

EXEMPTION FOR APPLICATION OF SERVICE CONTRACT ACT
(ADP, SCIENTIFIC AND OFFICE/BUSINESS MACHINES)

A. The following certification shall be completed by the subcontractor:

CERTIFICATION

The subcontractor certifies _____ does not certify _____ that--

- (1). The items of equipment are commercial items which are used regularly for other than Government purposes, and are sold or traded by the subcontractor in substantial quantities to the general public in the course of normal business operations;
- (2). The subcontract services are furnished at prices which are, or are based on, established catalog or market prices for the maintenance, calibration, and/or repair of such commercial items. An "established catalog price" is a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or the subcontractor, is either published or otherwise available for inspection by customers, and states prices at which sales currently, or were last, made to a significant number of buyers constituting the general public. 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 subcontractor; and
- (3). The subcontractor utilizes the same compensation (wage and fringe benefits) plan for all service employees performing work under the subcontract/purchase order as the subcontractor uses for these employees and equivalent employees servicing the same equipment of commercial customers.

B. If a negative certification is made and a Service Contract Act wage determination is not attached to the solicitation, the Subcontractor shall notify the WSRC Purchasing Representative as soon as possible.

C. Failure to execute the certification in Paragraph A of this provision or to contact the WSRC Purchasing Representative as required in Paragraph B may render the quotation non-responsive.

Subcontractor

Name

Signature

Date