

EXEMPTION FROM APPLICATION OF SERVICE CONTRACT ACT PROVISIONS (5-89)

(a) The following certification shall be checked:

Certification

The offeror certifies ()/ does not certify () that:

(1) The items of equipment to be serviced under the subcontract are commercial items which are used regularly for other than Government purposes, and are sold or traded by the Offeror in substantial quantities to the general public in the course of normal business operations.

(2) The subcontract services are furnished at prices which are, or are based on, established catalog or market prices for the maintenance, calibration, and/or repair of certain ADP, scientific and medical, and/or office and business equipment. An "established catalog price" is a price included in a catalog, price list schedule, or other form that is regularly maintained by the manufacturer or the Offeror, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public. An "established market price" is a current price, established in the usual course of trade between buyers and seller free to bargain, which can be substantiated from sources independent of the manufacturer or Offeror.

(3) The Offeror utilizes the same compensation (wage and fringe benefits) plan for all service employees performing work under the subcontract as the Offeror uses for equivalent employees servicing the same equipment of commercial customers.

(b) If a negative certification is to be made and a Service Contract Act wage determination is not attached to the solicitation, the Offeror shall notify the Company as soon as possible.

(c) Failure to execute the certification in paragraph (a) of this clause or to contact the Company as required in paragraph (b) of this clause may render the offer unacceptable.

Offeror: _____

By: _____

Title: _____

Date: _____