KIESWETTER (410) 962-4370 POC (VENDOR) POC (CONTRACTING OFFICE) WILLIAM (TONY) EPPS (410) 962- 5610/EMAIL: TONY.EPPS@USACE.ARMY.MIL PURCHASE REQUEST NUMBER: W81W3G-4146-8502				
				NET AMT	\$0.00
				Funded Amount	\$0.00
	FOB: Destination				

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0004		1	Lump Sum		
OPTION	OPTION YEAR 3 LANDSCAPE SERVICES FFP THE LANDSCAPE CONTRACTOR WILL PROVIDE FOR THE SUPPLY, INSTALLATION, WATERING, AND MAINTENANCE OF APPROXIMATELY 96 EVERGREEN AND DECIDUOUS TREES PER THE ATTACHED STATEMENT OF WORK. LOCATION: CONGRESSIONAL CAMPUS, FT. MEADE MARYLAND POC (REQUESTOR) PATRICIA KIESWETTER (410) 962-4370 POC (VENDOR) POC (CONTRACTING OFFICE) WILLIAM (TONY) EPPS (410) 962- 5610/EMAIL: TONY.EPPS@USACE.ARMY.MIL PURCHASE REQUEST NUMBER: W81W3G-4146-8502				
				NET AMT	\$0.00
				Funded Amount	\$0.00

FOB: Destination

ITEM NO	SUPPLIES/SERVICES	QUANTITY	UNIT	UNIT PRICE	AMOUNT
0005		1	Lump Sum		
OPTION	OPTION YEAR 4 LANDSCAPE SERVICES FFP THE LANDSCAPE CONTRACTOR WILL PROVIDE FOR THE SUPPLY, INSTALLATION, WATERING, AND MAINTENANCE OF APPROXIMATELY 96 EVERGREEN AND DECIDUOUS TREES PER THE ATTACHED STATEMENT OF WORK. LOCATION: CONGRESSIONAL CAMPUS, FT. MEADE MARYLAND POC (REQUESTOR) PATRICIA KIESWETTER (410) 962-4370 POC (VENDOR) POC (CONTRACTING OFFICE) WILLIAM (TONY) EPPS (410) 962- 5610/EMAIL: TONY.EPPS@USACE.ARMY.MIL PURCHASE REQUEST NUMBER: W81W3G-4146-8502				
				NET AMT	\$0.00
				Funded Amount	\$0.00

FOB: Destination

INSPECTION AND ACCEPTANCE TERMS

Supplies/services will be inspected/accepted at:

CLIN	INSPECT AT	INSPECT BY	ACCEPT AT	ACCEPT BY
0001	N/A	N/A	N/A	Government
0002	N/A	N/A	N/A	Government
0003	N/A	N/A	N/A	Government
0004	N/A	N/A	N/A	Government
0005	N/A	N/A	N/A	Government

DELIVERY INFORMATION

CLIN	DELIVERY DATE	QUANTITY	SHIP TO ADDRESS	UIC
0001	POP 12-JUL-2004 TO 11-JUL-2005	N/A	USACE-BALTIMORE SEE SCHEDULE FOR SUPPLIES, SERVICES, AND SHIPPING ADDRESS BALTIMORE MD 21201-2530 FOB: Destination	00000000
0002	POP 12-JUL-2005 TO 11-JUL-2006	N/A	(SAME AS PREVIOUS LOCATION) FOB: Destination	00000000
0003	POP 12-JUL-2006 TO 11-JUL-2007	N/A	(SAME AS PREVIOUS LOCATION) FOB: Destination	00000000
0004	POP 12-JUL-2007 TO 11-JUL-2008	N/A	(SAME AS PREVIOUS LOCATION) FOB: Destination	00000000
0005	POP 12-JUL-2008 TO 11-JUL-2009	N/A	(SAME AS PREVIOUS LOCATION) FOB: Destination	00000000

ACCOUNTING AND APPROPRIATION DATA

AA: 96 NA 3122.0000 E1 08 2420 09990 96181 3230 L85B96
AMOUNT: \$80,200.00

CLAUSES INCORPORATED BY REFERENCE

52.203-3	Gratuities	APR 1984
52.203-6 Alt I	Restrictions On Subcontractor Sales To The Government (Jul 1995) -- Alternate I	OCT 1995
52.204-4	Printed or Copied Double-Sided on Recycled Paper	AUG 2000
52.209-6	Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment	JUL 1995
52.212-4	Contract Terms and Conditions--Commercial Items	OCT 2003
52.217-8	Option To Extend Services	NOV 1999
52.219-6	Notice Of Total Small Business Set-Aside	JUN 2003
52.219-6 Alt I	Notice of Total Small Business Set-Aside (Jun 2003) - Alternate I	OCT 1995
52.219-8	Utilization of Small Business Concerns	MAY 2004
52.219-14	Limitations On Subcontracting	DEC 1996
52.222-3	Convict Labor	JUN 2003
52.222-21	Prohibition Of Segregated Facilities	FEB 1999
52.222-26	Equal Opportunity	APR 2002
52.222-35	Equal Opportunity For Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans	DEC 2001
52.222-36	Affirmative Action For Workers With Disabilities	JUN 1998
52.222-37	Employment Reports On Special Disabled Veterans, Veterans Of The Vietnam Era, and Other Eligible Veterans	DEC 2001
52.222-41	Service Contract Act Of 1965, As Amended	MAY 1989
52.227-2	Notice And Assistance Regarding Patent And Copyright Infringement	AUG 1996
52.233-3	Protest After Award	AUG 1996
52.237-3	Continuity Of Services	JAN 1991
52.242-13	Bankruptcy	JUL 1995
52.242-15	Stop-Work Order	AUG 1989
52.243-5	Changes and Changed Conditions	APR 1984
52.246-1	Contractor Inspection Requirements	APR 1984
52.247-34	F.O.B. Destination	NOV 1991
52.253-1	Computer Generated Forms	JAN 1991
252.204-7003	Control Of Government Personnel Work Product	APR 1992
252.204-7004 Alt A	Required Central Contractor Registration Alternate A	NOV 2003
252.219-7011	Notification to Delay Performance	JUN 1998
252.225-7001	Buy American Act And Balance Of Payments Program	APR 2003
252.225-7002	Qualifying Country Sources As Subcontractors	APR 2003
252.225-7012	Preference For Certain Domestic Commodities	FEB 2003
252.225-7013	Duty-Free Entry	JAN 2004
252.232-7003	Electronic Submission of Payment Requests	JAN 2004
252.243-7001	Pricing Of Contract Modifications	DEC 1991
252.243-7002	Requests for Equitable Adjustment	MAR 1998
252.246-7000	Material Inspection And Receiving Report	MAR 2003

CLAUSES INCORPORATED BY FULL TEXT

52.212-5 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS--COMMERCIAL ITEMS (MAY 2004) (DEVIATION)

(a) Comptroller General Examination of Record. The Contractor agrees to comply with the provisions of this paragraph (a) if the contract was awarded using other than sealed bid, is in excess of the simplified acquisition threshold, 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 the 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 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.

(b) 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 paragraphs (i) through (vi) of this paragraph in a subcontract for commercial items. Unless otherwise indicated below, the extent of the flow down shall be as required by the clause--

(i) 52.219-8, Utilization of Small Business Concerns (October 2000) (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 \$500,000 (\$1,000,000 for construction of any public facility), the subcontractor must include 52.219-8 in lower tier subcontracts that offer subcontracting opportunities.

(ii) 52.222-26, Equal Opportunity (Apr 2002) (E.O. 11246).

(iii) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Dec 2001) (38 U.S.C. 4212).

(iv) 52.222-36, Affirmative Action for Workers with Disabilities (Jun 1998) (29 U.S.C. 793).

(v) 52.222-41, Service Contract Act of 1965, as Amended (May 1989), flow down required for all subcontracts subject to the Service Contract Act of 1965 (41 U.S.C. 351, et seq.).

(vi) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Apr 2003) (46 U.S.C. Appx 1241 and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

(c) While not required, the contractor May include in its subcontracts for commercial items a minimal number of additional clauses necessary to satisfy its contractual obligations.

(End of clause)

52.217-9 OPTION TO EXTEND THE TERM OF THE CONTRACT (MAR 2000)

(a) The Government may extend the term of this contract by written notice to the Contractor within Sixty (60) days; provided that the Government gives the Contractor a preliminary written notice of its intent to extend at least sixty (60) days before the contract expires. The preliminary notice does not commit the Government to an extension.

(b) If the Government exercises this option, the extended contract shall be considered to include this option clause.

(c) The total duration of this contract, including the exercise of any options under this clause, shall not exceed June 20, 2009.

(End of clause)

52.222-42 STATEMENT OF EQUIVALENT RATES FOR FEDERAL HIRES (MAY 1989)

In compliance with the Service Contract Act of 1965, as amended, and the regulations of the Secretary of Labor (29 CFR Part 4), this clause identifies the classes of service employees expected to be employed under the contract and states the wages and fringe benefits payable to each if they were employed by the contracting agency subject to the provisions of 5 U.S.C. 5341 or 5332.

THIS STATEMENT IS FOR INFORMATION ONLY: IT IS NOT A WAGE DETERMINATION

Employee Class Monetary Wage-Fringe Benefits

Gardner @ \$14.74

Laborer, Grounds Maintenance @ \$12.83

Truck Driver @ \$15.17

(End of clause)

52.223-11 OZONE-DEPLETING SUBSTANCES (MAY 2001)

(a) Definition. Ozone-depleting substance, as used in this clause, means any substance the Environmental Protection Agency designates in 40 CFR part 82 as--

(1) Class I, including, but not limited to, chlorofluorocarbons, halons, carbon tetrachloride, and methyl chloroform; or

(2) Class II, including, but not limited to, hydrochlorofluorocarbons.

(b) The Contractor shall label products which contain or are manufactured with ozone-depleting substances in the manner and to the extent required by 42 U.S.C. 7671j (b), (c), and (d) and 40 CFR Part 82, Subpart E, as follows:

“WARNING: Contains (or manufactured with, if applicable), a substance(s) which harm(s) public health and environment by destroying ozone in the upper atmosphere.”-----

The Contractor shall insert the name of the substance(s).

(End of clause4)

52.232-19 AVAILABILITY OF FUNDS FOR THE NEXT FISCAL YEAR (APR 1984)

Funds are not presently available for performance under this contract beyond June 20, 2005. The Government's obligation for performance of this contract beyond that date is contingent upon the availability of appropriated funds from which payment for contract purposes can be made. No legal liability on the part of the Government for any payment may arise for performance under this contract beyond June 20, 2005, until funds are made available to the Contracting Officer for performance and until the Contractor receives notice of availability, to be confirmed in writing by the Contracting Officer.

(End of clause)

52.252-2 CLAUSES INCORPORATED BY REFERENCE (FEB 1998)

This contract incorporates one or more clauses by reference, with the same force and effect as if they were given in full text. Upon request, the Contracting Officer will make their full text available. Also, the full text of a clause may be accessed electronically at this/these address(es):

HTTP://FARSITE.HILL.AF.MIL.

(End of clause)

252.212-7001 CONTRACT TERMS AND CONDITIONS REQUIRED TO IMPLEMENT STATUTES OR EXECUTIVE ORDERS APPLICABLE TO DEFENSE ACQUISITIONS OF COMMERCIAL ITEMS (JAN 2004) (DEVIATION)

(a) In addition to the clauses listed in paragraph (b) of the Contract Terms and Conditions Required to Implement Statutes or Executive Orders--Commercial Items clause of this contract(FAR 52.212-5 (APR 2004) (DEVIATION), the Contractor shall include the terms of the following clause, if applicable, in subcontracts for commercial items or commercial components, awarded at any tier under this contract:

252.225-7014	Preference for Domestic Specialty Metals, Alternate I (APR 2003) (10 U.S.C. 2533a).
252.247-7023	Transportation of Supplies by Sea (MAY 2002) (10 U.S.C. 2631)
252.247-7024	Notification of Transportation of Supplies by Sea (MAR 2000) (10 U.S.C. 2631)

(End of clause)

WAGE RATES

WAGE DETERMINATION DECISION
OF THE SECRETARY OF LABOR

The following wage determination will be used to conform with the requirements of the Service Contract Act of 1965 (29 CFR 4) of the General Provisions:

Decision No. 94-2247 (Rev. 24) dated 21 April 2004

State(s): Maryland

Areas: Maryland COUNTIES OF Anne Arundel, Baltimore,
Carroll, Harford, Howard, Baltimore City

WAGE DETERMINATION NO: 94-2247 REV (24) AREA: MD,BALTIMORE

WAGE DETERMINATION NO: 94-2247 REV (24) AREA: MD,BALTIMORE

REGISTER OF WAGE DETERMINATIONS UNDER | U.S. DEPARTMENT OF LABOR
FOR OFFICIAL USE ONLY BY FEDERAL AGENCIES PARTICIPATING IN MOU WITH DOL
| WASHINGTON D.C. 20210

William W.Gross | Division of | Wage Determination No.: 1994-2247
Director | Wage Determinations | Revision No.: 24
| | Date Of Last Revision: 04/21/2004

State: Maryland
Area: Maryland Counties of Anne Arundel, Baltimore, Baltimore City, Carroll,
Harford, Howard

Fringe Benefits Required Follow the Occupational Listing

OCCUPATION CODE - TITLE	MINIMUM WAGE RATE
01000 - Administrative Support and Clerical Occupations	
01011 - Accounting Clerk I	11.73
01012 - Accounting Clerk II	12.75
01013 - Accounting Clerk III	14.49
01014 - Accounting Clerk IV	16.50
01030 - Court Reporter	16.50
01050 - Dispatcher, Motor Vehicle	16.50
01060 - Document Preparation Clerk	12.24
01070 - Messenger (Courier)	9.80
01090 - Duplicating Machine Operator	12.24
01110 - Film/Tape Librarian	12.86
01115 - General Clerk I	9.99
01116 - General Clerk II	12.21
01117 - General Clerk III	14.07
01118 - General Clerk IV	15.52
01120 - Housing Referral Assistant	18.41
01131 - Key Entry Operator I	11.73
01132 - Key Entry Operator II	12.75
01191 - Order Clerk I	13.92
01192 - Order Clerk II	15.95
01261 - Personnel Assistant (Employment) I	13.16
01262 - Personnel Assistant (Employment) II	14.75
01263 - Personnel Assistant (Employment) III	17.05
01264 - Personnel Assistant (Employment) IV	18.97
01270 - Production Control Clerk	17.82
01290 - Rental Clerk	14.49
01300 - Scheduler, Maintenance	15.26
01311 - Secretary I	15.26
01312 - Secretary II	16.56
01313 - Secretary III	18.41
01314 - Secretary IV	20.52
01315 - Secretary V	23.22
01320 - Service Order Dispatcher	14.76
01341 - Stenographer I	14.69
01342 - Stenographer II	16.46
01400 - Supply Technician	20.52
01420 - Survey Worker (Interviewer)	14.94
01460 - Switchboard Operator-Receptionist	10.65
01510 - Test Examiner	16.43
01520 - Test Proctor	16.43
01531 - Travel Clerk I	9.86

01532 - Travel Clerk II	10.75
01533 - Travel Clerk III	11.73
01611 - Word Processor I	12.75
01612 - Word Processor II	14.49
01613 - Word Processor III	16.50
03000 - Automatic Data Processing Occupations	
03010 - Computer Data Librarian	14.08
03041 - Computer Operator I	14.49
03042 - Computer Operator II	16.50
03043 - Computer Operator III	18.73
03044 - Computer Operator IV	20.52
03045 - Computer Operator V	23.22
03071 - Computer Programmer I (1)	18.15
03072 - Computer Programmer II (1)	23.33
03073 - Computer Programmer III (1)	27.62
03074 - Computer Programmer IV (1)	27.62
03101 - Computer Systems Analyst I (1)	27.62
03102 - Computer Systems Analyst II (1)	27.62
03103 - Computer Systems Analyst III (1)	27.62
03160 - Peripheral Equipment Operator	14.49
05000 - Automotive Service Occupations	
05005 - Automotive Body Repairer, Fiberglass	18.28
05010 - Automotive Glass Installer	15.81
05040 - Automotive Worker	15.81
05070 - Electrician, Automotive	17.00
05100 - Mobile Equipment Servicer	14.61
05130 - Motor Equipment Metal Mechanic	17.00
05160 - Motor Equipment Metal Worker	15.81
05190 - Motor Vehicle Mechanic	17.00
05220 - Motor Vehicle Mechanic Helper	14.01
05250 - Motor Vehicle Upholstery Worker	15.81
05280 - Motor Vehicle Wrecker	15.81
05310 - Painter, Automotive	16.35
05340 - Radiator Repair Specialist	15.81
05370 - Tire Repairer	13.77
05400 - Transmission Repair Specialist	17.00
07000 - Food Preparation and Service Occupations	
(not set) - Food Service Worker	9.16
07010 - Baker	11.44
07041 - Cook I	10.92
07042 - Cook II	11.85
07070 - Dishwasher	9.70
07130 - Meat Cutter	14.05
07250 - Waiter/Waitress	8.09
09000 - Furniture Maintenance and Repair Occupations	
09010 - Electrostatic Spray Painter	15.95
09040 - Furniture Handler	13.31
09070 - Furniture Refinisher	15.95
09100 - Furniture Refinisher Helper	13.66
09110 - Furniture Repairer, Minor	14.81
09130 - Upholsterer	15.95
11030 - General Services and Support Occupations	
11030 - Cleaner, Vehicles	9.35
11060 - Elevator Operator	9.23
11090 - Gardener	11.82
11121 - House Keeping Aid I	9.64
11122 - House Keeping Aid II	10.14
11150 - Janitor	9.22
11210 - Laborer, Grounds Maintenance	10.65
11240 - Maid or Houseman	9.64
11270 - Pest Controller	12.02
11300 - Refuse Collector	10.14
11330 - Tractor Operator	11.59
11360 - Window Cleaner	9.80
12000 - Health Occupations	
12020 - Dental Assistant	14.07

12040 - Emergency Medical Technician (EMT)/Paramedic/Ambulance Driver	14.14
12071 - Licensed Practical Nurse I	16.10
12072 - Licensed Practical Nurse II	18.15
12073 - Licensed Practical Nurse III	19.92
12100 - Medical Assistant	12.11
12130 - Medical Laboratory Technician	15.28
12160 - Medical Record Clerk	12.76
12190 - Medical Record Technician	15.20
12221 - Nursing Assistant I	9.30
12222 - Nursing Assistant II	10.45
12223 - Nursing Assistant III	11.23
12224 - Nursing Assistant IV	12.61
12250 - Pharmacy Technician	12.45
12280 - Phlebotomist	12.61
12311 - Registered Nurse I	24.92
12312 - Registered Nurse II	28.66
12313 - Registered Nurse II, Specialist	28.66
12314 - Registered Nurse III	32.86
12315 - Registered Nurse III, Anesthetist	32.86
12316 - Registered Nurse IV	37.79
13000 - Information and Arts Occupations	
13002 - Audiovisual Librarian	21.30
13011 - Exhibits Specialist I	17.60
13012 - Exhibits Specialist II	23.33
13013 - Exhibits Specialist III	25.14
13041 - Illustrator I	17.60
13042 - Illustrator II	23.33
13043 - Illustrator III	25.14
13047 - Librarian	23.59
13050 - Library Technician	15.47
13071 - Photographer I	14.17
13072 - Photographer II	17.18
13073 - Photographer III	21.29
13074 - Photographer IV	22.85
13075 - Photographer V	27.63
15000 - Laundry, Dry Cleaning, Pressing and Related Occupations	
15010 - Assembler	7.40
15030 - Counter Attendant	7.40
15040 - Dry Cleaner	9.84
15070 - Finisher, Flatwork, Machine	7.40
15090 - Presser, Hand	7.40
15100 - Presser, Machine, Drycleaning	7.40
15130 - Presser, Machine, Shirts	7.40
15160 - Presser, Machine, Wearing Apparel, Laundry	7.40
15190 - Sewing Machine Operator	10.67
15220 - Tailor	11.47
15250 - Washer, Machine	8.23
19000 - Machine Tool Operation and Repair Occupations	
19010 - Machine-Tool Operator (Toolroom)	18.63
19040 - Tool and Die Maker	22.83
21000 - Material Handling and Packing Occupations	
21010 - Fuel Distribution System Operator	16.99
21020 - Material Coordinator	17.56
21030 - Material Expediter	17.56
21040 - Material Handling Laborer	12.72
21050 - Order Filler	11.90
21071 - Forklift Operator	14.73
21080 - Production Line Worker (Food Processing)	14.73
21100 - Shipping/Receiving Clerk	12.80
21130 - Shipping Packer	13.57
21140 - Store Worker I	12.38
21150 - Stock Clerk (Shelf Stocker; Store Worker II)	14.77
21210 - Tools and Parts Attendant	16.51
21400 - Warehouse Specialist	15.11
23000 - Mechanics and Maintenance and Repair Occupations	
23010 - Aircraft Mechanic	21.99

23040 - Aircraft Mechanic Helper	18.03
23050 - Aircraft Quality Control Inspector	22.76
23060 - Aircraft Servicer	19.68
23070 - Aircraft Worker	20.49
23100 - Appliance Mechanic	18.83
23120 - Bicycle Repairer	13.77
23125 - Cable Splicer	24.70
23130 - Carpenter, Maintenance	17.40
23140 - Carpet Layer	16.96
23160 - Electrician, Maintenance	21.27
23181 - Electronics Technician, Maintenance I	16.60
23182 - Electronics Technician, Maintenance II	20.02
23183 - Electronics Technician, Maintenance III	20.76
23260 - Fabric Worker	16.29
23290 - Fire Alarm System Mechanic	19.43
23310 - Fire Extinguisher Repairer	15.91
23340 - Fuel Distribution System Mechanic	19.54
23370 - General Maintenance Worker	15.42
23400 - Heating, Refrigeration and Air Conditioning Mechanic	16.58
23430 - Heavy Equipment Mechanic	18.38
23440 - Heavy Equipment Operator	19.29
23460 - Instrument Mechanic	18.53
23470 - Laborer	12.97
23500 - Locksmith	17.09
23530 - Machinery Maintenance Mechanic	18.46
23550 - Machinist, Maintenance	16.62
23580 - Maintenance Trades Helper	13.66
23640 - Millwright	19.64
23700 - Office Appliance Repairer	17.86
23740 - Painter, Aircraft	18.16
23760 - Painter, Maintenance	17.02
23790 - Pipefitter, Maintenance	21.25
23800 - Plumber, Maintenance	19.11
23820 - Pneudraulic Systems Mechanic	18.53
23850 - Rigger	18.49
23870 - Scale Mechanic	17.21
23890 - Sheet-Metal Worker, Maintenance	16.58
23910 - Small Engine Mechanic	15.42
23930 - Telecommunication Mechanic I	16.96
23931 - Telecommunication Mechanic II	18.83
23950 - Telephone Lineman	16.58
23960 - Welder, Combination, Maintenance	16.58
23965 - Well Driller	17.12
23970 - Woodcraft Worker	18.59
23980 - Woodworker	14.98
24000 - Personal Needs Occupations	
24570 - Child Care Attendant	9.56
24580 - Child Care Center Clerk	13.70
24600 - Chore Aid	8.73
24630 - Homemaker	12.95
25000 - Plant and System Operation Occupations	
25010 - Boiler Tender	22.04
25040 - Sewage Plant Operator	19.43
25070 - Stationary Engineer	22.04
25190 - Ventilation Equipment Tender	15.19
25210 - Water Treatment Plant Operator	19.00
27000 - Protective Service Occupations	
(not set) - Police Officer	22.74
27004 - Alarm Monitor	15.12
27006 - Corrections Officer	17.59
27010 - Court Security Officer	20.31
27040 - Detention Officer	18.29
27070 - Firefighter	20.59
27101 - Guard I	10.81
27102 - Guard II	15.15
28000 - Stevedoring/Longshoremen Occupations	

28010 - Blocker and Bracer	18.59
28020 - Hatch Tender	18.59
28030 - Line Handler	18.59
28040 - Stevedore I	17.26
28050 - Stevedore II	18.59
29000 - Technical Occupations	
21150 - Graphic Artist	22.09
29010 - Air Traffic Control Specialist, Center (2)	30.83
29011 - Air Traffic Control Specialist, Station (2)	21.26
29012 - Air Traffic Control Specialist, Terminal (2)	23.42
29023 - Archeological Technician I	15.57
29024 - Archeological Technician II	18.33
29025 - Archeological Technician III	23.33
29030 - Cartographic Technician	23.33
29035 - Computer Based Training (CBT) Specialist/ Instructor	27.80
29040 - Civil Engineering Technician	22.39
29061 - Drafter I	12.73
29062 - Drafter II	15.10
29063 - Drafter III	18.76
29064 - Drafter IV	23.33
29081 - Engineering Technician I	17.05
29082 - Engineering Technician II	18.84
29083 - Engineering Technician III	21.16
29084 - Engineering Technician IV	25.53
29085 - Engineering Technician V	29.99
29086 - Engineering Technician VI	35.59
29090 - Environmental Technician	20.52
29100 - Flight Simulator/Instructor (Pilot)	30.20
29160 - Instructor	21.50
29210 - Laboratory Technician	18.09
29240 - Mathematical Technician	22.61
29361 - Paralegal/Legal Assistant I	18.39
29362 - Paralegal/Legal Assistant II	21.41
29363 - Paralegal/Legal Assistant III	26.17
29364 - Paralegal/Legal Assistant IV	31.65
29390 - Photooptics Technician	22.61
29480 - Technical Writer	27.15
29491 - Unexploded Ordnance (UXO) Technician I	19.59
29492 - Unexploded Ordnance (UXO) Technician II	23.71
29493 - Unexploded Ordnance (UXO) Technician III	28.41
29494 - Unexploded (UXO) Safety Escort	19.59
29495 - Unexploded (UXO) Sweep Personnel	19.59
29620 - Weather Observer, Senior (3)	21.07
29621 - Weather Observer, Combined Upper Air and Surface Programs (3)	18.95
29622 - Weather Observer, Upper Air (3)	18.95
31000 - Transportation/ Mobile Equipment Operation Occupations	
31030 - Bus Driver	15.95
31260 - Parking and Lot Attendant	10.80
31290 - Shuttle Bus Driver	14.37
31300 - Taxi Driver	10.60
31361 - Truckdriver, Light Truck	14.37
31362 - Truckdriver, Medium Truck	14.98
31363 - Truckdriver, Heavy Truck	16.76
31364 - Truckdriver, Tractor-Trailer	16.76
99000 - Miscellaneous Occupations	
99020 - Animal Caretaker	9.46
99030 - Cashier	8.71
99041 - Carnival Equipment Operator	8.55
99042 - Carnival Equipment Repairer	8.89
99043 - Carnival Worker	7.48
99050 - Desk Clerk	9.16
99095 - Embalmer	21.22
99300 - Lifeguard	9.80
99310 - Mortician	20.84
99350 - Park Attendant (Aide)	12.29
99400 - Photofinishing Worker (Photo Lab Tech., Darkroom Tech)	9.80

99500 - Recreation Specialist	14.42
99510 - Recycling Worker	11.59
99610 - Sales Clerk	9.80
99620 - School Crossing Guard (Crosswalk Attendant)	10.52
99630 - Sport Official	8.51
99658 - Survey Party Chief (Chief of Party)	16.47
99659 - Surveying Technician (Instr. Person/Surveyor Asst./Instr.)	13.70
99660 - Surveying Aide	8.97
99690 - Swimming Pool Operator	11.78
99720 - Vending Machine Attendant	10.47
99730 - Vending Machine Repairer	11.78
99740 - Vending Machine Repairer Helper	10.47

ALL OCCUPATIONS LISTED ABOVE RECEIVE THE FOLLOWING BENEFITS:

HEALTH & WELFARE: \$2.59* an hour or \$103.60* a week or \$448.93* a month

VACATION: 2 weeks paid vacation after 1 year of service with a contractor or successor; 3 weeks after 8 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 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 PARENTHESES AFTER THEM RECEIVE THE FOLLOWING BENEFITS (as numbered):

1) Does not apply to employees employed in a bona fide executive, administrative, or professional capacity as defined and delineated in 29 CFR 541. (See CFR 4.156)

2) APPLICABLE TO AIR TRAFFIC CONTROLLERS ONLY - NIGHT DIFFERENTIAL: An employee is entitled to pay for all work performed between the hours of 6:00 P.M. and 6:00 A.M. at the rate of basic pay plus a night pay differential amounting to 10 percent of the rate of basic pay.

3) 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 regrading 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.

** NOTES APPLYING TO THIS WAGE DETERMINATION **

Source of Occupational Title and Descriptions:

The duties of employees under job titles listed are those described in the "Service Contract Act Directory of Occupations," Fourth Edition, January 1993, as amended by the Third Supplement, dated March 1997, unless otherwise indicated. This publication may be obtained from the Superintendent of Documents, at 202-783-3238, or by writing to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Copies of specific job descriptions may also be obtained from the appropriate contracting officer.

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. Such conformed classes of employees shall be paid the monetary wages and furnished the fringe benefits as are determined. Such conforming process shall be initiated by the contractor prior to the performance of contract work by such unlisted class(es) of employees. The conformed classification, wage rate, and/or fringe benefits shall be retroactive to the commencement date of the contract. {See Section 4.6 (C) (vi)} 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) and computes a proposed rate).
- 2) After contract award, the contractor prepares a written report listing in order proposed classification title), a Federal grade equivalency (FGE) for each proposed classification), job description), and rationale for proposed wage rate), 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 Wage and Hour Division, Employment Standards Administration, U.S. Department of Labor, for review. (See section 4.6(b)(2) of Regulations 29 CFR Part 4).
- 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 decision to the contractor.
- 6) The contractor informs the affected employees.

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" (the Directory) should be used to compare job definitions to insure

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.

*Effective June 1, 2004.