REPRESENTATIONS, CERTIFICATIONS & ACKNOWLEDGMENTS
Commercial Items

Name & Address of Offeror:	RFQ/RFP/IFB No.
	Date of Offer

(As used in this form, the terms "offer" and "Offeror" include "bid" and "Bidder.")

The Offeror represents and certifies the following as part of this offer (check or complete all applicable boxes, blocks, or fill-ins).

1. TYPE OF BUSINESS ORGANIZATION

The Offeror operates as ☐ an individual, ☐ a sole proprietorship, ☐ a partnership, ☐ a nonprofit organization, ☐ a joint venture, or ☐ a corporation, incorporated under the laws of the State of_____, or country _____, if a foreign country.

2. PLACE OF SUBCONTRACT PERFORMANCE

Principal place of subcontract performance (if different from the Offeror's address) will be at:

Street Address _____

City _____ County _____

State _____ Zip Code _____

Congressional District _____

Name & Address of Owner & Operator of the Plant or Facility, if Other than Offeror:

_____

_____

_____

3. SMALL BUSINESS PROGRAM REPRESENTATIONS

(a) *Representations.*

(1) The offeror represents a part of its offer that it ☐ is, ☐ is not a **small business concern**.

(2) [*Complete only if the offeror represented itself as a small business concern in paragraph (a)(1) of this provision.*] The offeror represents, for general statistical purposes, that it ☐ is, ☐ is not, a **small disadvantaged business concern** as defined in 13 CFR 124.1002.

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

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

(5) [*Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (a)(4) of this provision.*] The offeror represents as part of its offer that it ☐ is, ☐ is not a **service-disabled veteran-owned small business concern**.

(6) [*Complete only if offeror represented itself as a small business concern in paragraph (a)(1) of this provision.*] The offeror represents, as part of its offer, that it ☐ is, ☐ is not a **HUBZone small business concern** listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office of ownership, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR part 126.

(b) *Definitions.* As used in this provision –

"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 serviced-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 is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR part 121.

"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.

4. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, OR INELIGIBILITY FOR AWARD, AND OTHER RESPONSIBILITY MATTERS

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

(a) The Offeror and/or any of its principals ☐ are, ☐ are not, presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency.

(b) The Offeror and/or any of its principals ☐ 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, or receiving stolen property.

(c) The Offeror and/or any of its principals ☐ are, ☐ are not, presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of the offenses enumerated in (b) above.

(d) 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.

[NOTE: A certification that any of the items in (a) through (d) 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 Fermilab may render the Offeror nonresponsible.]

5. CERTIFICATION REGARDING PAYMENTS TO INFLUENCE FEDERAL TRANSACTIONS (31 U.S.C. 1352) *(applies only if the subcontract amount is expected 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.

6. CERTIFICATION OF NON-SEGREGATED FACILITIES *(applies only if the subcontract amount is expected to exceed $10,000)*

By submission of this offer, the Offeror certifies that it does not and will not maintain or provide for its employees, any facilities that are segregated on the basis of race, color, religions, or national origin because of habit, local custom, or otherwise and that it does not and will not permit its employees to perform their services at any location where segregated facilities are maintained. The Offeror agrees that a breach of this certification is a violation of the Equal Opportunity clause in the subcontract.

7. PREVIOUS CONTRACTS AND COMPLIANCE

(a) It ☐ has, ☐ has not, participated in a previous contract or subcontract subject either to the Equal Opportunity clause of this solicitation, the clause originally contained in Section 310 of Executive Order 10925, or the clause contained in Section 201 of Executive Order 11114, and

(b) It ☐ has, ☐ has not, filed all required compliance reports.

8. AFFIRMATIVE ACTION COMPLIANCE

(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 rules and regulations of the Secretary of Labor (41 C.F.R. Subparts 60-1 and 60-2), or

(b) It ☐ has not previously had contracts or subcontracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

9. TAXPAYER INFORMATION

The Offeror shall furnish the following information as applicable to its situation.

(a) Taxpayer Identification Number (TIN). [NOTE: As used in this provision, "Taxpayer Identification Number" or "TIN" means the number required by the U.S. Internal Revenue Service to be used by the Offeror in reporting income tax and other returns.]

- ☐ Offeror's TIN: _____.
- ☐ TIN has been applied for.
- ☐ TIN is not required because:
  - ☐ the Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the U.S. and does not have an office or place of business or a fiscal paying agent in the U.S.;
  - ☐ the Offeror is an agency or instrumentality of a foreign government;
  - ☐ the Offeror is an agency or instrumentality of a Federal, state, or local government;
  - ☐ other (state basis) _____.

(b) Corporate Status

- ☐ Corporation providing medical and health care services, or engaged in the billing and collecting of payments for such services;
- ☐ Other corporate entity;
- ☐ Not a corporate entity:
  - ☐ Sole proprietorship
  - ☐ Partnership
  - ☐ Hospital or extended care facility described in 26 C.F.R. 501(c)(3) that is exempt from taxation under 26 C.F.R. 501(a).

(c) Common Parent

☐ The Offeror is not owned or controlled by a common parent; or

☐ Name and TIN of common parent--

Name_____

TIN_____

10. ACKNOWLEDGMENT OF AMENDMENTS

The Offeror acknowledges receipt of amendments to the Solicitation for Offers and related documents numbered and dated as follows:

Amendment No.	Date	Amendment No.	Date

AUTHENTICATION BY OFFEROR

Name of Offeror: _____

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

Printed or Typed Name and Title of Signer: _____

Date Signed: _____

[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.]