



Annual Representations and Certifications (CERTANN) – 5/17

					SSL Use Only
Company Name			CAGE Code		Supplier Number
Street		City	State	Zip	County

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

A. DEFINITIONS

“Economically disadvantaged women-owned small business (EDWOSB) concern” means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States and who are economically disadvantaged in accordance with 13 CFR part 127. It automatically qualifies as a women-owned small business concern eligible under the WOSB Program.

“Historically Black College or University” means an institution determined by the Secretary of Education to meet the requirements of 34 CFR 608.2. For the Department of Defense, the National Aeronautics and Space Administration, and the Coast Guard, the term also includes any nonprofit research institution that was an integral part of such a college or university before November 14, 1986.

“Minority Institution” means an institution of higher education meeting the requirements of Section 365(3) of the Higher Education Act of 1965 (20 U.S.C. 1067k, including a Hispanic-serving institution of higher education, as defined in Section 502(a) of the Act (20 U.S.C. 1101a).

“Service-disabled veteran-owned small business concern”—

(1) Means a small business concern—

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

“Small business concern,” means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of FAR 52.219-1 Small Business Program Representation.

“Small disadvantaged business concern, consistent with 13 CFR 124.1002”, means a small business concern under the size standard applicable to the acquisition; that--

(1) Is at least 51 percent unconditionally and directly owned (as defined at 13 CFR 124.105) by--

(i) One or more socially disadvantaged (as defined at 13 CFR 124.103) and economically disadvantaged (as defined at 13 CFR 124.104) individuals who are citizens of the United States, and

(ii) Each individual claiming economic disadvantage has a net worth not exceeding \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and

(2) The management and daily business operations of which are controlled (as defined at 13 CFR 124.106) by individuals who meet the criteria in paragraphs (1) (i) and (ii) of this definition.

“Veteran-owned small business concern” means a small business concern—

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and



Annual Representations and Certifications (CERTANN) – 5/17

(2) The management and daily business operations of which are controlled by one or more veterans.

“Women-owned small business concern,” means a small business concern – (1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

“Women-owned small business (WOSB) concern eligible under the WOSB Program (in accordance with 13 CFR part 127),” means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States.

B. OWNERSHIP OR CONTROL OF OFFEROR (JUL 16), FAR 52.204-17

(a) Definitions. As used in this provision–
“Commercial and Government Entity (CAGE) code” means–

(1) An identifier assigned to entities located in the United States or its outlying areas by the Defense Logistics Agency (DLA) Commercial and Government Entity (CAGE) Branch to identify a commercial or government entity; or

(2) An identifier assigned by a member of the North Atlantic Treaty Organization (NATO) or by the NATO Support and Procurement Agency (NSPA) to entities located outside the United States and its outlying areas that the DLA Commercial and Government Entity (CAGE) Branch records and maintains in the CAGE master file. This type of code is known as a NATO CAGE (NCAGE) code.

“Highest-level owner” means the entity that owns or controls an immediate owner of the offeror, or that owns or controls one or more entities that control an immediate owner of the offeror. No entity owns or exercises control of the highest level owner.

“Immediate owner” means an entity, other than the offeror, that has direct control of the offeror. Indicators of control include, but are not limited to, one or more of the following: ownership or interlocking management, identity of interests among family members, shared facilities and equipment, and the common use of employees.

(b) The Offeror represents that it does or does not have an immediate owner. If the Offeror has more than one immediate owner (such as a joint venture), then the Offeror shall respond to paragraph (c) and if applicable, paragraph (d) of this provision for each participant in the joint venture.

(c) If the Offeror indicates “has” in paragraph (b) of this provision, enter the following information:

Immediate owner CAGE code: _____
Immediate owner legal name: _____

(Do not use a “doing business as” name)

Is the immediate owner owned or controlled by another entity?: Yes or No.

(d) If the Offeror indicates “yes” in paragraph (c) of this provision, indicating that the immediate owner is owned or controlled by another entity, then enter the following information:

Highest-level owner CAGE code: _____
Highest-level owner legal name: _____

(Do not use a “doing business as” name)

(End of provision)

C. PREDECESSOR OF OFFEROR (JUL 16), FAR 52.204-20

(a) Definitions. As used in this provision–
“Commercial and Government Entity (CAGE) code” means–

(1) An identifier assigned to entities located in the United States or its outlying areas by the Defense Logistics Agency (DLA) Commercial and Government Entity (CAGE) Branch to identify a commercial or government entity; or

(2) An identifier assigned by a member of the North Atlantic Treaty Organization (NATO) or by the NATO Support and Procurement Agency (NSPA) to entities located outside the United States and its outlying areas that the DLA Commercial and Government Entity (CAGE) Branch records and maintains in the CAGE master file. This type of code is known as a NATO CAGE (NCAGE) code.

“Predecessor” means an entity that is replaced by a successor and includes any predecessors of the predecessor.

“Successor” means an entity that has replaced a predecessor by acquiring the assets and carrying out the affairs of the predecessor under a new name (often through acquisition or merger). The term “successor” does not include new offices/divisions of the same company or a company that only changes its name. The extent of the responsibility of the successor for the liabilities of the predecessor may vary, depending on State law and specific circumstances.

(b) The Offeror represents that it is or is not a successor to a predecessor that held a Federal contract or grant within the last three years.

(c) If the Offeror has indicated “is” in paragraph (b) of this provision, enter the following information for all predecessors that held a Federal contract or grant within the last three years (if more than one predecessor, list in reverse chronological order):

Predecessor CAGE code: _____ (or mark “Unknown”)



Annual Representations and Certifications (CERTANN) – 5/17

Predecessor legal name: _____
(Do not use a "doing business as" name) (End of provision)

D. **FOREIGN CONTRACTOR** Offeror is, is not, a "foreign contractor" as defined in the U.S. Federal Acquisition Regulation (FAR) 25.003. (If the Offeror is a foreign contractor, skip to paragraph J below.)

E. **SMALL BUSINESS INFORMATION** (To be completed by US firms only)

- The North American Classification System (NAICS) codes applicable to this document are: _____ (insert applicable code(s), per FAR 19.102)
- The small business size standard is: _____ (insert size standard, per 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.

F. **REPRESENTATIONS** (Complete Sections F.1 through F.8 only if Offeror a US firm and is a small business concern.)

- SMALL BUSINESS CONCERN** Offeror represents as part of its offer that it is, is not, a small business concern as defined in FAR Part 19.
- SMALL DISADVANTAGED BUSINESS CONCERN** (Complete only if the Offeror represented itself as a small business concern in paragraph 1 above.) The Offeror represents that it is, is not, a small disadvantaged business concern as defined in 13 CFR 124.1002.

The Offeror shall check the category in which its ownership falls:

- Asian-Pacific American Black American Hispanic American
 Subcontinent Asian (Asian-Indian) American Native American

Individual/concern, other than one of the preceding. (fill-in _____)

- "Asian-Pacific Americans" are persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, 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).
- "Native Americans" are American Indians, Eskimos, Aleuts, and Native Hawaiians.
- "Subcontinent Asian (Asian-Indian) Americans" are persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal.

Address. The Offeror represents that its address is, is not, in a region for which a small disadvantaged business procurement mechanism is authorized and its address has not changed since its certification as a small disadvantaged business concern or submission of its application for certification. The list of authorized small disadvantaged business procurement mechanisms and regions is posted at <http://www.acquisition.gov/References/sdbadjustments.htm>. The Offeror shall use the list in effect on the date of this solicitation. "Address," as used in this provision, means the address of the Offeror as listed on the Small Business Administration's register of small disadvantaged business concerns or the address on the completed application that the concern has submitted to the Small Business Administration or a Private Certifier in accordance with 13 CFR part 124, subpart B. For joint ventures, "address" refers to the address of the small disadvantaged business concern that is participating in the joint venture.

3. **WOMEN-OWNED SMALL BUSINESS CONCERN (WOSB)** (Complete only if the Offeror represented itself as a small business concern in paragraph 1 above.) The Offeror represents as part of its offer that it is, is not, a women-owned small business concern.

4. **WOMEN-OWNED SMALL BUSINESS (WOSB) CONCERN ELIGIBLE UNDER THE WOSB PROGRAM** (Complete only if the Offeror represented itself as a women-owned small business concern in paragraph 3 above.) The Offeror represents as part of its offer that-

It is, is not, a WOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse directions have been issued that affects its eligibility; and(ii)It is, is not, a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph 4(i) above is accurate for each WOSB concern eligible under the WOSB Program participating in the joint venture. [The Offeror shall enter the name or names of the WOSB Program participating in the joint venture:_____]. Each WOSB concern eligible under the WOSB Program participating in the joint venture shall submit a separate signed copy of the WOSB representation.

5. **ECONOMICALLY DISADVANTAGED WOMEN-OWNED SMALL BUSINESS (EDWOSB) CONCERN** (Complete only if the Offeror represented itself as a women-owned small business concern eligible under paragraph 4 above.) The Offeror represents as part of its offer that-

- It is, is not, an EDWOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse directions have been issued that affects its eligibility; and



Annual Representations and Certifications (CERTANN) – 5/17

- (ii) It is, is not, a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph 5(i) above is accurate for each EDWOSB concern eligible under the WOSB Program participating in the joint venture. [The Offeror shall enter the name or names of the EDWOSB Program participating in the joint venture:_____]. Each EDWOSB concern eligible under the EDWOSB Program participating in the joint venture shall submit a separate signed copy of the EDWOSB representation.

6. VETERAN-OWNED SMALL BUSINESS CONCERN (Complete only if the Offeror represented itself as a small business concern in paragraph 1 above.)

The Offeror represents as part of its offer that it is, is not, a veteran-owned small business concern.

7. SERVICE DISABLED VETERAN-OWNED SMALL BUSINESS CONCERN (Complete only if the Offeror represented itself as a veteran-owned small business concern in paragraph 6 above.)

The Offeror represents as part of its offer that is, is not, a service disabled veteran-owned small business concern.

8. HUBZone SMALL BUSINESS CONCERN (Complete only if the Offeror represented itself as a small business concern in paragraph 1 above.)
The Offeror represents as part of its offer that-

- (i) 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 office, or HUBZone employee percentage has occurred since it was certified accordance with 13 CFR part 126; and
- (ii) It is, is not, a HUBZone joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph 8i above, of this provision is accurate for each HUBZone small business concern participating in the HUBZone joint venture. [The Offeror shall enter the names of each of the HUBZone small business concerns participating in the HUBZone joint venture:_____]. Each HUBZone small business concern participating in the HUBZone joint venture shall submit a separate signed copy of the HUBZone representation.

G. NOTICE (Applicable to US firms only)

- (1) If this solicitation is for supplies and has been set aside, in whole or in part, for small business concerns, then the clause in the solicitation providing notice of the set-aside contains restrictions on the source of the end items to be furnished.
- (2) Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a business concern that is small, HUBZone small, small disadvantaged, service-disabled veteran-owned small, economically disadvantaged women-owned small, or women-owned small eligible under the WOSB Program in order to obtain a contract to be awarded under the preference programs established pursuant to section 8, 9, 15, 31, and 36 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall --
- (i) Be punished by imposition of fine, imprisonment, or both;
- (ii) Be subject to administrative remedies, including suspension and debarment; and
- (iii) Be ineligible for participation in programs conducted under the authority of the Act.

H. WOMEN-OWNED BUSINESS CONCERN (OTHER THAN SMALL BUSINESS CONCERN) (Applicable to US firms only) Complete only if the Offeror is a women-owned business concern and did not represent itself as a small business concern in paragraph in D1 above.)

The Offeror represents as part of its offer that it is a Woman-Owned Business Concern (Other than Small Business Concern).

I. HISTORICALLY BLACK COLLEGE OR UNIVERSITY OR MINORITY INSTITUTION (Applicable to US firms only)

- (i) The Offeror represents, as part of its offer, that it is, is not, a Historically Black College or University.
- (ii) The Offeror represents, as part of its offer, that it is, is not, a Minority Institution.

J. CERTIFICATION REGARDING RESPONSIBILITY MATTERS (Executive Order 12689) (For solicitations, subcontracts, and purchase orders expected to exceed \$150,000.) (Federal, State, and Local, refer to governmental organizations in the US.)

- (1) The Offeror certifies, to the best of its knowledge and belief, that --



Annual Representations and Certifications (CERTANN) – 5/17

(i) The Offeror and/or any of its Principals --

(A) **Are** , **are not** , presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(B) **Have** , **have not** , within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) contract or subcontract; violation of Federal or State antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property (if Offeror checks "have", the Offeror shall also see FAR 52.209-7); and

(C) **Are** , **are not** , presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (1)(i)(B) of this provision; and

(D) **Have** , **have not** , within a three-year period preceding this offer, been notified of any delinquent Federal taxes in an amount that exceeds \$3,500 for which the liability remains unsatisfied.

(1) Federal taxes are considered delinquent if both of the following criteria apply:

(i) The tax liability is finally determined. The liability is finally determined if it has been assessed. A liability is not finally determined if there is a pending administrative or judicial challenge. In the case of a judicial challenge to the liability, the liability is not finally determined until all judicial appeal rights have been exhausted.

(ii) The taxpayer is delinquent in making payment. A taxpayer is delinquent if the taxpayer has failed to pay the tax liability when full payment was due and required. A taxpayer is not delinquent in cases where enforced collection action is precluded.

(2) Examples.

(i) The taxpayer has received a statutory notice of deficiency, under I.R.C. §6212, which entitles the taxpayer to seek Tax Court review of a proposed tax deficiency. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek Tax Court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.

(ii) The IRS has filed a notice of Federal tax lien with respect to an assessed tax liability, and the taxpayer has been issued a notice under I.R.C. §6320 entitling the taxpayer to request a hearing with the IRS Office of Appeals contesting the lien filing, and to further appeal to the Tax Court if the IRS determines to sustain the lien filing. In the course of the hearing, the taxpayer is entitled to contest the underlying tax liability because the taxpayer has had no prior opportunity to contest the liability. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek tax court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.

(iii) The taxpayer has entered into an installment agreement pursuant to I.R.C. §6159. The taxpayer is making timely payments and is in full compliance with the agreement terms. The taxpayer is not delinquent because the taxpayer is not currently required to make full payment.

(iv) The taxpayer has filed for bankruptcy protection. The taxpayer is not delinquent because enforced collection action is stayed under 11 U.S.C. 362 (the Bankruptcy Code).

(ii) The Offeror **has** , **has not** , within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

(2) "Principal," for the purposes of this certification, means an officer; director; owner; partner; or a person having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a division or business segment; and similar positions).

This Certification Concerns a Matter Within the Jurisdiction of an Agency of the United States and the Making of a False, Fictitious, or Fraudulent Certification May Render the Maker Subject to Prosecution Under Section 1001, Title 18, United States Code.

(3) The Offeror shall provide immediate written notice to the Buyer if, at any time prior to subcontract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

(4) A certification that any of the items in paragraph (1) of this provision exists will not necessarily result in withholding of an award under the solicitation. However, the certification will be considered in connection with a determination of the Offeror's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by the Buyer may render the Offeror nonresponsible.



Annual Representations and Certifications (CERTANN) – 5/17

K. PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (31 U.S.C 1352) (For solicitations, subcontracts and purchase orders expected to exceed \$150,000) (Federal and Congress refers to organizations in the United States)

The Offeror, by signing this certification, certifies compliance with the provisions of FAR Clauses 52.203-11, "Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Sep 2007) and 52.203-12, "Limitation on Payments to Influence Certain Federal Transactions (Oct 2010).

The definitions and prohibitions contained in the clause FAR 52.03-11, Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions are hereby incorporated by reference.

1. By submission of its offer, the Offeror, certifies to the best of its knowledge and belief that no Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress on its behalf in connection with the awarding of this subcontract.

2. Disclosure. If any registrants under the Lobbying Disclosure Act of 1995 have made a lobbying contact on behalf of the Offeror with respect to this subcontract, the Offeror shall complete and submit, with its offer, OMB Standard Form LLL, Disclosure of Lobbying Activities, to provide the name of the registrants. The Offeror need not report regularly employed officers or employees of the Offeror to whom payments of reasonable compensation were made.

3. Penalty. Submission of this certification and disclosure is a prerequisite for making or entering into this subcontract imposed by 31 U.S.C. 1352. Any person who makes an expenditure prohibited under this provision or who fails to file or amend the disclosure required to be filed or amended by this provision, shall be subject to a civil penalty of not less than \$10,000, for each such failure.

4. Should the Offeror's circumstances change during the life of any resultant subcontract with respect to the above, the Offeror shall immediately notify the Buyer.

L. REPRESENTATION BY ENTITIES ON RESTRICTIONS OF WHISTLEBLOWING (May 16) (Deviation), NFS 1852.209-76 (For solicitations, subcontracts, and purchase orders expected to exceed \$150,000.)

(a) In accordance with sections 743 of the (U.S.) Consolidated and Further Continuing Appropriations Act, 2015, Pub. L. 113-235, none of the funds appropriated or otherwise made available by this Act or any other (U.S.) Act may be available for obligation on a contract with an entity that (1) Requires employees or contractors of such entity seeking to report waste, fraud, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information. (2) The limitation above shall not contravene requirements applicable to (U.S.) Standard Form 312, Form 4414, or any other form governing the nondisclosure of

classified information that a U.S. Federal department or agency has issued. (b) The offeror represents that — It does does not require its contractors or its employees to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a (U.S.) Federal department or agency authorized to receive such information.

(End of provision)

M. REPRESENTATION BY CORPORATIONS REGARDING AN UNPAID DELINQUENT TAX LIABILITY OR A FELONY CONVICTION UNDER ANY FEDERAL LAW (DEVIATION FEB 2012), NFS 1852.209-75 (For solicitations, subcontracts, and purchase orders expected to exceed \$150,000.)

A. In accordance with (U.S.) sections 544 and 543 of "The Consolidated and Further Continuing Appropriation Act of 2012" (Pub. L.112-55), none of the funds made available by that Act may be used to enter into a contract with any corporation that-

1. Has any unpaid (U.S.) Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability, where the awarding agency is aware of the unpaid tax liability, unless the agency has considered suspension or debarment of the corporation and made a determination that this action is not necessary to protect the interests of the (U.S.) Government; or

2. Was convicted (or had an officer or agent of such corporation acting on behalf of the corporation convicted) of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless the agency has considered suspension or debarment of the corporation and made a determination that this action is not necessary to protect the interests of the (U.S.) Government.

B. The Offeror represents that :

1. It is is not a corporation that has had any unpaid (U.S.) Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and



Annual Representations and Certifications (CERTANN) – 5/17

- 2. It is is not a corporation that was convicted, or had an officer or agent acting on behalf of the corporation convicted, of a felony criminal violation under a Federal law within the preceding 24 months.

(End of Provision)

SECTION II. CERTIFICATIONS AND NOTICES (Applicable to US firms only or non-US firms if any of the work will be performed in the United States)

A. PREVIOUS CONTRACTS

The Offeror represents that - it **has** **has not** , participated in a previous contract or subcontract subject to the FAR 52.222-26 Equal Opportunity clause of this solicitation and it **has**, **has not**, filed all required compliance reports.

B. AFFIRMATIVE ACTION COMPLIANCE (Except as provided in FAR 22.807, each non-construction prime contractor and each subcontractor with 50 or more employees and either a contract or subcontract of \$50,000 or more; or Government bills of lading that in any 12-month period, total, or can reasonably be expected to total \$50,000 or more, is required to develop a written affirmative action program for each of its establishments. Each contractor and subcontractor shall develop its written affirmative action programs within 120 days from the commencement of its first such Government contract, subcontract, or Government bill of lading.)

The Offeror represents that -

- (i) it **has developed and has on file**, **has not developed and does not have on file**, at each establishment, affirmative action programs required by the rules and regulations of the Secretary of Labor (41 CFR 60-1 and 60-2); or
- (ii) it **has not** previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor

C. COMPLIANCE WITH VETERANS' EMPLOYMENT REPORTING REQUIREMENTS

By submission of its offer, the Offeror represents that, if it is subject to the reporting requirements of 38 U.S.C. 4212(d) (i.e., if it has any contract containing FAR clause 52.222-37, Employment Reports on Veterans), it has submitted the most recent VETS-100A Report required by that clause.

D. CERTIFICATION BY OFFERORS REGARDING FEDERAL INCOME TAX FILING and FEDERAL INCOME TAX VIOLATIONS. (DEVIATION APRIL 2015). NFS 1852.209-74

(a) In accordance with (U.S.) section 527 of the Consolidated and Further Continuing Appropriation Act of 2012 (Pub. L. 112-55), section 525 of the Consolidated and Further Continuing Appropriations Act of 2013 (Pub. L. 113-6), section 523 of the Consolidated Appropriations Act of 2014 (Pub. L. 113-76), and section 523 of the Consolidated and Further Continuing Appropriations Act, 2015, (Pub. L. 113-235), none of the funds made available by these Acts may be used to enter into a contract in an amount greater than \$5 Million unless the prospective (sub)contractor/(supplier) certifies in writing to Buyer/NASA that, to the best of its knowledge and belief, the (sub)contractor/supplier has filed all (U.S.) Federal tax returns required during the three years preceding the certification, has not been convicted of a criminal offense under the (U.S.) Internal revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the (U.S.) Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

(b) The offeror's proposal shall include a signed written certification as follows:

To the best of my knowledge and belief, _____ has filed the (U.S.) Federal tax returns required during the three years preceding this certification, has not been convicted of a criminal offense under the (U.S.) Internal Revenue Code of 1986, and has not, more than 90 days prior to certification, been notified of any unpaid (U.S.) Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the (U.S.) Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.

Firm _____

Signature _____

Name _____



Annual Representations and Certifications (CERTANN) – 5/17

Title _____

Date of execution _____

(End of Provision)

SECTION III. ISO CERTIFICATION

The Offeror has, has not received Certification for ISO 9000, ISO 9001, AS 9100, ISO _____ on _____ date.

SECTION IV. DIRECTORATE OF DEFENSE TRADE CONTROLS REGISTRATION (INTERNATIONAL TRAFFIC IN ARMS REGULATIONS)

The Offeror certifies that it - is, or is not required to be registered to manufacture or export defense articles, or furnish defense services as required by the International Traffic in Arms Regulations (22 C.F.R. Part 122). If required to be registered, Offeror's current valid DDTC registration number is: _____.

SECTION V. MASTER CERTIFICATION EXECUTION

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

COMPANY

STATE OR COUNTRY OF INCORPORATION OR REGISTRATION

PRINT NAME AND TITLE OF OFFEROR

DATE (Use the date of Offeror's Proposal)

SIGNATURE OF OFFEROR
(Applicable to each representation above)

SSL Buyer/SCA Reviewer
(for SSL use only)

Date