

DBRA-58

July 15, 1981

This is in response to your SF-98, Notice No. A 0297856, calling for installation of steel racks at the *** in Jersey City, New Jersey.

Based on the information provided in your SF-98, and as discussed in a telephone conversation between members of our respective offices, the proposed contract would be subject to the Davis-Bacon Act rather than the Service Contract Act. The Davis-Bacon Act applies to Federally-financed contracts in excess of \$2,000 for the construction, alteration, and/or repair, including painting and decorating, of a public building or a public work.

Accordingly, the Davis-Bacon Act stipulations and applicable wage decision must be included in this contract. The Branch of Construction Wage Determinations is currently processing your SF-98 as an SF-308, the form used for requesting wage determinations under the Davis-Bacon Act, and you will receive a further response to notify you of the Davis-Bacon wage decision applicable to this contract. For future guidance, Davis-Bacon wage determinations should be obtained in accordance with the procedures set forth in Regulations, 29 CFR Part 1.

Sincerely,

Sylvester L. Green
Director, Division of Government
Contract Enforcement