

## SCA-12

July 14, 1978

This is in response to your SF-98, No. A 663104, calling for the installation and maintenance of a motel-type telephone system.

Based on the information provided in your SF-98, and in a subsequent telephone conversation between members of our respective staffs, the proposed contract would be subject to both the Davis-Bacon Act and the Service Contract Act. The Davis-Bacon Act applies to Federally financed contracts in excess of \$2,500 for the construction, alteration, and/or repair, including painting and decorating, of a public building or a public work. The Davis-Bacon Act would apply to all work performed in conjunction with the installation of the system, while the maintenance portion of the contract would be subject to the Service Contract Act.

Accordingly, the stipulations of both the Davis-Bacon Act and the Service Contract Act must be included in the contract. The applicable Davis-Bacon wage decision should be obtained in accordance with Regulations, 29 CFR Part 1. However, there is no Service Contract Act wage determination currently in effect which would apply to the maintenance portion of the contract.

Sincerely,

Dorothy P. Come, Director of  
Government Contract Regulations

NOTE: This letter pre-dates the 1983 regulatory amendments which redefined the principal purpose test under SCA.