



## Service Contract Labor Standards Exemption Documentation

\* Revised November 20, 2018

Conditions exist to procure services exceeding \$2,500, that are exempt from the Service Contract Labor Standards are exempt and compliance with a Wage Determination is not required. Consistent with **FAR 22.1003-4(d)(2)<sup>1</sup>**, the Buyer affirms the vendor was selected based on other factors in addition to price (i.e., service availability, past performance, etc.) or sole source; and, the Vendor certifies that exemption "Conditions" exist by signing and dating this form and returning one (1) copy to the Buyer. **Convenience checks are not authorized.**

**Conditions.** The exemption for the services applies if **all** the following conditions are met:

- The services are offered and sold regularly to non-Governmental customers, and are provided by the vendor to the general public in substantial quantities in the course of normal business operations.
- The services are furnished at prices that are, or are based on, established catalog or market prices. As defined at 29 CFR 4.123(e)(2)(ii)(C)-
  - (A) An established catalog price is a price included in a catalog, price list, schedule, or other form that is regularly maintained by the vendor, 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; and
  - (B) An established market price is a current price, established in the usual course of trade between buyers and sellers free to bargain, which can be substantiated from sources independent of the vendor.
- Each service employee who will perform the services will spend only a small portion of his or her time (a monthly average of less than 20 percent of the available hours on an annualized basis, or less than 20 percent of available hours during the contract period if the contract period is less than a month) on this transaction.
- The vendor will use the same compensation (wage and fringe benefits) plan for all service employees performing work under this order as the vendor uses for these employees and equivalent employees servicing commercial customers.

**By signing below, the buyer affirms vendor was selected as described in FAR 22.1003-4(d)(2):**

Buyer Print Name	Buyer Signature	Date

**By signing below, the vendor certifies that conditions will be met:**

Vendor Print Name	Vendor Signature	Date

<sup>1</sup> For the full text of **FAR 22.1003-4 Administrative limitations, variations, tolerances, and exemptions (specifically (d)(1)(i)-Exemption: Automobile or other vehicle maintenance services)**, this reference may be accessed electronically at the following web link: **Federal Acquisition Regulations** <https://www.acquisition.gov/browsefar>