

3.6.2-32 SCA Minimum Wages and Fringe Benefits (Applicable to Successor Contract Pursuant to Predecessor Contractor Collective Bargaining Agreements (CBA)) (August 2002)

An SCA wage determination applicable to this work has been requested from the U.S. Department of Labor. If an SCA wage determination is not incorporated herein, the offerors shall consider the economic terms of the collective bargaining agreement (CBA) between the incumbent Contractor _____ and the _____ (union). If the economic terms of the collective bargaining agreement or the collective bargaining agreement itself is not attached to the solicitation, copies can be obtained from the Contracting Officer. Pursuant to Department of Labor Regulation, 29 CFR 4.1b and paragraph (g) of the clause "Service Contract Act of 1965, As Amended," the economic terms of that agreement will apply to the contract resulting from this RFI/RFP, notwithstanding the absence of a wage determination reflecting such terms, unless it is determined that the agreement was not the result of arm's length negotiations or that after a hearing pursuant to section 4(c) of the Act, the economic terms of the agreement are substantially at variance with the wages prevailing in the area.

(End of clause)

PRESCRIPTION

Shall be used in RFI/RFPs and contracts for services if the clause "Service Contract Act of 1965, as Amended" applies, the successor contract will be for substantially the same services in the same locality, the incumbent contractor has a collective bargaining agreement, and a wage determination has been requested, but not yet received. The Contracting Officer should insert appropriate information in the clause.