ARIZONA DEPARTMENT OF TRANSPORTATION
INTERMODAL TRANSPORTATION DIVISION
ENGINEERING CONSULTANTS SECTION
205 South 17th Avenue - Room 293E, Mail Drop 616E
Phoenix, Arizona 85007

FIFE SYMINGTON
Governor

LARRY S. BONINE
Director

THOMAS G. SCHMITT
State Engineer

September 18, 1996

ENGINEERING CONSULTANTS SECTION

INFORMATION BULLETIN 96-11

TO: **CONSULTANTS**

FROM: **ENGINEERING CONSULTANTS SECTION**

SUBJECT: **FEDERAL WAGE DETERMINATIONS FOR ARCHAEOLOGICAL CONTRACTS**

Archaeological firms proposing on Archaeological Investigation Contracts through ECS have expressed concerns with the new Wage Determinations on Federal contracts. According to Ms. Sandra Hanlett, Division of Wage Determinations, US Department of Labor, only service contracts with wage determinations are held accountable for the current rates. Since ADOT contracts are not service contracts and they do not contain wage determinations, the Federal guidelines are not applicable. This type of contract generally comes from Procurement through the bid process. ECS's contracts are based on the Brooks Act--selection of the most qualified firms.

Ms. Hanlett stated that because several government agencies have challenged the job descriptions and rates, the job description of "Archaeological Technical Assistant" is being investigated to determine if various levels of rates should be included. The Army Corps of Engineers is now collecting job descriptions and the Department of Labor has suspended any performance reviews of contracts using the current rate until they receive the updated job description and rate.

The local FHWA office was also contacted. They stated that our state-funded contracts are not bound by Federal regulations and there is no involvement by the Department of Labor.