

## SCA-116

August 11, 1975

This is in response to your letter of July 18, 1975, concerning the requirement for periodic adjustment in Service Contract Act wage determinations in multi-year contracts.

It has been our consistent position that a new SF-98 must be submitted upon each annual anniversary date of a multi-year contract subject to annual fiscal appropriation by the Congress for purposes of including an updated wage determination in the contract. See section 4.145 of Regulations, 29 CFR Part 4.

With respect to multi-year contracts not subject to such annual appropriations, section 4(d) of the Act requires such periodic adjustment "...not less often than once every two years during the term of the contract..." (Emphasis supplied) It is also our position with respect to this requirement that an SF-98 be submitted upon each annual anniversary date of any such multi-year contract. Upon such submission, an administrative determination will be made by the Department of Labor as to whether a revised wage determination will be issued.

Sincerely,

Ray J. Dolan  
Assistant Administrator  
Wage and Hour Division