

YEAR 2017-2018 SUPPLIER REPRESENTATIONS AND CERTIFICATIONS

A. No subcontract or purchase order can be issued prior to completion, signature, and return of this Representation and Certifications form to Teledyne Controls Buyer and/or Small Business Liaison Officer below.

B. The subcontractor or supplier, by completion and submission of this form, certifies that the information contained herein is true, complete and accurate as of the date of signature. Moreover, the subcontractor certifies that if information contained herein changes, these changes will be submitted to Teledyne Controls within a reasonable period subsequent to the changes.

C. The following information is requested:

Cage Code: _____

DUNS Number: _____

NAICS: _____

THE SUBCONTRACTOR OR SUPPLIER HEREBY AGREES THAT ALL CERTIFICATIONS IN THIS SECTION THAT ARE APPLICABLE TO THIS PROPOSAL ARE CURRENT, COMPLETE AND APPLICABLE, UNLESS SPECIFICALLY STATED OTHERWISE. THIS FORM SHALL BE INCORPORATED BY REFERENCE INTO ANY SUBCONTRACT AWARDED AS A RESULT OF THIS SOLICITATION.

FIRM _____

ADDRESS _____

SIGNATURE _____

TYPED NAME _____

TITLE _____

DATE _____

Return this completed form to:



Abraham Caro – SBLO
501 Continental Blvd
El Segundo, CA 90245-5036
Tel: 310.765.3762 Fax: 310.765.3608
Email: Abraham.Caro@Teledyne.com

YEAR 2017-2018 SUPPLIER REPRESENTATIONS and CERTIFICATIONS

 (PLEASE CHECK ALL APPROPRIATE BOXES)

PART "A"
THIS PART PERTAINS TO ALL SOLICITATIONS/PROCUREMENTS REGARDLESS OF VALUE

In accordance with applicable Government and prime contract requirements, we are required to periodically verify the business size of our suppliers and subcontractors and, to an extent, validate their compatibility with existing Government policies dealing with equal opportunity, minority business, and affirmative action programs.

1. CERTIFICATION OF BUSINESS SIZE

 OUR SIZE IS: SMALL LARGE

"Small Business" means an independently owned and operated business, not dominant in the field of operation in which it is bidding, and does not exceed the limitation of number of employees and dollar of sales as defined under the Federal Acquisitions Regulation (FAR) clause 19.001, 19.102, 52.219-1 and 13 CFR 121.

2. TYPE OF ORGANIZATION

No. of years in business: _____

The Seller operates as a(n):

- | | |
|---|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Non-profit organization |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> Not-for-profit institution |
| <input type="checkbox"/> Joint venture | <input type="checkbox"/> Hospital |
| <input type="checkbox"/> Division | <input type="checkbox"/> Subsidiary |
| <input type="checkbox"/> State or local government agency | |
| <input type="checkbox"/> Corporation and is incorporated under the laws of the state of _____ | |

3. CERTIFICATION OF WOMAN-OWNED/VETERAN OWNED SMALL BUSINESS STATUS

- | | |
|-----------------------------|--|
| <input type="checkbox"/> IS | <input type="checkbox"/> IS NOT WOMAN-OWNED |
| <input type="checkbox"/> IS | <input type="checkbox"/> IS NOT VETERAN OWNED |
| <input type="checkbox"/> IS | <input type="checkbox"/> IS NOT SERVICE DISABLED VETERAN OWNED |

A Small Business in this category is a business that is 51% owned and operated by a woman or women or a veteran who take active, daily participation in the running of the business and who are citizens of the United States.

4. MISCELLANEOUS SECTION

A. Seller's Inspection/Quality system meets the minimum requirements of:

- | | | |
|--------------------------------------|-----------------------------------|----------------------------------|
| <input type="checkbox"/> MIL-Q-9858 | <input type="checkbox"/> ISO 9001 | <input type="checkbox"/> AS 9100 |
| <input type="checkbox"/> MIL-I-45208 | <input type="checkbox"/> ISO 9002 | <input type="checkbox"/> AS 9120 |
| | <input type="checkbox"/> ISO 9003 | |

B. Does Seller have union affiliation?

-
- Yes
-
- No If yes, please enter contract expiration date: _____

C. Is your business located in a HUBZONE?

-
- Yes
-
- No SBA CERTIFIED
-
- Yes
-
- No

5. CERTIFICATION OF DISADVANTAGED-OWNED BUSINESS STATUS (Must be U.S. Citizen)

-
- IS
-
- IS NOT SMALL-DISADVANTAGED OWNED AND CERTIFIED BY THE SMALL BUSINESS ADMINISTRATION. (If YES, please check the appropriate Ethnic Group below) [Please attach SBA certification confirmation]

- | | |
|---|---|
| A. <input type="checkbox"/> Subcontinent Asian (Asian-Indian) | G. <input type="checkbox"/> Black American (U.S. Citizen) |
| B. <input type="checkbox"/> Asian-Pacific Americans | H. <input type="checkbox"/> Hispanic American |
| C. <input type="checkbox"/> Native American. | |
| D. <input type="checkbox"/> Historically Black Colleges and Universities (HBCUs) DFAR 52.226-7002, 34 CFR 608.2 | |
| E. <input type="checkbox"/> Minority Institutions (MIs) DFAR 52.226-7002, 34 CFR, Subpart 637. | |
| F. <input type="checkbox"/> Other (as approved by the Small Business Administration): _____ | |

A small, socially and economically disadvantaged business is defined as: "A business of which at least 51% is owned by small, socially and economically disadvantaged group members, or, in the case of publicly owned businesses, at least 51% of the stock is owned by one or more socially or economically disadvantaged individuals and whose management and daily business operations are controlled by one or more such individuals. (FAR 52.219-1 and 13 CFR 124.1-1)

6. PLACE OF PERFORMANCE (Oct 1997) 52.215-6

(Applies to all orders)

- (a) The offeror or respondent, in the performance of any contract resulting from this solicitation, intends, does not intend [check applicable block] to use one or more plants or facilities located at a different address from the address of the offeror or respondent as indicated in this proposal or response to request for information.
- (b) If the offeror or respondent checks "intends" in paragraph (a) of this provision, it shall insert in the following spaces the required information:

Place of Performance	
Street Address	
City/State/Zip	

Name and Address of Owner and Operator of the Plant or Facility named above, if other than the Offeror or Respondent:

Name	
Street Address	
City/State/Zip	

7. PROHIBITION ON CONDUCTING RESTRICTED BUSINESS OPERATIONS IN SUDAN--CERTIFICATION (AUG 2009) FAR 52.225-20

(Applies to orders for products or services other than commercial items.)

- (a) Definitions. As used in this provision—

“Business operations” means engaging in commerce in any form, including by acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

“Marginalized populations of Sudan” means—

- (1) Adversely affected groups in regions authorized to receive assistance under section 8(c) of the Darfur Peace and Accountability Act (Pub. L. 109-344) (50 U.S.C. 1701 note); and
- (2) Marginalized areas in Northern Sudan described in section 4(9) of such Act.

“Restricted business operations” means business operations in Sudan that include power production activities, mineral extraction activities, oil-related activities, or the production of military equipment, as those terms are defined in the Sudan Accountability and Divestment Act of 2007 (Pub. L. 110-174). Restricted business operations do not include business operations that the person (as that term is defined in Section 2 of the Sudan Accountability and Divestment Act of 2007) conducting the business can demonstrate—

- (1) Are conducted under contract directly and exclusively with the regional government of southern Sudan;
- (2) Are conducted pursuant to specific authorization from the Office of Foreign Assets Control in the Department of the Treasury, or are expressly exempted under Federal law from the requirement to be conducted under such authorization;
- (3) Consist of providing goods or services to marginalized populations of Sudan;
- (4) Consist of providing goods or services to an internationally recognized peacekeeping force or humanitarian organization;
- (5) Consist of providing goods or services that are used only to promote health or education; or
- (6) Have been voluntarily suspend.

- (b) Certification. By submission of its offer, the offeror certifies that the offeror does not conduct any restricted business operations in Sudan.

8. PROHIBITION ON CONTRACTING WITH ENTITIES ENGAGING IN CERTAIN ACTIVITIES OR TRANSACTIONS RELATING TO IRAN—REPRESENTATION AND CERTIFICATION (OCT 2015) FAR 52.225-25
(Applies to all orders.)

(a) Definitions. As used in this provision--

Person--

(1) Means--

- (i) A natural person;
- (ii) A corporation, business association, partnership, society, trust, financial institution, insurer, underwriter, guarantor, and any other business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise; and
- (iii) Any successor to any entity described in paragraph (1)(ii) of this definition; and (2) Does not include a government or governmental entity that is not operating as a business enterprise.

Sensitive technology—

(1) Means hardware, software, telecommunications equipment, or any other technology that is to be used specifically—

- (i) To restrict the free flow of unbiased information in Iran; or
- (ii) To disrupt, monitor, or otherwise restrict speech of the people of Iran; and

(2) Does not include information or informational materials the export of which the President does not have the authority to regulate or prohibit pursuant to section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)).

(b) The offeror shall email questions concerning sensitive technology to the Department of State at CISADA106@state.gov.

(c) Except as provided in paragraph (d) of this provision or if a waiver has been granted in accordance with 25.703-4, by submission of its offer, the offeror--

- (1) Represents, to the best of its knowledge and belief, that the offeror does not export any sensitive technology to the government of Iran or any entities or individuals owned or controlled by, or acting on behalf or at the direction of, the government of Iran;
- (2) Certifies that the offeror, or any person owned or controlled by the offeror, does not engage in any activities for which sanctions may be imposed under section 5 of the Iran Sanctions Act. These sanctioned activities are in the areas of development of the petroleum resources of Iran, production of refined petroleum products in Iran, sale and provision of refined petroleum products to Iran, and contributing to Iran's ability to acquire or develop certain weapons or technologies; and
- (3) Certifies that the offeror, and any person owned or controlled by the offeror, does not knowingly engage in any transaction that exceeds \$3,500 with Iran's Revolutionary Guard Corps or any of its officials, agents, or affiliates, the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (see OFAC's Specially Designated Nationals and Blocked Persons List at <http://www.treasury.gov/ofac/downloads/t11sdn.pdf>).

(d) Exception for trade agreements. The representation requirement of paragraph (c)(1) and the certification requirements of paragraphs (c)(2) and (c)(3) of this provision do not apply if—

- (1) This solicitation includes a trade agreements notice or certification (e.g., 52.225-4, 52.225-6, 52.225-12, 52.225-24, or comparable agency provision); and
- (2) The offeror has certified that all the offered products to be supplied are designated country end products or designated country construction material.

YEAR 2017-2018 SUPPLIER REPRESENTATIONS and CERTIFICATIONS**PART "B" (YOU ARE EXEMPT FROM PART "B" IF YOU HAVE FEWER THAN 50 EMPLOYEES)****THIS PART PERTAINS TO ALL SOLICITATIONS/PROCUREMENTS \$2,500 AND OVER****1. CERTIFICATION OF HANDICAPPED REHABILITATION ACT**

- a. The Seller certifies that it complies does not comply with Executive Order 11758, Authority Under Rehabilitation Act of 1973, as amended, regarding employment of handicapped persons.

PART "C" (YOU ARE EXEMPT FROM PART "C" IF YOU HAVE FEWER THAN 50 EMPLOYEES)**THIS PART PERTAINS TO ALL SOLICITATIONS/PROCUREMENTS \$10,000 AND OVER****1. CERTIFICATION OF NON-SEGREGATED FACILITIES (FAR 52.222-21)**

- a. The Seller certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained. The Seller agrees that a breach of this Certificate is a violation of the Equal Employment Opportunity clause in any contract or subcontract resulting from this solicitation. Furthermore, Seller certifies that it does not discriminate against any employee or applicant for employment due to race, color, sex, or national origin. "Segregated facilities" means any waiting rooms, work area, restrooms, and washrooms, restaurants and other eating areas, time clocks, locker rooms, and other storage or dressing area, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees, that are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin because of habit, local custom, or otherwise.

2. AFFIRMATIVE ACTION COMPLIANCE (FAR 52.222-25), the seller represents that:

- a. It has has not developed an affirmative action program as required by the rules and regulations of the Secretary of Labor (41 CFR 60-1 and 60-2)

3. PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FAR 52.222-22), the Seller represents that:

- a. It has has not participated in a previous contract or subcontract subject either to the Equal Employment Opportunity clause or this solicitation. (FAR 52.222-26)

- b. It has has not filed all required compliance reports.

4. AFFIRMATIVE ACTION FOR SPECIAL DISABLED AND VIETNAM VETERANS (FAR 52.222-35)

- a. The Seller certifies that it is is not in compliance with applicable affirmative action and labor laws pertaining to the employment of Disabled and Vietnam Era Veterans.

5. EMPLOYMENT REPORTS ON SPECIAL DISABLED AND VIETNAM VETERANS (FAR 52.222-37)

- a. The Seller certifies that it is is not in compliance with the special reporting requirements pertaining to Employment Reports on Special Disabled Veterans and Veterans of the Vietnam Era.

6. EQUAL OPPORTUNITY (FAR 52.222-26)

- a. The seller represents that it is in agreement with the subject clause and Executive order 11246, as amended, and the rules, regulations and Orders of the Secretary of Labor pertaining to Equal Opportunity.

YEAR 2017-2018 SUPPLIER REPRESENTATIONS and CERTIFICATIONS**PART "D" NO EXEMPTIONS****THIS PART PERTAINS TO ALL SOLICITATIONS/PROCUREMENTS \$25,000 AND OVER****1. CERTIFICATION OF DEBARMENT/SUSPENSION STATUS (FAR 52.209-5/6)**

- a. The Seller certifies that it is is not suspended, declared or ineligible in any aspect from entering into contracts with the Federal Government, or in receipt of notice of proposed debarment from any other department of the Federal Government.
- b. The Seller shall provide Teledyne Controls immediate notice in the event of being suspended, debarred, or declared ineligible to receive awards from "any" Federal Agency.

2. CONTINGENT FEE REPRESENTATION AND AGREEMENT (FAR 52.203-5)

- a. The Seller certifies that it:
- has has not employed or retained a person(s) or company(ies) to solicit or obtain this contract and,
 - has has not paid or agreed to pay any person(s) or company(ies) employed or retained to solicit or obtain this contract any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this contract.
- b. Further, the Seller agrees to provide information to Teledyne Controls relating to the above certification upon request or if and when circumstances change.

3. CERTIFICATE OF INDEPENDENT PRICE DETERMINATION (FAR 52.203-2)

- a. The Seller certifies that:
- The prices set forth in *all* offers have been arrive at independently without any consultation, communication, or agreement with any other seller or competitor relating to: (i) those prices, (ii) the intention to submit an offer, and/or (iii) the methods or factors used to calculate the prices offered.
 - The prices set forth in *all* offers have not been and will not be knowingly disclosed by the seller, directly or indirectly, to any other seller or competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated solicitation) unless otherwise required by law; and
 - No attempt has been made or will be made by the seller to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.
- b. Each signature on an offer is considered to be a certification by the signatory that the signatory:
- Is the person in the Seller's organization responsible for determining the prices being offered in this bid or proposal and that the signatory has not participated and will not participate in any action contrary to subparagraphs 2(a)(1) through 2(a)(3) above; or
 - Has been authorized in writing to act as agent for the principals involved in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs 2(a)(1) through 2(a)(3) above; and further agrees to include name and title of person(s) in Seller's organization responsible for determining the prices offered in bid or proposals on *all* responses to Teledyne Controls solicitations

YEAR 2017-2018 SUPPLIER REPRESENTATIONS and CERTIFICATIONS**PART "E" NO EXEMPTIONS****THIS PART PERTAINS TO ALL SOLICITATIONS/PROCUREMENTS \$100,000 AND OVER****1. CLEAN AIR AND WATER CERTIFICATION (FAR 52.223-1)**

a. The Seller certifies that:

1. Any facility to be used in the performance of a proposed contract is is not listed on the Environmental Protection Agency (EPA) List of Violating Facilities.
2. The Seller will immediately make notification to Teledyne Controls of the receipt of any communication from the administrator, or a designee, of the EPA, indicating that any facility that the Seller proposes to use for the performance of a contract is under consideration to be listed on the EPA List of Violating Facilities; and
3. The Seller will include a certification, substantially the same as this certification, including this paragraph (paragraph 3) in every non-exempt subcontract to lower tier subcontractors.

2. CERTIFICATION AND DISCLOSURE REGARDING PAYMENT TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (FAR 52.203-11)
(Applies to all orders over \$150,000)

The Seller certifies that payments to influence the issuance of any award have have not been made. In the event funds were or will be utilized in any aspect to influence issuance of any award(s), the Seller shall provide a disclosure statement to Teledyne Controls as prescribed by FAR, part 3 and Public Law 101-121.

- (a) Definitions. As used in this provision—"Lobbying contact" has the meaning provided at 2 U.S.C. 1602(8). The terms "agency," "influencing or attempting to influence," "officer or employee of an agency," "person," "reasonable compensation," and "regularly employed" are defined in the FAR clause of this solicitation entitled "Limitation on Payments to Influence Certain Federal Transactions" (52.203-12).
- (b) Prohibition. The prohibition and exceptions contained in the FAR clause of this solicitation entitled "Limitation on Payments to Influence Certain Federal Transactions" (52.203-12) are hereby incorporated by reference in this provision.
- (c) Certification. The offeror, by signing its offer, hereby 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 contract.
- (d) 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 contract, 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.
- (e) Penalty. Submission of this certification and disclosure is a prerequisite for making or entering into this contract 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.

3. CERTIFICATE OF PROCUREMENT INTEGRITY (FAR 52.205-8/9)

The Seller certifies:

- a. To familiarity and compliance with the requirements of subsection 27(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 423), (hereinafter referred to as "the Act") as implemented in the FAR (see FAR 3.104); and
- b. It will report immediately to Teledyne Controls and the Buyer who is responsible for the offer or bid for any contract or the modification of such contract, as the case may be, any information concerning a violation or possible violation of subsections 27(a), (b), (d), or (f) of the Act occurring on/after the effective date of the Act, as implemented in the FAR (see FAR 3.104).

4. CERTIFICATION REGARDING RESPONSIBILITY MATTERS (OCT 2015) FAR 52.209-5

(Applies to all orders over \$150,000)

(a)

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

(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 52.209-7, if included in this solicitation); 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 (a)(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 instalment 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.
- (3) "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.

- (b) The Offeror shall provide immediate written notice to the Contracting Officer if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (c) A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this 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 Contracting Officer may render the Offeror non responsible.
- (d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Offeror is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- (e) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to other remedies available to the Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

YEAR 2017-2018 SUPPLIER REPRESENTATIONS and CERTIFICATIONS**PART "F" NO EXEMPTIONS****1. CERTIFICATION REGARDING TRAFFICKING IN PERSONS COMPLIANCE PLAN (MAR 2015) 52.222-56**

(For orders under which it is possible that at least \$500,000 of the value of the contract may be performed outside the United States; and the acquisition is not entirely for commercially available off-the-shelf items.)

- (a) The term "commercially available off-the-shelf (COTS) item," is defined in the clause of this solicitation entitled "Combating Trafficking in Persons" (FAR clause 52.222-50).
- (b) The apparent successful Offeror shall submit, prior to award, a certification, as specified in paragraph (c) of this provision, for the portion (if any) of the contract that—
 - (1) Is for supplies, other than commercially available off-the-shelf items, to be acquired outside the United States, or services to be performed outside the United States; and
 - (2) Has an estimated value that exceeds \$500,000.
- (c) The certification shall state that—
 - (1) It has implemented a compliance plan to prevent any prohibited activities identified in paragraph (b) of the clause at 52.222-50, Combating Trafficking in Persons, and to monitor, detect, and terminate the contract with a subcontractor engaging in prohibited activities identified at paragraph (b) of the clause at 52.222-50, Combating Trafficking in Persons; and
 - (2) After having conducted due diligence, either—
 - (i) To the best of the Offeror's knowledge and belief, neither it nor any of its proposed agents, subcontractors, or their agents is engaged in any such activities; or
 - (ii) If abuses relating to any of the prohibited activities identified in 52.222-50(b) have been found, the Offeror or proposed subcontractor has taken the appropriate remedial and referral actions.

YEAR 2017-2018 SUPPLIER REPRESENTATIONS and CERTIFICATIONS**PART "G" NO EXEMPTIONS****THIS PART PERTAINS TO ALL SOLICITATIONS/PROCUREMENTS OVER \$550,000****1. INFORMATION REGARDING RESPONSIBILITY MATTERS (JUL 2013) FAR 52.209-7**

(a) Definitions. As used in this provision—

"Administrative proceeding" means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative Proceedings, Civilian Board of Contract Appeals Proceedings, and Armed Services Board of Contract Appeals Proceedings). This includes administrative proceeding at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include agency actions such as contract audits, site visits, corrective plans, or inspection of deliverables.

"Federal contracts and grants with total value greater than \$10,000,000" means—

- (1) The total value of all current, active contracts and grants, including all priced options; and
- (2) The total value of all current, active orders including all priced options under indefinite-delivery, indefinite-quantity, 8(a), or requirements contracts (including task and delivery and multiple-award Schedules).

- (b) The offeror has does not have current active Federal contracts and grants with total value greater than \$10,000,000.
- (c) If the offeror checked "has" in paragraph (b) of this provision, the offeror represents, by submission of this offer, that the information it has entered in the Federal Awardee Performance and Integrity Information System (FAPIS) is current, accurate, and complete as of the date of submission of this offer with regard to the following information:
- (1) Whether the offeror, and/or any of its principals, has or has not, within the last five years, in connection with the award to or performance by the offeror of a Federal contract or grant, been the subject of a proceeding, at the Federal or State level that resulted in any of the following dispositions:
 - (i) In a criminal proceeding, a conviction.
 - (ii) In a civil proceeding, a finding of fault and liability that results in the payment of a monetary fine, penalty, reimbursement, restitution, or damages of \$5,000 or more.
 - (iii) In an administrative proceeding, a finding of fault and liability that results in—
 - (A) The payment of a monetary fine or penalty of \$5,000 or more; or
 - (B) The payment of a reimbursement, restitution, or damages in excess of \$100,000.
 - (iv) In a criminal, civil, or administrative proceeding, a disposition of the matter by consent or compromise with an acknowledgment of fault by the Contractor if the proceeding could have led to any of the outcomes specified in paragraphs (c)(1)(i), (c)(1)(ii), or (c)(1)(iii) of this provision.
 - (2) If the offeror has been involved in the last five years in any of the occurrences listed in (c)(1) of this provision, whether the offeror has provided the requested information with regard to each occurrence.
- (d) The offeror shall enter the information in paragraphs (c)(1)(i) through (c)(1)(iv) of this provision in FAPIS as required through maintaining an active registration in the Central Contractor Registration database at <http://www.ccr.gov> (see 52.204-7).

"Principal" 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).

YEAR 2017-2018 SUPPLIER REPRESENTATIONS and CERTIFICATIONS**PART "H" NO EXEMPTIONS****1. CERTIFICATION REGARDING CONTRACTOR CODE OF BUSINESS ETHICS AND CONDUCT (FAR 52.203-13)**

The offeror certifies, for orders in excess of 5.5 million dollars, that it has a written code of business ethics and conduct as stated in FAR 52.203-13. The Contractor shall also include the substance of this clause, including this paragraph (d), in subcontracts that have a value in excess of 5.5 million dollars and a performance period of more than 120 days, except when the subcontract:

- a. Is for the acquisition of a commercial item; or
- b. Is performed entirely outside the United States.