

TEMPORARY CHANGE REQUEST

TCR NO. **TCR-ENG-058,R0-001**

(e.g., TCR-ENG-021,R0-001)

The Temporary Change Request (TCR) Form is to be used to process urgent or minor changes for PPPL Policies, Organization/Mission Statements and Procedures. The TCR should be used when changes are:
1) urgent, and can not wait the 2-4 week period for Department Head review/comment, or
2) minor, and do not warrant Department Head review.

Person Requesting Change: Mike Viola Phone Ext: 3655

Department Name: Facilities and Site Servcies

Document Number: ENG-058 Revision No.: 0

Document Title: Davis-Bacon Screening

Reason for change:

Removed DOE Screening signature from Davis-Bacon Screening Record.
Added Management System Information, Training Information and Record Retention Information.

Change description:

Removed DOE Davis-Bacon signature from Screening Record (Form) and removed the need of an attached signed form for procurement requests.

Added Management System Information, Training Information and Record Retention Sections.

1. Does this TCR significantly alter the intent or scope of the document? YES: _____ NO: **X** _____

2. Does this TCR significantly impact **ES&H**? YES: _____ NO: **X** _____

If 1 or 2 is **YES**, Explain why the changes should not be routed for Department Head review:

Mike Viola
Department/Division Head Approval

6/10/15
Date

J. DeLooper
Head, Best Practices and Outreach/designee

6/15/15
Date

Release/Effective date of this TCR: 6/18/15

Incorporate this TCR into next revision of this document? YES: **X** NO: _____

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Subject Davis-Bacon Screening		Effective Date May 16, 2012	Initiated by Associate Director, Engineering and Infrastructure
		Supersedes NEW	Approved by Director

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Management System (Primary): 07.00 Business Operations
Management System Owner: Chief Financial Officer
Management Process: 07.03 Procurement and Contract Management
Process Owner: Chief Financial Officer
Sub-Process: 07.03.17 Davis-Bacon (Procurement)
Sub-Process Owner: Chief Financial Officer, Director of Procurement
Subject Matter Experts (SMEs): Director of Procurement **TCR ENG-058,R0-001**

APPLICABILITY

This procedure applies to construction and maintenance activities completed at the Laboratory. This procedure applies to the screening for Davis-Bacon Act (DBA) applicability for Construction, Construction Type, and Maintenance activities at the Laboratory.

INTRODUCTION

DBA applies to contracts in excess of \$2,000 for the construction, alteration, and/or repair of public buildings or public works, including painting and decorating, where the United States or the District of Columbia is a direct party to the contract. DBA specifies that each covered contract contain provisions, found at 29 CFR 5.5, requiring contractors to pay the laborers and mechanics employed on the project's site of the work, on a weekly basis, no less than the wages and benefits that are prevailing in the area as determined by the Secretary of Labor. Construction includes activities performed such as preparation for construction (*e.g.*, demolition of existing structures, equipment and material set-up, *etc.*), fabrication of materials, installation of materials, and post-construction clean-up. The federal agency awarding the contract must make the determination that DBA applies to the project and must incorporate the applicable DBA clauses and wage determinations (also referred to as "wage decisions") into the requirements of the contract. The provisions of DBA must be flowed down to all subcontracts in excess of \$2000.00, regardless of tier.

Work and Services that are part of operational and maintenance activities or which being very closely and directly involved therewith, are more in the nature of operational activities than construction, alteration, and/or repair work are classified as non-Covered by the Davis-Bacon Act

A construction "project" may often involve more than one "contract" if all such contracts are closely related in purpose, time, and place (*e.g.*, preparatory demolition contracts and final interior decorating contracts are often separate from the "construction" contract). DBA will apply to all such individual contracts, regardless of amount, if the overall project is in excess of \$2,000.

Note: The PPPL Work Planning form and online system provides a Davis Bacon determination notification for jobs where the WP system is used. This notification may prompt the initiation of the steps in this procedure as part of preparing Work Plans when required.

REFERENCES

- The Davis-Bacon Act (40 U.S.C. 3141-48)
- DOE O 350.1
- Federal Acquisitions Act (FAR) Part 22.401
- Department of Energy Acquisition Regulation (DEAR970.2204-1-1)
- DOE Acquisition Guide
- M&O Contract Clauses: I:32; I.143; and I.146
- U.S. Department Of Energy, Princeton Site Office Davis-Bacon Guidance Letter

DEFINITIONS

- 1 **Construction, alteration or repair-** Construction, alteration, or repair” means all types of work done by laborers and mechanics employed by the construction contractor or construction subcontractor on a particular building or work at the site thereof, including without limitations—
 - 1.1 Altering, remodeling, installation (if appropriate) on the site of the work of items fabricated off-site.
 - 1.2 Painting and decorating.
 - 1.3 Manufacturing or furnishing of materials, articles, supplies, or equipment on the site of the building or work.
 - 1.4 Transportation of materials and supplies between the site of the work within the meaning of paragraphs (1)(i) and (ii) of the “site of the work” definition of this section, and a facility which is dedicated to the construction of the building or work and is deemed part of the site of the work within the meaning of paragraph (2) of the “site of work” definition of this section; and
 - 1.5 Transportation of portions of the building or work between a secondary site where a significant portion of the building or work is constructed, which is part of the “site of the work” definition in paragraph (1)(ii) of this section, and the physical place or places where the building or work will remain (paragraph (1)(i) in the “site of the work” definition of this section).

- 2 **Corrective Maintenance-**a maintenance task performed to identify, isolate and rectify a fault to a piece of equipment or facility and is aimed at restoring an asset to a condition in which it can perform its intended function. This would include repair by replacement when the replacement is a like for like replacement. Corrective Maintenance can be subdivided into.
 - 2.1 **Immediate Corrective Maintenance-**Work that is done immediately after a failure.
 - 2.2 **Deferred Corrective Maintenance-**Work which is delayed until a time when conditions can be met to perform the tasks.

- 3 **Deferred Maintenance-** Work that is typically scheduled, routine, and recurring. The workers are typically engaged in performing ongoing, activities directed towards keeping fixed assets in an acceptable condition, however this work has been delayed until a time when conditions can be met to perform the maintenance.

- 4 **Facilities Work Task-**Work items that are minor and do not change the intended use of, or significantly increase the capability of a facility or piece of equipment.

- 5 **Incidental Construction**- Work that is a minor accompaniment to and necessary to complete a Facilities Division work task
- 6 **Preventative Maintenance**- Work that is typically scheduled, routine, and recurring. The workers are typically engaged in performing ongoing, activities directed towards keeping fixed assets in an acceptable condition. The determination of acceptable condition is a management judgment.

BACKGROUND

1. Construction as defined within this procedure is subject to the requirements of the DBA including repair, painting, and decoration when part of a Davis-Bacon covered project.
2. Emergency work needed to combat the effects of equipment failure, accident; fire, flood or other casualties are not subject to Davis-Bacon provisions. This includes all work surrounding the casualty that is needed to reasonably achieve safety, preserve health and assets and restart necessary functions. This excludes the rebuilding of structures and replacement of whole systems when no reasonable urgency exists.
3. Items that meet the definitions in section 4 of Preventative Maintenance, Deferred Maintenance, Corrective Maintenance, Incidental Construction or a Facilities Work Task are not subject to the provision of the DBA.
4. Work that is in connection with an experimental device is not subject to the requirements of the DBA. The boundary will be established at the interior walls enclosing the experiment (outside of labyrinths, and shielding). Specific Guidance is provided below:
 - 4.1 Experimental development of equipment, processes, or devices, including assembly, fitting, installation, testing, reworking, and disassembly. This refers to equipment, processes, and devices which are assembled for the purpose of conducting a test or experiment. The design may be only conceptual in character, and professional personnel who are responsible for the experiment participate in the assembly. Specifically excluded from the category of experimental development are buildings and building utility services, as distinguished from temporary connections thereto. Also specifically excluded from this category is equipment to be used for continuous testing (e.g., a machine to be continuously used for testing the tensile strength of structural members). [DEAR 970.2204-1-1 (a)(4)]
 - 4.2 Experimental work in connection with peaceful uses of nuclear energy. This refers to equipment, processes and devices which are assembled and/or set in place and interconnected for the purpose of conducting a test or experiment. The nature of the test or experiment is such that professional personnel who are responsible for the test or experiment and/or data to be derived there from must, by necessity, participate in the assembly and interconnections. Specifically excluded from experimental work are buildings, building utility services, structural changes, drilling, tunneling, excavation, and back-filling work which can be performed according to customary drawings and specifications, and utility services of modifications to utility services, as distinguished from temporary connections

thereto. Work in this category may be performed in mines or in other locations specifically constructed for tests or experiments. [DEAR 970.2204-1-1 (a)(5)]

PROCEDURE

Responsibility

Action

- | | | |
|---|----|---|
| Associate Director For Engineering & Infrastructure | 1. | Appoints committee to review and evaluate work requests to determine if they should be covered by Davis Bacon |
| Associate Director For Engineering & Infrastructure | 2. | Determines membership of the Davis Bacon Committee which will include as a minimum:
Facilities Division Head-Chair
PPPL Construction Branch Head
Project Management Office Head
E&I Department P&C Officer
Procurement Division Head
Facilities Maintenance Manager |
| Facilities Division Head / Maintenance Manager | 3. | Reviews work request, releases for completion:
3a. Items contained within the work order system identified as preventative maintenance items. These items are listed as required preventative work items by the manufacturer to keep the equipment in such a condition that it may be continuously utilized.
3b. Non- DB Classes of work listed in Attachment #1, which are predominantly maintenance items rather than construction.
3c. Presents work items that are questionable to the Laboratories DB Committee for review. |
| Facilities Division Head / Maintenance Manager | 4. | Processes a DB determination- through PPPL Local Site Office for work items that are construction, and will be contracted to include DBA provisions. |
| PPPL Davis-Bacon Committee | 5. | Reviews work items for potential DB applicability as necessary. The committee chair will call meetings as necessary based on the need for review and number of items backloged. |

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- PPPL Davis-Bacon Committee
6. Documents results of each meeting and forward to the DOE local site office. Each set of meeting minutes will include as a minimum:
- 6a. A Davis-Bacon Case Record for each work item reviewed at the meeting (Attachment #2).
 - 6b. A Davis-Bacon Determination for items categorized by the committee as Davis-Bacon applicable.
- Procurement Division Head
7. Reviews procurement request and:
- 7a. Release for action Non-DB classes of work that are listed in Attachment #1.
 - 7b. Releases items for action that have a Davis-Bacon Determination signed by the PPPL DOE Local Site Office.
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 - 7c. Place items on hold that do not meet the Non-DB classes of work Attachment #1 and do not have a Davis-Bacon determination. Inform the requester the items are on hold and pending a review by the PPPL Davis-Bacon Committee. Refer the item to the DB Committee at the next meeting.
 - 7d. Conduct Davis-Bacon Compliance interviews with RLM's and or COG's responsible for all contracts subject to DB provisions and provides semi-annual reports to the Princeton Site Office in accordance with 29 CFR Part 5.7

TRAINING (SECTION REQUIRED FOR ALL PROCEDURES)

- Author
1. Specifies the appropriate training methods and means (below) and obtains concurrence of the Management System Owner and the Management Process Owner.
- A. Target Audience:** Facilities Head, Maintenance Managers, Procurement, RLMs
- Instructor: Jim Graham
- Training Method:
- Read only
 - Email distribution only
- Frequency:
- Once only TCR ENG-058,R0-001

RECORDS REQUIREMENTS SPECIFIC TO THIS PROCEDURE

Records Custodians must assure records are maintained as follows:

Record Title	Record Custodian	Location	Retention Time
Davis-Bacon Case Record	Head, Facilities	Facilities Files	Destroy 6 yrs and 3 months after final payment (note: current PPPL contract excludes

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	and Site Services		procurement records from the records Management Requirements) <i>Reference: Admin 3 Procurement, Supply and Grant Records (3.a.1.a)</i>
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ATTACHMENTS

1. Attachment 1 Davis-Bacon Classes of Work
2. Attachment 2 PPPL Davis-Bacon Case Record

Electrical**Non-DB Class Work**

- Electrical work as part of the installation, maintenance and removal of experimental equipment.
- Repair of Electrical Equipment including but not limited to: Electric Motors, Fans, Compressors and other Electro/Mechanical equipment within the facility.
- Replacement of service transformers where the replacement is due to a failure of the existing and a like for like replacement.
- Installation of a new electrical receptacle in an office to be used for a new piece of office equipment.
- Relocation of electrical receptacles as to accommodate a new layout.
- Installation of a new Data/Communication Drop in an office to be used for a new piece of office equipment.
- Replacement of an existing Light Fixture in an area/office. Repairing by replacement when original fixtures are replaced with energy efficient fixtures dictated by energy efficiency guidelines.
- Electrically disconnecting and safeing a piece of equipment to be worked on by others.
- Performing preventative maintenance and testing of Life Safety and Fire detection systems.
- Performing corrective maintenance on Life safety and Fire Detection Systems.
- Installing new end-of- line devices to an existing Life Safety or Fire Detection system.

DB-Covered Class Work

- Installation of new electrical services not listed as Non-DB Class Work.
- Installation of service transformers where the installation is either part of a new service or a replacement to increase capacity.
- Electrical connection of new equipment where the installation of the equipment is DB covered.
- The replacement or upgrade of a Fire Detection system.

Plumbing**Non-DB Class Work**

- Repairs to various plumbing fixtures throughout the facility including but not limited to: Toilets, Urinals, Sinks, Eye-Wash Stations, Emergency Showers, Water Fountains and showers.
- Repairs to leaking piping including, Chilled Water, Potable Water, Canal Water, Tower Water, Compressed Air, and De-Ionized water systems
- Replacement of a plumbing fixture when the replacement is part of a repair i.e. repair by replacement.
- Repair and Testing of Fire Suppression Systems.
- Modifying existing Fire Suppression systems to accommodate changes in area fire loading.

- Making repairs to the Central Steam and Condensate Systems including the piping, isolation valves, steam traps, steam regulators, condensate pumps, condensate sumps and hot water converters. Often, due to the age, components are replaced since repair is not practical and parts are no longer available.
- Repair of Individual Fire Hydrants.
- Repair of sanitary sewage pumps and pumping systems, including the repair by replacement of components within the system.
- Replacing a plumbing fixture when the existing fixture cannot be repaired. A like for like replacement.

DB-Covered Work

- Installing a new Fire suppression system where one did not exist.
- Installation of new steam and condensate lines where such lines did not already exist.
- Replacement of Utility Distribution lines.

Examples

- Replacement of the main-steam line to D-site
- Replacement of a buried chilled water utility at C-Site

Heating, Ventilation & Air Conditioning

Non-DB Class Work

- Preventative Maintenance on Air-conditioning, Heating, Ventilation, Dew-Point control, and Negative Pressure systems. Daily/Weekly/Monthly/Quarterly/Semi-Annually/Annually/Conditionally-(depending on runtime or operational parameters). This includes the changing of filters, greasing bearings, changing and adjusting belts, testing of controls and safety systems.
- Making corrective repairs to all Air-conditioning, Heating, Ventilation, Dew-Point control, and Negative Pressure systems.
 - Corrective repairs include:
 - Repair or replacement of fans, fan motors.
 - Repair or replacement of compressors, compressor seals
 - Removal of, and disposal of refrigerant, and refrigerant oils
 - Charging of refrigerant and refrigerant oils
 - Balancing of air systems
 - Repairs to Chilled water, hot water and steam piping to HVAC systems
 - Repair or Replacement of Dampers, Damper motors
 - Replacement of entire fan coils units that are not practical to repair.
- Removal and replacement of insulation associated with a mechanical repair.
- Monitoring operating conditions of all Air-conditioning, Heating, Ventilation, Dew-Point control, and Negative Pressure systems using the site wide Building Automation Systems.
- Making adjustments to operating parameters based on system requirements.

- Making repairs to the site wide Building Automation System.
- Installing specialized local heating, cooling and dehumidification in support of experiments.
 - Balancing of air systems
 - Repairs to Chilled water, hot water and steam piping to HVAC systems
 - Repair or Replacement of Dampers, Damper motors
 - Replacement of entire fan coils units that are not practical to repair.
- Removal and replacement of insulation associated with a mechanical repair.
- Monitoring operating conditions of all Air-conditioning, Heating, Ventilation, Dew-Point control, and Negative Pressure systems using the site wide Building Automation Systems.
- Making adjustments to operating parameters based on system requirements.
- Making repairs to the site wide Building Automation System.
- Installing specialized local heating, cooling and dehumidification in support of experiments.

DB-Covered Class Work

- Replacement of HVAC equipment with a unit that has significantly larger capacity.
- Installation of new HVAC equipment where such equipment did not exist.
- Replacement of duct-work not associated with a repair.
- Replacement of Insulation not associated with a repair.

Examples

- *Replacement of duct-work on the CS-test cell*
- *Replacement of C-Site steam pipe insulation*
- *Installation of the Air Conditioning systems in the C-Site Carpenter Shop*

Mechanical

Non-DB Class Work

- Preventative maintenance on Pumps, Air Compressors, Gear and Reduction Gear systems, Elevators, Cooling Towers, Lift Station, including but not limited to.
- Corrective maintenance on Pumps, Air Compressors, Gear and Reduction Gear systems, Elevators, Cooling Towers, Lift Stations, this includes
- Serving as the operators for the LEC, Compressed Air, Canal Water and Sewage Lift systems
- Preventative Maintenance on LEC, Compressed Air, Canal Water and Sewage Lift systems and their individual components.
- Corrective Maintenance on LEC, DI, Compressed Air, Canal Water and Sewage Lift systems and their individual components including repair by replacement.

Examples

- *Certification testing of elevators, and Back Flow Preventers*
- *Repair of sewage lift pumps*
- *Replacement of a cooling pump or motor*

DB-Covered Class Work

- Replacement of mechanical systems that result in a significant upgrade.
- Installation of a new Air compressor where such equipment did not exist, or installation with a significantly larger capacity unit.

Examples

- *Replacement of elevator control system*

Exterior repairs**Non-DB Class Work**

- Snow Removal
- Maintenance Painting-
 - Curb repainting
 - Line-restriping
 - Exterior Wall & Window repainting
- Asphalt
 - Repairing potholes
- Concrete
 - Repair cracked walks and steps.
 - Replacing sections of walks that have cracked and dipped and cannot be repaired.
 - Forming or extending mechanical equipment pads to accommodate equipment replacement when the new pad footprint differs from original.

DB-Covered Class Work

- Painting in connection with DB covered work
- Replacement of large sections of concrete walkways and entranceways.
- Re-surfacing of Roads not associated with utility repairs.
- Installation of concrete pads for new equipment

Examples

- *Painting of the Engineering Building exterior*
- *Replace the LSB Concrete Entrance, Replace the LSB East wing side walk*
- *Painting of elevated water tower, painting of stair tower during construction*

Interior Repairs**Non-DB work**

- Moving of furniture
- Set up and break down of events
- Rigging and rigging services
- Performing corrective maintenance on but not limited to the following items: walls, floors, ceilings, roofs, doors, partitions, windows, and walks.
 - Maintenance Painting-
 - Repainting of equipment during repairs
 - Epoxy coating of concrete floor after asbestos has been removed.
 - Painting as a reoccurrence for the preservation and maintenance of surfaces.
 - Repainting of walls recently repaired. *The amount of repainting required is dependent on the ability to match the existing paint color and the size of the repair. (ex. to obtain and acceptable finished product it is sometimes necessary to repaint an entire wall)*
 - Repainting of an office that the maintenance was previously deferred and the conditions now exist to complete the maintenance.
 - Carpeting/ Vinyl Tile
 - Re-Carpeting/ Vinyl Tiling when the material to be replaced is damaged due to wear. Examples are tears, buckling, fraying.
 - Re- Carpeting/ Vinyl Tiling of an area that is damaged, frayed or permanently stained from wear and or age as part of reoccurring maintenance.
 - Acoustical Ceiling Tile
 - Replacing individual ceiling tiles due to damage or staining.
 - Replacing all of an office's tiles when a majority of an office's ceiling tiles are damaged or badly stained and the office is recently vacated awaiting a new occupant.
 - Replacing all of an office's tiles or area's tiles when a majority of an office's ceiling tiles are damaged or badly stained from roof leaks or water damage from above.
 - Acoustical Wall Panels
 - Replacing existing damaged acoustical wall panels that cannot be repaired or cleaned.
 - Replacing panels in an office when an occupant vacates an office and the existing panels are stained and possess an odor, and the panels cannot be cleaned.
 - Adding panels are to office areas that require sound dampening.
 - Setting up Office /Conference rooms
 - Hanging projectors, drop screens and televisions- including opening and closing walls to ensure adequate structures exist to carry the weight of equipment

Examples

- *When an office is emptied due to a move the area will be evaluated and its carpet may be replaced, maintenance painting completed, and ceiling tiles replaced as part of its deferred maintenance.*
- *Replacement of an office vinyl tile, or application of epoxy paint when asbestos is removed due to damage*
- *The mounting of multimedia equipment including projector screens and TV's*

DB-Covered Class Work

- Painting in connection with DB covered work.
- Painting of large areas within and outside a building.
- Replacing large areas of flooring and carpeting in a building. (**ex replace the carpet in the LSB east wing halls**)
- Replacement of large sections of concrete walkways and entrance ways. (**ex LSB entrance, LSB east wing walk replacement**)

Examples

- *Painting the stair wells in the LSB*
- *Replacing the carpet in the LSB east wing halls*

Plant Operations**Non-DB work**

- The daily operation of the steam plant including but not limited to
 - Taking logs and recording operation parameters
 - Daily testing of interlocks and safety's
 - Adjusting of operating parameters based on load
 - Responding to alarms within the plant and on the BAS system
 - Analyzing water chemistry and adding chemicals as necessary
- Steam Plant maintenance, corrective and preventative
 - Cleaning and lubrication of valves and operators
 - Cleaning of strainers and filters
 - Lapping of valve seats
 - Replacement of valves that cannot be repaired by lapping
 - Annual cleaning of tubes and tube sheets
 - Placing systems in lay-up
- The daily operation of the Chilled water plant including but not limited to
 - Taking logs and recording operation parameters
 - Daily testing of interlocks and safety's
 - Adjusting of operating parameters based on load
 - Responding to alarms within the plant and on the BAS system
 - Analyzing water chemistry and adding chemicals as necessary

- Chilled Water Plant maintenance, corrective and preventative
 - Cleaning and lubrication of valves and operators
 - Cleaning of strainers and filters
 - Lapping of valve seats
 - Replacement of valves that cannot be repaired by lapping
 - Annual cleaning of tubes and tube sheets
 - Placing systems in lay-up

- Work on the natural gas line that is under the control of the utility, and that is completed by the utility

DB-Covered Class Work

- Upgrades to Boilers and Chillers that significantly increases the capability of the equipment
- Replacement of tubes in either the boiler or chillers
- Upgrade of controls for either the boiler or chillers
- Replacement of the exhaust stack on a boiler

