

<b>SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, &amp; 30</b>				1. REQUISITION NO. 9-024 RCA 11/19/09	PAGE 1 OF	
2. CONTRACT NO.	3. AWARD/EFFECTIVE DATE	4. ORDER NO.	5. SOLICITATION NO. <b>R9-ORB-09-5088</b>	6. SOLICITATION ISSUE DATE <b>12/12/2008</b>		
7. FOR SOLICITATION INFORMATION CALL		a. NAME <b>Sharon M. Helms, Contracting Officer Mary Smakula, Technical questions</b>		b. TELEPHONE NO. <i>(No collect calls)</i> <b>304-636-1800, Ext. 345 304-636-1800, Ext. 260</b>	8. OFFER DUE DATE/LOCAL TIME <b>4:45 PM 1/13/2009</b>	
9. ISSUED BY <b>USDA - Forest Service Monongahela National Forest 200 Sycamore Street Elkins, WV 26241</b>		CODE	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"/> SMALL DISADV. BUSINESS <input type="checkbox"/> 8(A)  SIC: SIZE STD:	11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE  <input type="checkbox"/> 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	12. DISCOUNT TERMS	
15. DELIVER TO	CODE	16. ADMINISTERED BY Same as in Block 9		CODE		
17a. CONTRACTOR/OFFEROR	CODE	FACILITY CODE	18a. PAYMENT WILL BE MADE BY			
TELEPHONE NO.			18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM			
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER						
19. ITEM NO. <b>1</b>	20. SCHEDULE OF SUPPLIES/SERVICES <b>YOKUM STREET BARRIER NET INSTALLATION Provide all materials, equipment and labor to install seven 50 foot wood utility poles and 300 feet of net at the 731 Yokum Street, Equipment Depot, Monongahela National Forest, Elkins, WV as per the attached specifications and conditions. 100% Small Business Set Aside. Contractors must be registered in Central Contractor Registration (<a href="http://www.ccr.gov">www.ccr.gov</a>) <i>(Attach Additional Sheets as Necessary)</i></b>		21. QUANTITY	22. UNIT	23. UNIT PRICE	24. AMOUNT  <b>Please see page 5 for Schedule of Items</b>
25. ACCOUNTING AND APPROPRIATION DATA FDDS36				26. TOTAL AWARD AMOUNT <i>(For Govt. Use Only)</i>		
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.						
<input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED.						
28. <input checked="" type="checkbox"/> CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN <u>  1  </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. <input type="checkbox"/> AWARD OF CONTRACT: REFERENCE _____ OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN, IS ACCEPTED AS TO ITEMS:			
30a. SIGNATURE OF OFFEROR/CONTRACTOR			31a. UNITED STATES OF AMERICA <i>(SIGNATURE OF CONTRACTING OFFICER)</i>			
30b. NAME AND TITLE OF SIGNER <i>(TYPE OR PRINT)</i>		30c. DATE SIGNED	31b. NAME OF CONTRACTING OFFICER <i>(TYPE OR PRINT)</i> <b>Sharon M. Helms</b>		31c. DATE SIGNED	
32a. QUANTITY IN COLUMN 21 HAS BEEN <input type="checkbox"/> RECEIVED <input type="checkbox"/> INSPECTED <input type="checkbox"/> ACCEPTED, AND CONFORMS TO THE CONTRACT, EXCEPT AS NOTED			33. SHIP NUMBER <input type="checkbox"/> _____ PARTIAL <input type="checkbox"/> FINAL	34. VOUCHER NUMBER	35. AMOUNT VERIFIED CORRECT FOR	
32b. SIGNATURE OF AUTHORIZED GOVT REPRESENTATIVE			32c. DATE	36. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL		
					37. CHECK NUMBER	

		38. S/R ACCOUNT NO.	39. S/R VOUCHER NO.	40. PAID BY
		42a. RECEIVED BY ( <i>Print</i> )		
41a. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT				
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	

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SEE REVERSE FOR OMB CONTROL  
NUMBER AND PAPERWORK BURDEN STATEMENT

**STANDARD FORM 1449 (10-95)**  
Prescribed by GSA - FAR (48 CFR) 53.212

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**CONTRACT ADMINISTRATION DATA**

(continuation from Standard Form 1449, block 18A.)

1. **Contract Administration:** All contract administration matters will be handled by the following individuals:

2. **CONTRACTOR NAME AND ADDRESS:**

_____	<b>TAX ID #</b> _____
_____	<b>DUNS #</b> _____
_____	<b>Phone</b> _____
_____	

3. **GOVERNMENT:**

USDA FOREST SERVICE  
ATTN: Sharon Helms  
200 Sycamore Street  
Elkins, WV 26241

4. **CONTRACTOR REMITTANCE ADDRESS:** All payments by the Government to the contractor under this contract will be made in accordance with Electronic Funds Transfer (EFT) methods referenced in this solicitation.

3. **INVOICES:** Invoice shall be submitted upon completion of the project.

4. **PAYROLL:** Please provide a copy of the payroll with invoice.

5. **GOVERNMENT INVOICE ADDRESS:** All invoices from the contractor shall be mailed to the following address:

Mary Smakula  
USDA – Forest Service  
200 Sycamore Street  
Elkins, WV 26241  
Phone: 304-636-1800, Ext. 260  
Fax: 304-637-7304

**CENTRAL CONTRACTOR REGISTRATION:** Contractors must register in the Central Contractor Registration (CCR) database ([www.ccr.gov](http://www.ccr.gov)) before a contract may be awarded.

**PROJECT LOCATION:** 731 Yokum Street, Elkins, West Virginia.

**CONTRACT TIME:** 60 calendar days from date of award

**EVALUATION FOR AWARD**

Award shall be based on response to the following criteria:

1. Experience and past performance:

References

Name of Project \_\_\_\_\_ Phone # \_\_\_\_\_

Name of Project \_\_\_\_\_ Phone # \_\_\_\_\_

Name of Project \_\_\_\_\_ Phone # \_\_\_\_\_

2. Experience of key personnel performing contract work. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Price

Experience, past performance and proposed method of work, when combined, are approximately equal when compared to price. The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government.

**SCHEDULE OF ITEMS**

Item No.	Description	Quantity	Unit	Unit Cost	Total Cost
1	Furnish all labor, equipment, and supplies to install 7 Govt. furnished, 50 ft. wood utility poles and 300 feet of Gov't furnished netting at Yokum Street Depot, Elkins, WV, as per the attached specifications and conditions.	1	Lump Sum	\$ _____	\$ _____

**TECHNICAL QUESTIONS:** Please direct any questions of a technical nature to Mary Smakula at 304-636-1800, ext. 260.

**ADMINISTRATIVE QUESTIONS:** Please direct administrative questions to Sharon Helms at 304-636-1800, ext. 345.

**DAVIS-BACON WAGE RATES APPLY TO THIS CONTRACT**

Note: Davis-Bacon Wage Rates, Decision Number: WV080002 dated 12/05/2008, will be applicable to the construction project provided under this contract and should be considered when you complete your quotation. A copy of this determination is attached at the end of this solicitation for your information.

**STATEMENT OF WORK / SPECIFICATIONS****YOKUM STREET BARRIER****General***1.01 Scope of Project*

A. The project includes furnishing all materials, supplies, equipment and labor, to install seven (7) government furnished wood utility poles and three hundred (300) feet of heavy duty poly barrier net. The net shall be installed on Forest Service property adjacent to a baseball field

*1.02 Description*

A. The barrier net shall be installed approximately one (1) foot away from the existing chain link fence, on Forest Service property. The barrier net shall be hung from vinyl coated cable with metal hog rings. The cable shall be secured to each utility pole. Turnbuckles shall be used to tighten the cable. The lower, outside ends of the cable and net shall be installed so that they may be unfastened and curtained during the winter months.

B. The Contractor is responsible for trimming any Government owned tree branches that may interfere with installation of poles and net.

C. The Contractor is responsible for taking down any Government owned chain link fence material that may interfere with installation of poles and net. The Contractor shall notify the Government of the sections of fence that interfere with installation of poles and net. The Contractor is responsible for reinstalling any Government owned chain link fence material that was taken down. It is anticipated that the chain link fence posts will not have to be removed.

D. The Contractor shall have access to ball field, the city park and the Government property.

*1.03 Location*

A. The project is located at 731 Yokum Street, Elkins, West Virginia.

*1.04 Facilities*

A. There are water, power and restroom facilities on the project site. The Contractor may use these facilities at no charge. The Contractor shall not use the Government's dumpster.

B. The Contractor may store materials and equipment on site on Government property. The COR shall approve staging and storage areas prior to use.

## Yokum Street Barrier Net

### 1.05 Clean Up

- A. The Contractor shall remove excess materials, and debris from the site on a daily basis. The Contractor shall not use the Government's dumpster on the site.
- B. The Contractor shall repair any ruts over 3 inches in depth on the Government and adjacent owner's property.

### 1.06 Government Furnished Materials

- A. Wood utility poles – Class 3, 50 foot long, CCA treated wood utility poles. 7 total.
- B. Heavy Duty Poly Barrier Net – Two (2) 150 foot long rolls of 37.5 foot wide heavy duty poly barrier net, commonly used on driving ranges.

## Technical

### 2.01 Materials

- A. Cable - Vinyl coated, 3/16" cable.
- B. Turnbuckles – 3/8" x 6" jaw-eye, hot dipped galvanized
- C. Fastening hardware - hot dipped galvanized
- D. Backfill – Backfill material shall be suitable native material or crusher run limestone. Suitable material includes native material free of rocks over 2 inches, mud, or frozen materials.

### 2.02 Execution

#### A. Tree trimming

1. Only branches that will interfere with the installation of the net shall be removed.
2. Branches shall be trimmed and removed in a manner that does not damage the existing chain link fence or other existing structures on Government or adjacent property.
3. Branches and debris shall be removed from the site on a daily basis.

#### B. Chain Link Fence Removal and Reinstallation

1. The Contractor shall submit a plan to the COR showing which sections of fence need to be removed to install the net.

2. The Contractor shall reinstall sections of the chain link fence that were removed by the Contractor.

3. The Contractor is not responsible for removing, or replacing, the signs or base boards on the chain link fence. The signs and boards are to be removed by the adjacent property owner.

4. Any chain link fence that is removed shall be handled and stored on site, in a manner that does not damage the fence. Any damage to the chain link fence, barb wire, rails, tensioning system, or posts shall be repaired by the Contractor at the Contractor's expense.

#### C. Poles

1. Poles shall be set in drilled or augured holes, not to exceed 6 inches larger in diameter than the poles. Poles shall be set plumb.

2. The backfill shall be tamped in place in layers not exceed 6 inches in depth. The top layer of backfill shall be mounded.

#### D. Net

1. Install net as recommend by the manufacturer. The net shall be attached to the cable with hog rings.

2. The cable shall be secured to each pole to prevent abrading the net.

3. The lower, outside ends of the net and cables shall be fastened to the poles in such a way that they can be unfastened and curtained to the next pole during winter months.

### **Measurement and Payment**

*3.01 Measurement and payment shall be for a lump sum item, Installation of Barrier Net and Poles.*



**DELIVERIES OR PERFORMANCE****FAR 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): [www.arnet.gov/far/](http://www.arnet.gov/far/)

**FEDERAL ACQUISITION REGULATION (48 CFR CHAPTER 1) CLAUSES**

52.242-14 Suspension of Work (APR 1984)

**FAR 52.211-10 Commencement, Prosecution, and Completion of Work (APR 1984)**

The Contractor shall be required to (a) commence work under this contract within 10 calendar days after the effective date of the notice to proceed, (b) prosecute the work diligently, and (c) complete the entire work ready for use within sixty (60) days. The time stated for completion shall include final cleanup of the premises.

**Continuation of SF1449**

Block 27: The full text of a clause or provision may be accessed electronically at [www.arnet.gov/far/](http://www.arnet.gov/far/)

**CONTRACT CLAUSES****FAR 52.214-4 Contract Terms and Conditions--Commercial Items (FEB 2007) Alternate I (FEB 2007).****FAR 52.212-5 Contract Terms And Conditions Required To Implement Statutes Or Executive Orders—Commercial Items (MAR 2007)**

(a) The Contractor shall comply with the following Federal Acquisition Regulation (FAR) clauses, which are incorporated in this contract by reference, to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

(1) 52.233-3, Protest After Award (Aug 1996) (31 U.S.C. 3553).

(2) 52.233-4, Applicable Law for Breach of Contract Claim (Oct 2004) (Pub. L. 108-77, 108-78) (b) The Contractor shall comply with the FAR clauses in this paragraph (b) that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

X (1) 52.203-6, Restrictions on Subcontractor Sales to the Government (Sept 2006), with Alternate I (Oct 1995) (41 U.S.C. 253g and 10 U.S.C. 2402).

(2) 52.219-3, Notice of Total HUBZone Set-Aside (Jan 1999) (15 U.S.C. 657a).

(3) 52.219-4, Notice of Price Evaluation Preference for HUBZone Small Business Concerns (July 2005) (if the offeror elects to waive the preference, it shall so indicate in its offer) (15 U.S.C. 657a).[

(4) Reserved]

(5)(i) 52.219-6, Notice of Total Small Business Set-Aside (June 2003) (15 U.S.C. 644).

(ii) Alternate I (Oct 1995) of 52.219-6.

(iii) Alternate II (Mar 2004) of 52.219-6.

(6)(i) 52.219-7, Notice of Partial Small Business Set-Aside (June 2003) (15 U.S.C. 644).

(ii) Alternate I (Oct 1995) of 52.219-7.

(iii) Alternate II (Mar 2004) of 52.219-7.

(7) 52.219-8, Utilization of Small Business Concerns (May 2004) (15 U.S.C. 637(d)(2) and (3)).

(8)(i) 52.219-9, Small Business Subcontracting Plan (Sept 2006) (15 U.S.C. 637(d)(4)).

(ii) Alternate I (Oct 2001) of 52.219-9.

(iii) Alternate II (Oct 2001) of 52.219-9.

(9) 52.219-14, Limitations on Subcontracting (Dec 1996) (15 U.S.C. 637(a)(14)).

(10) 52.219-16, Liquidated Damages—Subcontracting Plan (Jan 1999) (15 U.S.C. 637(d)(4)(F)(i)).

(11)(i) 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns (Sept 2005) (10 U.S.C. 2323) (if the offeror elects to waive the adjustment, it shall so indicate in its offer).

(ii) Alternate I (June 2003) of 52.219-23.

(12) 52.219-25, Small Disadvantaged Business Participation Program—Disadvantaged Status and Reporting (Oct 1999) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).

(13) 52.219-26, Small Disadvantaged Business Participation Program—Incentive Subcontracting (Oct 2000) (Pub. L. 103-355, section 7102, and 10 U.S.C. 2323).

(14) 52.219-27, Notice of Total Service-Disabled Veteran-Owned Small Business Set-Aside (May 2004).

(15) 52.222-3, Convict Labor (June 2003) (E.O. 11755).

- (16) 52.222-19, Child Labor—Cooperation with Authorities and Remedies (Jan 2006) (E.O. 13126).
- (17) 52.222-21, Prohibition of Segregated Facilities (Feb 1999).
- (18) 52.222-26, Equal Opportunity (Mar 2007) (E.O. 11246).
- (19) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Sept 2006) (38 U.S.C. 4212).
- (20) 52.222-36, Affirmative Action for Workers with Disabilities (Jun 1998) (29 U.S.C. 793).
- (21) 52.222-37, Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Sept 2006) (38 U.S.C. 4212).
- (22) 52.222-39, Notification of Employee Rights Concerning Payment of Union Dues or Fees (Dec 2004) (E.O. 13201).
- (23)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA-Designated Products (Aug 2000) (42 U.S.C. 6962(c)(3)(A)(ii)).
- (ii) Alternate I (Aug 2000) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)).
- (24) 52.225-1, Buy American Act—Supplies (June 2003) (41 U.S.C. 10a-10d).
- (25)(i) 52.225-3, Buy American Act—Free Trade Agreements—Israeli Trade Act (Nov 2006) (41 U.S.C. 10a-10d, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, Pub. L 108-77, 108-78, 108-286, 109-53 and 109-169).
- (ii) Alternate I (Jan 2004) of 52.225-3.
- (iii) Alternate II (Jan 2004) of 52.225-3.
- (26) 52.225-5, Trade Agreements (Nov 2006) (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).
- (27) 52.225-13, Restrictions on Certain Foreign Purchases (Feb 2006) (E.o.s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).
- (28) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (42 U.S.C. 5150).
- (29) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (42 U.S.C. 5150).
- (30) 52.232-29, Terms for Financing of Purchases of Commercial Items (Feb 2002) (41 U.S.C. 255(f), 10 U.S.C. 2307(f)).
- (31) 52.232-30, Installment Payments for Commercial Items (Oct 1995) (41 U.S.C. 255(f), 10 U.S.C. 2307(f)).

(32) 52.232-33, Payment by Electronic Funds Transfer—Central Contractor Registration (Oct 2003) (31 U.S.C. 3332).

—

(33) 52.232-34, Payment by Electronic Funds Transfer—Other than Central Contractor Registration (May 1999) (31 U.S.C. 3332).

— (34) 52.232-36, Payment by Third Party (May 1999) (31 U.S.C. 3332).

— (35) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).

— (36)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631).

— (ii) Alternate I (Apr 2003) of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

[Contracting Officer check as appropriate.]

— (1) 52.222-41, Service Contract Act of 1965, as Amended (July 2005) (41 U.S.C. 351, et seq.).

(2) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 1989) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

— (3) 52.222-43, Fair Labor Standards Act and Service Contract Act—Price Adjustment (Multiple Year and Option Contracts) (Nov 2006) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

— (4) 52.222-44, Fair Labor Standards Act and Service Contract Act—Price Adjustment (Feb 2002) (29 U.S.C. 206 and 41 U.S.C. 351, et seq.).

(d) Comptroller General Examination of Record. The Contractor shall comply with the provisions of this paragraph (d) if this 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 and 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 type and 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.

(e)(1) 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 (vii) 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 (May 2004) (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 \$550,000 (\$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 (Mar 2007) (E.O. 11246).

(iii) 52.222-35, Equal Opportunity for Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans (Sept 2006) (38 U.S.C. 4212).

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

(v) 52.222-39, Notification of Employee Rights Concerning Payment of Union Dues or Fees (Dec 2004) (E.O. 13201).

(vi) 52.222-41, Service Contract Act of 1965, as Amended (July 2005), flow down required for all subcontracts subject to the Service Contract Act of 1965 (41 U.S.C. 351, et seq.).

(vii) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631). Flow down required in accordance with paragraph (d) of FAR clause 52.247-64.

(2) 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.

## **CONTRACT ADMINISTRATION**

### **DESIGNATION OF CONTRACTING OFFICER'S REPRESENTATIVE**

The contracting Officer will designate a Contracting Officer's Representative (COR) at the time of award.

The COR is responsible for administering the performance of work under this contract. In no event, however, will any understanding, agreement, modification, change order, or other matter deviating from the terms of this contract be effective or binding upon the Government unless formalized by proper contractual documents executed by the Contracting Officer prior to completion of the contract.

On all matters that pertain to the contract terms, the contractor must communicate with the Contracting Officer. Whenever, in the opinion of the Contractor, the COR requests effort outside the scope of the contract, the Contractor should so advise the COR. If the COR persists and there still exists a disagreement as to proper contractual coverage, the contracting officer should be notified immediately, preferably in writing if time permits. Proceeding with work without proper contractual coverage could result in nonpayment or necessitate submittal of a contract claim.

## SOLICITATION PROVISIONS

### **FAR 52.212-2 Evaluation – Commercial Items (JAN 1999)**

(a) The Government will award a contract resulting from this solicitation to the responsible offeror whose offer conforming to the solicitation will be most advantageous to the Government, price and other factors considered. The following factors shall be used to evaluate offers:

Experience

Past performance

Price

Experience, past performance and solution, when combined, are approximately equal when compared to price. Please send references or the last three projects you have completed of a similar nature.

(b) *Options*. The Government will evaluate offers for award purposes by adding the total price for all options to the total price for the basic requirement. The Government may determine that an offer is unacceptable if the option prices are significantly unbalanced. Evaluation of options shall not obligate the Government to exercise the option(s).

(c) A written notice of award or acceptance of an offer, mailed or otherwise furnished to the successful offeror within the time for acceptance specified in the offer, shall result in a binding contract without further action by either party. Before the offer's specified expiration time, the Government may accept an offer (or part of an offer), whether or not there are negotiations after its receipt, unless a written notice of withdrawal is received before award.

### **FAR 52.212-3 Offeror Representations and Certifications--Commercial Items (NOV 2006)**

An offeror shall complete only paragraph (k) of this provision if the offeror has completed the annual representations and certificates electronically at <http://orca.bpn.gov> . If an offeror has not completed the annual representations and certificates electronically at the ORCA website, the offeror shall complete only paragraphs (b) through (j) of this provision.

(a) Definitions. As used in this provision--

“Emerging small business” means a small business concern whose size is no greater than 50 percent of the numerical size standard for the NAICS code designated.

“Forced or indentured child labor” means all work or service—

(1) Exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; or

(2) Performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

“Manufactured end product” means any end product in Federal Supply Classes (FSC) 1000-9999, except—

- (1) FSC 5510, Lumber and Related Basic Wood Materials;
- (2) Federal Supply Group (FSG) 87, Agricultural Supplies;
- (3) FSG 88, Live Animals;
- (4) FSG 89, Food and Related Consumables;
- (5) FSC 9410, Crude Grades of Plant Materials;
- (6) FSC 9430, Miscellaneous Crude Animal Products, Inedible;
- (7) FSC 9440, Miscellaneous Crude Agricultural and Forestry Products;
- (8) FSC 9610, Ores;
- (9) FSC 9620, Minerals, Natural and Synthetic; and
- (10) FSC 9630, Additive Metal Materials.

“Place of manufacture” means the place where an end product is assembled out of components, or otherwise made or processed from raw materials into the finished product that is to be provided to the Government. If a product is disassembled and reassembled, the place of reassembly is not the place of manufacture.

“Service-disabled veteran-owned small business concern”—

(1) Means a small business concern—

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

“Small business concern” means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and size standards in this solicitation.

“Veteran-owned small business concern” means a small business concern—

- (1) Not less than 51 percent of which is owned by one or more veterans(as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and
- (2) The management and daily business operations of which are controlled by one or more veterans.

“Women-owned business concern” means a concern which is at least 51 percent owned by one or more women; or in the case of any publicly owned business, at least 51 percent of the its stock is owned by one or more women; and whose management and daily business operations are controlled by one or more women.

“Women-owned small business concern” means a small business concern --

- (1) That is at least 51 percent owned by one or more women or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and
- (2) Whose management and daily business operations are controlled by one or more women.

(b) Taxpayer identification number (TIN) (26 U.S.C. 6109, 31 U.S.C. 7701). (Not applicable if the offeror is required to provide this information to a central contractor registration database to be eligible for award.)

- (1) All offerors must submit the information required in paragraphs (b)(3) through (b)(5) of this provision to comply with debt collection requirements of 31 U.S.C. 7701(c) and 3325(d), reporting requirements of 26 U.S.C. 6041, 6041A, and 6050M, and implementing regulations issued by the Internal Revenue Service (IRS).
- (2) The TIN may be used by the government to collect and report on any delinquent amounts arising out of the offeror’s relationship with the Government (31 U.S.C. 7701(c)(3)). If the resulting contract is subject to the payment reporting requirements described in FAR 4.904, the TIN provided hereunder may be matched with IRS records to verify the accuracy of the offeror’s TIN.]

(3) Taxpayer Identification Number (TIN).

[ ] TIN:\_\_\_\_\_.

[ ] TIN has been applied for.

[ ] TIN is not required because:

[ ] Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;

[ ] Offeror is an agency or instrumentality of a foreign government;

[ ] Offeror is an agency or instrumentality of the Federal Government;

(4) Type of organization.

[ ] Sole proprietorship;

[ ] Partnership;



- Corporate entity (not tax-exempt);
- Corporate entity (tax-exempt);
- Government entity (Federal, State, or local);
- Foreign government;
- International organization per 26 CFR 1.6049-4;
- Other \_\_\_\_\_.

(5) Common parent.

Offeror is not owned or controlled by a common parent:

Name and TIN of common parent:

Name \_\_\_\_\_

TIN \_\_\_\_\_

(c) Offerors must complete the following representations when the resulting contract is to be performed in the United States or its outlying areas. Check all that apply.

(1) Small business concern. The offeror represents as part of its offer that it  is,  is not a small business concern.

(2) Veteran-owned small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that it  is,  is not a veteran-owned small business concern.

(3) Service-disabled veteran-owned small business concern. [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(2) of this provision.] The offeror represents as part of its offer that it  is,  is not a service-disabled veteran-owned small business concern.

(4) Small disadvantaged business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents, for general statistical purposes, that it  is,  is not, a small disadvantaged business concern as defined in 13 CFR 124.1002.

(5) Women-owned small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents that it  is,  is not a women-owned small business concern.

Note: Complete paragraphs (c)(6) and (c)(7) only if this solicitation is expected to exceed the simplified acquisition threshold.

(6) Women-owned business concern (other than small business concern). [Complete only if the offeror is a women-owned business concern and did not represent itself as a small business concern in paragraph (c)(1) of this provision.]. The offeror represents that it  is, a women-owned business concern.

(7) Tie bid priority for labor surplus area concerns. If this is an invitation for bid, small business offerors may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price:

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(8) Small Business Size for the Small Business Competitiveness Demonstration Program and for the Targeted Industry Categories under the Small Business Competitiveness Demonstration Program. [Complete only if the offeror has represented itself to be a small business concern under the size standards for this solicitation.]

(i) [Complete only for solicitations indicated in an addendum as being set-aside for emerging small businesses in one of the designated industry groups (DIGs).] The offeror represents as part of its offer that it \* is, \* is not an emerging small business.

(ii) [Complete only for solicitations indicated in an addendum as being for one of the targeted industry categories (TICs) or designated industry groups (DIGs).] Offeror represents as follows:

(A) Offeror's number of employees for the past 12 months (check the Employees column if size standard stated in the solicitation is expressed in terms of number of employees); or

(B) Offeror's average annual gross revenue for the last 3 fiscal years (check the Average Annual Gross Number of Revenues column if size standard stated in the solicitation is expressed in terms of annual receipts).

(Check one of the following):

Number of Employees Average Annual	Gross Revenues
<input type="checkbox"/> 50 or fewer	<input type="checkbox"/> \$1 million or less
<input type="checkbox"/> 51-100	<input type="checkbox"/> \$1,000,001-\$2 million
<input type="checkbox"/> 101-250	<input type="checkbox"/> \$2,000,001-\$3.5 million
<input type="checkbox"/> 251-500	<input type="checkbox"/> \$3,500,001-\$5 million
<input type="checkbox"/> 501-750	<input type="checkbox"/> \$5,000,001-\$10 million
<input type="checkbox"/> 751-1,000	<input type="checkbox"/> \$10,000,001-\$17 million
<input type="checkbox"/> Over 1,000	<input type="checkbox"/> Over \$17 million

(9) [Complete only if the solicitation contains the clause at FAR 52.219-23, Notice of Price Evaluation Adjustment for Small Disadvantaged Business Concerns, or FAR 52.219-25, Small Disadvantaged Business Participation Program—Disadvantaged Status and Reporting, and the offeror desires a benefit based on its disadvantaged status.]

(i) General. The offeror represents that either—

(A) It  is,  is not certified by the Small Business Administration as a small disadvantaged business concern and identified, on the date of this representation, as a certified small disadvantaged business concern in the database maintained by the Small Business Administration (PRO-Net), and that no material change in disadvantaged ownership and control has occurred since its certification, and, where the concern is owned by one or more

individuals claiming disadvantaged status, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); or

(B) It  has,  has not submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted.

(ii) Joint Ventures under the Price Evaluation Adjustment for Small Disadvantaged Business Concerns. The offeror represents, as part of its offer, that it is a joint venture that complies with the requirements in 13 CFR 124.1002(f) and that the representation in paragraph (c)(9)(i) of this provision is accurate for the small disadvantaged business concern that is participating in the joint venture. [The offeror shall enter the name of the small disadvantaged business concern that is participating in the joint venture: \_\_\_\_\_.]

(10) HUBZone small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents, as part of its offer, that--

(i) It  is,  is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126; and

(ii) It  is,  not a joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (c)(10)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. [The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture: \_\_\_\_\_.] Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(d) Representations required to implement provisions of Executive Order 11246 --

(1) Previous contracts and compliance. The offeror represents that --

(i) It  has,  has not, participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation; and

(ii) It  has,  has not, filed all required compliance reports.

(2) Affirmative Action Compliance. The offeror represents that --

(i) It  has developed and has on file,  has not developed and does not have on file, at each establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 CFR parts 60-1 and 60-2), or

(ii) It [ ] has not previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(e) Certification Regarding Payments to Influence Federal Transactions (31 U.S.C. 1352). (Applies only if the contract is expected to exceed \$100,000.) By submission of its offer, the offeror certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of

Congress or an employee of a Member of Congress on his or her behalf in connection with the award of any resultant contract.

(f) Buy American Act Certificate. (Applies only if the clause at Federal Acquisition Regulation (FAR) 52.225-1, Buy American Act – Supplies, is included in this solicitation.)

The offeror certifies that each end product, except those listed in paragraph (f)(2) of this provision, is a domestic end product and that the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The offeror shall list as foreign end products those end products manufactured in the United States that do not qualify as domestic end products. The terms “component,” “domestic end product,” “end product,” “foreign end product,” and “United States” are defined in the clause of this solicitation entitled “Buy American Act—Supplies.”

Foreign End Products:

LINE ITEM NO.

COUNTRY OF ORIGIN

[List as necessary]

(3) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25.

(g)(1) Buy American Act -- Free Trade Agreements -- Israeli Trade Act Certificate. (Applies only if the clause at FAR 52.225-3, Buy American Act -- Free Trade Agreements -- Israeli Trade Act, is included in this solicitation.)

(i) The offeror certifies that each end product, except those listed in paragraph (g)(1)(ii) or (g)(1)(iii) of this provision, is a domestic end product and that the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The terms “Bahrainian end product,” “component,” “domestic end product,” “end product,” “foreign end product,” “Free Trade Agreement country,” and “United States” are defined in the clause of this solicitation entitled “Buy American Act—Free Trade Agreements—Israeli Trade Act.”

(ii) The offeror certifies that the following supplies are Free Trade Agreement country end products (other than Bahrainian or Moroccan end products) or Israeli end products as defined in the clause of this solicitation entitled “Buy American Act—Free Trade Agreements—Israeli Trade Act”:

Free Trade Agreement Country End Products (Other than Bahrainian or Moroccan End Products) or Israeli End Products:

LINE ITEM NO.

COUNTRY OF ORIGIN

[List as necessary]

(iii) The offeror shall list those supplies that are foreign end products (other than those listed in paragraph (g)(1)(ii) or this provision) as defined in the clause of this solicitation entitled “Buy American Act—Free Trade Agreements—

Israeli Trade Act.” The offeror shall list as other foreign end products those end products manufactured in the United States that do not qualify as domestic end products.

Other Foreign End Products:

LINE ITEM NO.

COUNTRY OF ORIGIN

[List as necessary]

(iv) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25.

(2) Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate, Alternate I. If Alternate I to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The offeror certifies that the following supplies are Canadian end products as defined in the clause of this solicitation entitled “Buy American Act—Free Trade Agreements—Israeli Trade Act”:

Canadian End Products:

Line Item No.:

[List as necessary]

(3) Buy American Act—Free Trade Agreements—Israeli Trade Act Certificate, Alternate II. If Alternate II to the clause at FAR 52.225-3 is included in this solicitation, substitute the following paragraph (g)(1)(ii) for paragraph (g)(1)(ii) of the basic provision:

(g)(1)(ii) The offeror certifies that the following supplies are Canadian end products or Israeli end products as defined in the clause of this solicitation entitled “Buy American Act--Free Trade Agreements--Israeli Trade Act”:

Canadian or Israeli End Products:

Line Item No.:

Country of Origin:

[List as necessary]

(4) Trade Agreements Certificate. (Applies only if the clause at FAR 52.225-5, Trade Agreements, is included in this solicitation.)

(i) The offeror certifies that each end product, except those listed in paragraph (g)(4)(ii) of this provision, is a U.S.-made or designated country end product as defined in the clause of this solicitation entitled “Trade Agreements.”

(ii) The offeror shall list as other end products those end products that are not U.S.-made or designated country end products.

Other End Products

Line Item No.:

Country of Origin:

[List as necessary]

(iii) The Government will evaluate offers in accordance with the policies and procedures of FAR Part 25. For line items covered by the WTO GPA, the Government will evaluate offers of U.S.-made or designated country end products without regard to the restrictions of the Buy American Act. The Government will consider for award only

offers of U.S.-made or designated country end products unless the Contracting Officer determines that there are no offers for such products or that the offers for such products are insufficient to fulfill the requirements of the solicitation.

(h) Certification Regarding Debarment, Suspension or Ineligibility for Award (Executive Order 12689). (Applies only if the contract value is expected to exceed the simplified acquisition threshold.) The offeror certifies, to the best of its knowledge and belief, that the offeror and/or any of its principals--

(1)  Are,  are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency; and

(2)  Have,  have not, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

(3)  Are,  are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses.

(i) Certification Regarding Knowledge of Child Labor for Listed End Products (Executive Order 13126). [The Contracting Officer must list in paragraph (i)(1) any end products being acquired under this solicitation that are included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor, unless excluded at 22.1503(b).]

(1) Listed End Product  
Listed Countries of Origin:

(2) Certification. [If the Contracting Officer has identified end products and countries of origin in paragraph (i)(1) of this provision, then the offeror must certify to either (i)(2)(i) or (i)(2)(ii) by checking the appropriate block.]

(i) The offeror will not supply any end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product.

(ii) The offeror may supply an end product listed in paragraph (i)(1) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product. The offeror certifies that it has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture any such end product furnished under this contract. On the basis of those efforts, the offeror certifies that it is not aware of any such use of child labor.

(j) Place of manufacture. (Does not apply unless the solicitation is predominantly for the acquisition of manufactured end products.) For statistical purposes only, the offeror shall indicate whether the place of manufacture of the end products it expects to provide in response to this solicitation is predominantly—

(1)  In the United States (Check this box if the total anticipated price of offered end products manufactured outside the United States); or

(2)  Outside the United States.

(k)(1) Annual Representations and Certifications. Any changes provided by the offeror in paragraph (k)(2) of this provision do not automatically change the representations and certifications posted on the Online Representations and Certifications Application (ORCA) website.

(2) The offeror has completed the annual representations and certification electronically via the ORCA website at <http://orca.bpn.gov>. After reviewing the ORCA database information, the offeror verifies by submission of this offer that the representation and certifications currently posted electronically at FAR 52.212-3, Offeror Representations and certifications—Commercial Items, have been entered or updated in the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR

4.1201), except for paragraphs \_\_\_\_\_. [Offeror to identify the applicable paragraphs at (b) through (j) of this provision that the offeror has completed for the purposes for this solicitation only, if any. These amended representation(s) and/or certification(s) are also incorporated into his offer and are current, accurate, and complete as of the date of this offer. Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on ORCA.]

(11) (Complete if the offeror has represented itself as disadvantaged in paragraph (c)(4) or (c)(9) of this provision.)  
[The offeror shall check the category in which its ownership falls]:

\_\_\_ Black American.

\_\_\_ Hispanic American.

\_\_\_ Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).

\_\_\_ Asian-Pacific American (persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory or the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).

\_\_\_ Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).

\_\_\_ Individual/concern, other than one of the preceding.

(iii) Address. The offeror represents that its address [ ] is, [ ] is not in a region for which a small disadvantaged business procurement mechanism is authorized and its address has not changed since its certification as a small disadvantaged business concern or submission of its application for certification. The list of authorized small disadvantaged business procurement mechanisms and regions is posted at <http://www.arnet.gov/References/sdbadjustments.htm>. The offeror shall use the list in effect on the date of this solicitation. "Address," as used in this provision, means the address of the offeror as listed on the Small Business Administration's register of small disadvantaged business concerns or the address on the completed application that the concern has submitted to the Small Business Administration or a Private Certifier in accordance with 13 CFR part 124, subpart B. For joint ventures, "address" refers to the address of the small disadvantaged business concern that is participating in the joint venture.

General Decision Number: WV080002 12/05/2008 WV2

Superseded General Decision Number: WV20070002

State: West Virginia

Construction Type: Building

Counties: Barbour, Braxton, Brooke, Cabell, Calhoun, Doddridge, Gilmer, Grant, Hampshire, Hancock, Hardy, Harrison, Jackson, Kanawha, Lewis, Marion, Marshall, Mason, Mineral, Monongalia, Morgan, Ohio, Pendleton, Pleasants, Preston, Putnam, Randolph, Ritchie, Roane, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzels, Wirt and Wood Counties in West Virginia.

BUILDING CONSTRUCTION PROJECTS (does not include single family homes and apartments up to and including 4 stories). See Heavy and Highway Construction General Wage determination for all work in connection with the clearing and grading of site, also all paving incidental to the project, and all incidental water lines, sewers and other utilities to within 5 feet of the building line)

Modification Number	Publication Date
0	02/08/2008
1	02/22/2008
2	03/21/2008
3	04/11/2008
4	05/02/2008
5	06/20/2008
6	06/27/2008
7	07/04/2008
8	07/18/2008
9	08/08/2008
10	09/19/2008
11	11/07/2008
12	12/05/2008

ASBE0002-003 08/01/2008

BROOKE, HANCOCK, HARRISON, MARION, MARSHALL, MINERAL, OHIO, TYLER AND WETZEL COUNTIES

	Rates	Fringes
Asbestos Workers/Insulator.....	\$ 33.17	17.76

SCOPE OF WORK:

Includes application of all insulating materials, protective coverings and finishings to all types of mechanical systems.

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 \* ASBE0080-001 03/05/2008

BRAXTON, CABELL, CALHOUN, DODDRIDGE, GILMER, JACKSON, KANAWHA, LEWIS, MASON, PLEASANTS, PUTNAM, RITCHIE, ROANE, UPSHUR, WAYNE, WIRT AND WOOD COUNTIES.



	Rates	Fringes
Asbestos/Insulator Worker.....	\$ 28.83	15.51

SCOPE OF WORK:

Includes application of all insulating materials, protective coverings and finishings to all types of mechanical systems.

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 BOIL0045-003 10/01/2007

GRANT COUNTY

	Rates	Fringes
BOILERMAKER.....	\$ 27.71	16.47

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 BOIL0154-003 06/01/2008

BROOKE AND HANCOCK COUNTIES

	Rates	Fringes
BOILERMAKER.....	\$ 33.90	22.07

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 BOIL0667-001 10/01/2003

BARBOUR, BRAXTON, CABELL, CALHOUN, DODDRIDGE, GILMER, HAMPSHIRE, HARDY, HARRISON, JACKSON, KANAWHA, LEWIS, MARION, MARSHALL, MASON, MINERAL, MORGAN, MONONGALIA, OHIO, PENDLETON, PLEASANTS, PRESTON, PUTNAM, RANDOLPH, RITCHIE, ROANE, TAYLOR, TUCKER, TYLER, UPSHUR, WAYNE, WEBSTER, WETZEL, WIRT AND WOOD COUNTIES.

	Rates	Fringes
BOILERMAKER.....	\$ 29.55	13.79

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 BRMD0006-003 06/01/2008

MINERAL COUNTY

	Rates	Fringes
BRICKLAYER (Brick, Stone, Marble, Mosaic, Pointers, Caulkers, Artificial, Tilesetters and Terrazzo workers).....	\$ 26.52	11.60

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 BRWV0001-001 07/01/2008

MARSHALL, OHIO, TYLER AND WETZEL COS.

	Rates	Fringes
BRICKLAYER.....	\$ 25.10	12.19
TILE SETTER.....	\$ 25.10	12.19

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 BRWV0006-003 06/01/2008

CALHOUN, JACKSON, PLEASANTS, RITCHIE, ROANE, WIRT AND WOOD COS.

	Rates	Fringes
BRICKLAYER.....	\$ 25.04	11.70
TILE SETTER.....	\$ 24.54	11.70

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BRWV0009-002 12/01/2007

BRAXTON, KANAWHA AND PUTNAM COS.

	Rates	Fringes
Bricklayer, Stonemason.....	\$ 26.69	12.85
Marble, Tile Layer & Terrazzo Worker.....	\$ 26.69	12.85

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BRWV0011-001 07/01/2008

BROOKE AND HANCOCK COS.

	Rates	Fringes
BRICKLAYER		
Industrial.....	\$ 27.51	12.30
All other work.....	\$ 25.64	12.30
TILE SETTER.....	\$ 23.74	12.30

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BRWV0015-002 12/01/2007

DODDRIDGE, GILMER, HARRISON, LEWIS, MARION AND UPSHUR COUNTIES

	Rates	Fringes
BRICKLAYER		
Commercial.....	\$ 27.51	9.67
Industrial.....	\$ 29.03	9.67

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BRWV0015-005 06/01/2007

BARBOUR, DODDRIDGE, GILMER, HARDY, HARRISON, LEWIS, MARION,  
MONONGALIA, PRESTON, TAYLOR, TUCKER AND UPSHUR COUNTIES

	Rates	Fringes
Cement Masons:		
Commercial.....	\$ 27.51	9.67
Industrial.....	\$ 29.03	9.67

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BRWV0015-006 12/01/2007

CALHOUN, JACKSON, PLEASANTS, RITCHIE, ROANE, WIRT, AND WOOD  
Counties

	Rates	Fringes
Marble & Tile Finisher.....	\$ 21.40	7.07

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CARP0003-003 12/07/2004

BROOKE, HANCOCK, MARSHALL (North of 39 degrees 46' latitude)  
and OHIO COUNTIES

Rates Fringes

Carpenters: (carpet, drywall,  
lather, and soft tile  
installers).....\$ 21.31 11.81

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CARP0302-001 06/01/2008

BUILDING

CABELL and WAYNE COUNTIES

Rates Fringes

Carpenter & Soft Floor Layer.....\$ 27.66 13.61  
PILEDRIVERMAN.....\$ 27.66 13.61

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CARP0476-001 12/07/2004

BRAXTON, DODDRIDGE, GILMER, HARRISON, LEWIS, MARION, UPSHUR,  
and WEBSTER COUNTIES

Rates Fringes

CARPENTER (carpet, drywall  
and soft tile installers).....\$ 23.83 10.30  
Piledriver.....\$ 24.38 10.30

-----  
CARP0604-003 12/01/2005

BARBOUR, MONOGALIA, PRESTON, RANDOLPH, TAYLOR, and TUCKER  
COUNTIES

Rates Fringes

Carpenter.....\$ 23.98 10.84

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CARP0899-001 06/01/2003

CALHOUN, PLEASANTS, RITCHIE, TYLER, WETZEL, WIRT, and WOOD  
COUNTIES

Rates Fringes

Carpenters: (Soft Tile &  
Carpet Installers, Drywall  
installers).....\$ 24.03 7.99  
PILEDRIVERMAN.....\$ 24.28 8.80

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CARP1024-003 05/01/2008

GRANT, HAMPSHIRE, HARDY, AND PENDLETON COUNTIES

Rates Fringes

CARPENTER (dry wall hangers  
and soft layers).....\$ 24.95 9.75

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CARP1024-006 05/01/2008

MINERAL AND MORGAN COUNTIES

	Rates	Fringes
CARPENTER.....	\$ 24.95	9.75
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CARP1159-001 12/01/2006		

JACKSON and MASON COUNTIES

	Rates	Fringes
CARPENTER.....	\$ 23.88	12.35
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CARP1207-006 12/01/2005		

KANAWHA, PUTNAM, and ROANE COUNTIES

	Rates	Fringes
CARPENTER.....	\$ 23.98	10.84
Pile Driver.....	\$ 24.53	10.84
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CARP1519-001 12/01/2006		

CABELL AND WAYNE COUNTIES

	Rates	Fringes
MILLWRIGHT.....	\$ 22.92	11.83
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CARP1755-001 12/01/2006		

BRAXTON, CALHOUN, DODDRIDGE, GILMER, HARRISON, JACKSON,  
KANAWHA, LEWIS, MARION, MASON, PLEASANTS, PUTNAM, RITCHIE,  
ROANE, TYLER, UPSHUR, WETZEL, WIRT AND WOOD COUNTIES

	Rates	Fringes
MILLWRIGHT.....	\$ 27.26	14.20
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CARP1871-019 05/01/2001		

BROOKE, HANCOCK, MARSHALL AND OHIO COUNTIES

	Rates	Fringes
MILLWRIGHT.....	\$ 22.21	8.54
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CARP2264-001 01/01/2002		

BROOKE, HANCOCK, MARSHALL, OHIO, AND WETZEL COUNTIES

	Rates	Fringes
PILEDRIVERMAN.....	\$ 23.82	8.48
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ELEC0026-010 11/07/2005		

HARDY COUNTY

	Rates	Fringes
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ELECTRICIAN.....\$ 21.71 7.80

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 ELEC0141-001 09/03/2007

BROOKE (Buffalo Twp. only) MARSHALL, OHIO AND WETZEL COUNTIES

	Rates	Fringes
CABLE SPLICER.....	\$ 25.41	18.17
ELECTRICIAN.....	\$ 25.16	18.17

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 ELEC0141-002 09/01/2005

BROOKE (Buffalo Twp. only), MARSHALL, OHIO, AND WETZEL COUNTIES

	Rates	Fringes
Line Construction:		
Cable Splicer.....	\$ 25.37	15.33
Groundsman.....	\$ 20.10	15.33
Lineman, Equipment Operator..	\$ 25.12	15.33

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 ELEC0246-003 10/29/2007

BROOKE (Except Buffalo Township), HANCOCK COUNTIES

	Rates	Fringes
ELECTRICIAN.....	\$ 31.00	18.29

FOOTNOTE: a. 1 1/2 Paid Holidays: The last scheduled workday prior to Christmas & 4 hours on Good Friday

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 ELEC0246-005 11/01/2004

BROOKE (Except Buffalo Twp.)AND HANCOCK COUNTIES

	Rates	Fringes
Line Construction:		
Groundman.....	\$ 18.70	51.5%+a
Lineman, Line Equipment Operator, and Truck Driver..	\$ 28.00	51.5%+a

FOOTNOTE: a. 1-1/2 Paid Holidays: The last scheduled workday prior to Christmas Day and 4 Hours on Good Friday.

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 ELEC0307-003 12/01/2007

GRANT, HAMPSHIRE, MINERAL and MORGAN COUNTIES

	Rates	Fringes
ELECTRICIAN.....	\$ 26.20	13.25

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 ELEC0307-004 12/03/2007

MINERAL COUNTY

	Rates	Fringes
Equipment Operator.....	\$ 24.89	13.25
Linemen.....	\$ 26.20	13.25

TRUCK DRIVER.....\$ 17.03 13.25

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 ELEC0317-001 05/26/2008

CABELL, MASON AND WAYNE COUNTIES

	Rates	Fringes
CABLE SPLICER.....	\$ 27.25	3.75%+14.25
ELECTRICIAN.....	\$ 26.58	3.75%+14.25

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 ELEC0317-009 05/26/2008

BRAXTON, CABELL, CALHOUN, GILMER, KANAWHA, MASON, PUTNAM,  
 ROANE, AND WAYNE COUNTIES

	Rates	Fringes
Line Construction:		
Cable Splicer.....	\$ 29.75	3.75%+14.25
Equipment Operator.....	\$ 21.26	3.75%+14.25
Groundman.....	\$ 17.28	3.75%+14.25
Lineman.....	\$ 26.58	3.75%+14.25

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 ELEC0466-001 06/01/2007

BRAXTON, CALHOUN, GILMER, KANAWHA, PUTNAM, ROANE AND WEBSTER  
 COUNTIES

	Rates	Fringes
CABLE SPLICER.....	\$ 34.05	12.49
ELECTRICIAN.....	\$ 30.95	12.40

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 ELEC0596-001 06/01/2008

BARBOUR, DODDRIDGE, HARRISON, LEWIS, MARION, MONONGALIA,  
 PENDLETON, PRESTON, RANDOLPH, TAYLOR, TUCKER, AND UPSHUR COS.

	Rates	Fringes
CABLE SPLICER.....	\$ 31.82	17.15
ELECTRICIAN.....	\$ 28.93	17.07

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 ELEC0596-002 06/01/2006

DODDRIDGE, LEWIS, MARION, AND UPSHUR COUNTIES

	Rates	Fringes
Line Construction:		
Cable Splicers.....	\$ 26.46	15.74
Groundman & Truck Drivers...	\$ 19.24	15.53
Lineman & Equipment Op.....	\$ 24.05	15.67

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 ELEC0968-002 06/01/2008

JACKSON, PLEASANTS, RITCHIE, TYLER, WIRT AND WOOD COUNTIES

	Rates	Fringes
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Line Construction:

Groundman.....	\$ 21.37	3%+16.16
Lineman, Equipment Operator, and Cable Splicer.	\$ 28.81	16.71

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ELEC0968-003 06/01/2008

JACKSON, PLEASANTS, RITCHIE, TYLER, WIRT AND WOOD COUNTIES.

	Rates	Fringes
ELECTRICIAN.....	\$ 28.81	16.71

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ELEV0006-002 01/01/2008

BROOKE, HANCOCK, MARION, MARSHALL, OHIO AND WETZEL COUNTIES:

	Rates	Fringes
Elevator Constructor.....	\$ 37.65	16.285+A&B

Paid Holidays:

New Year's Day; Memorial Day; Independence Day; Labor Day;  
Verterans Dayl; Thanksgiving day; the Friday after  
Thanksgiving Day; and Christmas Day.

Footnotes:

a. Employee contributes 8% of basic hourly rate for 5 years  
or more of service or 6% of basic hourly rate for 6 months  
to 5 years of service as vacation pay credit.

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ELEV0048-001 01/01/2008

BRAXTON, CABELL, CALHOUN, DODDRIDGE, GILMER, HARRISON, JACKSON,  
KANAWHA, LEWIS, MASON, MINERAL, PLEASANTS, PUTNAM, RITCHIE,  
ROANE, TYLER, PSHUR, WAYNE, WIRT AND WOOD COUNTIES

	Rates	Fringes
Elevator Constructor.....	\$ 36.30	16.285

PAID HOLIDAYS: a. New Year's Day; Memorial Day;  
Independence Day; Labor Day; Thanksgiving Day; Christmas  
Day. Employer contributes 8% of the basic hourly rate for 5  
years or more of service or 6% of the basic hourly rate for  
6 months to 5 years of service as vacation pay credit.

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ENGI0132-001 06/01/2008

POWER EQUIPMENT OPERATORS:

	Rates	Fringes
Power equipment operators:		
GROUP 1.....	\$ 28.26	15.98
GROUP 2.....	\$ 27.91	15.98
GROUP 3.....	\$ 26.91	15.98
GROUP 4.....	\$ 21.41	15.98

GROUP 1: All cranes, derricks and tower cranes with 180 ft.

of boom including mast and jibs or lifting capacity of 100 tons and hoists 30,000 pound line pull or more, cableways.

GROUP 2: Those operating cranes, derricks, tower cranes and similar equipment with a lifting capacity of 15 tons and over, boom trucks, all shovels, draglines, clamshells, caisson drilling rigs. Mechanic with tools with 3/4 inch drive and below.

GROUP 3: All tow boats or work boats, backhoes, end loaders, gradalls, all other mechanics, side boom cat and all cranes and concrete mixing plants, core drills, two drum hoist, concrete pump, mechanically operated laser screed, self contained hydraulic air drills, directional drill operator, standard gauge locomotive, rubber tired scraper, power grader dozer, tractor and pan, push cat, asphalt and concrete paving equipment operator, compactor, compactor with blade, material hauler, articulating equipment, material hoist, wellpoint system, forklift, trencher, air tugger "A" frame truck, grease truck operator, all tractors.

GROUP 4: Fireman, deckhand, elevators, ross carrier, air compressor, high compression equipment, load handler, "bobcat" or skid steer loaders, greaser tender, two bag and under concrete mixer, assistant engineer on standard gauge locomotives, locomotive cranes, truck and crawler cranes, brakeman on cranes used for moving rail cars (when equipment is moving cars only), rollers, Barber green loader, mechanic tender, welding machines gasoline powered, light plants, generators, conveyors, mechanical heaters and pump operators, masonry hoist and all farm type tractors.

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IRON0301-001 06/01/2008

Rates	Fringes
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Ironworkers:

50 miles from the Kanawa county Courthouse to include the counties of Braxton, Kanawha, Putnam, Randolph (southeast portion of the County to include the townships of Cheat Bridge, Elkwater, Huttonsville, Mingo, Monterville and Valley Head) and Wesbter Counties..	\$ 24.08	16.24
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\* IRON0549-001 12/01/2008

BARBOUR (north west third of county to include the Twps. of Philippi); BROOKE; HANCOCK; HARRISON; MARION; MARSHALL; MONONGALIA; OHIO; TAYLOR; TYLER AND WETZEL COUNTIES

Rates	Fringes
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IRONWORKER.....	\$ 28.75	15.69
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IRON0568-003 05/01/2008

BARBOUR (Remainder of County), GRANT, MORGAN, PENDLETON,



PRESTON, RANDOLPH (Remainder of County) AND TUCKER COUNTIES

	Rates	Fringes
IRONWORKER.....	\$ 25.83	11.81
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IRON0568-007 05/01/2008		

HAMPSHIRE, HARDY AND MINERAL COUNTIES

	Rates	Fringes
IRONWORKER.....	\$ 25.83	11.81
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IRON0769-005 06/01/2008		

CABELL AND WAYNE COUNTIES

	Rates	Fringes
Ironworkers:		
ZONE 1:		
0-10 miles from Union Hall..	\$ 27.12	17.07
ZONE 2:		
10-50 miles from Union		
Hall.....	\$ 27.52	17.07
ZONE 3:		
50 miles & over from		
Union Hall.....	\$ 29.12	17.07
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IRON0787-004 06/01/2008		

CALHOUN, DODDRIDGE, GILMER, JACKSON, LEWIS, MASON, PLEASANTS, RITCHIE, ROANE, UPSHUR, WIRT AND WOOD COUNTIES

	Rates	Fringes
Ironworkers:.....	\$ 26.99	16.25
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* LABO0379-003 12/01/2008		

HAMPSHIRE, MARION, MINERAL, MONONGALIA, MORGAN, PRESTON AND TAYLOR COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1.....	\$ 19.53	9.40
GROUP 2.....	\$ 19.89	9.40
GROUP 3.....	\$ 20.32	9.40

LABORER CLASSIFICATIONS

GROUP 1: Laborer, Carpenter Tender, Water boy, Fire watch, Demolition worker, Landscape laborer, Flagman.

GROUP 2: Powderman tender, Semi-skilled laborer, Scaffold builders, Signal man, Brick mason tenders, Plasterer tenders, Cement finishers tenders, Stone mason tenders, Lathers tenders, Tile setters tenders, Mortar mixers,

Jackhammer operators, Vibrator operators, Tamper operators, Chipping and peening hammer operators, Air siphon and air pump operators, Riprap finishers, Concrete saw operators, Concrete technicians, Power saw operators, Chain saw operators, Motorized buggy operators, Pipe layers tenders, Drill operators tenders sheeters and shorers, Post hole digger operators, Asphalt rakers, Lance and/or water blaster operators, Blacksmith tenders, Workmen working with asbestos, Batch house scale operators, Workmen working with acid mortar and acid brick, Workmen working in acid with cresote and mastic asphalt, Nozzlemen for gunnite or sandblasting, Tool room attendants, Ride or walk roller tampers, Toxic & hazardous waste removal laborer, Asbestos abatement laborer, Lead-based paint remover, Grade checker, Pavement buster operators.

GROUP 3: Powderman, Air track operator, Pipe layer (including laser beam set-up), Burner and Blacksmith.

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LABO0543-001 06/01/2008

CABELL, MASON AND WAYNE COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1:.....	\$ 23.21	10.40
GROUP 2:.....	\$ 23.70	10.40
GROUP 3:.....	\$ 24.01	10.40

LABORER CLASSIFICATIONS

GROUP 1: Laborer, Carpenter tender, Flagmen, Water boy, Fire watch, Demolition worker, Landscape laborer.

GROUP 2: Powderman tender, Semi-skilled laborer, Scaffold builders, Signal man, Brick mason tenders, Plasterer tenders, Cement finishers tenders, Stone mason tenders, Lathers tenders, Tile setters tenders, Mortar mixers, Jackhammer operators, Vibrator operators, Tamper Operators, Chipping and peening hammer operators, Air siphon and air pump operators, Riprap finishers, Concrete saw operators, Concrete technicians, Power saw operators, Chain saw operators, Motorized buggy operators, Pipe layers tenders, Drill operators tenders Sheeters and shorers, Post hole digger operators, Asphalt rakers, Lance and/or water blaster operators, Blacksmith tenders, Workmen working with asbestos, Batch house scale operators, Workmen working with acid mortar and acid brick, Workmen working in acid with cresote and mastic asphalt, Nozzlemen for gunnite or sandblasting, Tool room attendants, Ride or walk roller tampers, Toxic & Hazardous waste removal laborer, Asbestos abatement laborer, Lead-based paint remover, Grade checker.

GROUP 3: Blacksmith, Powderman, Air track operator, Pipe layer (including laser beam set-up), Burner.

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LABO0809-002 07/01/2008

BROOKE AND HANCOCK COUNTIES

	Rates	Fringes
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LABORER.....\$ 22.12 7.50

Asbestos Work; Hazardous Waste Work; Instrument & Laser; and  
Lead Based Paint Removal - Additional \$.50 per hour

Hot Pay - Additional \$1.00 per hour when working with other  
crafts receiving hot pay

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\* LABO0984-001 12/01/2008

BARBOUR BRAXTON, DODRIDGE, GILMER, GRANT, HARDY, HARRISON,  
LEWIS, PENDLETON, RANDOLPH, TUCKER, UPSHUR, and WEBSTER COUNTIES

	Rates	Fringes
LABORER		
GROUP 1.....	\$ 19.53	9.40
GROUP 2.....	\$ 19.89	9.40
GROUP 3.....	\$ 20.32	9.40

LABORER CLASSIFICATIONS

GROUP 1: Laborer, Carpenter Tender, Water boy, Fire watch,  
Demolition worker, Landscape laborer, Flagman.

GROUP 2: Powderman tender, Semi-skilled laborer, Scaffold  
builders, Signal man, Brick mason tenders, Plasterer  
tenders, Cement finishers tenders, Stone mason tenders,  
Lathers tenders, Tile setters tenders, Mortar mixers,  
Jackhammer operators, Vibrator operators, Tamper operators,  
Chipping and peening hammer operators, Air siphon and air  
pump operators, Riprap finishers, Concrete saw operators,  
Concrete technicians, Power saw operators, Chain saw  
operators, Motorized buggy operators, Pipe layers tenders,  
Drill operators tenders sheeters and shorers, Post hole  
digger operators, Asphalt rakers, Lance and/or water  
blaster operators, Blacksmith tenders, Workmen working with  
asbestos, Batch house scale operators, Workmen working with  
acid mortar and acid brick, Workmen working in acid with  
cresote and mastic asphalt, Nozzlemen for gunnite or  
sandblasting, Tool room attendants, Ride or walk roller  
tamperers, Toxic & hazardous waste removal laborer, Asbestos  
abatement laborer, Lead-based paint remover, Grade checker,  
Pavement buster operators.

GROUP 3: Powderman, Air track operator, Pipe layer  
(including laser beam set-up), Burner and Blacksmith.

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\* LABO1085-001 12/01/2008

CALHOUN, JACKSON, PLEASANTS RITCHIE, TYLER, WIRT AND WOOD  
COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1:.....	\$ 20.74	11.00
GROUP 2:.....	\$ 21.04	11.00
GROUP 3:.....	\$ 21.39	11.00

LABORER CLASSIFICATIONS

GROUP 1: Laborer, Carpenter Tender, Flagmen, Water Boy, Fire watch, Demolition worker, Landscape laborer.

GROUP 2: Powderman tender, Semi-skilled laborer, Scoffold builders, Signal man, Brick mason tenders, Plasterer tenders, Cement finishers tenders, Stone mason tenders, Lathers tenders, Tile setters tenders, Mortar mixers, Jackhammer operators, Vibrator operators, Tamper operators, Chipping and peening, Hammer operators, Air siphon and air pump operators, Riprap finishers, Concrete saw operators, Concrete technicians, Power saw operators, Chain saw operators, Moterized Buggy sheeters, Pipe layers tenders, Drill operators tenders sheeters and shorers, Post hole digger operators, Asphalt rakers, Lance and/or water blaster operators, Blacksmith tenders, Workmen working with asbestos, Batch house scale operators, Workmen working with acid mortar and acid brick, Workmen working in acid with cresote and mastic asphalt, Nozzlemen for gunnite or sandblasting, Tool room attendants, Ride or walk roller tampers, Toxic & hazardous waste removal laborer, Asbestos abatement laborer, Lead-based paint remover.

GROUP 3: Blacksmith, Powderman, Air track operator, Pipe layer (including laser beam set-up), Burner.

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 \* LABO1149-001 12/01/2008

MARSHALL, OHIO AND WETZEL COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1:.....	\$ 20.27	10.40
GROUP 2:.....	\$ 20.27	10.40
GROUP 3:.....	\$ 20.77	10.40
GROUP 4:.....	\$ 21.27	10.40

LABORER CLASSIFICATION

GROUP 1: Laborers, Carpenter tender, Flagmen, Water boy, Demolition worker, Deep ditch, Tool room attendants, Fire watch and Landscape laborer.

GROUP 2: Powderman tender, Semi-skilled laborer, Scaffold builders grade checker, Signal man, Brick masons tenders, Plasterers tenders, Cement masons tenders, Stone masons tenders, Lathers tenders, Tile setters tenders, Mortar mixers, Jackhammer operators, Vibrater operators, Pavement buster operators, Chipping and peening hammer operators, Air siphon and air pump operators, Riprap finishers, Concrete saw operators, Concrete technicians, Power saw operators, Chain saw operators, Motorized buggy operators, Pipe layers tenders, Drill operators tenders, Sheeters and shorers, Post hole diggers operators, Asphalt rakers, Lance and/or water blaster operators, Blacksmith tenders, Batch house scale operators, Workmen working with acid mortar, Mastic asphalt and acid brick, Workmen working in acid and with cresote, Nozzlemen for gunnite or sandblasting, Demolition worker, Ride or walk roller tampers, Deep ditch vertical 6 ft. or more, Scaffolding work over 50 ft. (inside or out), Asbestos abatement laborer, Deep ditch,

Toxic & hazardous waste removal laborer, Lead-based paint removal laborer.

GROUP 3: Blacksmith, Powderman, Air track operator, Pipe layer (including laser beam set-up), Burner.

GROUP 4: Asbestos Worker; Hazardous Waste Worker; & Lead Based Paint Removal Laborer.

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 \* LAB01353-001 12/01/2008

KANAWHA, PUTNAM AND ROANE COUNTIES

	Rates	Fringes
Laborers:		
GROUP 1.....	\$ 21.58	10.40
GROUP 2.....	\$ 22.20	10.40
GROUP 3.....	\$ 23.04	10.40

GROUP 1: Laborer; Carpenter Tender; Water Boy; Demolition Worker; Fire Watch; Landscape Laborer; Flagmen.

GROUP 2: Powderman Tender; Semi-Skilled Laborer; Scaffold Builder; Grade Checker; Signal Man; Brick Masons Tenders; Plasterer Tenders; Cement Finisher Tender; Stone Masons Tenders; Lathers Tenders; Tile Setters Tenders; Mortar Mixers; Jackhammer; Vibrator; Tamper; Pavement Buster; Chipping & Peening Hammer; Air Siphon & Air Pump; Riprap Finisher; Concrete Saw; Concrete Technician; Power Saw; Chain Saw; Motorized Buggy; Pipelayers Tender; Drill Op. Tender; Sheeters & Shorers; Post Hole Digger; Asphalt Raker; Lance and/or Water Blaster; Blachsmith Tender; Batch House Scale; Workmen working with Acid Mortar; Acid Brick; Acid or Mastic Asphalt; Workmen working with Creosote; Nozzlemen for Gunnite or Sandblasting; Tool Room Attendants; Ride or Walk Roller Tampers; Lather Tender; Tile Setters Tenders; Asbestos Removal Worker; Hazardous Waste Worker.

GROUP 3: Blacksmith; Powdermen; Air Track; Pipe Layer (including Laser Beam Set-Up); Burner.

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 MARB0005-001 06/01/2005

CABELL, MASON (THAT PORTION SOUTH OF THE KANAWHA RIVER), AND WAYNE COUNTIES

	Rates	Fringes
Marble, terrazzo and tile finisher.....	\$ 20.38	12.75

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 PAIN0091-001 12/01/2007

BROOKE (SOUTH OF BUFFALO CREEK), MARSHALL, OHIO AND WETZEL COS.

	Rates	Fringes
Painters:		
Brush, Roller, Paper		

hanger, Sand/Spray,  
 Waterblast and Perfataping  
 (Including Automatic  
 Perfataping Tools).....\$ 21.95 9.95

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 \* PAIN0091-010 12/01/2008

Brooke, Marshall, Ohio, and Wetzel Counties

	Rates	Fringes
GLAZIER.....	\$ 25.10	9.60

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 \* PAIN0091-011 12/01/2008

Hancock County

	Rates	Fringes
GLAZIER.....	\$ 24.60	9.00

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 PAIN0438-003 12/01/2007

BROOKE (NORTH OF BUFFALO CREEK), HANCOCK COUNTIES

	Rates	Fringes
Painters: (Painters, Drywall Finishers & Paper Hangers, and Perfataping (Automatic Taping Tools, Bazooka & Banjo)).....	\$ 21.95	9.95

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 PAIN0804-001 12/01/2007

BARBOUR, DODDRIDGE, GILMER, GRANT, HAMPSHIRE, HARDY, HARRISON,  
 LEWIS, MARION, MINERAL, MORGAN, MONONGALIA, PENDLETON, PRESTON,  
 RANDOLPH, TAYLOR, TUCKER, UPSHUR AND WEBSTER COS.

	Rates	Fringes
PAINTER (Bridges, Locks, Dams, High Tension Towers, Energized Substations).....	\$ 27.04	9.95
PAINTER (Commercial).....	\$ 21.99	9.95
PAINTER (Industrial and Power Generating Facilities).....	\$ 24.14	9.95

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 PAIN0813-001 12/01/2007

CABELL, MASON AND WAYNE COUNTIES

	Rates	Fringes
Painters: Brush and Roller, Drywall Finishing and Texuring, Machine Toolstand and Stilts, Spray and Sandblast, and Wall Covering and Vinyl.....	\$ 22.08	9.95

PAIN0970-001 12/01/2007

BRAXTON, CALHOUN, KANAWHA AND PUTNAM COUNTIES

	Rates	Fringes
Painters: (Brush Painting, A/Compressor Op., Roller Painting, DryWall Pointers & Tapers, Dipping & Mitten Work, Sprayer Machine Op., Taping Machines, Mud Mixer, Pole Sander, Tape and Spackling Teams, All Synthetic Interior & Exterior Work, Sandblaster, Water Blaster, Steam Jenny Nozzle Op., Swinging Scaffold and Boat Swing Chair, Window Jack Work, Vinyl & Paper Hangers:)		
All new commercial projects; Commercial repaint or renovation projects where the total construction cost on the project (all trades combined) exceeds \$500,000 in construction cost; all work on waste and water treatment facilities.....	\$ 22.08	9.95
Work at manufacturing plants and power plants.....	\$ 24.23	9.95

PAIN1144-002 12/01/2007

JACKSON, PLEASANTS, RITCHIE, ROANE, TYLER, WIRT AND WOOD COS.

	Rates	Fringes
Painters:		
Commercial: Brush, roller, Drywall Finisher (Operating mechanical taping machines (men working behind the machine will receive the same rate), Pointers & tapers, Paper & vinyl hangers, Sign painter.....	\$ 22.12	9.95
Industrial: Brush/roller, open structural steel, stacks, vent pipes, flag poles, electrical, radio and tv towers, tanks, spray, sand & water blast, pot man, hydrojet, and glove work.....	\$ 24.27	9.95

\* PAIN1195-001 12/01/2008

BARBOUR, BRAXTON, CABELL, CALHOUN, DODDRIDGE, GILMER, GRANT, HAMPSHIRE, HARDY, HARRISON, KANAWHA, LEWIS, MARION, MASON, MINERAL, MONOGALIA, MORGAN, PENDELTON, PRESTON, PUTNAM,

RANDOLPH, ROANE, TAYLOR, TUCKER WAYNE, WEBSTER AND UPSHUR COUNTIES.

	Rates	Fringes
GLAZIER.....	\$ 27.50	5.70

\* PAIN1195-007 12/01/2008

JACKSON, PLEASANTS, RITICHIE, TYLER, WIRT, and WOOD Counties

	Rates	Fringes
GLAZIER.....	\$ 25.99	7.20

PLAS0039-003 07/01/2008

BROOKE, CALHOUN, GRANT, HAMPSHIRE, HANCOCK, HARDY, JACKSON, MARSHALL, MINERAL, MORGAN, OHIO, PENDLETON, PLEASANTS, RANDOLPH, RITCHIE, TAYLOR, WETZEL, WIRT & WOOD COUNTIES

	Rates	Fringes
CEMENT MASON/CONCRETE FINISHER... Mechanical Equipment (Floating, Grinding, Bushhammering or finishing).....	\$ 23.88 \$ 24.48	10.20 10.20

PLAS0039-004 07/01/2008

BROOKE, CALHOUN, GILMER, GRANT, HAMPSHIRE, HANCOCK, HARDY, JACKSON, MARSHALL, MINERAL, MORGAN, OHIO, PENDLETON, PLEASANTS, RANDOLPH, RITCHIE, TYLER, WETZEL, WIRT & WOOD COUNTIES

	Rates	Fringes
PLASTERER.....	\$ 23.88	10.20

PLAS0887-001 06/01/2008

	Rates	Fringes
Cement Masons:.....	\$ 27.06	12.91

PLAS0887-003 06/01/2008

	Rates	Fringes
PLASTERER.....	\$ 28.66	9.97

PLUM0083-002 07/01/2008

BROOKE COUNTY (North to Route #27 due east to the State Line, Excluding the City limits of Wellsburg), MARSHALL, OHIO AND WETZEL COUNTIES

	Rates	Fringes
Plumber and Steamfitter		



Work at chemical plants, steel mills, pilot plants, chemical laboratories, compressor stations and bulk storage plants.....	\$ 31.86	15.43
All other work.....	\$ 29.44	15.43

PLUM0152-001 11/01/2007

HARRISON, LEWIS, MARION, MONONGALIA, TAYLOR AND UPSHUR COUNTIES

	Rates	Fringes
Plumbers and Pipefitters Work at power plants, chemical plants, glass plants and manufacturing facilities.....	\$ 30.03	20.08
All other work.....	\$ 29.05	16.50

PLUM0152-002 11/01/2007

BARBOUR, DODDRIDGE AND PRESTON COUNTIES

	Rates	Fringes
Plumbers and Pipefitters Work at power plants, chemical plants, glass plants and manufacturing facilities.....	\$ 30.28	20.11
All other work.....	\$ 29.33	16.50

PLUM0152-003 11/01/2007

BRAXTON, GILMER, RANDOLPH AND TUCKER COUNTIES

	Rates	Fringes
Plumbers and Pipefitters Work at power plants, chemical plants, glass plants and manufacturing facilities.....	\$ 30.53	20.13

PLUM0152-004 11/01/2007

GRANT, HAMPSHIRE, HARDY, MINERAL AND PENDLETON COUNTIES

	Rates	Fringes
Plumbers and Pipefitters Work at power plants, chemical plants, glass plants and manufacturing facilities.....	\$ 30.78	20.16
All other work.....	\$ 26.48	18.80

PLUM0490-001 06/01/1998

BROOKE (North of Buffalo Creek), AND HANCOCK COUNTIES

Rates	Fringes
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Plumbers and Pipefitters.....\$ 26.15 12.25  
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 PLUM0521-002 06/01/2008

CABELL, MASON AND WAYNE COUNTIES

	Rates	Fringes
Plumbers and Pipefitters.....	\$ 28.75	14.35
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PLUM0565-001 07/01/2008		

CALHOUN, JACKSON, PLEASANTS, RITCHIE, TYLER, WIRT AND WOOD COS.

	Rates	Fringes
Plumbers and Pipefitters.....	\$ 29.88	16.18
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PLUM0625-001 06/01/2008		

KANAWHA, PUTNAM, ROANE AND WEBSTER COUNTIES

	Rates	Fringes
Plumber, Pipefitter, Steamfitter		
Work at plants that are in the process of manufacturing a product....	\$ 29.89	14.63
All other work.....	\$ 28.49	14.63
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ROOF0034-002 05/01/2000		

GRANT, HAMPSHIRE, HARDY, MINERAL, AND MORGAN COUNTIES

	Rates	Fringes
Roofers:		
Composition Mopmen.....	\$ 16.25	5.05
Composition Roofer.....	\$ 16.00	5.05
Pitch Tear Off or Put On....	\$ 16.50	5.05
Slaters.....	\$ 16.15	5.05
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ROOF0185-004 06/01/2008		

CABELL, KANAWHA, MASON, PUTNAM AND WAYNE COS.

	Rates	Fringes
Roofers:.....	\$ 26.00	9.76
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ROOF0188-002 07/01/2008		

BROOKE, HANCOCK, MARSHALL AND OHIO COUNTIES

	Rates	Fringes
Roofers:		
Coal Tar Pitch & Waterproofing.....	\$ 24.82	9.85
Roofer.....	\$ 24.57	9.85
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ROOF0242-002 06/01/2007		

BARBOUR, BRAXTON, CALHOUN, DODDRIDGE, GILMER, HARRISON,  
 JACKSON, LEWIS, MARION, MONONGALIA, PENDLETON, PLEASANTS,  
 PRESTON, RANDOLPH, RITCHIE, ROANE, TAYLOR, TUCKER, TYLER,  
 UPSHUR, WETZEL, WIRT AND WOOD COUNTIES

	Rates	Fringes
ROOFER, Including Built Up, Composition and Single Ply Roofs.....	\$ 22.94	9.03
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SFWV0669-001 04/01/2008		

BRAXTON, BROOKE, CABELL, CALHOUN, DODDRIDGE, GILMER, HANCOCK,  
 HARRISON, JACKSON, KANAWHA, LEWIS, MARION, MARSHALL, MASON,  
 MINERAL, OHIO, PLEASANTS, PUTNAM, RITCHIE, ROANE, TYLER,  
 UPSHUR, WAYNE, WETZEL, WIRT AND WOOD COUNTIES

	Rates	Fringes
SPRINKLER FITTER.....	\$ 29.25	15.05
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SHEE0024-010 06/01/2008		

CABELL AND WAYNE COUNTIES

	Rates	Fringes
Sheet metal worker.....	\$ 25.05	17.57
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SHEE0033-015 06/01/2008		

KANAWHA, MASON AND PUTNAM COUNTIES

	Rates	Fringes
Sheet Metal Worker.....	\$ 25.00	16.77
-----		
SHEE0033-017 07/01/2008		

BROOKE, HANCOCK, MARSHALL AND OHIO COUNTIES

	Rates	Fringes
Sheet Metal Worker.....	\$ 25.85	15.13
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SHEE0033-020 06/01/2008		

BRAXTON, CALHOUN, DODDRIDGE, GILMER, HARRISON, JACKSON, LEWIS,  
 MONONGALIA, MARION, PLEASANTS, RITCHIE, ROANE, TYLER, UPSHUR,  
 WETZEL, WIRT AND WOOD COUNTIES

	Rates	Fringes
Sheet metal worker.....	\$ 26.26	16.50
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SHEE0100-008 05/01/2001		

MINERAL COUNTY

	Rates	Fringes
Sheet Metal Worker.....	\$ 21.77	7.79

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 TEAM0092-005 07/01/2008

BROOKE & HANCOCK COUNTIES

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 21.39	9.87
GROUP 2.....	\$ 21.43	9.87
GROUP 3.....	\$ 21.47	9.87
GROUP 4.....	\$ 22.17	9.87
GROUP 5.....	\$ 22.29	9.87

CLASSIFICATIONS

GROUP 1 - End Dump; Dumpster; Turnarocker; Ross Carrier; Athry Wagon; Greaser; Tiremen; Articulated Dump

GROUP 2 - Flatboy Material Tuck, Dump & and Semi-Dump Truck; Semi Trailer & Tractor Trailer

GROUP 3 - Tank Trucks (straight & semi)

GROUP 4 - Mechanic

GROUP 5 - Lowboy Trailer; Winch Truck; A-Frame; Forktruck; Distributor Truck (front & back end) & Truck Crane

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 TEAM0175-002 06/01/2008

CALHOUN, GILMER, JACKSON, KANAWHA, PLEASANTS, RITCHIE, ROANE, TYLER, WIRT AND WOOD COUNTIES

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 22.07	a
GROUP 2.....	\$ 22.17	a
GROUP 3.....	\$ 22.32	a
GROUP 4.....	\$ 22.47	a
GROUP 5.....	\$ 22.72	a
GROUP 6.....	\$ 22.82	a
GROUP 7.....	\$ 22.97	a

FOOTNOTE: a. \$1,924.31 per month

TRUCK DRIVER CLASSIFICATIONS

GROUP 1 - Pick-Up; Panel; John Deere Gators or Similar Equipment

GROUP 2 - Flat Body Material (Straight Jobs); Dump (Up to 5 cu. yds.); Greaser; Tank (Straight)

GROUP 3 - Dump (5 cu. yds. & over); Semi-Dump; Semi-Trailer (whether Flat, Rack or Pole and hauled or pushed by truck or tractor); Agitator or Mixed (Up to 5 cu. yds.); Tank (Semi); & Monorail

GROUP 4 - Low Boy Trailer; Winch; Fork; Distributor (Front & Back End); Truck Crane; Agitator or Mixer (5 cu. yds. & over); Hydraulic Tail Gate; & Farm Type Tractor

GROUP 5 - Euclid; Dumpster; Turnarocker; Ross Carrier; Athey Wagon or Similar Equipment; A-Frame; Hydrolift; & Dual Purpose

GROUP 6 - Mechanic

GROUP 7 - Master Mechanic (3 or more mechanics employed)

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TEAM0505-003 06/01/2008

CABELL, MASON AND WAYNE COUNTIES

	Rates	Fringes
Truck drivers:		
GROUP 1.....	\$ 28.73	12.21+A
GROUP 2.....	\$ 29.24	12.21+A
GROUP 3.....	\$ 29.41	12.21+A
GROUP 4.....	\$ 29.87	12.21+A
GROUP 5.....	\$ 30.27	12.21+A
GROUP 6.....	\$ 30.49	12.21+A

TRUCK DRIVER CLASSIFICATIONS

GROUP 1 - Pickup; Station Wagon; Panel; Flatbody Material Truck (Straight job); & Dump (Up to 5 cu. yds.)

GROUP 2 - Tank (Straight); Dump (5 cu. yds. & over); Agitator or Mixer (Up to 5 cu. yds.); & Flat Bed Tandem

GROUP 3 - Agitator or Mixer (5 cu. yds. & Over)

GROUP 4 - Mechanic; Tri-Axle Dump; Hydraulic Lift Tailgate; Truck & Farm-type Tractor; End Dumpster; Turnarocker; Ross Carrier; Athey Wagon; Semi-dump; Semi-trailer; Semi-tank; & Lowboy Trailer

GROUP 5 - Master Mechanic

GROUP 6 - Winch; Fork; Distributor (Front End and Back End); Truck Crane; & Monorail

A. Paid Holidays - New Years Day, Memorial Day, July 4th, Labor Day, Thanksgiving, Day After Thanksgiving & Christmas Day

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TEAM0697-002 07/01/2008

MARSHALL, OHIO AND WETZEL COUNTIES

	Rates	Fringes
TRUCK DRIVER		
GROUP 1 - Pickup.....	\$ 21.84	11.87
GROUP 2 - Greaser.....	\$ 21.85	11.87
GROUP 3 - Flatbed Material; Dump & Semi-Dump..	\$ 21.89	11.87
GROUP 4 - Tank (straight)		

& semi).....	\$ 21.92	11.87
GROUP 5 - Semi-Tractor Trailer.....	\$ 21.94	11.87
GROUP 6 - Pole-Trailer.....	\$ 22.04	11.87
GROUP 7 - Agitator & Mixer (Up to 5 cu. yds.)....	\$ 22.12	11.87
GROUP 8 - Euclid; Dumpster; Turnarocker; Ross Carrier; & Athey Wagon.	\$ 22.17	11.87
GROUP 9 - Agitator & Mixer (Over 5 cu. yds.)....	\$ 22.20	11.87
GROUP 10 - Lowboy Trailer; Winch; Fork & Distributor (Front & Back End); & Truck Crane.....	\$ 22.47	11.87
GROUP 11 - A-Frame.....	\$ 22.54	11.87
Group 12 - Mechanic.....	\$ 22.57	11.87

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

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 (29CFR 5.5 (a) (1) (ii)).

In the listing above, the "SU" designation means that rates listed under the 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, DC 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, DC 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, DC 20210

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

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END OF GENERAL DECISION