

Section K - Representations, Certifications and Other Statements of Offerors

CLAUSES INCORPORATED BY FULL TEXT

52.204-8 ANNUAL REPRESENTATIONS AND CERTIFICATIONS (JAN 2006)

(a)(1) The North American Industry Classification System (NAICS) code for this acquisition is **541690**.

(2) The small business size standard is **\$6.5 Million**.

(3) 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.

(b)(1) If the clause at 52.204-7, Central Contractor Registration, is included in this solicitation, paragraph (c) of this provision applies.

(2) If the clause at 52.204-7 is not included in this solicitation, and the offeror is currently registered in CCR, and has completed the ORCA electronically, the offeror may choose to use paragraph (b) of this provision instead of completing the corresponding individual representations and certifications in the solicitation. The offeror shall indicate which option applies by checking one of the following boxes:

Paragraph (c) applies.

Paragraph (c) does not apply and the offeror has completed the individual representations and certifications in the solicitation.

(c) The offeror has completed the annual representations and certifications electronically via the Online Representations and Certifications Application (ORCA) website at <http://orca.bpn.gov>. After reviewing the ORCA database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201); except for the changes identified below [offeror to insert changes, identifying change by clause number, title, date]. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer.

FAR Clause	Title	Date	Change
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Any changes provided by the offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications posted on ORCA.

(End of Provision)

(a) Proposals shall be signed by an authorized individual. The offeror hereby represents that the individual designated below is authorized to bind the corporation, partnership, individual or educational institution. Evidence of authorization shall be provided by the offeror in accordance with the applicable instructions below. If the offeror is a joint venture, each participant in the joint venture shall submit a separate representation.

(1) CORPORATIONS: The signatory must be an official or person otherwise authorized to bind the corporation. A Corporate representation as shown below, shall be executed in accordance with the instructions, or other evidence must be furnished which satisfactorily shows that the person signing the proposal is empowered to bind the corporation. Corporations may establish the authority of its agents by furnishing a power of attorney with the offer, a corporate resolution, or by causing the following representation to be executed under its corporate seal, provided that the same officer shall not execute both the contract and the representation.

I, _____, represent that I am the _____ of the firm named as the offeror herein; that _____ signed this contractual instrument on behalf of the corporation and is _____ of said corporation; that said contractual instrument was duly signed for and in behalf of said corporation by authority of its governing body; and is within the scope of its corporate powers. AFFIX CORPORATE SEAL (Note: If a corporation does not have a seal or the offer is being submitted electronically, the offeror may print the word "SEAL".)

(Signature)

(2) PARTNERSHIPS: Partnerships shall establish their authority and the authority of their agents by completing the following representation, provided that it is executed by a partner other than the person signing the contractual instrument.

I, _____, represent that I am a partner of the firm of _____ consisting of the following partners _____; that _____ signed this contractual instrument on behalf of said firm and is _____ of said firm; that said contractual instrument was duly signed for and in behalf of said firm by authority of partnership; and is within the scope of its corporate powers.

(Signature)

(3) INDIVIDUALS: The signatory must be the owner and the contractual instrument shall be signed as such unless an agent's authority has been established through a power of attorney. Individuals submitting contractual instruments under an agent's signature must furnish a power of attorney to establish the agent's authority.

(4) EDUCATIONAL INSTITUTIONS: The signatory must be an official or person otherwise authorized to bind the educational institution. A representation as shown below, shall be executed in accordance with the instructions, or other evidence must be furnished which satisfactorily shows that the person signing the proposal is empowered to bind the educational institution. Educational institutions may establish authority of their agents by furnishing with their offeror a power of attorney, a corporate resolution or by causing the following representation to be executed, provided that the same individual shall not execute both the contract and the representation.

I, _____, represent that I am the _____ of the educational institution named as the offeror herein; that _____ signed this contractual instrument on behalf of the educational institution and is _____ of said educational institution; that said contractual instrument was duly signed for and in behalf of said educational institution by authority of its governing body; and is within the scope of its corporate powers.

(Signature)

(b) Once a power of attorney or corporate resolution has been submitted to establish the authority of its agents, provide reference to the Procurement Instrument Identification Number with which it was submitted by including the

following statement in lieu of furnishing an additional copy: "Evidence to establish the authority of the agent signing this document was submitted with Document Number _____."

(end of clause)

5652.204-9004 Foreign Persons (2006)

In accordance with restrictions required by Executive Order 12470, the Arms Export Control Act (Title 22, USC) (Sec 275), the International Traffic in Arms Regulation (ITAR), or DoD Directive 5230.25, Withholding of Unclassified Technical Data from Public Disclosure, no foreign persons will be permitted to work on a contract without notifying the Contracting Officer. Provide the following information for all foreign persons who will be working on the contract (or "X" here if there are no such individuals: ____):

- 1) Full Name:
- 2) Date of Birth:
- 3) Place of Birth:
- 4) Nationality:
- 5) Social Security Number:
- 6) Visa Status:
- 7) Current Address:
- 8) If a Subcontractor, Subcontractor Name and Address:
- 9) Biographic data and/or resume:

(end of clause)

5652.242-9001 Defense Contract Management Agency (DCMA) (2000)

Components of the Department of Defense perform contract administration services providing assistance to contractors and Government agencies in accomplishing most administrative functions required under a contract. One or more of the following may be involved. The offeror shall insert the address of the cognizant office or state "unknown" below:

Defense Contract Management District (DCMD):

Defense Contract Management Agency Center (DCMA):

Defense Plant Representative Office (DPRO):

(end of clause)