

				SS/L Use Only	
Company Name			CAGE Code		Supplier Number
Street	City	State	Zip	County	

SECTION I: REPRESENTATIONS/CERTIFICATIONS: GOVERNMENT SUBCONTRACTS The Offeror represents and certifies as part of its offer that: (Check or complete all applicable boxes or blocks.)

A. REPRESENTATIONS

1. The North American Classification System (NAICS) codes applicable to this document are: _____ (insert applicable code(s) FAR 19.102)
2. The small business size standard is: 500 employees other _____ (insert size standard, FAR 19.102)
(The small business size standard for a concern that submits an offer in its own name (other than on a construction or service contract) but which proposes to furnish a product that it did not itself manufacture is 500 employees.)

B. SMALL BUSINESS

Offeror is, is not, a "small business concern" as defined in the Federal Acquisition Regulation (FAR) Part 19. (Complete Section B.1 through B.6 only if Offeror represented itself as a small business concern)

1. **SMALL DISADVANTAGED BUSINESS CONCERN:** The Offeror represents and certifies, as part of its offer, that it is, is not, a small disadvantaged business concern.

The Offeror represents, in terms of the Small Business Act, that at least 51% of its unconditional ownership falls in the following category:

- | | | |
|---|---|---|
| <input type="checkbox"/> Asian-Pacific Americans | <input type="checkbox"/> Black Americans | <input type="checkbox"/> Hispanic Americans |
| <input type="checkbox"/> Subcontinent Asian Americans | <input type="checkbox"/> Native Americans | <input type="checkbox"/> Indian Tribe |
| <input type="checkbox"/> Native Hawaiian Organization | <input type="checkbox"/> Other Disadvantaged Business Concerns (Specify: _____) | |
| <input type="checkbox"/> Historically Black Colleges or Universities/ Minority Institutions | | |

- (a) "Asian-Pacific Americans" are United States citizens whose origins are in Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).
- (b) "Native Americans" are American Indians, Eskimos, Aleuts, and Native Hawaiians.
- (c) "Subcontinent Asian Americans" are United States citizens whose origins are in India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal.
- (d) "Native Hawaiian Organization" is any community service organization serving Native Hawaiians in, and chartered as a not-for-profit organization by, the State of Hawaii, is controlled by and whose business activities will principally benefit such Native Hawaiians.
- (e) "Indian Tribe" is any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native Corporation as defined in 13 CFR 124.100 that is recognized as eligible for the special programs and services provided by the U.S. to Indians because of their status as Indians, or that is recognized as such by the State in which such tribe, band, nation, group or community resides.

2. **SBA CERTIFICATION** (Complete only if Offeror represented itself as a small disadvantaged business concern in ¶ B.1. above): The Offeror represents, as part of its offer, that

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|---|
| <input type="checkbox"/> It has received certification by the Small Business Administration as a small disadvantaged business concern consistent with 13 CFR 124, Subpart B; and |
| (a) No material change in disadvantaged ownership and control has occurred since its certification; |
| (b) Where the concern is owned by one or more disadvantaged individuals, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and |
| (c) It is listed, on the date of this representation, on the register of small disadvantaged business concerns maintained by the Small Business Administration; or |
| <input type="checkbox"/> It has submitted a completed application to the Small Business Administration or a Private Certifier to be certified as a small disadvantaged business concern in accordance with 13 CFR 124, Subpart B, and a decision on that application is pending, and that no material change in disadvantaged ownership and control has occurred since its application was submitted. |

3. **HUBZone CERTIFICATION**

The offeror represents, as part of its offer, that It is, is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal place of ownership, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126.

4. WOMEN-OWNED SMALL BUSINESS

The Offeror represents that the firm submitting this offer is, is not, a women-owned small business. A women-owned small business is one which is at least 51 percent owned by women who are United States citizens and who also control and operate the business. "Control" is defined as exercising the power to make policy decisions. "Operate" means being actively involved in the day-to-day management. For the purpose of this definition, businesses which are publicly owned, joint stock associations, and business trusts are exempted. Exempted businesses may voluntarily represent that they are or are not women-owned if this information is available.

5. VETERAN-OWNED SMALL BUSINESS

The Offeror represents that the firm submitting this offer is, is not, a veteran -owned small business. A veteran -owned small business is one which is at least 51 percent owned by veterans who are United States citizens and who also control and operate the business. "Control" is defined as exercising the power to make policy decisions. "Operate" means being actively involved in the day-to-day management. For the purpose of this definition, businesses which are publicly owned, joint stock associations, and business trusts are exempted. Exempted businesses may voluntarily represent that they are or are not veteran-owned if this information is available.

6. SERVICE DISABLED VETERAN-OWNED SMALL BUSINESS

The Offeror represents that the firm submitting this offer is, is not, a service disabled veteran -owned small business. A service disabled veteran -owned small business is one which is at least 51 percent owned by veterans who were disabled during active military service, who are United States citizens and who also control and operate the business. "Control" is defined as exercising the power to make policy decisions. "Operate" means being actively involved in the day-to-day management. For the purpose of this definition, businesses which are publicly owned, joint stock associations, and business trusts are exempted. Exempted businesses may voluntarily represent that they are or are not service disabled veteran-owned if this information is available.

The Offeror represents and certifies that the above information is true and understands that whoever, for the purpose of securing a contract or subcontract under subsection (a) of section 1207 of Public Law 99-661, the FY 1987 National Defense Authorization Act, misrepresents the status of any concern or person as a small business concern owned and controlled by a socially and economically disadvantaged individual or entity (as described in subsection (a)) shall be punished by fine, imprisonment or both and be subject to administrative remedies including suspension and debarment and be ineligible for participation in programs conducted under the authority of the Small Business Act.

C. FOREIGN CONTRACTOR Offeror is, is not, a "foreign contractor" as defined in the Federal Acquisition Regulation (FAR) 25.901.

D. PARTIES EXCLUDED FROM FEDERAL PROGRAMS (For solicitations & contracts exceeding \$25,000)

The offeror represents that the firm submitting this offer:

is, is not presently on the List of Parties **Excluded from Federal Procurement Programs** and

is, is not ineligible, debarred, or suspended from receiving Federal Contracts or Subcontracts

has, has not, within a three year period preceding this offer, been convicted or indicted for commission of fraud or a criminal offense in connection with obtaining a Federal or State contract or subcontract or had contracts terminated for default (FAR 52.209-5 and 6).

E. PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (For solicitations & contracts expected to exceed \$100,000)

The Offeror, by signing, certifies compliance with the provisions of FAR Clauses 52.203-11, "Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Jan 1990) and 52.203-12, "Limitation on Payment to Influence Certain Federal Transactions (Jan 1990). Disclosures required by 52.203-12 are to be submitted on SF-LLL.

SECTION II. EQUAL EMPLOYMENT OPPORTUNITY PROVISIONS

EQUAL EMPLOYMENT OPPORTUNITY CLAUSE If during any 12 month period, including the 12 months preceding award of the subcontract or purchase order of which this form is a part, Supplier (referred to in this clause as "Subcontractor") has been or is awarded U.S. Government contracts and/or subcontracts which have an aggregate value in excess of \$10,000, Subcontractor shall comply with this Equal Employment Opportunity clause, and on request is obligated to provide information necessary to determine applicability of the clause. (52.222-26).

During the performance of this contract, the Subcontractor agrees as follows:

A. The Subcontractor shall not discriminate against any applicant or employee because of race, color, religion, sex, age, national origin, disability or Vietnam Era veteran status. The Subcontractor shall take affirmative action to ensure that applicants are employed, and that employees are treated during their employment, without regard to race, color, religion, sex, age, national origin, disability or Vietnam Era Veteran status.

These affirmative action requirements are covered by law under:

- **Executive Order 11141 (1964)**- prohibits discrimination by Government Contractors due to the age of an applicant or employee.
- **Executive Order 11246 (1965)** - prohibits discrimination by Government Contractors because of race, color, religion, sex or national origin of an individual and requires affirmative action be taken to ensure non-discrimination.
- **Rehabilitation Act (1973)** - requires affirmative action be taken to employ and advance qualified individuals with handicaps.
- **Vietnam Era Veterans Readjustment Assistance Act (1972)**- requires affirmative action be taken to hire and advance in employment qualified disabled veterans and veterans of the Vietnam Era.

Affirmative Action shall include, but is not limited to

- recruitment
- rates of pay and other compensation
- recruitment advertising
- benefits
- selection for training
- upgrade, demotions or transfers
- employment
- Layoff or termination.

The Subcontractor shall post in conspicuous places that are available to both applicants and employees, notices provided by the government, direct or through Buyer, setting forth the provisions of this Equal Employment Opportunity Clause.

- B.** The Subcontractor shall, in all solicitations or advertisements for employees placed by or on behalf of the Subcontractor, state that all qualified applicants will receive consideration for employment without regard to race, color religion, sex, age, national origin, disability, or Vietnam Era veteran status.
- C.** The Subcontractor shall send, to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice to be provided by the Government, direct or through Buyer, advising the labor union or workers' representative of the Subcontractor's commitments under this Equal Employment Opportunity clause, and post copies of the notice in conspicuous places available to employees and applicants for employment.
- D.** The Subcontractor shall comply with all provisions of Executive Order 11246, Executive Order 11141, the Rehabilitation Act and the Vietnam Era Veterans Readjustment Assistance Act, and the rules, regulations and relevant orders of the Secretary of Labor.
- E.** The Subcontractor shall furnish all information required by Executive Order 11246, Executive Order 11141, the Rehabilitation Act and the Vietnam Era Veterans Readjustment Assistance Act, and by the rules, regulations and orders of the Secretary of Labor or pursuant thereto, and will permit access to his books, records, and accounts by the Government contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- F.** In the event of the Subcontractor's noncompliance with the Equal Employment Opportunity clause of this contract or with any of the said rules, regulations or orders, this contract may be canceled, terminated or suspended in whole or in part and the Subcontractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246, Executive Order 11141, the Rehabilitation Act and the Vietnam Era Veterans Readjustment Assistance Act, and such other sanctions may be imposed and remedies invoked as provided therein, or by rules, regulations, or orders of the Secretary of Labor, or as otherwise provided by law.
- G.** The Subcontractor shall include the provisions of paragraphs (A) through (G) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to the provisions contained in paragraphs (A) through (G) of the Equal Employment Opportunity clause, so that such provisions will be binding upon each Subcontractor or Supplier. The Subcontractor shall take such action with respect to any subcontract or purchase order as the Government contracting agency (itself or through the Buyer) may direct as a means of enforcing such provisions, including sanctions for non-compliance: **Provided, however,** that in the event the Subcontractor becomes involved in, or is threatened with, litigation with a Subcontractor or Supplier as a result of such direction by the Government contracting agency, the Subcontractor may request the United States to enter into such litigation to protect the interest of the United States.

A cancellation or termination of the purchase order or subcontract, of which this form, CERTANN, is a part, by or at the direction of the Government for noncompliance with the Equal Employment Opportunity clause shall be grounds for Buyer to terminate this subcontract for default.

SECTION III. CERTIFICATIONS AND NOTICES

A. PREVIOUS CONTRACTS, COMPLIANCE REPORTS AND AFFIRMATIVE ACTION PROGRAM

The Offeror represents and certifies as part of its offer that:

1. if he has participated in a previous contract or subcontract subject to either the Equal Employment Opportunity clause implementing EO 11246, Executive Order 11141, the Rehabilitation Act and the Vietnam Era Veteran Adjustment Assistance Act or the clause originally contained in Section 301 of EO 10925, he has filed all required compliance reports; or
2. if he has not previously been required to file but is required to do so in conformance with the Equal Employment Opportunity clause in this purchase order or subcontract, he will do so within 30 days after award thereof; AND
3. if he has 50 or more employees and either holds a Government prime contract of \$50,000 or more or holds a subcontract of any tier of \$50,000 or more under a Government prime contract, has developed and maintained at each of his establishments Equal Opportunity Affirmative Action Programs pursuant to 41 CFR 60-1 and 60-2; or if (3) does not apply, then alternatively
4. if upon award of this purchase order or subcontract, he will have 50 or more employees and then hold a Government subcontract of \$50,000 or more (as described above) he will develop such an Affirmative Action Program within 120 days after award. He also agrees to obtain, prior to award of any nonexempt subcontract hereunder, representations from the prospective Subcontractor indicating submission of required compliance reports by such Subcontractor.

C. NOTIFICATION OF VISA DENIAL

If Supplier is required to perform in or on behalf of a foreign country under any subcontract or purchase order resulting from Buyer's solicitation of which this CERTANN is a part, the clause at FAR 52.222-29 applies.

D. NOTICE REGARDING COMPLIANCE REVIEW

By regulation of the Office of Federal Contract Compliance, a subcontract award of \$10 million or more cannot normally be made until the prospective Subcontractor is found, on the bases of a compliance review, to be able to comply with the provisions of the Equal Employment Opportunity clause (Section II) (see 41 CFR 60-1 and FAR 22.805. Prospective Subcontractors are HEREBY NOTIFIED of such Equal Employment Opportunity Compliance Review requirements. (52.222-24).

SECTION IV. CLEAN AIR AND WATER PROVISION / CERTIFICATION

A. SOLICITATION PROVISION:

Criteria for Applicability: Applicable if (i) the bid, offer, or quotation made in response to the solicitation exceeds \$100,000, or (ii) this is a solicitation for a blanket (indefinite quantity) order, and releases or quantities to be purchased under such blanket order are estimated to exceed \$100,000 in any year, or (iii) a facility of Seller proposed to be used in performance of any Order resulting from this solicitation has been the subject of a conviction under the Clean Air Act (42 USC 7413 (c)(1)) or the Federal Water Pollution Control Act (33 USC 1319(c)) and is listed by the Environmental Protection Agency (hereinafter "EPA") as a violating facility, or (iv) is not otherwise exempt.)

If this provision is applicable pursuant to the foregoing Criteria for applicability, the bidder, offeror or quoter CERTIFIES:

1. that any facility to be utilized in the performance of the proposed order to result from this solicitation **HAS NOT** been listed on the EPA List of Violating Facilities, or alternatively (ii) that he has stated prominently in his response to this solicitation that such facility **HAS** been so listed, identifying the facility, its location, and making an identifying reference to such listing.
2. that he will promptly notify Buyer (so Buyer can notify the Contracting Officer), prior to award of the solicited Order, of the receipt of any communications from the Director, Office of Federal Activities, EPA, indicating that any facility which he proposed to use for performance of the contract (i.e., any Order resulting from this solicitation) is under consideration to be listed on the EPA List of Violating Facilities.
3. that he will include the substance of this certification provision, including this subparagraph (c), in every solicitation for a nonexempt subcontract.

B. CONTRACTUAL PROVISION

The clause entitled "Clean Air and Water" (i.e., NASA 18.23.106, FAR 52.223-2) will be included in covered subcontracts.

SECTION V. ISO CERTIFICATION

The Offeror has, has not received Certification for ISO 9000, ISO 9001, ISO 9002 on _____ date.

SECTION VI. MASTER CERTIFICATION EXECUTION

By execution of this document, supplier confirms the currency and accuracy of the certifications and representations hereby made and the statements contained herein. Supplier understands and agrees that such certifications, prerepresentations and statements shall apply to all purchase orders and/or subcontracts issued to supplier within one year from the date of execution of this document. **Supplier agrees to promptly execute and submit a revised master certification form in the event changed circumstances occurring after the date of signature materially affect the accuracy of one or more of the certifications, representations or statements contained herein.**

COMPANY

STATE OF INCORPORATION

PRINT NAME AND TITLE OF OFFEROR

DATE (Use the date of Offeror's Proposal)

SIGNATURE OF OFFEROR
(Applicable to each representation above)

SS/L Buyer/SCA submitting Certification_____