

**REPRESENTATIONS AND CERTIFICATIONS  
FOR USE IN SOLICITATIONS FOR COMMERCIAL GOODS AND SERVICES**

Offeror shall complete the representations and certifications herein and submit with offers. The term "offer" as used herein includes proposals in response to a Request For Proposal (RFP) and bids in response to an Invitation For Bids (IFB). The term "subcontract" includes purchase order

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**SECTION A, APPLICABLE TO ALL OFFERS**

**1. CERTIFICATION AND AGREEMENT**

BY SIGNING BELOW THE OFFEROR CERTIFIES THAT ALL THE FOLLOWING REPRESENTATIONS AND CERTIFICATIONS ARE ACCURATE, CURRENT AND COMPLETE.

FIRM: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

SAVANNAH RIVER REMEDIATION LLC SOLICITATION NUMBER: \_\_\_\_\_

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

**2. AUTHORIZED NEGOTIATORS**

The Offeror represents that the following persons are authorized to negotiate on its behalf with Savannah River Remediation LLC in connection with this offer: (list names, titles, and telephone numbers of the authorized negotiators).

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**3. TYPE OF BUSINESS ORGANIZATION**

The Offeror represents that:

(a) It is:

- a Corporation, incorporated in the state of: \_\_\_\_\_
- an individual:
- a partnership;
- a joint venture;
- a non-profit or educational organization; or
- a state or local government.

(b) Its Data Universal Numbering System (DUNS) establishment number is:

\_\_\_\_\_

**4. IDENTIFYING DATA OF OFFEROR**

(a) The Offeror  is,  is not

domiciled in South Carolina. The domicile (home) of the Offeror is (address including zip code)

\_\_\_\_\_

The Offeror's principal place of business is (address including zip code)

\_\_\_\_\_

(b) The Offeror is licensed as a \_\_\_\_\_  
Sole Proprietorship, Partnership or Corporation

under the laws of the state of \_\_\_\_\_

The Offeror's business license or corporate registration number is \_\_\_\_\_  
(state in which number is provided,  
Business License or Corporate Registration)

**5. PARENT COMPANY AND IDENTIFYING DATA**

(a) A "parent" company, for the purpose of this provision, is one that owns or controls the activities and basic business policies of the Offeror. To own the offering company means that the parent company must own more than 50 percent of the voting rights in that company. A company may control an Offeror as a parent even though not meeting the requirement for such ownership if the parent company is able to formulate, determine, or veto basic policy decisions of the Offeror through the use of dominant minority voting rights, use of proxy voting, or otherwise.

(b) The Offeror  is;  is not owned or controlled by a parent company.

(c) If the Offeror checked "is" in the paragraph (b) above, it shall provide the following information: Name and Main Office Address of Parent Company (Include Zip Code)

\_\_\_\_\_

\_\_\_\_\_

Parent Company's Employer's Identification Number: \_\_\_\_\_

- (d) If the Offeror checked "is not" in paragraph (b) above, it shall insert its own Employer's Identification Number on the following line:
- 

## 6. **SMALL BUSINESS PROGRAM REPRESENTATIONS**

If this solicitation is set aside for small businesses, the small business size standard and the North American Industry Classification System (NAICS) code is set forth in the provision entitled "NAICS Code and Small Business Size Standard" included elsewhere in this solicitation.

(a) **Small Business Concern Representation.**

The offeror represents and certifies as part of its offer that it,  is,  is not, a small business concern.

"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, and qualified as a small business under the criteria 13 CFR Part 121.

(b) **Small Disadvantaged Business Representation (Complete only if the offeror represented itself as a small business concern in paragraph (a) of this provision.)**

The offeror represents, for general statistical purposes, that it,  is,  is not, a small disadvantaged business concern.

"Small disadvantaged business concern" means a small business concern --

- (1) That has received certification as a small disadvantaged business concern consistent with 13 CFR part 124, Subpart B; and
- (2) No material change in disadvantaged ownership and control has occurred since its certification;
- (3) That where the concern is owned by one or more individuals, the net worth of each individual upon whom the certification is based does not exceed \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and
- (4) It is identified, on the date of its representation, as a certified small disadvantaged business in the database maintained by the Small Business Administration.

(c) **Women-Owned Small Business Representation (Complete only if the offeror represented itself as a small business concern in paragraph (a) of this provision.)**

The offeror represents, that it,  is,  is not, a women-owned small business concern.

"Women-owned small business concern" means a small business concern--

- (1) Which 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 operations are controlled by one or more women.

(d) **HUBZone Small Business Representation (Complete only if the offeror represented itself as a small business concern in paragraph (a) 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 as occurred since it was certified by the Small Business Administration in accordance with 13 CFR Part 126; and

It  is,  is not a joint venture that complies with the requirements of 13 CFR Part 126, and the representation in the above paragraph is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. [The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture: \_\_\_\_\_]

Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(e) **Veteran-Owned Small Business Representation** (Complete only if the offeror represented itself as a small business concern in paragraph (a) of this provision.)

The offeror represents, that it,  is,  is not, a veteran-owned small business concern.

"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.

(f) **Service-Disabled Veteran-Owned Small Business Representation** (Complete only if the offeror represented itself as a small business concern in paragraph (a) of this provision.)

The offeror represents, that it,  is,  is not, a service-disabled veteran-owned small business concern.

"Service-Disabled Veteran-Owned small business concern" means a small business concern--

- (1) 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 service-disabled veterans; and
- (2) 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. 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).

**Notice.** Under 15 U.S.C. 645 (d), any person who misrepresents a firm's status as a small, HUBZone small, small disadvantaged, women-owned small business, or service-disabled veteran-owned small business concern in order to obtain a contract to be awarded under the preference programs established pursuant to sections 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—

- (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.

## 7. **PLACE OF PERFORMANCE**

(a) The Offeror, in the performance of any subcontract resulting from this solicitation,

intends,  does not intend to use one or more plants or facilities located at different address from the address of the Offeror as indicated in this proposal.

- (b) If Offeror checks "intends" in paragraph (a) above, it shall insert in the spaces provided below the required information:

Place of Performance (Street Address, City, County, State and Zip Code)

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Name and Address of Owner and Operator of the Plant or Facility if other than Offeror.

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## **8. CERTIFICATION OF COMPLIANCE WITH FOREIGN NATIONALS CLAUSE**

As used in this certification, the term "Foreign National" is defined to be a person who was born outside the jurisdiction of the United States, is a citizen of a foreign government and has not been naturalized under U.S. law.

Offeror certifies that:

- (a) Prior to the employment of, or participation by, any Foreign National in the performance of work under this Subcontract or any lower tier Subcontract at offsite locations, offeror shall obtain the approval of the SRR Procurement Representative, in writing. Such approvals will be processed in accordance with the requirements of DOE Order 142.3. However, in the performance of offsite work, Foreign Nationals only incidentally involved with a SRR Subcontract, and who have no knowledge that their activities are associated with SRR Subcontract work, are exempt from the above.
- (b) Offeror shall obtain the approval of SRR, in writing, prior to any visit to a DOE or SRR facility by any Foreign National in connection with work being performed under this Subcontract

## **SECTION B, APPLICABLE TO OFFERS OF \$550,000 OR MORE (\$1,000,000 IF CONSTRUCTION)**

### **9. REPRESENTATION REGARDING SUBCONTRACTING PLAN REQUIREMENTS**

- (a) The Offeror represents that:  
(Check one or more of the following. If Block 8 is checked, the offeror is required to submit its proposed subcontracting plan with its proposal.)

- (1) It is a small business as defined in accordance with 13 CFR Part 121 of the Small Business Administration regulations;
- (2) Subcontracting possibilities are not offered with respect to this subcontract; (explanation required)
- (3) Purchase from a corporation, company, or subdivision that is an affiliate of the prime contractor
- (4) Approved Commercial Plan (copy of plan approval letter attached)
- (5) Approved Master Plan (copy of plan approval letter attached)
- (6) Performance outside the U.S.
- (7) This subcontract is not expected to exceed \$550,000 (or \$1,000,000 if solely for construction of a public facility); or
- (8) It is required to submit a Small Business Subcontracting Plan for small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals. (Subcontracting Plan requirements are set forth in the Special Terms and Conditions For Commercial Purchases, Article titled "Small Business Subcontracting Plan.)