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| **K-0 Annual Representations and Certifications** | | | | | | | | | | | | | | |
| *Offeror represents and certifies as part of its Offer that (check or complete all applicable boxes/blocks):* | | | | | | | | | | | | | | |
| **Offeror Name:** | | | | |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | | | | | | | |
| **Offeror Address:** | | | | |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | | | | | | | |
| **Remit to Address:** | | | | |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | | | | | | | |
| **Legal Name of Business Organization:**  (*if different from Offeror Name)* | | | | |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | | | | | | | |
| **D-U-N-S Number:** | | | | |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | | | | | | | |
| **Telephone #:** | | | | |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | |  | **Fax #:** | |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | |
| *Offer has completed and submitted:* | | | | | **W-9** | | | | | **PROC-012 Supplier Information Form** | | | | |
| **K-1. Offeror Small Business Representation** | | | | | | | | | | | | | | |
| The Offeror represents that it is a (*based upon the NAICS Code & Size Standard shown below, specific to this RFP):* | | | | | | | | | | | | | | |
| **NAICS Code:** | | |  | | | | **Size Standard:** | | | | | | |  |
| **Check all that apply:** | | | | | | | | | | | | | | |
| **SB** Small Business | | | | **8(a)**  8(a) Participant | | | | | | | **VO** Veteran-Owned SB | | | |
| **LB**  Large Business | | | | **WO**  Women-Owned SB | | | | | | | **SDB**  Small Disadvantaged | | | |
| **SDVO** Service-Disabled Veteran Owned Small Business | | | | | | | **HUBZone** Historically Underutilized Business Zones SB | | | | | | | |
| **K-2 Women-Owned Business (*Other than Small Business*)** | | | | | | | | | | | | | | |
| 1. **Definition:** *Women-owned business concern*, as used in this provision, means a concern that is at least 51% (percent) owned by one more women; or in the case of any publicly owned business, at least 51% of its stock is owned by one more women; and whose management and daily business operations are controlled by one more women. | | | | | | | | | | | | | | |
| 1. **Representation:** [T*o be completed only* if the Offeror is a women owned business concern and has not represented itself as a small business concern in above in K-1. Offeror Small Business Representation, of this solicitation]. | | | | | | | | | | | | | | |
|  | | Offeror represents that it  **is a women-owned business concern.** | | | | | | | | | | | | |
| **K-3 Employment Eligibility Verification (FAR 52.222-54)** | | | | | | | | | | | | | | |
| Enrollment information can be found at [**http://www.dhs.gov/E-Verify**](http://www.dhs.gov/E-Verify)**.** | | | | | | | | | | | | | | |
| **Employment Eligibility Verification is NOT applicable based upon** [**FAR 52.222-54(e)**](https://acquisition.gov/far/current/html/Subpart%2022_18.html) | | | | | | | | | | | | | | |
| Offeror certifies that it… | | iscurrently enrolled in the *DHS Employment Eligibility Verification Program* for employment verification or, | | | | | | | | | | | | |
| will enroll **within** **30 days** of Agreement Award, and will continue to be enrolled, if awarded an Agreement,  for the entire term of the Agreement. | | | | | | | | | | | | |
| will include **FAR 52.222-54** in applicable lower-tier subcontracts *(if applicable)*. | | | | | | | | | | | | |
| **K-4 Technical Data Certification** | | | | | | | | | | | | | | |
| 1. The Offeror certifies that it **has not** delivered or **is not** obligated to deliver to ORAU and/or the Government under any Agreement the same or substantially the same technical data included in its offer, except as set forth below: | | | | | | | | | | | | | | |
| **None** | **Contract No.** (*Agreement #, if applicable)* | | | | | | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | | | | | |
|  | | | | | | | | | | | | | | |
| 1. The work to be performed and known requirements for technical data as set forth in the RFP has been reviewed. To the best of the Offeror’s knowledge: | | | | | | | | | | | | | | |
| There will be **no technical data withheld** from delivery as being proprietary data | | | | | | | | | | | | | | |
| The technical data listed on page ***Page #.*** of the RFP may be used in conjunction with the performance of the work under the Agreement and is represented as being proprietary data to be protected from unauthorized use and disclosure and therefore to be withheld from delivery in a report not having a restrictive legend. | | | | | | | | | | | | | | |
| **K-5 Previous Contracts and Compliance Reports** | | | | | | | | | | | | | | |
| The Offeror represents that: | | | | | | | | | | | | | | |
| 1. It  **has**,  **has not,** participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation; | | | | | | | | | | | | | | |
| 1. It  **has**,  **has not**, filed all required compliance reports; and | | | | | | | | | | | | | | |
| 1. Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards. | | | | | | | | | | | | | | |

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| **K-6 Unclassified Foreign Visits and Assignments (FV&A) Certification** | | | | | | | |
| *Certification is required if work under any resulting Agreement will require Subcontractor Employees to work on-site either on DOE and/or Government Property or in facilities where DOE or other Government work is being performed.* | | | | | | | |
| The Offeror certifies that: | | | | | | | |
| All personnel employed by the Offeror who will be assigned to work under the proposed Agreement are US Citizens; or | | | | | | | |
| A list of Foreign Nationals employed by the Offeror assigned to work under the proposed Agreement are listed below: | | | | | | | |
|  | **Name of Foreign National** | | **Country of Citizenship** | | **Country of Birth** | |  |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | |  |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | |  |
|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | |  |
|  | *If it is determined that foreign nationals are required in the performance of work under this Agreement, additional information may be requested. Up to 45 days may be required to obtain the necessary approvals for those listed above.* | | | | | |  |
| **K-7 Affirmative Action Compliance** | | | | | | | |
| The Offeror represents that: | | | | | | | |
| 1. 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, | | | | | | | |
| 1. It  **has not** previously had subcontracts subject to written affirmative action programs requirement of the rules and regulations of the Secretary of Labor. | | | | | | | |
| **K-8 Contract Compliance Conditions** | | | | | | | |
| The Offeror certifies that information and data received or otherwise obtained in connection with any resulting award and any amendments thereto will only be used for performance of the Agreement requirements related to the Agreement and that it will be treated in confidence except to the extent that the information is available to the general public without restriction as to its use from any source, including ORAU and DOE (or. Further, Subcontractor agrees to comply with any notice or restriction placed on the information or data provided in connection with this Agreement. Upon completion of the Agreement, Subcontractor shall return all copies of all information or data as directed by the ORAU Technical Contact. Subcontractor shall not contact any other party having knowledge or interest concerning any aspect of the work performed under this Agreement except as directed by the ORAU Technical Contact. | | | | | | | |
| **K-9 Workplace Substance Abuse Programs at DOE Facilities** | | | | | | | |
| *Certification is required if work under any resulting Agreement will require Subcontractor Employees to work on-site on DOE Sites.* | | | | | | | |
| 1. Any Agreement awarded as a result of this solicitation may be subject to the policies, criteria, and procedures of **10 CFR Part 707**, **Workplace Substance Abuse Programs at DOE Sites.** | | | | | | | |
| 1. Offeror certifies that it  **has,  has not** developed a written workplace substance abuse program consistent with the requirements of **10 CFR Part 707** and agrees to develop (*as required*) and provide a written copy of the program to the ORAU Contract Specialist within 30 days of notice of award and notice of applicability of this provision to this Agreements. | | | | | | | |
| 1. Failure of the Offeror to agree to the condition of responsibility set forth in paragraph (b) of this provision renders the Offeror unqualified and ineligible for award. | | | | | | | |
| **K-10 Certificate of Independent Price Determination** | | | | | | | |
| 1. The Offeror certifies that - | | | | | | | |
| * 1. The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other Offeror or competitor relating to (i) those prices, (ii) the intention to submit an Offeror, or (iii) the methods or factors used to calculate the prices offered; | | | | | | | |
| * 1. The prices in this offer have not been and will not knowingly be disclosed by the Offeror, directly or indirectly, to any other Offeror 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 | | | | | | | |
| * 1. No attempt has been made or will be made by the Offeror to induce any other concern to submit or not submit an offer for the purpose of restricting competition. | | | | | | | |
| 1. Each signature on Offer is considered to be a certification by the signatory that the signatory - | | | | | | | |
| 1. Is the person in the Offeror'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 (a)(1) through (a)(3) above; or | | | | | | | |
| (i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above: | | | | | | | |
|  | | | | | | | |
|  | | | | | | | |
|  |  | **Full Name** | | **Title** | |  |  | |
|  |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | |  |  | |
|  |  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. | |  |  | |
|  | | | | | | | |
| *(insert full name of person(s) in the Offeror’s organization responsible for determining prices offered in this bid or proposal, and the title of his/her position in the Offeror’s organization);* | | | | | | | |
| (ii) As an authorized agent, does certify that the principals named in subparagraph (b)(2)(i) above have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; and  (iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above. | | | | | | | |
| 1. If the Offeror deletes or modifies subparagraph (a)(2) above, the Offeror must furnish with its offer a signed statement setting forth in detail the circumstances of the disclosure. | | | | | | | |
| **K-11 Certification of Toxic Chemical Release Reporting** | | | | | | | |
| 1. Executive Order 13148 of April 21, 2000, Greening the Government through Leadership in Environmental Management, requires submission of this certification as a prerequisite for contract award. | | | | | | | |
| 1. By signing this Offer, the Offeror certifies that - | | | | | | | |
| 1. As the owner or operator of facilities that will be used in the performance of this contract that are subject to the filing and reporting requirements described in section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11023) and section 6607 of the Pollution Prevention Act of 1990 (PPA) (42 U.S.C. 13106), the Offeror will file and continue to file for such facilities for the life of the contract the Toxic Chemical Release Inventory Form (Form R) as described in sections 313(a) and (g) of EPCRA and section 6607 of PPA; or-- | | | | | | | |
| 1. None of its owned or operated facilities to be used in the performance of this contract is subject to the Form R filing and reporting requirements because each such facility is exempt for at least one of the following reasons: **(Check each block that is applicable.)** | | | | | | | |
| 1. The facility does not manufacture, process, or otherwise use any toxic chemicals listed in 40 CFR 372.65; | | | | | | | |
| 1. The facility does not have 10 or more full-time employees as specified in section 313(b)(1)(A) of EPCRA, 42 U.S.C. 11023(b)(1)(A); | | | | | | | |
| 1. The facility does not meet the reporting thresholds of toxic chemicals established under section 313(f) of EPCRA, 42 U.S.C. 11023(f) (including the alternate thresholds at 40 CFR 372.27, provided an appropriate certification form has been filed with EPA); | | | | | | | |
| 1. The facility does not fall within the following Standard Industrial Classification (SIC) codes or their corresponding North American Industry Classification System sectors:   (A) Major group code 10 (except 1011, 1081, and 1094).  (B) Major group code 12 (except 1241).  (C) Major group codes 20 through 39.  (D) Industry code 4911, 4931, or 4939 (limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce).  (E) Industry code 4953 (limited to facilities regulated under Resource Conservation and Recovery Act, Subtitle C (42 U.S.C. 6921, *et seq.*), or 5169, or 5171, or 7389 (limited to facilities primarily engaged in solvent recovery services on a contract or fee basis); or   1. The facility is not located in the United States or its outlying areas. | | | | | | | |
| **K-12 Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters** | | | | | | | |
| 1. (1) The Offeror certifies, to the best of its knowledge and belief, that - | | | | | | | |
| 1. 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 3-year period preceding this Offer, been convicted of or had a civil judgment rendered against them for: commission of a 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, or receiving stolen property; 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 subdivision (a)(1)(i)(B) of this provision. | | | | | | | |
| 1. The Offeror  **has  has not,** within a 3-year period preceding this Offer, had one or more contracts terminated by default by any Federal agency. | | | | | | | |
| (2) “Principals” for the purposes of this certification, means officers, directors, owners, partners, and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager, plant manager, head of a subsidiary, 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. | | | | | | | |
| 1. The Offeror shall provide immediate written notice to the ORAU Contract Specialist 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. | | | | | | | |
| 1. 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 ORAU Contract Specialist may render the Offeror non-responsible. | | | | | | | |
| 1. 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. | | | | | | | |
| 1. The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed in making award. If it is later determined that the Offeror knowingly rendered an erroneous certification, in addition to the other remedies available to ORAU, the ORAU Contract Specialist may terminate any resulting contract for default. | | | | | | | |
| **K-13 Organizational Conflicts of Interest - Disclosure** | | | | | | | |
| 1. Organizational conflict of interest means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to the Government, or the person's objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage. | | | | | | | |
| 1. An Offeror notified that it is the apparent successful Offeror shall provide the statement described in paragraph (c) of this provision. For purposes of this provision, "apparent successful Offeror" means the proposer selected for final negotiations or, where individual contracts are negotiated with all firms in the competitive range, it means all such firms. | | | | | | | |
| 1. The statement must contain the following: | | | | | | | |
| 1. A statement of any past (within the past 12 months), present, or currently planned financial, contractual, organizational, or other interests relating to the performance of the statement of work. For contractual interests, such statement must include the name, address, telephone number of the client or client(s), a description of the services rendered to the previous client(s), and the name of a responsible officer or employee of the Offeror who is knowledgeable about the services rendered to each client, if, in the 12 months preceding the date of the statement, services were rendered to the Government or any other client (including a foreign government or person) respecting the same subject matter of the instant solicitation, or directly relating to such subject matter. The agency and contract number under which the services were rendered must also be included, if applicable. For financial interests, the statement must include the nature and extent of the interest and any entity or entities involved in the financial relationship. For these and any other interests enough such information must be provided to allow a meaningful evaluation of the potential effect of the interest on the performance of the statement of work. | | | | | | | |
| 1. A statement that no actual or potential conflict of interest or unfair competitive advantage exists with respect to the advisory and assistance services to be provided in connection with the instant contract or that any actual or potential conflict of interest or unfair competitive advantage that does or may exist with respect to the contract in question has been communicated as part of the statement required by (b) of this provision. | | | | | | | |
| 1. Failure of the Offeror to provide the required statement may result in the Offeror being determined ineligible for award. Misrepresentation or failure to report any fact may result in the assessment of penalties associated with false statements or such other provisions provided for by law or regulation. | | | | | | | |

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| **Certification** | | | | |
| The Offeror certifies that these representations and certification are accurate, current, and complete at the time of submission of offer and that the undersigned is aware of the penalty prescribe in 18 U.S.C. 1001 for making false statements in offers. The Offeror further certifies that it will notify the ORAU Contract Specialist of any changes to these representations and certifications subsequent to execution of this document and during performance of any resultant subcontract.  ***PENALTY FOR FALSE MISREPRESENTATION:***  *Under 15 U.S.C. 645(d), any person who misrepresents a firm’s status as a small, small disadvantaged, or women-owned small business concern in order to obtain a contract to be awarded under the preference programs established pursuant to section 8(a), 8(d), 9, or 15 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  (i)                Be punished by imposition of fine, imprisonment, or both;  (ii)               Be subject to administrative remedies, including suspension and debarment; and  (iii)             Be ineligible for participation in programs conducted under the authority of the Act.* | | | | |
|  |  | |  | |
|  | *Name of Organization* | |  | |
|  |  | |  | |
|  | *Address* | |  | |
| ***Signature of Authorized Official:*** | |  | |  |
| ***Typed Name:*** | |  | |  |
| ***Title:*** | |  | |  |
| ***Date Executed:*** | |  | |  |