



U.S. Department of Justice

Justice Management Division


Management and Planning Staff

Washington, D.C. 20530

NOV 16 2005

MEMORANDUM FOR BUREAU PROCUREMENT CHIEFS

FROM:


H. B. Myers
Assistant Director
Procurement Policy and Review Group

SUBJECT: DOJ Procurement Guidance Document (PGD) 05-11
Davis-Bacon Act and Service Contract Act Wage Determination and Related Statutes

On August 26, 2005, the Department of Labor (DOL) published a final rule, effective September 26, 2005 amending DOL regulations to fully implement the Wage Determinations OnLine (WDOL) Program. An amendment to the Federal Acquisition Regulation (FAR) is in process and upon publication will revise the wage determination (WD) processes in the FAR to comply with the new DOL regulations. WDOL is part of the Integrated Acquisition Environment and one of the e-Government initiatives in the President's Management Agenda. The WDOL website is located at: <http://www.wdol.gov>.

The website provides a single location for federal contracting officers (COs) to use when obtaining WDs issued by DOL for service contracts subject to the Service Contract Act (SCA), and construction contracts subject to the Davis-Bacon Act (DBA) and related statutes. The website is available to the general public as well. Guidance in selecting WDs from the website is provided in the WDOL User's Guide. The WDOL Program also provides COs direct access to DOL's e98 website to submit a request for SCA WDs for use on official contract actions. In some instances, the WDOL Program will contain the appropriate SCA WD and COs will be directed to use DOL's e98 website to obtain the required SCA WD. DOL will provide the CO with a SCA WD through the e98 system. Where the CO selects a SCA or DBA WD using the WDOL Program and DOL later determines, whether before or after contract award, that the appropriate SCA or DBA WD was not incorporated in a covered contract, the CO, within 30 days of notification by DOL, shall include in the contract the applicable WD issued by DOL.

The Office of Federal Procurement Policy has advised that effectively immediately, all COs may use the website for the purpose of obtaining WDs for official contract actions and forego submitting the paper request to DOL. If you have any technical questions contact, Anne D. Hudson, Electronic Commerce Manager on 202/616-3759.

Attachment

TO: Agency Chief Acquisition Officers and Agency Senior Procurement Executives

SUBJECT: Davis-Bacon Act and Service Contract Act Wage Determination and Related Statutes

On August 26, 2005, the Department of Labor (DOL) published a final rule (effective September 26, 2005) amending regulations to fully implement the Wage Determinations OnLine (WDOL) website (

2. <http://www.wdol.gov>). The website serves as the source for federal contracting agencies to use when obtaining wage determinations issued by the DOL for service contracts subject to the Service Contract Act, and construction contracts subject to the Davis-Bacon Act and related statutes.

An amendment to the Federal Acquisition Regulation (FAR) is in process and, upon publication, will revise the wage determination processes in the FAR to comply with the new DOL regulations.

Effective immediately, all agency contracting officers may use the website for the purposes of obtaining wage determinations for official contract actions and forego submitting the paper request to DOL.

For questions concerning this matter, contact Julie Basile at jbasile@omb.eop.gov or at 202-395-4821.

Robert A. Burton
Associate Administrator
Office of Federal Procurement Policy