

EXEMPTION FROM APPLICATION OF SERVICE CONTRACT ACT PROVISIONS (8-96)

(a) The following certification shall be checked:

Certification

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

- (1) The items of equipment to be serviced under this 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 information technology, scientific and medical, and/or office and business equipment. An "established catalog price" is a price (including discount price) recorded in a catalog, price list, schedule, or other verifiable and established record that is regularly maintained by the manufacturer or the Offeror, is either published or otherwise available for inspection by customers. An "established market price" is a current price, established in the course of ordinary and usual trade between buyers and sellers free to bargain, which can be substantiated by data from sources independent of the manufacturer or Offeror; and
 - (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 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: _____