6-14. Services

a. The GPC may be used to purchase non-personal services up to the applicable MPT, whether recurring or non-recurring. If recurring, the requirement is the total estimated cost per fiscal year. Recurring services estimated to exceed the MPT per fiscal year will be acquired through the contracting office. Recurring services are performed at regular intervals and have a demand that can be accurately predicted on a yearly basis. Non-recurring services involve one-time, unpredictable, or occasional requirements, and may be purchased with the GPC up to the MPT whenever a requirement occurs.

b. When a CH receives a request to purchase services, it is crucial to identify if the services are subject to the Service Contract Labor Standards (SCLS) and determine the applicable MPT.

c. **Services Subject to Service Contract Labor Standards**. Examples include services performed by carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, and other laborers. Other examples include court reporters, administrative assistants, engineering technicians, and paralegals. To determine whether a service is subject to SCLS, CHs and A/OPCs can search the Service Contract Act wage determinations in SAM.gov to locate a list of applicable occupations for a specified state and county.

d. **Services Not Subject to Service Contract Labor Standards**. The following services are not subject to SCLS:

1) **Professional Services**. Examples include services performed by architects, engineers, professors, chemists, lawyers, doctors of medicine or dentistry, and software engineers. These services may include office work related to operations, teaching, practice of law or medicine, and skilled services such as computer services, sales, and business management. The primary duty must be the performance of work by persons requiring knowledge of an advanced type in a field of science or learning customarily acquired by a prolonged course of specialized intellectual instruction or the performance of work requiring invention, imagination, originality, or talent in a recognized field of artistic or creative endeavor. If unsure, CHs and A/OPCs can search the Service Contract Act wage determinations in SAM.gov to confirm whether the type of worker is on the list for the applicable location.

2) **Statutory Exemptions from SCLS Coverage**. These services include the following:

(a) Construction, alteration, or repair, including painting, and decorating, of public buildings or public works (These services are covered by the Davis-Bacon Act.)

(b) Transporting freight or personnel where published tariff rates are in effect

(c) Furnishing services by radio, telephone, telegraph, or cable companies subject to the Communications Act of 1934

(d) Public utility service

(e) U.S. Postal Service

(f) Services performed outside the U.S. (except in territories administered by the U.S., as defined in the Act)

3) **Regulatory Exemptions from SCLS Coverage**. These services include the following:

(a) Shipping by common carrier, when the Government packs the item for a company to pick up and ship (e.g., UPS or FedEx)

(b) Maintenance, calibration, or repair of the following types of equipment:

(1) Automated data processing equipment

(2) Scientific equipment and medical apparatus or equipment if the application of micro- electronic circuitry or other technology of at least similar sophistication is an essential element

(3) Office/business machines not otherwise exempt if such services are performed by the manufacturer or supplier of the equipment

4) **Commercially Exempt**. The below services are exempt when the following criteria apply: The service is offered and sold regularly, furnished at “market” or “catalog” prices, and provided by merchant employee spending a small portion of available hours for Government services.

(a) Maintenance and servicing of motorized vehicles owned by Federal agencies

(b) Lodging, meals, and space in hotels/motels for conferences

(c) Real estate services

(d) Transportation on regularly scheduled routes

(e) Relocation services

(f) Maintenance, calibration, repair, and/or installation services for all types of equipment obtained from manufacturer or supplier of the equipment under a sole source contract.

Parent topic: CHAPTER 6 - OPERATIONAL GUIDANCE AND PROCEDURES