

SECTION A

REPRESENTATIONS, CERTIFICATIONS, & OTHER STATEMENTS OF OFFERORS (FAR)

The offeror represents and certifies as part of its proposal/quotation that: (check or complete all applicable boxes or blocks.) (If not applicable, so note with "NA.")

PART A - ARTICLES A.1 TO A.5

COMPLETE THIS PART A IF THE DOLLAR VALUE OF THE PROCUREMENT IS EXPECTED TO BE \$10,000 OR MORE.

A.1 BUY AMERICAN ACT - TRADE AGREEMENTS ACT - BALANCE OF PAYMENTS PROGRAM CERTIFICATE (FAR 52.225-8)

(a) The offeror hereby certifies that each end product, except those listed in paragraph (b) below, is a domestic end product (as defined in FAR clause 52.225-9 entitled "Buy American Act - Trade Agreements Act - Balance of Payments Program"), and that components of unknown origin have been considered to have been mined, produced, or manufactured outside the United States or a designated country (as defined in FAR Section 25.401).

(b) Carleton Life Support Systems Inc. P/N _____

Excluded End Products

Line Item Number	Country of Origin	\$Value for this Contract
_____	_____	_____
_____	_____	_____
_____	_____	_____

Total: _____

(list as necessary)

(c) Offers will be evaluated by giving certain preferences to domestic end products and designated country end products over other end products. In order to obtain these preferences in the evaluation of each excluded end product, offerors must identify and certify below those excluded end products that are designated country end products. Offerors must certify by inserting the applicable line item numbers below.

A.2 MANAGEMENT OF GOVERNMENT PROPERTY IN OFFEROR'S POSSESSION (FAR SUBPART 45.5)

(a) This is to certify that offeror () does, () does not have a current, approved Government Property Control System in accordance with FAR SUBPART 45.5.

(b) If offeror does have a current, approved Government Property Control System, such approval was granted by _____ (approval agency) dated _____.

(c) If offeror does not have a current, approved Government Property Control System, and such property is planned to be furnished to the offeror for work hereunder, the offeror shall, if so requested, promptly furnish a copy of its current Property Control Administration Procedures to the contractor for review.

A.3 REQUIREMENT FOR TECHNICAL DATA CERTIFICATION (DFAR 52, 227-7028)

The offeror hereby certifies that is () had, () has not delivered, or () is obligated, () is not obligated to deliver to the government under any contract or subcontract, the same or substantially the same technical data as are required to be delivered hereunder. If the offeror's representation is affirmative, the offeror shall identify below one such contract or subcontract under which such technical data were delivered or will be delivered and the place of such delivery.

Contract/Subcontract No.: _____

Place of Delivery: _____

(Name of Govt. Agency/Contractor)

(Street Address)

(City)

(State)

(Zip Code)

(Delivered to: Name of Party)

A.4 PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE REVIEW

(FAR 52.222-24)

An award in the amount of \$1 million or more will not be made hereunder unless the offeror and each of its known first-tier subcontractors (to whom it intends to award a subcontract of \$1 million or more) are found, on the basis of a compliance review, to be able to comply with the provisions of the equal opportunity clause of the solicitation.

A.5 EQUAL EMPLOYMENT OPPORTUNITY CERTIFICATION (FAR 52.222-26)

TO: Carleton Life Support Systems Inc.

Period Covered (one year from date on signature line)

The following certification and representation made pursuant to regulations of the Department of Labor, Office of Federal Contract Compliance, Obligations of Contractors and Subcontractors (41 CFR Chapter 60) shall be applicable to all bids and proposals submitted by the undersigned to Carleton Life Support Systems Inc. and to all purchase orders, contracts and subcontracts awarded as a result there for during the period stated above.

PART I CERTIFICATION OF NONSEGREGATED FACILITIES

(Applicable to contracts, subcontracts and purchase orders, and to agreements with applicants who are themselves performing federally assisted construction contracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause.)

The term "segregated facilities," as used in this certification, means any waiting rooms, work areas, restrooms 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 which are segregated by explicit directive or are in fact segregated on the basis of race, religion, color or national origin, because of habit, local custom or otherwise.

By the submission of this Certificate, the undersigned in its capacity as bidder, offeror, applicant, seller or subcontractor certifies that it does not/will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not/will not permit its employees to perform their services at any

location, under its control, where segregated facilities are maintained. The undersigned agrees that a breach of this certification is a violation of the Equal Opportunity Clause in any purchase order, contract or subcontract issued by Carleton Life Support Systems Inc. to the undersigned. The undersigned further agrees that (except where it has obtained identical certifications for proposed subcontractors for specific time periods) it will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause; that it will retain such certifications in its files; and that it will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENT FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES

A Certificate of Nonsegregated Facilities must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity Clause. The certification may be submitted either for each subcontract or for all subcontract during a period (i.e., quarterly, semiannually or annually).

(Note: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.)

PREVIOUS CONTRACTS AND COMPLIANCE REPORTS

(Applicable to contracts, subcontracts and purchase orders which are not exempt from the Equal Opportunity Clause.)

- has
- 1. The undersigned has not participated in a previous contract or subcontract subject either to the Equal Opportunity Clause herein or the clause originally contained in Section 310 of Executive Order No. 10925, or the clause contained in Section 201 of Executive Order No. 11114;
- has
- 2. The undersigned has not filled all required compliance reports; and that representations indicating submission of required compliance reports signed by proposed subcontractors will be obtained prior to subcontract awards.

PART II AFFIRMATIVE ACTION PROGRAM

(Applicable if contract, subcontract or order is \$50,000 or more.)

- 1. The undersigned has more than 50 employees . The undersigned has _____ employees.
 has
- 2. The undersigned certifies that it has not, developed and maintained at each establishment Equal Opportunity Affirmative Action Program pursuant to 41 CFR 60.1 and 60.2.

Exemption requested

“See reverse of this form” any exemption must be submitted in writing.

Firm/Company Name

Signature of Authorized Representative Date

Name of Authorized Representative (print or type)

Title of Authorized Representative

FAR 22.807 Exemptions.

- (a) Under the following exemptions, all or part of the requirements of EO 11246 may be excluded from a contract subject to EO 11246:
 - (1) National security. The agency head may determine that a contract is essential to the national security and that the award of the contract without complying with one or more of the requirements of this subpart is necessary to the national security. Upon making such a determination, the agency shall notify the Director in writing within 30 days.
 - (2) Specific contracts. The Director may exempt a contracting agency from requiring the inclusion of one or more of the requirements of EO 11246 in any contract if the Director deems that special circumstances in the national interest so require. Groups or categories of contracts of the same type may also be exempted if the Director finds it impracticable to act upon each request individually or if group exemptions will contribute to convenience in the administration of EO 11246.
- (b) The following exemptions apply even though a contract or subcontract contains the Equal Opportunity clause:
 - (1) Transactions of \$10,000 or less. The Equal Opportunity clause is required to be included in prime contracts and subcontracts by 22.802(a). Individual prime contracts or subcontracts of \$10,000 or less are exempt from application of the Equal Opportunity clause, unless the aggregate value of all prime contracts or subcontracts awarded to a contractor or subcontractor in any 12-month period exceeds, or can reasonably be expected to exceed, \$10,000. (Note: Government bills of lading, regardless of amount, are not exempt.)
 - (2) Work outside the United States. Contracts are exempt from the requirements of EO 11246 for work performed outside the United States by employees who were not recruited within the United States.
 - (3) Contracts with State or local governments. The requirements of EO 11246 in any contract with a State or local government (or any agency, instrumentality, or subdivision thereof) shall not be applicable to any agency, instrumentality or subdivision of such government that does not participate in work on or under the contract.
 - (4) Work on or near Indian reservations. It shall not be a violation of EO 11246 for a contractor to extend a publicly announced preference in employment to Indians living on or near an Indian reservation in connection with employment opportunities on or near an Indian reservation. This applies to that area where a person seeking employment could reasonably be expected to commute to and from in the course of a work day. Contractors extending such a preference shall not, however, discriminate among Indians on the basis of religion, sex, or tribal affiliation, and the use of such preference shall not excuse a contractor from complying with EO 11246, rules and regulations of the Secretary of Labor, and applicable clauses in the contract.
 - (5) Facilities not connected with contracts. The Director may exempt from the requirements of EO 11246 any of a contractor's facilities that the Director finds to be in all respects separate and distinct from activities of the contractor related to performing the contract; provided, that the Director also finds that the exemption will not interfere with, or impede the effectiveness of, EO 11246.
 - (6) Indefinite quantity contracts. With respect to indefinite quantity contracts and subcontracts, the Equal Opportunity clause applies unless the contracting officer has reason to believe that the amount to be ordered in any year under the contract will not exceed \$10,000. The applicability of the Equal Opportunity clause shall be determined by the contracting officer at the time of award for the first year, and annually thereafter for succeeding years, if any. Notwithstanding the above, the Equal Opportunity clause shall be applied to the contract whenever the amount of a single order exceeds \$10,000. Once the Equal Opportunity clause is determined to be applicable, the contract shall continue to be subject to such clause for its duration regardless of the amounts ordered, or reasonably expected to be ordered, in any year.
- (c) To request an exemption under subparagraphs (a)(1), (a)(2) or (b)(5), the contracting officer shall submit, under agency procedure, a detailed justification for omitting all, or part of, the requirements of EO 11246. Requests for exemption under subparagraphs (a)(2) or (b)(5) above shall be submitted to the Director for approval.
- (d) The Director may withdraw the exemption for a specific contract, or group of contracts, if the Director deems that such action is necessary and appropriate to achieve the purposes of EO 11246. Such withdrawal shall not apply--
 - (1) To contracts awarded before the withdrawal; or
 - (2) To any sealed bid contract (including restricted sealed bidding), unless the withdrawal is made more than 10 calendars days before the bid opening date.

PART B - ARTICLES B1 TO B8

COMPLETE THIS PART B, IN ADDITION TO PART A, IF THE DOLLAR VALUE OF THE PROCUREMENT IS EXPECTED TO BE \$25,000 OR MORE.

B1 SMALL BUSINESS CONCERN REPRESENTATION (FAR52.219-1)

- (a) The offeror represents and certifies as part of its offer that it () is, () is not a small business concern. If offer is a small business concern and is not the manufacturer or producer of the supplies offered, it also represents and certifies that all supplies to be furnished hereunder () will () will not be manufactured or produced by a small business concern in the United States, its possessions, or Puerto Rico.

A “small business concern,” as used in this provision, 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/subcontracts and can further qualify under the criteria concerning number of employees, average annual receipts, or other criteria, as prescribed by the Small Business Administration under the Code of Federal Regulation, Title 13, Part 121.

Notice: Under 15 U.S.C 645 (d), and person who misrepresents a firm’s status as a small or small disadvantaged business concern in order to obtain a contract shall be punished by a fine, imprisonment, or both; and subject to other remedies under authority of the Act.

B2 CONTINGENT FEE REPRESENTATION AND AGREEMENT (FAR 52.203-4)

- (a) **Representation.** The offeror represents that, except for full-time bona fide employees working solely for the offeror, the offeror:
- (1) () has, () has not employed or retained any person or company to solicit or obtain this subcontract; and
 - (2) () has, () has not paid or agreed to pay any person or company employed or retained to solicit or obtain this subcontract, any commission, percentage, brokerage, or other fee contingent upon or resulting from the award of this subcontract.
- (b) **Agreement.** The offeror agrees to provide information relating to the above representation as requested by the contractor and, when subparagraph (a) or (1) or (a) (2) is answered affirmatively, to promptly submit to the contractor:
- (1) A complete Standard Form 119, Statement of Contingent or Other Fees, (SF 119): or,
 - (2) A signed statement indicating that the SF 119 was previously submitted to the same contractor, including the date and applicable solicitation or subcontract number, and representing that the prior SF 119 applies to this offer or quotation.

NOTE: The offeror must check the appropriate boxes. For interpretation of the representation, including the term “bona fide employee,” see Subpart 3.4 of the Federal Acquisition Regulation.

B3 TYPE OF BUSINESS ORGANIZATION (FAR 52.215.6)

- (a) The offeror, by checking the applicable box, represents that it operates as:
() a corporation incorporated under the laws of the State of _____, () an individual, () a partnership, () a nonprofit organization, or () a joint venture.

- (b) The offeror shall indicate below the name and address of its principal place of performance/manufacture:

(Principal Place of Performance)

(Street Address)

(City) (State) (Zip Code)

The offeror certifies that the following supplies qualify as “designated country end products” as that term is defined in the FAR clause entitled “Buy American Act - Trade Agreements Act - Balance of Payments Program.”

(Insert line item numbers)

- (d) Offers will be evaluated in accordance with Part 25, “Foreign Acquisition,” of the Federal Acquisition Regulation.

B4 CERTIFICATION OF DEBARMENT/SUSPENSION STATUS (FAR 9.409(a))

- (a) The offeror certifies, to the best of its knowledge and belief, that - (i) 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 three-year period preceding this offer, been convicted of or had a civil judgement rendered against them for: commission of 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, 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.

- (ii) 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.

B5 AUTHORIZED NEGOTIATORS (FAR 52.215-11)

- (a) The offeror represents that the following persons are authorized to negotiate on its behalf with the contractor in connection with this request for proposal or quotation. (List names, titles, and telephone numbers of offeror's authorized negotiators.)

NAME	TITLE	TELEPHONE NO.
_____	_____	_____
_____	_____	_____
_____	_____	_____

B6 CERTIFICATE OF INDEPENDENT PRICE DETERMINATIONS (FAR 52.203-2)

- (a) The offeror certifies that:
- (1) The prices in its 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 offer, or (iii) the methods or factors used to calculate the prices offered:
 - (2) The prices in its 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 formally advertised/sealed bid solicitation) or contract award (in the case of a negotiated/competitive solicitation) unless otherwise required by law: and,
 - (3) No attempt has been made or will be made by the offeror to induce any other concern to submit or not to submit an offer for the purpose of restricting competition.
- (b) Each signature on the 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 or authorizing the prices being offered in its bid or proposal, and that the signatory acting on his own behalf or acting as agent for the offeror's principals responsible for determining the prices offered in its bid or proposal, has not participated and will not participate in any action contrary to subparagraphs K.9(a)(1) through K.9(a)(3); and,
 - (2) Certifies that the principals have not participated, and will not participate, in any action contrary to subparagraphs K.9(a)(1) through K.9(a)(3).

B7 WOMAN-OWNED SMALL BUSINESS REPRESENTATION (FAR 52.219-3)

- (a) **Representation.** The offeror represents that it () is, () is not a woman-owned small business concern.
- (b) **Definition.** “Small business concern,” as used in this provision, 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/subcontracts, and qualified as a small business under the criteria and size standards prescribed by the Small Business Administration under the Code of Federal Regulation, Title 13, Part 121.

“Woman-owned,” as used in this provision, means a small business that is at least 51 percent owned by a woman or women who are U.S. citizens and who also control and operate the business.

B8 SMALL DISADVANTAGED BUSINESS CONCERN REPRESENTATION (FAR 52.219-2)

- (a) **Representation.** The offeror represents that it () is, () is not a small disadvantaged business concern.
- (b) **Definition.** “Small disadvantaged business concern,” as used in this provision, means a small business concern that:
- (1) is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged, or a publicly owned business having at least 51 percent of its stock owned by one or more socially and economically disadvantaged individuals; and,
 - (2) has its management and daily business controlled by one or more such individuals.

“Small business concern,” as used in this provision, 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/subcontracts, and qualified as a small business under the criteria and size standards prescribed by the Small Business Administration under the Code of Federal Regulations, Title 13, Part 121.

Notice: Under 15 U.S.C 645 (d), any person who misrepresents a firm’s status as a small or small disadvantaged business concern in order to obtain a contract shall be punished by a fine, imprisonment, or both; and subject to other remedies under authority of the Act.

- (c) **Qualified Groups.** The offeror shall presume that socially and economically disadvantaged individuals include Black Americans, Hispanic Americans, Native Americans, Asian-Indian Americans, and other individuals found to be qualified by the Small Business Administration under the Code of Federal Regulations, Title 13, Part 124.1.

PART C1 TO C3

COMPLETE THIS PART C, IN ADDITION TO PARTS A AND B, IF THE DOLLAR VALUE OF THE PROCUREMENT IS \$100,000 OR IS EXPECTED TO EXCEED \$100,000.

C1 CLEAN AIR AND WATER CERTIFICATION (FAR 52.223-1)

I. APPLICABILITY AND EXEMPTIONS

Applicable only if this bid or offer exceeds \$100,000, or the Buyer has determined that orders under an indefinite quantity contract in any year will exceed \$100,000, or a facility to be used has been the subject of a conviction under the Clean Air Act (42 U.S.C 1857c-8(c) (1) or the Federal Water Pollution Control Act (33 U.S.C 1319 (c) and is listed by EPA, or is not otherwise exempt. This Clean Air and Water Certification does not apply to the use of facilities located outside the United States. The term "United States" as used herein includes the States, District of Columbia, Commonwealth of Puerto Rico, Virgin Islands, Guam and American Samoa, and Trust Territories of the Pacific Islands.

II. BIDDER OR OFFER OR CERTIFICATION

The bidder of offeror certifies as follows:

- (1) any facility to be utilized in the performance of this proposed order is () is not () listed on the Environmental Agency List of Violating Facilities;
- (2) he will promptly notify the Buyer, prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U.S. Environmental Protection Agency, indicating that any facility which he proposes to use for the performance of the order is under consideration to be listed on the EPA List of Violating Facilities; and
- (3) he will include substantially this solicitation certification, including this paragraph (3), in every non-exempt lower tier subcontract.

This is to certify that the information contained above is accurate to the best of my knowledge and belief.

Firm: _____

Name*: _____

Title: _____

(Date of Execution)

Note: Official making this certification or representation, as the case may be, must have authority to make this certification or representation.

C2 CERTIFICATION 2ND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (FAR 52-203-11)

The definitions and prohibitions contained in the clause, at FAR 52.203-12, Limitation on Payments to Influence Certain Federal Transactions, included in this solicitation, are hereby incorporated by reference in paragraph (b) of this certification.

Offeror hereby certifies to the best of his or her knowledge and belief that on or after December 23, 1989, -

No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee or 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 awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement.

If any funds other than Federal appropriated funds (including profit of fee received under a covered Federal transaction) 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 this solicitation, the offeror shall complete and submit, with its offer, OMB standard form LLL, Disclosure of Lobbying Activities, to the Contracting Officer.

This is to certify that the information contained above is accurate to the best of my knowledge and behalf.

Firm: _____

Name*: _____

Title: _____

(Date of Execution)

C3 LIMITIZATION ON PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS
(FAR 52-203-12)

This is to certify that the information contained above is accurate to the best of my knowledge and behalf.

Firm: _____

Name*: _____

Title: _____

(Date of Execution)