



Application of Prevailing Wage to Furniture and Moving Services Contracts

April 6, 2016



Presenters



Jeremy Meadows

Associate Director, Facilities and Maintenance COE

Suzanne Martin

Senior Commodity Manager, Facilities and Maintenance
COE

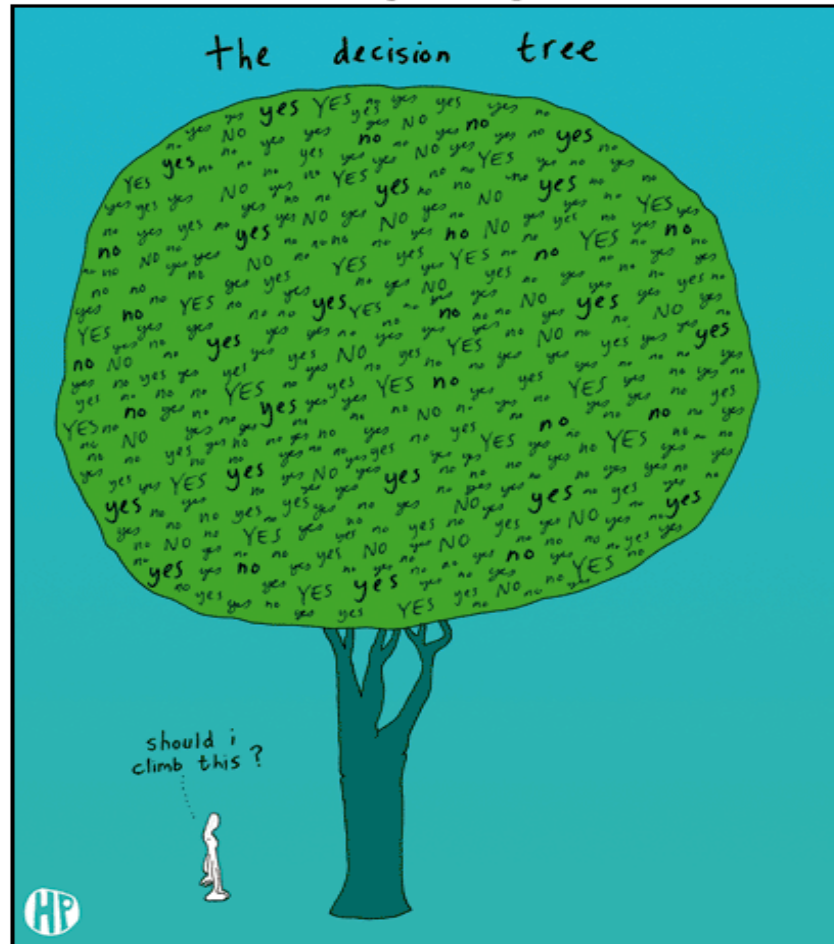
Agenda

- Furniture and Moving Services Decision Tree
- Changes to Terms and Conditions
- Questions and Answers
 - During training, please mute by pressing *6
 - To ask question, email Andrea.Tung@ucop.edu

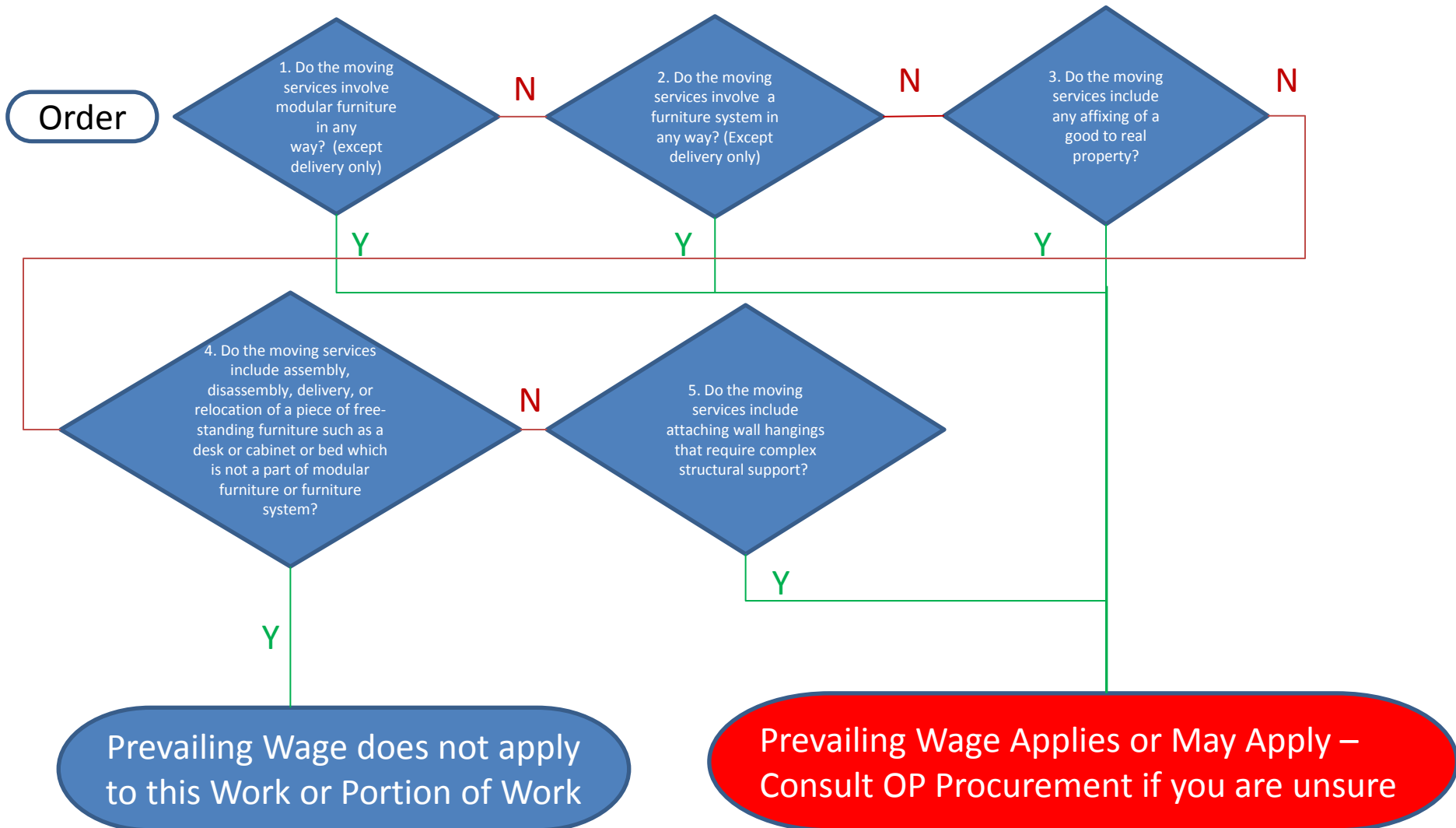
Furniture and Moving Services

Decision Tree

HAROLD'S PLANET by Swerling and Lazar



Moving Services Decision Tree



Definitions

Definitions: “Modular furniture” or “furniture system” is defined as a group of furniture items capable of being joined or arranged together and serving the common purpose of enabling work or other activity.

These dictionary definitions show that “installation” under AB 1598 does not include assembly of individual pieces of furniture that are not part of a modular office system.



Furniture and Moving Services Decision Tree – (cont)

Question #1 - Do the moving services involve modular furniture in any way?

- Prevailing wage applies for assembling, disassembling, installation, moving or relocating modular furniture.
- If modular furniture is **NOT** involved with the moving services contract in any way, then the PO/contract should expressly state that the PO does **NOT** include any services related to modular furniture.
- A purchase of modular furniture and the related delivery of the furniture to the campus will not require the payment of PW unless the vendor is also installing/assembling the furniture.



Furniture and Moving Services

Decision Tree – (cont)

Question #2 - Do the moving services involve a furniture system in any way?

- PW applies for assembling, disassembling, installation, moving or relocating furniture systems.
- If furniture systems are NOT involved with the moving services contract in any way, then the PO/contract should expressly state that the PO does NOT include any services related to furniture systems.
- A purchase of a furniture system and the related delivery of the furniture to the campus will not require the payment of PW unless the vendor is also installing/assembling the furniture.



Furniture and Moving Services Decision Tree – (cont)

Question #3 - Do the moving services include any affixing of a good to real property?

- PW applies for such affixing, including seismic bracing



Furniture and Moving Services

Decision Tree – (cont)

Question #4 - Do the moving services include assembly, disassembly, delivery, or relocation of a piece of free-standing furniture such as a desk or cabinet or bed which is not a part of modular furniture or furniture system?

- PW does NOT apply to this work.



Furniture and Moving Services Decision Tree – (cont)

Question #5 - Do the moving services include attaching wall hangings (e.g. office pictures)?

- PW does not apply to this work, however, if bracing or additional support systems are required for very large or heavy hangings, PW may apply. Consult with OP Procurement.

Furniture and Moving Services Questions

Q: Is dorm furniture/free standing - delivery, installation/assembly, relocation subject to prevailing wage?

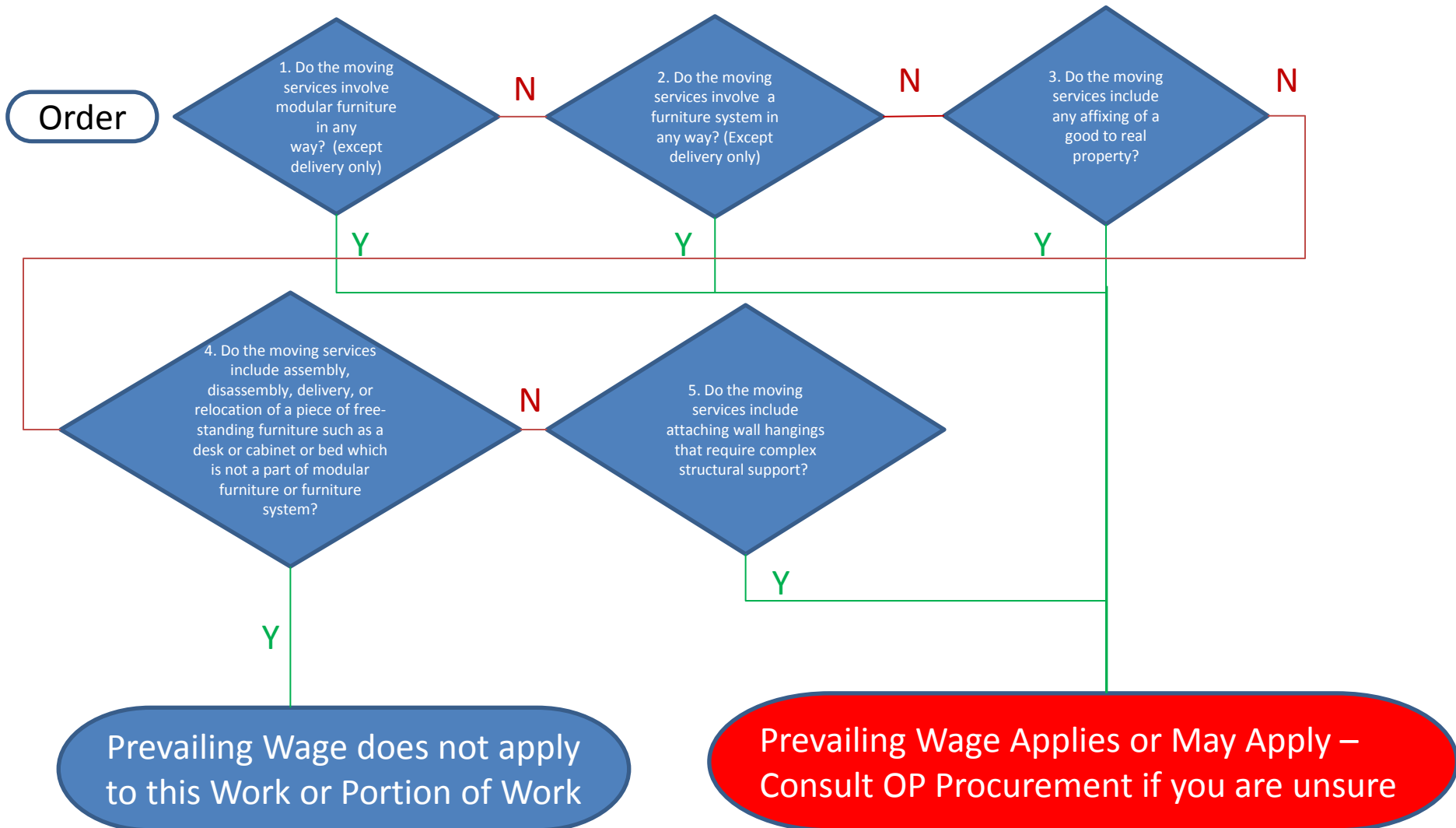
A: Prevailing Wage does not apply

Q: Are bunk beds modular furniture?

A: Bunk beds are typically not modular furniture if they require no special tools or equipment to assemble



Moving Services Decision Tree



Changes to Terms and Conditions

ARTICLE 24 - PREVAILING WAGES

Unless UC notifies Supplier that the Services are not subject to prevailing wage requirements, Supplier will comply, and will ensure that all sub-suppliers comply, with California prevailing wage provisions, including but not limited to those set forth in Labor Code sections 1770, 1771, 1771.1, 1772, 1773, 1773.1, 1774, 1775, 1776, 1777.5, and 1777.6. For purposes of the Agreement, the term “subsupplier” means a person or firm, of all tiers, that has a contract with Supplier or with a subsupplier to provide a portion of the Services. The term subsupplier will not include suppliers, manufacturers, or distributors. Specifically, and not by way of limitation, if apprenticeship occupations are involved in providing the Services, Supplier will be responsible for ensuring that Supplier and any sub-suppliers comply with Labor Code Section 1777.5. Supplier and subsupplier may not provide the Services unless currently registered and qualified to perform public work pursuant to Labor Code Section 1725.5 and 1771.1. Notwithstanding the foregoing provisions, Supplier will be solely responsible for tracking and ensuring proper payment of prevailing wages regardless if Services are partially or wholly subject to prevailing wage requirements.

Addition to Library of Provisions/ Purchase Order

Language for Purchase Order if Moving Services are being supplied:

Article 24 of the Terms & Conditions of Purchase contains prevailing wage requirements, and requires Supplier to be solely responsible for tracking and ensuring proper payment for Services that are only partially subject to prevailing wage requirements. For instance, commercial moving Services for relocating goods in offices or facilities or institutions, or any portion thereof, are only subject to the payment of prevailing wages to the extent they include modular furniture or any affixing or detachment of goods to or from realty, all as defined by the California Labor Code.



To ask a question, email to: **Andrea.tung@ucop.edu**