

GOVERNMENT OF THE DISTRICT OF COLUMBIA

DEPARTMENT OF PARKS AND RECREATION



VOL 1-BID DOCUMENTS
INVITATION NO. DCHA-2007-B-0107

PROJECT: Resurfacing Basketball Courts

LOCATION: New York Ave. (100 N St. NW), Florida Ave. & R St.

IDENTIFICATION No.

SBE Set-Aside

Bids Will Be Publicly Opened by

The Office of Contracting & Procurement (OCP)
441 4th Street N.W.
7th Floor South
Washington, DC 20001

Bids Will Be Opened on September 21, 2007 at 2:00 P.M.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT OF PARKS AND RECREATION

GOVERNMENT OF THE DISTRICT OF COLUMBIA
DEPARTMENT PARK AND RECREATION

TITLE PAGE - SPECIFICATIONS

ISSUING OFFICE

The Office of Contracting & Procurement (OCP)
Construction, Design and Building Renovation Group
441 4th Street, N.W.
7th Floor,
Washington, DC 20001

Request for clarification of interpretation of Bid Documents prior to date of Bid Opening:

ADDRESS TO: Ali H Sultan
Project Manager
Office of Capital Construction
Department of Parks and Recreations
1480 Girard St. NW
Washington DC
Telephone 202-671-0368

Prospective Bidders

To bid this contract, detach the Bid Form package which is bound in Volume One. Fill out all forms along with Bid guaranty as required, and submit it to the Issuing Officer prior to the time of bid opening.

“ See *Standard Contract Provisions Booklet* for the District of Columbia Government Construction Projects, and the amendments thereto, incorporated herein by reference. Copies of these booklets may be obtained without cost from the issuing office.

ATTACHMENT J.1.1

Scope of Work and Specifications

**SCOPE OF WORK AND SPECIFICATIONS
FOR RENOVATION OF BASKETBALL COURTS FOR**

1. FLORIDA AVENUE BASKETBALL COURT
LOCATION: FLORIDA AVE. AND R STREET, NW

2. PARKVIEW BASKETBALL COURT
LOCATION: 693 OTIS PL., NW

Basketball Court Dim.

Florida Ave

119 ft. & 8 inch. X 60 ft. & 7 inch.

Parkview

54 ft. X 81 ft. & 1 inch.

The District of Columbia Office of Contracting and Procurement (OCP), on behalf of the District of Columbia Department of Parks and Recreation (DPR), has a requirement to resurface the basketball courts at above mentioned three sites. The contractor selected shall provide all labor, materials, and equipment as specified and as required for complete and proper execution, and examine the area(s) and conditions under which the work shall be performed. The scope of work and specifications shall include but not necessarily be limited to...

1. Removing and disposing off the old fencing to acquire access to facilities,
2. Milling existing asphalt pavement and top dress with 2" crushed stone **dust** after Wet scrubbing low areas with water and stiff broom to remove all sediment, silt and any foreign materials
3. Install 2 1/2" min. after compaction asphalt base course pavement and 1" min compacted surface course. Contractor must apply in two courses (the base and surface courses) to achieve required surface smoothness where the surface course being of finer texture than the base course.
4. Apply new acrylic surface mix and as set forth in attached specification or approved equal.
5. The finished court surface should slope 1" in 10 ft., 0.83% on a true plane from end to end, corner to corner, or side to side. End to end slope is preferable for a playing surface and for construction. The elevation difference for the courts from one end to the other is not noticeable by the players. The surface should not slope away in two directions from the short center line

6. Color coating play surface as per the attached specification
7. Providing and installing basketball posts, backboards, rims and nets for the basket courts. The quantity of the equipments shall match the existing ones.
8. Installing 8' high new vinyl-clad chin link fencing and gates as per the attached fencing specification. Contractor shall measure the actual linear footage before its proposal is submitted.

DPR TECHNICAL SPECIFICATION FOR DESIGN AND CONSTRUCTION OF TENNIS AND BASKETBALL COURTS

1. General

The tennis courts should be tournament quality and meet the standards of the U.S. Tennis Court and Track Builder Association. All berms should have a maximum slope of 33% (1:3) between terraces. The fence should have openings no larger than 1 ½" x 1 ½" and should form an

architectonic marriage to the local setting. All drainage outlets should be level and meet contours of the court surface. See figure (1.0)

The asphalt paving shall be constructed Full-Depth on prepared sub-grade. A Full-Depth asphalt pavement is one in which asphalt mixtures are employed for all courses above the sub-grade or improved sub-grade. Normally, more than one course is needed to achieve required surface smoothness, the surface course being of finer texture than the base course. In addition to conventional asphalt surface construction, proprietary products, in color, are available and should be used in multiple layers to give very close surface tolerances.

The renovation of the existing courts shall be milled to a minimum depth of 2" and shall be topped by 2" crushed stone dust. After brush cleaned by the specified method, install 3 1/2" min. asphalt pavement. This Provides a completely new pavement, provides opportunity to correct court slope and grade, eliminates all shrinkage and non upheaval or depression cracks. DPR utilizes the standard developed and approved by ASBA and all work shall be done in accordance with American Sports Builders Association (A.S.B.A.) guide specifications.

1.1 Sub-grade Preparation

The sub-grade soil must support construction equipment without deformation as well as serve as the foundation for the pavement structure. Therefore, it is most important that it is properly prepared. Low-quality soils must be improved by adding suitable admixtures. Asphalt can be used to stabilize granular soils. Local areas that are highly susceptible to frost heaving and frost boils should be removed and replaced with better materials or reworked to make uniform the upper portion of the sub-grade. To prevent growth of weeds, the sub-grade should be treated with a soil sterilant.

1.2 Drainage

Proper drainage [under drains] is of the utmost importance in the construction of a good court. In sandy or gravelly soil, under drainage may not be required, but in heavy clay soils it is desirable to dig a ditch entirely around the court, with such bottom slope and outlet as will prevent accumulation of water. The ditch should be two to three feet in depth, with a perforated pipe, or open clay tile at the bottom, and should then be backfilled with porous fill to within a few inches of the surface.

1.3 Slope

The finished court surface should slope 1" in 10 ft., 0.83% on a true plane from end to end, corner to corner, or side to side. End to end slope is preferable for a playing surface and for construction. The 12" difference in elevation from one end to the other (8" in the in-bounds area) is not noticeable by the players. The surface should not slope away in two directions from the net.

1.4 Perimeter Edging

Perimeter edging is not constructed on all courts. But for many courts, it is needed to prevent shoulder material erosion that will result in edge failures. Erosion can be prevented by construction of perimeter edging with top elevation 1/2" below finished grade level. The court's surface course should be tapered from 6" away from the edging to meet it. Perimeter edging can be constructed of brick, Portland cement concrete, or steel.

1.5 Composition of Mix

Conventional mix-design procedures, which have been used for many years, are available and are suited for designing asphalt paving mixtures. Aggregates and asphalts are selected and proportioned to obtain properties desired in the finished pavement. The asphalt mixture, when placed and compacted, shall provide an adequate pavement structure that is watertight, have a suitable surface texture, and require little or no maintenance.

The highest quality court bases are built with asphalt concrete or approved equal

The playing surface may be either a hot sand asphalt mixture is required or approved equal is acceptable or for the truest surface, a proprietary surfacing.

A color finish on asphalt courts surfaces shall be used. Favorite colors are grass green and tile red, or a combination of both. A number of proprietary products are marketed for this purpose, but they must be tested to be sure they are compatible with asphalt and will weather without bleeding or discoloration. These special finishes are water-based materials and should be diluted to proper consistency before application.

1.6 Proprietary Surfacing

Proprietary surfacing consists of multi-layer construction that provides a high type, weather-resistant surface. Layout is important, with an asphalt base and good drainage needed for sound foundation.

Successive application of factory-compounded products, containing the proper balance of emulsified asphalt binder, selected mineral fillers and selected coloring may be applied by squeegee to obtain a smooth, nonskid texture, and complete sealing action. Where color fastness is desired, special proprietary products shall be used in the final application.

**THE DEPARTMENT OF PARKS AND RECREATION
STANDARD SPECIFICATIONS FOR COLOR COATING**

2.0 SURFACE PREPARATION - ASPHALT

Unsound, damaged or broken areas shall be cut out and repaired by patching with appropriate paving mix, then allowed to cure seven days.

New asphalt shall be allowed to cure at least seven day, or until free of light oils and presents a water break-free surface before application of COLOR COURT surfacing materials.

All cracks, expansion joints and other areas including perimeters where plant growth existed shall be treated with an effective weed killer to prevent re-growth.

Surface shall be clean and free of all dust, dirt, debris, weeds, grease, oil and other foreign matter. Clean by washing with high-pressure water [2,500 PSI] and by vacuuming or power blower. Wet scrub low areas with water and stiff broom to remove all sediment and silt. Minor surface cracks up to one-fourth inch (1/4") wide shall be filled with COLOR COAT siliconized Crack Filler. Surface depressions shall be located by flooding with water, and low areas marked by outlining with chalk. When dry, depressions in excess of one fourth inch (1/4") DECP shall be leveled with hot asphalt-sand mix. Low areas one-fourth inch (1/4") deep or less shall be leveled with the following Patch Mix:

2 gallons plaster sand
2 gallons FILKOTE RESURFACER
¼ gallon COLOR COURT Tennis Court Binder

Existing playing lines can be marked by sinking nails at corners and line intersections, or, if applying COLOR COURT color surfacing ONLY, can be covered with masking tape.

Porous or rough, weathered asphalt shall be surfaced with FILKOTE Surface Filler prior to application of COLOR COURT color surfacing. FILKOTE shall be applied over the clean, dry surface at the rate of not less than ten (10) nor more than thirty (30) gallons per one thousand (1,000) square feet. Material shall be thoroughly cured before being covered by the succeeding application. Method of applying is spreading material from windrow using a flexible rubber squeegee, (CC-810NP or CC-1010NP) Use of FILKOTE on new asphalt or resurfacing previously coated asphalt is optional. Allow to cure thoroughly – AT LEAST 48 Hours – before applying COLOR COURT color surfacing.

2.1 APPLICATION

COLOR COURT color surfacing shall be applied to the clean, prepared surface to obtain a total application rate of not less than ten (10) nor more than fifteen (15) gallons per one thousand (1,000) square feet of area. Material shall be thoroughly cured before being covered by a succeeding application. Method of applying is spreading material from windrow using a flexible rubber squeegee, (CC-810NP or CC-1010NP), or

spreading with squeegee and leveling with a roller-coaster (CC-808NP), rolling at a right angle to the squeegee pull. Wet material in the windrow shall not be allowed to dry during application.

2.2 PLAYING LINES

After the color finish course has cured twenty-four to forty-eight (24 to 2\48) hours, playing lines shall be accurately located, as per tennis and basketball court layout, (attached Exhibits 1 and 2) marked and painted with COLOR COURT Line Paint. Twenty-four (24) hours drying time shall be allowed before recreation use.

2.3 LIMITATIONS

Application of COLOR COURT materials shall not be permitted during rainfall, when rainfall is imminent and or unless air temperature is at least fifty degrees Fahrenheit (50° F.) and rising. DO NOT ALLOW TO FREEZE.

Scope of work and specification for Vinyl-clad chain link fence

Section 1: Scope and Specification

- 3.1 **Scope:** Work shall consist of installing a new vinyl-clad chain link fence system at the subject site. The scope of work and

specification shall include but not necessary be limited to the following.

- 3.11 The Contractor shall provide all services as per scope of work and specifications which shall not be limited to demolition and removal of existing chain link fence; all construction requirements shall conform to the applicable provisions of the D.C. Specifications for Highways and Structures.
- 3.12 Contractor shall fabricate, furnish, assemble, and erect the 6 feet high vinyl-clad chain link fence, connections, and ties, and all other work incidental to the installation. The fence shall be erected to the lines, grades, and height as existing and/or as directed by DPR in accordance with the specification
- 3.13 The vinyl-clad chain link fence shall be (per the height in foot) high and must confirms with the specification or approved equal. The contractor shall submit the specification of the fence and reliable schedule that it adheres to.

3.2 **General**

- 3.21 Demolition and removal of the existing chain link fence from site
- 3.22 Provide and install (linear footage) long vinyl-clad chain link fence and two gates as per the attached drawing. However, the actual quantities shall be verified on site. (See ATA-1)
- 3.23 All wire fabric shall be vinyl clad and shall be the 9-gauge and 2" mesh as shown on the attached exhibit, ATA-2.
- 3.24 All prospective bidders shall review the document(s) before the time of pre-bid site inspection, and have questions ready.
- 3.25 Prospective bidders shall provide a separate unit cost for each line item listed, in the solicitation schedule(s).
- 3.26 Prospective bidders shall provide a projected schedule of work showing time required to complete each fence project from time of notice to proceed required.
- 3.27 All work must be accomplished as per an approved schedule.

3.3 **Products:** vinyl-clad chain link fence

3.4 **GATES**

- 3.41 Gates shall be manufactured of the same material to the fence and meet the requirements of ASTM F668.

- 3.42 The material for fence fittings shall be manufactured to meet the requirements of ASTM F626. The coating for all fittings shall be the same system required for the framework
- 3.43 The gate post shall bear the following criterion:

Section 2: EXECUTIONS

- 2.1 Install fence in accordance with manufacturer's instructions or approved method of installation.
- 2.2 Space posts uniformly at 7'8-3/4" maximum face to face unless otherwise indicated.
- 2.3 Concrete Set Posts: Drill hole in firm undisturbed or compacted soil. Holes shall have diameter 4 times greater than nominal outside dimension of post, and depths approximately 6" deeper than post bottom. Excavate deeper as required for adequate support in soft and loose soils, and for posts with heavy lateral loads. Set post bottom 36" below surface when in firm, undisturbed soil. Place concrete around post in a continuous pour. Trowel finish around posts and slope to direct water away from posts.
- 2.4 For Gate Posts and Hardware, install set keepers, stops, sleeves and other accessories into concrete.
- 2.5 Check each post for vertical and top alignment, and maintain in position during placement and finishing operation.
- 2.6 Align fence panels between posts.
- 2.7 The Contractor shall provide all service as per this scope of work and specifications which shall not be limited to demolition and removal of existing chain link fence; all construction requirements shall conform to the applicable provisions of the District of Columbia's Specifications for Highways and Structures.
- 2.8 Contractor shall fabricate, furnish, assemble, and erect the ornamental fence, connections, and ties, and all other work incidental to the installation. The fence shall be erected to the lines, grades, and height as indicated and/or as directed by DPR
- 2.1 All materials required must be stockpiled before work commences.
- 2.2 The contractor shall complete the project as per an approved schedule.

ATTACHMENT J.1.2

Drawings

(NA)

ATTACHMENT J.1.3

**Department of Labor Current Wage Determination General
Decision DC070003 Mod. 9**

General Decision Number: DC070003 07/20/2007 DC3

Superseded General Decision Number: DC20030003

State: District of Columbia

Construction Type: Building

County: District of Columbia Statewide.

BUILDING CONSTRUCTION PROJECTS (Does not include single family homes and apartments up to and including 4 stories)

Modification Number	Publication Date
0	02/09/2007
1	05/04/2007
2	05/11/2007
3	05/18/2007
4	06/08/2007
5	06/15/2007
6	06/22/2007
7	06/29/2007
8	07/06/2007
9	07/20/2007

ASBE0024-001 10/01/2006

	Rates	Fringes
Asbestos Worker/Heat and Frost Insulator Includes the application of all insulating materials, protective coverings, coatings and finishes to all types of mechanical systems.....	\$ 27.13	13.13

ASBE0024-002 10/01/2006

	Rates	Fringes
Hazardous Material Handler Includes preparation, wetting, stripping, removal, scrapping, vacuuming, bagging and disposing of all insulation materials, whether they contain asbestos or not, from mechanical systems.....	\$ 18.00	6.45

ASBE0024-005 10/01/2006

	Rates	Fringes
Fire Stop Technician Includes the application		

of materials or devices within or around penetrations and openings in all rated wall or floor assemblies, in order to prevent the passage of fire, smoke or other gases. The application includes all components involved in creating the rated barrier at perimeter slab edges and exterior cavities, the head of gypsum board or concrete walls, joints between rated wall or floor components, sealing of penetrating items and blank openings.....\$ 22.00 6.24

* BRDC0001-001 04/30/2007

	Rates	Fringes
BRICKLAYER.....	\$ 25.90	6.19

CARP0132-006 05/01/2007

	Rates	Fringes
Carpenter (Including Drywall Hanging).....	\$ 24.37	6.15
Piledriver.....	\$ 22.87	6.85

* ELEC0026-003 09/04/2006

	Rates	Fringes
Communication Technician.....	\$ 22.05	3%+6.87

SCOPE OF WORK: Includes low voltage construction, installation, maintenance and removal of teledata facilities (voice, data and video) including outside plant, telephone and data inside wire, interconnect, terminal equipment, central offices, PABX, fiber optic cable and equipment, railroad communications, micro waves, VSAT, bypass, CATV, WAN (Wide area networks), LAN (Local area networks) and ISDN (Integrated systems digital network).

WORK EXCLUDED: The installation of computer systems in industrial applications such as assembly lines, robotics and computer controller manufacturing systems. The installation of conduit and/or raceways shall be installed by Inside Wiremen. On sites where there is no Inside Wireman employed, the Teledata Technician may install raceway or conduit not greater than 10 feet. Fire alarm work is excluded on all new construction sites or wherever the fire alarm system is installed in conduit. All HVAC control work.

ELEC0026-016 06/04/2007

	Rates	Fringes
Electrician (Excluding Communication-Low Voltage Wiring).....	\$ 33.45	11.35+a

a. PAID HOLIDAYS: New Year's Day, Martin Luther King Jr.'s Birthday, Inauguration Day, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, the day after Thanksgiving and Christmas Day or days designated as legal holidays by the Federal Government.

ENGI0077-009 05/01/2007

	Rates	Fringes
Power equipment operators:		
Boom Trucks.....	\$ 26.47	6.82+a+b
Cranes (35 tons and above).. <td>\$ 27.64</td> <td>6.82+a+b</td>	\$ 27.64	6.82+a+b
Cranes (under 35 tons).....	\$ 27.18	6.82+a+b
Forklifts.....	\$ 19.90	6.82+a
Piledrivers.....	\$ 27.18	6.82+a

a. PAID HOLIDAYS:

New Years Day, Inaugural Day, Decoration Day, Independence Day, Labor Day, Martin Luther King's Birthday, Veterans Day, Thanksgiving Day, Friday after Thanksgiving and Christmas Day.

b. PREMIUM PAY:

Tower cranes and cranes 100-ton and over to receive \$1.00 per hour premium over Group One.

IRON0005-001 06/01/2006

	Rates	Fringes
Ironworkers:		
Structural, Ornamental and Chain Link Fence.....	\$ 25.68	11.345

IRON0201-003 05/01/2007

	Rates	Fringes
Ironworker, Reinforcing.....	\$ 24.80	12.08

LABO0657-001 06/01/2006

	Rates	Fringes
Laborer:Skilled.....	\$ 18.41	3.84

FOOTNOTE: Potmen, power tool operator, small machine operator, concrete labor including concrete preparation, signalmen, laser beam operator, waterproofer, open caisson, test pit, underpinnig, pier hole and ditches, ladders and all work associated with lagging that is not expressly

stated, strippers, operator of hand derricks, vibrator operators, pipe layers, or tile layers (tile laid on road construction projects ONLY), operators of jackhammer, paving breakers, spaders or any machine that does the same general type of work, scaffold builders, operators of towmasters, scootcretes, buggymobiles and other machines of similar character, operators of tampers and rammers and other machines that do the same general type of work, whether powered by air, electric or gasoline builders of trestle scaffolds over one tier high and sand blaster, power and chain saw operators used in clearing, installers of well points, wagon drill operators, acetylene burners and licensed powdermen.

LABO0657-002 06/01/2006

	Rates	Fringes
Laborers:		
Mason Tenders, Brick.....	\$ 13.91	3.84
Mortarmen, Scaffold		
Builders.....	\$ 14.65	3.84

MARB0002-002 05/01/2007

	Rates	Fringes
Marble & Stone Mason.....	\$ 31.00	11.52

INCLUDES pointing, caulking and cleaning of All types of masonry, brick, stone and cement structures; EXCEPT pointing, caulking and cleaning of existing masonry, brick, stone and cement (restoration work)

MARB0003-001 05/01/2007

	Rates	Fringes
Mosaic & Terrazzo Worker, Tile Layer		
Marble Mason and Tile Layer..	\$ 24.67	8.78
Terrazzo Worker.....	\$ 25.42	8.78

MARB0003-004 05/01/2007

	Rates	Fringes
Marble, Tile & Terrazzo Finisher.....	\$ 19.84	7.90

PAIN0051-004 06/01/2007

	Rates	Fringes
Glazier		
Contracts \$2 million and under.....	\$ 24.12	7.46
Contracts over \$2 million...	\$ 26.34	7.46

PAIN0051-010 06/01/2007

	Rates	Fringes
Painters:		
Brush, Roller, Spray and Drywall Finisher.....	\$ 23.31	7.31

PLAS0891-003 05/01/2007

	Rates	Fringes
Cement Mason.....	\$ 26.15	6.01

PLUM0005-007 08/01/2006

	Rates	Fringes
Plumber		
Apartment Buildings over 4 stories (except hotels), schools, colleges and speculative office buildings, strip shopping centers, churches, water coolers, room air conditioning units, appliances, packaged ice machines and light commercial refrigeration and/or air conditioning systems serving a single business in a single story building and not to exceed 5. h.p. or tons, self- contained package unit up to including 5 h.p. or tons.	\$ 20.64	8.08+a
ALL Other Work.....	\$ 31.52	12.59+a

a. PAID HOLIDAYS: Labor Day, Veterans' Day, Thanksgiving Day
and the day after Thanksgiving, Christmas Day, New Year's
Day, Martin Luther King's Birthday, Memorial Day and the
Fourth of July.

PLUM0602-006 08/01/2006

	Rates	Fringes
Steamfitter, Refrigeration & Air Conditioning Mechanic (Including HVAC Pipe Work).....	\$ 31.27	12.82+a

a. PAID HOLIDAYS:
New Year's Day, Martin Luther King's Birthday, Memorial Day,
Independence Day, Labor Day, Veterans Day, Thanksgiving Day
and the day after Thanksgiving Day and Christmas Day.

SFDC0669-001 01/01/2007

	Rates	Fringes
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Sprinkler Fitter.....\$ 27.45 13.40

SHEE0100-002 07/01/2007

	Rates	Fringes
Sheet Metal Worker (Including HVAC Duct Work).....	\$ 31.54	11.65

SUDC2000-001 04/12/2000

	Rates	Fringes
Laborer, Unskilled.....	\$ 11.83	2.23

Pointer, caulker and cleaner
INCLUDES pointing,
caulking and cleaning of
existing masonry, brick,
stone and cement
structures (restoration
work); EXCLUDES pointing,
caulking and cleaning of
new or replacement
masonry, brick, stone and
cement.....\$ 20.00

WELDERS - Receive rate prescribed for craft performing
operation to which welding is incidental.
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Unlisted classifications needed for work not included within
the scope of the classifications listed may be added after
award only as provided in the labor standards contract clauses
(29CFR 5.5 (a) (1) (ii)).

In the listing above, the "SU" designation means that rates
listed under the identifier do not reflect collectively
bargained wage and fringe benefit rates. Other designations
indicate unions whose rates have been determined to be
prevailing.

WAGE DETERMINATION APPEALS PROCESS

1.) Has there been an initial decision in the matter? This can
be:

- * an existing published wage determination
- * a survey underlying a wage determination
- * a Wage and Hour Division letter setting forth a position on
a wage determination matter
- * a conformance (additional classification and rate) ruling

On survey related matters, initial contact, including requests
for summaries of surveys, should be with the Wage and Hour

Regional Office for the area in which the survey was conducted because those Regional Offices have responsibility for the Davis-Bacon survey program. If the response from this initial contact is not satisfactory, then the process described in 2.) and 3.) should be followed.

With regard to any other matter not yet ripe for the formal process described here, initial contact should be with the Branch of Construction Wage Determinations. Write to:

Branch of Construction Wage Determinations
Wage and Hour Division
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

2.) If the answer to the question in 1.) is yes, then an interested party (those affected by the action) can request review and reconsideration from the Wage and Hour Administrator (See 29 CFR Part 1.8 and 29 CFR Part 7). Write to:

Wage and Hour Administrator
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

The request should be accompanied by a full statement of the interested party's position and by any information (wage payment data, project description, area practice material, etc.) that the requestor considers relevant to the issue.

3.) If the decision of the Administrator is not favorable, an interested party may appeal directly to the Administrative Review Board (formerly the Wage Appeals Board). Write to:

Administrative Review Board
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

4.) All decisions by the Administrative Review Board are final.

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END OF GENERAL DECISION

ATTACHMENT J.1.4

Living Wage Act Notice and Fact sheet



“LIVING WAGE ACT OF 2006”

Title I of the Way to Work Amendment Act of 2006, effective June 8, 2006 (D.C. Law 16-118, D.C. Official Code §2-220.01 *et seq.*), as amended, (“Living Wage Act of 2006”) applies to all contracts for services in the amount of \$100,000 or more in a 12-month period.

The Living Wage Act of 2006 requires a contractor to:

1. pay its employees and subcontractors who perform services under the contract no less than the current living wage published on the OCP website at www.ocp.dc.gov;
2. include in any subcontract for \$15,000 or more a provision requiring the subcontractor to pay its employees who perform services under the contract no less than the current living wage rate;
3. provide a copy of the Living Wage Act Fact Sheet to each employee and subcontractor who performs services under the contract;
4. post the Living Wage Act Notice in a conspicuous place in its place of business;
5. include in any subcontract for \$15,000 or more a provision requiring the subcontractor to post the Living Wage Act Notice in a conspicuous place in its place of business;
6. maintain its payroll records under the contract in the regular course of business for a period of at least three (3) years from the payroll date; and
7. require its subcontractors with subcontracts for \$15,000 or more under the contract to maintain its payroll records under the contract in the regular course of business for a period of at least three (3) years from the payroll date.

THE CURRENT LIVING WAGE RATE IS \$11.75.

Starting in 2008, the Department of Employment Services may adjust the living wage annually. The OCP will publish the current living wage rate on its website at www.ocp.dc.gov.

The payment of wages required under the Living Wage Act of 2006 shall be consistent with and subject to the provisions of D.C. Official Code §32-1301 *et seq.*

The requirements of the Living Wage Act of 2006 do not apply to:

1. Contracts or other agreements that are subject to higher wage level determinations required by federal law (i.e., if a contract is subject to the Service Contract Act and certain wage rates are lower than the District's current living wage, the contractor must pay the higher of the two rates);
2. Existing and future collective bargaining agreements, provided, that the future collective bargaining agreement results in the employee being paid no less than the established living wage;
3. Contracts for electricity, telephone, water, sewer or other services provided by a regulated utility;
4. Contracts for services needed immediately to prevent or respond to a disaster or eminent threat to public health or safety declared by the Mayor;
5. Contracts or other agreements that provide trainees with additional services including, but not limited to, case management and job readiness services; provided that the trainees do not replace employees subject to the Living Wage Act of 2006;
6. An employee under 22 years of age employed during a school vacation period, or enrolled as a full-time student, as defined by the respective institution, who is in high school or at an accredited institution of higher education and who works less than 25 hours per week; provided that he or she does not replace employees subject to the Living Wage Act of 2006;
7. Tenants or retail establishments that occupy property constructed or improved by receipt of government assistance from the District of Columbia; provided, that the tenant or retail establishment did not receive direct government assistance from the District;
8. Employees of nonprofit organizations that employ not more than 50 individuals and qualify for taxation exemption pursuant to section 501(c)(3) of the Internal Revenue Code of 1954, approved August 16, 1954 (68A Stat. 163; 26 U.S.C. § 501(c)(3));
9. Medicaid provider agreements for direct care services to Medicaid recipients, provided, that the direct care service is not provided through a home care agency, a community residence facility, or a group home for mentally retarded persons as those terms are defined in section 2 of the Health-Care and Community Residence Facility, Hospice, and Home Care Licensure Act of 1983, effective February 24, 1984 (D.C. Law 5-48; D.C. Official Code § 44-501); and
- (10) Contracts or other agreements between managed care organizations and the Health Care Safety Net Administration or the Medicaid Assistance Administration to provide health services.

The Mayor may exempt a contractor from the requirements of the Living Wage Act of 2006, subject to the approval of Council, in accordance with the provisions of Section 109 of the Act.