

### Annual Supplier Representations and Certifications

This form must be completed as indicated (noting “N/A” for any non-applicable section), submitted and accepted prior to placement of any Purchase Order being performed in support of a U.S. Government-Funded Prime contract or subcontract in accordance with federal law requirements identified herein.

Company Legal Name:		Doing Business As (if different than legal name):	
Street Address:			
City:		State	Province:
Country:		Postal Code:	Country Code:
Congressional District:		Taxpayer ID*:	
SAM.gov UEI:		Cage Code**:	
NAICS Code(s)/Business Classification***			

\*This is the number required by the Internal Revenue Service (IRS) to be used in reporting income tax and other returns. The Taxpayer ID Number (TIN) may be a Social Security Number or an Employee Identification Number.

\*\* This is the number assigned by the government to the company address listed – applies only if prime government work has been performed by the company/individual shown above.

\*\*\* List all NAICS Code(s) capabilities as well as your corresponding business classification (see FAR 52.219-1). A minimum of one (primary) NAICS should be referenced. If necessary, additional sheets may be attached. Updated NAICS can be found using the NAICS Code Drill Down Table at <https://www.NAICS.com/search>.

*CAUTION: Federal law (13 CFR 121.108) prescribes penalties and remedies for misrepresentation of business status as a small business or small disadvantaged business for the purpose of obtaining a subcontract such as Suspension and Debarment (48 CFR subpart 9.4); Civil Penalties (13 CFR part 142); Criminal Penalties (15 U.S.C 645(a)); Limitation on Liability (15 U.S.C. 645(a)).*

**THE EFFECTIVE PERIOD OF THIS DOCUMENT ONE YEAR FROM ITS EXECUTION.**

**Place of Performance.** If the supplier intends to perform work at other than the business physical address identified above, please complete for place of performance.

Company Legal Name:		Doing Business As (if different than legal name):	
Street Address:			
City:		State:	Province:
Country:		Postal Code:	Country Code:

Seller acknowledges that Buyer will rely on the information provided herein in its performance of U.S. Government contracts and subcontracts. Seller understands that it may be subject to immediate default termination by Buyer and debarment/suspension or prosecution for potential criminal or civil penalties by the U.S. Government, if Seller misrepresents or falsely or fraudulently completes any of these certifications or representations. Further, Seller indemnifies and holds Buyer harmless from any damages arising from a false or fraudulent certification herein.

Seller shall flow-down these certifications and obligations to its suppliers, to the extent required by the applicable FAR/DFARS provision.

Buyer reserves the right to amend these requirements at any time, at which point it will obtain Seller's concurrence.

### **SAM.gov Registration**

MSI strongly encourages suppliers to have an active registration in the U.S. Government's System for Award Management (SAM) Please note below your SAM.gov registration status.

1.  Seller has completed the annual representations and certifications within the SAM.gov website (<https://www.sam.gov>). **SAM.gov expiration date** \_\_\_\_\_
  - a.  Seller's SAM.gov representations and certifications have been completed within the past 12 months and remain current, accurate and complete.
  - b.  Seller's SAM.gov representations and certifications have been completed within the past 12 months, and are current, accurate and complete with the exception of the following paragraphs \_\_\_\_\_. *(Seller to identify the applicable paragraphs of provision FAR 52.212-3 or FAR 52.204-8 that the Seller has completed for the purposes of this solicitation only, if any. Seller to attach any applicable documentation. Any changes provided by the Seller are applicable to this solicitation only, and do not result in an update to the representations and certifications posted electronically on SAM.gov.)*
2.  The Seller has not completed the annual representations and certifications electronically via the SAM website at <https://www.sam.gov>

The Seller/Offeror shall complete the following Representations and Certifications, applicable to all subcontracts unless excluded within the relevant FAR or DFARS clause"

**CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (Reference FAR 52.203-11 (SEPT 2007))**

- a) Definitions. As used in this provision— “Lobbying Contract” has the meaning provided at 2 U.S.C. 1602(8). The terms “agency”, “attempting to influence”, “officer or employee of an agency”, “person”, “reasonable compensation”, and “regularly employed” are defined in the FAR 52.203-12 “Limitations on Payments to Influence Certain Federal Transactions”.
- b) Prohibition. The prohibition and exceptions contained in FAR 52.203-12 “Limitations on Payments to Influence Certain Federal Transactions” 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 civile penalty of not less than \$10,000, for each such failure.

**LIMITATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (FAR 52.203-12 (JUN 2020))**

In accordance with FAR 52.203-12, Limitations on Payments to Influence Certain Federal Transactions, as part of your proposal response, please provide the following declaration for yourself and all lower tier subcontractors who exceed the FAR 3.808 threshold (currently \$150,000) which shall be forwarded to the contracting officer.

The Seller declares that they:

- Need to disclose and submit OMB Standard Form LLL, Disclosure of Lobbying Activities disclosure pursuant to paragraph (d) of the provision at FAR 52.203-11; or
- Have nothing to disclose and do not need to submit OMB Standard Form LLL,

Disclosure of Lobbying Activities disclosure pursuant to paragraph (d) of the provision at FAR 52.203-11.

By signature below, the Seller (including its chief executives and directors and any proposed consultants or subcontractors) certifies and declares that it does not have any past, present or planned interests that constitute existing or potential payments to influence certain federal transactions.

**CONTRACTOR CODE OF BUSINESS ETHICS AND CONDUCT (REFERENCE FAR 52.203-13 (NOV 2021))**

The Seller represents that it  does,  does not have a written Code of Business Ethics and Conduct (as described in FAR 52.203-13), which is available to employees engaged in performance of Government contracts and/or subcontracts.

1. For any order from Buyer in excess of the threshold specified in FAR 3.1004(a) (currently \$6,000,000) with a performance period of more than 120 days, the Seller certifies that, within 30 days after award, it shall have a written code of business ethics and conduct, a copy of which the Seller will make available to each employee engaged in performance of Government contracts and/or subcontracts.

**PROHIBITION ON CONTRACTING WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS- REPRESENTATION (Reference FAR 52.203-18).**

By submission of its offer, the Offeror represents that it will not require its employees or subcontractors to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting waste, fraud, or abuse related to the performance of a Government contract to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information (e.g., agency Office of the Inspector General).

**REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS (JUN 2020) (Reference FAR 52.204-10)**

Unless exempt, FAR 52.204-10 requires the prime contractor to submit subcontractor award and compensation data to the Federal Funding Accountability and Transparency Act Sub-Award Reporting System ([www.fsrs.gov](http://www.fsrs.gov)) for orders valued at \$30,000.00 or more.

Exemption: If, in the subcontractor's preceding fiscal year, the subcontractor's gross income was less than \$300,000, the prime contractor is exempt from submitting the subcontractor's data.

The subcontractor  Did  Did not have gross income from all sources under \$300,000.

If the subcontractor checked "Did", complete the following:

(1) **Congressional District:**

- (i) Offeror's Congressional District: [INSERT]
- (ii) Performance Location Congressional District (if different from above): [INSERT]

(2) **First-Tier Subcontractor Compensation:**

- (i) In the Offeror's preceding fiscal year, the Offeror:
  - (A)  Did  Did not receive 80 percent or more of its annual gross revenues from Federal contracts (and subcontracts), loans, grants (and sub-grants), cooperative agreements and other forms of Federal financial assistance:  
AND  
 Did  Did not receive \$25,000,000 or more in annual gross revenues from Federal contracts (and subcontracts), loans, grants (and sub-grants), cooperative agreements and other forms of Federal financial assistance.
  - (B) The public  does,  does not have access to information about the compensation of the executives through periodic files under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a) or section 6104 of the Internal Revenue Code of 1986 (to determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at [www.sec.gov/answers/execomp.htm](http://www.sec.gov/answers/execomp.htm)).

(ii) Offeror's top five most highly compensated executives and total compensation\* (Complete the following only if the answer to (A) (both parts) above is **Did** and (B) is **Does Not**):

<b>Offeror's Top Five Executives</b>	<b>*Total Compensation</b>

**\*Total Compensation:** The cash and noncash dollar value earned by the executive during the Offeror's preceding fiscal year and includes the following: salary and bonus, award of stock, stock options, and stock appreciation rights, earnings for services under non-equity incentive plan, changes in pension value, and above-market earnings on deferred compensation which is not tax-qualified, as well as other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.00. For more information see FAR 52.204-10 or 17 CFR 229-402(c)(2).

**COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES-REPRESENTATION. SECTION 889(A)(1)(A) AND SECTION 889 (A)(1)(B) OF PUBLIC LAW 115-232. (Reference FAR 52.204-24 (Nov 2021), 52.204-25 (Nov 2021), 52.204-26 (Oct 2020))**

Covered telecommunications equipment or services means–

- (1) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities);
- (2) For the purpose of public safety, security of Government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities);
- (3) Telecommunications or video surveillance services provided by such entities or using such equipment; or
- (4) Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

The Offeror represents that–

- (i) It  does,  does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.
- (ii) After conducting a reasonable inquiry for purposes of this representation, that it  does,  does not use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services.

Note, in the event the Offeror selects “does” in either paragraph (i) or (ii), additional Disclosures set forth in FAR 52.204-24 are required.

**CERTIFICATION REGARDING RESPONSIBILITY MATTERS (Reference FAR 52.209-5 (Aug 2020))**

- (1) The offeror certifies, to the best of its knowledge and belief, that
  - a) The offeror and/or any of its principals–
    - i.  Are,  are not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

- ii.  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 Federal, state or local government 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;
- iii.  Are,  are not presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses enumerated in paragraph (1) a) ii of this clause; and
- iv.  Have  have not, within a three-year period preceding this offer, been notified of any delinquent Federal taxes in an amount that exceeds the threshold at FAR [9.104-5\(a\)\(2\)](#) for which the liability remains unsatisfied.
  - 1. Federal taxes are considered delinquent if both of the following criteria apply:
    - a. *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.
    - b. *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*
    - a. 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.
    - b. 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.

- c. 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.
- d. 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).

- b) 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.

#### **SMALL BUSINESS PROGRAM REPRESENTATIONS (FAR 52.219-1 (FEB 2024))**

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

*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](#), and the concern is certified by SBA or an approved third-party certifier in accordance with [13 CFR 127.300](#). It automatically qualifies as a women-owned small business concern eligible under the WOSB Program.

*Service-disabled veteran-owned small business (SDVOSB) concern* means a small business concern-

(1) (i) Not less than 51 percent of which is owned and controlled 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 or;

(2) A small business concern eligible under the SDVOSB Program in accordance with 13 CFR part 128 (see subpart [19.14](#)).



(3) *Service-disabled veteran*, as used in this definition, 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\(16\)](#), with a disability that is service-connected, as defined in [38 U.S.C. 101\(16\)](#), and who is registered in the Beneficiary Identification and Records Locator Subsystem, or successor system that is maintained by the Department of Veterans Affairs' Veterans Benefits Administration, as a service-disabled veteran.

*Service-disabled veteran-owned small business (SDVOSB) concern eligible under the SDVOSB Program* means an SDVOSB concern that—

(1) Effective January 1, 2024, is designated in the System for Award Management (SAM) as certified by the Small Business Administration (SBA) in accordance with 13 CFR 128.300; or

(2) Has represented that it is an SDVOSB concern in SAM and submitted a complete application for certification to SBA on or before December 31, 2023.

*Service-disabled veteran-owned small business (SDVOSB) Program* means a program that authorizes contracting officers to limit competition, including award on a sole-source basis, to SDVOSB concerns eligible under the SDVOSB Program.

*Small business concern*—

(1) Means a concern, including its affiliates, that is independently owned and operated, not dominant in its field of operation, and qualified as a small business under the criteria in [13 CFR part 121](#) and the size standard in paragraph (b) of this provision.

(2) *Affiliates*, as used in this definition, means business concerns, one of whom directly or indirectly controls or has the power to control the others, or a third party or parties control or have the power to control the others. In determining whether affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationships. SBA determines affiliation based on the factors set forth at 13 CFR 121.103.

*Small disadvantaged business concern*, consistent with 13 CFR 124.1001, 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 the threshold at 13 CFR 124.104(c)(2) 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

(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, and the concern is certified by SBA or an approved third-party certifier in accordance with [13 CFR 127.300](#).

(b) (1) The North American Industry Classification System (NAICS) code for this acquisition is \_\_\_\_\_ *[insert NAICS code]*.

(2) The small business size standard is \_\_\_\_\_ *[insert size standard]*.

(3) The small business size standard for a concern that submits an offer, other than on a construction or service acquisition, but proposes to furnish an end item that it did not itself manufacture, process, or produce (*i.e.*, nonmanufacturer), is 500 employees, or 150 employees for information technology value-added resellers under NAICS code 541519, if the acquisition—

(i) Is set aside for small business and has a value above the simplified acquisition threshold;

(ii) Uses the HUBZone price evaluation preference regardless of dollar value, unless the offeror waives the price evaluation preference; or

(iii) Is an 8(a), HUBZone, service-disabled veteran-owned, economically disadvantaged women-owned, or women-owned small business set-aside or sole-source award regardless of dollar value.

(c) *Representations.*

(1) The offeror represents as part of its offer that—

(i) it  is,  is not a small business concern; or

(ii) It  is,  is not a small business joint venture that complies with the requirements of [13 CFR 121.103\(h\)](#) and [13 CFR 125.8\(a\)](#) and [\(b\)](#). [ *The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_.* ]

(2) [ *Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.* ] The offeror represents that it  is,  is not, a small disadvantaged business concern as defined in 13 CFR 124.1001.

(3) [ *Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.* ] 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) joint venture eligible under the WOSB Program.* The offeror represents as part of its offer that it  is,  is not a joint venture that complies with the requirements of [13 CFR 127.506\(a\)](#) through [\(c\)](#). [ *The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_.* ]

(5) *Economically disadvantaged women-owned small business (EDWOSB) joint venture.* The offeror represents as part of its offer that it  is,  is not a joint venture that complies with the requirements of 13 CFR 127.506(a) through (c). [ *The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_.* ]

(6) *Veteran-owned small business concern.* [ *Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.* ] The offeror represents as part of its offer that it  is,  is not a veteran-owned small business concern.

(7) *SDVOSB concern.* [ *Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(6) of this provision.* ] The offeror represents as part of its offer that it  is,  is not an SDVOSB concern.

(8) *SDVOSB joint venture eligible under the SDVOSB Program.* [Complete only if the offeror represented itself as a SDVOSB concern in paragraph (c)(7) of this provision]. The offeror represents as part of its offer that it  is,  is not a SDVOSB joint venture eligible under the SDVOSB Program that complies with the requirements of 13 CFR 128.402. [ The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_.]

(9) *HUBZone small business concern.* [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] 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, as having been certified by SBA as a HUBZone small business concern in the Dynamic Small Business Search and SAM, and will attempt to maintain an employment rate of HUBZone residents of 35 percent of its employees during performance of a HUBZone contract (see [13 CFR 126.200\(e\)\(1\)](#)); and

(ii) It  is,  is not a HUBZone joint venture that complies with the requirements of [13 CFR 126.616\(a\)](#) through [\(c\)](#). [ The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_.] Each HUBZone small business concern participating in the HUBZone joint venture shall provide representation of its HUBZone status.

(d) *Notice.* 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-

(1) Be punished by imposition of fine, imprisonment, or both;

(2) Be subject to administrative remedies, including suspension and debarment; and

(3) Be ineligible for participation in programs conducted under the authority of the Act.

(End of provision)

*Alternate I* (FEB 2024).

(10) [Complete if offeror represented itself as disadvantaged in paragraph (c)(2) of this provision.] The offeror shall check the category in which its ownership falls:

- Black American.
- Hispanic American.
- Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).
- Asian-Pacific American (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).
- Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).
- Individual/concern, other than one of the preceding.

#### **NONSEGREGATED FACILITIES REQUIREMENTS (Reference FAR 52.222-21 (APR 2015))**

- a. Certification of nonsegregated facilities
  - i. Segregated facilities as used in this provision, means any waiting rooms, work areas, rest rooms and wash rooms, restaurants and other eating areas, time clocks, locker rooms and other storage or dressing areas, 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, sex, sexual orientation, gender identity, or national origin because of written or oral policies or employee custom. The term does not include separate or single-user rest rooms or necessary dressing or sleeping areas provided to assure privacy between the sexes.
  - ii. By the submission of this offer, 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 that it does not 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 certification is a violation of the Equal Opportunity clause in the contract.

#### **PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (Reference FAR 52.222-22 (FEB 1999))**

- a. The Seller represents that it –
  - I.  has  has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation;
  - II.  has  has not filed all required compliance reports

**AFFIRMATIVE ACTION COMPLIANCE (Reference FAR 52.222-25 (APR 1984))**

- a. The Seller represents that it:
- i.  has developed will maintain and has on file, or
  - ii.  has not developed and does not have on file, at each establishment, a written affirmative action program required by the rules and regulations of the Secretary of Labor 41 CFR 60-1, 60-2.
  - iii.  has not previously had contracts subject to the written affirmative action program requirement of the rules and regulations of the Secretary of Labor.
- b. If a. ii. is marked above, then the Seller represents that it will develop, maintain, update annually and have on file, at each establishment, a written affirmative action compliance program within 120 days from the commencement of any contract in excess of \$50,000 it receives from the Buyer.

**ANNUAL CERTIFICATION REGARDING COMBATING TRAFFICKING IN PERSONS (Reference FAR 52.222-50 (NOV 2021))**

The Seller certifies that:

1. Its policies and procedures prohibit engaging in the trafficking of persons, the use of forced labor, or the procuring of commercial sex acts in the country or countries in which it conducts business; and
2. After having conducted due diligence, either (a) to the best of its knowledge and belief, neither it nor any of its agents, subcontractors or their agents is or has engaged in any such activities; or (b) if abuses relating to any of the prohibited activities identified in FAR 52.222-50(b) have been found, the Supplier or subcontractor has taken the appropriate remedial actions; and
3. If the subcontract is for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States; and has an estimated value that exceeds \$550,000, the Offeror certifies that it  has, or  has not implemented compliance plans for each and every Buyer subcontract, and that the purpose of such plans is to prevent any prohibited activities identified at paragraph (b) of FAR 52.222-50 and to monitor, detect, and terminate any Seller employee, agent, subcontract or subcontractor employee engaging in prohibited activities.

**CERTIFICATION OF THE SAFEGUARDING COVERED DEFENSE INFORMATION REQUIREMENTS (Reference DFARS 252.204-7012 (MAY 2024))**

The Seller certifies that it

- is, or  is not in compliance with the requirements of DFARS clause 252.204-7012 to provide 'adequate security' for all 'covered defense information' on all 'covered contractor information systems', as those terms are defined in the clause.

**CERTIFICATION OF NIST SP 800-171 DOD ASSESSMENT AND SPRS REPORTING REQUIREMENTS  
(Reference DFARS 252.204-7020 (NOV 2023))**

- a. The Seller  has or  has not completed a NIST SP 800-171 DoD Basic Assessment (<https://csrc.nist.gov/pubs/sp/800/171/r2/upd1/final> ) within the last three (3) years or within a lesser time if specified in the solicitation/contract.
- b. The Seller  has or  has not ensured the above Assessment has been posted in the Supplier Performance Risk System (SPRS) <https://www.sprs.csd.disa.mil/> .
- c. If answered “has not” to either the 14.a or 14.b questions: The Seller  is, or  is not going to work towards compliance with both questions. IF “IS” the date the supplier anticipates completing the assessment. \_\_\_\_\_ **(The seller is required to complete the Basic Assessment in 14.a and post the score per 14.b before they are eligible to receive any order (excluding an order for strictly commercial off the shelf items.)**

**CERTIFICATION OF REGISTRATION WITH THE DIRECTORATE OF DEFENSE TRADE CONTROLS  
(DDTC) (REFERENCE DFARS 252.225-7048)**

The Seller 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, the Seller certifies that it is currently registered with DDTC.

**CERTIFICATION OF COUNTERFEIT PARTS PLAN INCLUDING COUNTERFEIT ELECTRONIC PARTS  
DETECTION AND AVOIDANCE SYSTEMS (Reference DFARS 252.246-7007 and 252.246-7008)**

The Seller certifies that it:

- does, or  does not provide goods or services that are Electrical, Electronic, and Electro-mechanical (EEE) parts or contain EEE parts. (note: Electrical connectors are considered EEE parts.)

If “does not”, do not proceed further.

If “does”, Seller further certifies that it:

- i.  is, or  is not the original manufacturer of any electronic part (defined in DFARS 252.246-7008 as “an integrated circuit, a discrete electronic component (including, but not limited to, a transistor, capacitor, resistor, or diode), or a circuit assembly (section 818(f)(2) of Pub. L. 112-81”).
- ii.  does, or  does not have a Counterfeit Parts Plan in place for the detection and avoidance of counterfeit goods or services.
- iii. Such plan  is, or  is not consistent with References DFARS 252.246-7007 and 252.246-7008 and Industry Standards (e.g. SAE's AS5553, AS6081, and A6496).

**THE INDIVIDUAL IDENTIFIED BELOW IS AUTHORIZED TO SIGN THIS DOCUMENT AND REPRESENTS AND CERTIFIES TO MSI DEFENSE THAT THE INFORMATION CONTAINED ON THIS FORM IS CURRENT, ACCURATE AND COMPLETE AS OF THE DATE OF SIGNATURE. THIS REPRESENTATION AND CERTIFICATION DOCUMENT WILL APPLY TO ALL PURCHASE ORDERS/SUBCONTRACTS ISSUED TO THE NAMED SUPPLIER BY MSI DEFENSE WITHIN THE EFFECTIVE PERIOD NOTED ABOVE.**

**BY EXECUTION OF THIS DOCUMENT, THE SUPPLIER AGREES TO PROVIDE IMMEDIATE WRITTEN NOTICE TO MSI DEFENSE IF, AT ANY TIME DURING THE EFFECTIVE PERIOD OF THIS DOCUMENT, THE UNDERSIGNED SUPPLIER LEARNS THAT THIS DOCUMENT WAS ERRONEOUS WHEN SUBMITTED OR HAS BECOME ERRONEOUS BY REASON OF CHANGED CIRCUMSTANCES. ANY UPDATES MUST BE SUBMITTED IN WRITING TO THE MSI BUYER.  
(VOID UNLESS SIGNED)**

*Certifying Official:*

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Email: \_\_\_\_\_

Title: \_\_\_\_\_

Phone: \_\_\_\_\_

Certification Date: \_\_\_\_\_