



REPRESENTATIONS AND CERTIFICATIONS

THE OFFEROR REPRESENTS AND CERTIFIES THAT: (check or complete all applicable sections)

1. NAME AND LOCATION OF BUSINESS ORGANIZATION (PLACE OF PERFORMANCE)

Legal Name of Company _____ DUNS#: _____

Company Address _____ (Include Zip +4 Code)

Primary Performance Location _____ (Include Zip +4 Code)

E-mail address _____ Web Address _____

Phone Number: _____ Tax Payer Identification No. (TIN) _____

2. BUSINESS ORGANIZATION

It operates as an individual, a partnership, a *non-profit organization, an**educational institution, a corporation, incorporated under the laws of the State of _____.

**Nonprofit organization” means a university or other institution of higher education or an organization of the type described in section 501 (c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. 501 (c)) and exempt from taxation under section 501 (a) of the Internal Revenue Code (26 U.S.C. 501 (a)), or any nonprofit scientific or educational organization qualified under a State nonprofit organization statute. **Educational institution means a public or nonprofit institution of higher education, e.g., an accredited college or university, as defined in section 1201(a) of Public Law 89-329, November 8, 1965, Higher Education Act of 1965; (20 U.S.C. 1141 (a)).*

3. SMALL BUSINESS PROGRAM REPRESENTATION

a) Representations. The offeror represents as part of its offer that it IS or IS NOT a **small business concern**.

The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees. (Refer to definitions in paragraph (c) of this provision).

b) (1) The North American Industry Classification System (NAICS) code for this acquisition is:

<https://www.sba.gov/content/small-business-size-standards>

(2) The small business size standard is _____.

c) Check all that apply for (1) through (6) **if** offeror is a small business. The offeror is:

1. A small disadvantaged business concern as defined in 13 CFR 124.1002, or Has a completed SDB Application pending at the SBA or private Certifier
2. A women-owned small business concern.
3. A veteran-owned small business concern.
4. A service-disabled veteran-owned small business concern.
5. 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.

d) Definitions. As used in this provision:

“Emerging small business” means a small business concern whose size is no greater than 50 percent of the numerical size standard for the NAICS code designated.

“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 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 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's 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 this provision.
 "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
 - 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) Which 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 whose management and daily business operations are controlled by one or more women.

4. AFFIRMATIVE ACTION COMPLIANCE (Required if firm has 50 or more employees and current Government Contracts or Subcontracts totaling \$50,000 or more and if proposed contract is for other than construction.)

- (a) 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
- (b) It HAS NOT previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

5. PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (Not required if proposed procurement is expected to be less than \$10,000)

- (a) It HAS, HAS NOT participated in a previous contract or subcontract subject either to the Equal Opportunity clause of this solicitation or Executive Order No. 11246 as amended;
- (b) It HAS, HAS NOT, filed all required compliance reports; and
- (c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

6. CERTIFICATION REGARDING PAYMENT TO INFLUENCE FEDERAL TRANSACTIONS (31 U.S.C. 1352) (Applies if subcontract amount expects to exceed \$100,000)

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 his or her behalf in connection with the award of any subcontract resulting from this solicitation.

7. BY SUBSCRIBING HERETO, THE OFFEROR/BIDDER AGREES THAT THE FOREGOING REPRESENTATIONS AND CERTIFICATIONS ARE TRUE AND CORRECT.

Name of Offeror: _____

By: _____
 (Signature of Person Authorized to Sign for Offeror)

Printed or Typed Name and Title of Signer: _____ Date: _____

[Note: Offerors must provide accurate and complete information as required by this solicitation and its attachments. The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.]