

# REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS OF THE OFFEROR

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This form must be completed in full before a resulting Purchase Order greater than \$100,000 will be awarded  
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## CERTIFICATE OF INDEPENDENT PRICE DETERMINATION

BY SUBMISSION OF THIS PROPOSAL (OR QUOTATION AS APPLICABLE), THE OFFEROR CERTIFIES, AND IN THE CASE OF A JOINT PROPOSAL, EACH PARTY THERETO CERTIFIES AS TO ITS OWN ORGANIZATION, THAT IN CONNECTION WITH THIS PROCUREMENT: (1) THE PRICES IN THIS PROPOSAL HAVE BEEN ARRIVED AT INDEPENDENTLY, WITHOUT, FOR THE PURPOSES OF RESTRICTING COMPETITION, ANY CONSULTATION, COMMUNICATION, OR AGREEMENT WITH ANY OTHER OFFEROR OR COMPETITOR RELATING TO (i) THOSE PRICES, (ii) THE INTENTION TO SUBMIT A PROPOSAL, OR (iii) THE METHODS OR FACTORS USED TO CALCULATE THE PRICES OFFERED; (2) THE PRICES IN THIS PROPOSAL HAVE NOT BEEN AND WILL NOT BE KNOWINGLY DISCLOSED BY THE OFFEROR, DIRECTLY OR INDIRECTLY, TO ANY OTHER OFFEROR OR COMPETITOR PRIOR TO THE AWARD OF A PURCHASE ORDER OR SUBCONTRACT 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 A PROPOSAL FOR THE PURPOSE OF RESTRICTING COMPETITION.

EACH SIGNATURE OF THE PROPOSAL IS CONSIDERED TO BE A CERTIFICATION BY THE SIGNATORY THAT THE SIGNATORY -

IS THE PERSON IN THE OFFERORS ORGANIZATION RESPONSIBLE FOR DETERMINING THE PRICES BEING OFFERED IN THIS PROPOSAL, AND THAT THE SIGNATORY HAS NOT PARTICIPATED AND WILL NOT PARTICIPATE IN ANY ACTION CONTRARY TO THOSE SPECIFIED IN THE ABOVE PARAGRAPH; OR

HAS BEEN AUTHORIZED, IN WRITING, TO ACT AS AGENT FOR THE PRINCIPALS IN CERTIFYING THAT THOSE PRINCIPALS, NOR AS THEIR AGENT, HAVE NOT AND WILL NOT PARTICIPATE IN ANY ACTION CONTRARY TO THOSE SPECIFIED IN THE ABOVE PARAGRAPH.

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## CONTINGENT FEE REPRESENTATION

THE OFFEROR REPRESENTS THAT, EXCEPT FOR FULL-TIME BONA FIDE EMPLOYEES WORKING SOLELY FOR THE OFFEROR, THE OFFEROR

HAS,  HAS NOT EMPLOYED OR RETAINED ANY PERSON OR COMPANY TO SOLICIT OR OBTAIN THIS PURCHASE ORDER OR SUBCONTRACT; AND

HAS,  HAS NOT PAID OR AGREED TO PAY TO ANY PERSON OR COMPANY EMPLOYED OR RETAINED TO SOLICIT OR OBTAIN THIS PURCHASE ORDER OR SUBCONTRACT ANY COMMISSION, PERCENTAGE, BROKERAGE, OR OTHER FEE CONTINGENT UPON OR RESULTING FROM A CONTRACT AWARD FROM FRONTIER ELECTRONIC SYSTEMS CORP. (HEREAFTER "FES").

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## CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS

PURSUANT TO THE DEFINITIONS AND PROHIBITIONS CONTAINED IN THE CLAUSE AT FAR 52.203-12, THE OFFEROR, BY SIGNING ITS PROPOSAL (OR QUOTATION), HEREBY CERTIFIES TO THE BEST OF THEIR KNOWLEDGE 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 AWARDING 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.

**DISCLOSURE REQUIRED** - IF ANY FUNDS OTHER THAN FEDERAL APPROPRIATED FUNDS (INCLUDING PROFIT OR 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 OR QUOTE, OMB STANDARD FORM LLL, DISCLOSURE OF LOBBYING ACTIVITIES.

SUBMISSION OF THIS CERTIFICATION AND DISCLOSURE IS A PREREQUISITE FOR MAKING OR ENTERING INTO THIS CONTRACT AS IMPOSED BY 31 U.S.C. 1352. ANY PERSON WHO MAKES AN EXPENDITURE PROHIBITED UNDER THIS PROVISION OR WHO FAILS TO FILE OR AMEND THE DISCLOSURE FORM TO BE FILED OR AMENDED BY THIS PROVISION, SHALL BE SUBJECT TO A CIVIL PENALTY OF NOT LESS THAN \$10,000, AND NOT MORE THAN \$100,000, FOR EACH SUCH FAILURE.

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## TAXPAYER IDENTIFICATION

PURSUANT TO THE DEFINITIONS PROVIDED UNDER FAR 52.204-3(a), ALL OFFERORS ARE REQUIRED TO SUBMIT THE INFORMATION REQUESTED BELOW IN ORDER TO COMPLY WITH REPORTING REQUIREMENTS OF 26 U.S.C. 6041, 6041A, 6050M, AND IMPLEMENTING REGULATIONS ISSUED BY THE INTERNAL REVENUE SERVICE (IRS). IF THE RESULTING CONTRACT IS SUBJECT TO THE REPORTING REQUIREMENTS DESCRIBED IN FAR 4.903, THE FAILURE OR REFUSAL BY THE OFFEROR TO FURNISH THE INFORMATION MAY RESULT IN A 31 PERCENT REDUCTION OF PAYMENTS OTHERWISE DUE UNDER THE CONTRACT.

TAXPAYER IDENTIFICATION NUMBER (TIN) -

**TIN:** \_\_\_\_\_

TIN HAS BEEN APPLIED FOR

TIN IS NOT REQUIRED BECAUSE:

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 OF BUSINESS OR A FISCAL PAYING AGENT IN THE U.S.;

OFFEROR IS AN AGENCY OR INSTRUMENTALITY OF A FOREIGN GOVERNMENT

OFFEROR IS AN AGENCY OR INSTRUMENTALITY OF A FEDERAL, STATE, OR LOCAL GOVERNMENT

OTHER. STATE BASIS - \_\_\_\_\_

CORPORATE STATUS -

- CORPORATE ENTITY ORGANIZED UNDER THE STATE OF \_\_\_\_\_;
- NOT A CORPORATE ENTITY;
  - SOLE PROPRIETORSHIP
  - PARTNERSHIP
  - NON-PROFIT ORGANIZATION
- A FOREIGN ENTITY ORGANIZED/INCORPORATED UNDER THE LAWS OF \_\_\_\_\_  
Country

COMMON PARENT -

- OFFEROR IS NOT OWNED OR CONTROLLED BY A COMMON PARENT AS DESCRIBED IN (a) of FAR 52.204-3.
- NAME AND TIN OF COMMON PARENT:
  - NAME: \_\_\_\_\_
  - TIN: \_\_\_\_\_

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## CERTIFICATION REGARDING DEBARMENT, SUSPENSION OR PROPOSED DEBARMENT STATUS

THE OFFEROR CERTIFIES, TO THE BEST OF ITS KNOWLEDGE AND BELIEF THAT THE OFFEROR AND/OR ANY OF ITS PRINCIPLES (AS DEFINED UNDER 52.209-5(a)(2)) **ARE** , **ARE NOT** , PRESENTLY DEBARRED, SUSPENDED, PROPOSED FOR DEBARMENT, OR DECLARED INELIGIBLE FOR THE AWARD OF CONTRACTS BY ANY FEDERAL AGENCY;

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## BUSINESS SIZE AND SOCIOECONOMIC STATUS

THE OFFEROR REPRESENTS THAT IT IS:

- A LARGE BUSINESS
- A SMALL BUSINESS AS DEFINED UNDER FAR 52.219-1
- A SMALL-DISADVANTAGED BUSINESS CONCERN AS DEFINED UNDER FAR 52.219-2
- A WOMAN-OWNED SMALL BUSINESS AS DEFINED UNDER FAR 52.219-3

ALTHOUGH THIS SOLICITATION IS NOT SET ASIDE FOR SMALL OR SMALL DISADVANTAGED BUSINESS CONCERNS, FES (ITSELF A WOMAN-OWNED, SMALL-DISADVANTAGED BUSINESS), WILL PROVIDE PREFERENTIAL CONSIDERATION, TO THE FULLEST EXTENT PRACTICABLE, TO AWARD TO SUCH FIRMS.

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## PREVIOUS CONTRACTS AND COMPLIANCE REPORTS

THE OFFEROR REPRESENTS THAT THEY

- ARE EXEMPT** ON THE BASIS THAT THE COMPANY HAS LESS THAN 50 EMPLOYEES.
- HAVE**,  **HAVE NOT**, PARTICIPATED IN A PREVIOUS CONTRACT OR SUBCONTRACT SUBJECT TO EITHER TO THE EQUAL OPPORTUNITY CLAUSE FOUND AT FAR 52.222-26, OR AS ORIGINALLY CONTAINED IN SECTION 301 OF EXECUTIVE ORDER NO. 10925 OR THE CLAUSE CONTAINED IN SECTION 201 OF EXECUTIVE ORDER 11114;
- HAVE**  **HAVE NOT**, FILED ALL COMPLIANCE REPORTS; AND THAT REPRESENTATIVES INDICATING SUBMISSION OF REQUIRED COMPLIANCE REPORTS, SIGNED BY PROPOSED SUBCONTRACTORS, WILL BE OBTAINED PRIOR TO SUBCONTRACT AWARDS.

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## AFFIRMATIVE ACTION COMPLIANCE

THE OFFEROR REPRESENTS THAT THEY

- ARE EXEMPT** ON THE BASIS THAT THE COMPANY HAS LESS THAN 50 EMPLOYEES COMPANY-WIDE.
- HAVE**,  **HAVE NOT**, DEVELOPED AND/OR MAINTAINED AT EACH OF THEIR ESTABLISHMENT'S THE EQUAL OPPORTUNITY AFFIRMATIVE ACTION PROGRAMS REQUIRED BY THE RULES AND REGULATIONS OF THE SECRETARY OF LABOR, PURSUANT TO 41 CFR 60.2 (REQUIRED IF OFFEROR EMPLOYS 50 OR MORE EMPLOYEES).
- WILL COMPLY** IF AWARDED A GOVERNMENT SUBCONTRACT IN EXCESS OF \$50,000 AND THE COMPANY EMPLOYS MORE THAN 50 EMPLOYEES.

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## CERTIFICATION OF NONSEGREGATED FACILITIES

BY SUBMISSION OF THIS QUESTIONNAIRE THE OFFEROR CERTIFIES THAT THEY DO NOT MAINTAIN OR PROVIDE FOR THEIR EMPLOYEES ANY SEGREGATED FACILITIES, AS DEFINED IN FAR 52.222-21(a), AT ANY OF THEIR ESTABLISHMENTS, AND THAT THEY DO NOT PERMIT THEIR EMPLOYEES TO PERFORM SERVICES AT ANY LOCATION, UNDER THEIR CONTROL, WHERE SEGREGATED FACILITIES ARE MAINTAINED, THEY CERTIFY FURTHER THAT THEY WILL NOT MAINTAIN OR PROVIDE THEIR EMPLOYEES ANY SEGREGATED FACILITIES AT ANY OF THEIR ESTABLISHMENTS, AND THAT THEY WILL NOT PERMIT THEIR EMPLOYEES TO PERFORM SERVICES AT ANY LOCATION, UNDER THEIR CONTROL, WHERE SEGREGATED FACILITIES ARE MAINTAINED. THE BIDDER, OFFEROR, APPLICANT, OR SUBCONTRACTOR AGREES THAT A BREACH OF THIS CERTIFICATION CONSTITUTES A VIOLATION OF THE EQUAL OPPORTUNITY CLAUSE WHICH WOULD BE PART OF ANY RESULTING PURCHASE ORDER/SUBCONTRACT T FROM FRONTIER ELECTRONIC SYSTEMS CORP.

THE OFFEROR FURTHER AGREES THAT (EXCEPT WHERE THEY HAVE OBTAINED IDENTICAL CERTIFICATIONS FROM PROPOSED SUPPLIERS/SUBCONTRACTORS FOR SPECIFIC TIME PERIODS) THEY WILL: (1) OBTAIN IDENTICAL CERTIFICATIONS FROM PROPOSED SUPPLIERS/SUBCONTRACTORS BEFORE AWARD OF SUBCONTRACTS UNDER WHICH THE SUPPLIER/SUBCONTRACTOR WILL BE SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE; (2) RETAIN THE CERTIFICATIONS IN THE FILES; AND (3) FORWARD THE FOLLOWING NOTICE TO THE PROPOSED SUPPLIERS/SUBCONTRACTORS (EXCEPT IF THEY HAVE SUBMITTED IDENTICAL CERTIFICATIONS FOR SPECIFIC TIME PERIODS):

**NOTICE TO PROSPECTIVE SUBCONTRACTORS OF REQUIREMENTS FOR CERTIFICATIONS OF NONSEGREGATED FACILITIES**

A CERTIFICATION OF NONSEGREGATED FACILITIES MUST BE SUBMITTED BEFORE THE AWARD OF A PURCHASE ORDER OR SUBCONTRACT UNDER WHICH THE SUPPLIER/SUBCONTRACTOR WILL BE SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE. THE CERTIFICATION MAY BE SUBMITTED EITHER FOR EACH SUBCONTRACT OR FOR ALL SUBCONTRACTS DURING A PERIOD (I.E., QUARTERLY, SEMIANNUALLY, OR ANNUALLY)

NOTE: THE PENALTY FOR MAKING FALSE STATEMENTS IN OFFERORS IS PRESCRIBED IN 18 U.S.C. 1001.

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

SIGNATURE OF AUTHORIZED REP: \_\_\_\_\_

NAME/TITLE: \_\_\_\_\_

THIS CERTIFICATE IS VALID FROM \_\_\_\_\_ Through two years after completion

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**CLEAN AIR AND WATER CERTIFICATION**

THE OFFEROR CERTIFIES THAT: (1) FACILITIES TO BE USED IN THE PERFORMANCE OF THE PROPOSED PURCHASE ORDER [ ] ARE, [ ] ARE NOT LISTED ON THE ENVIRONMENTAL PROTECTION AGENCY (EPA) LIST OF VIOLATING FACILITIES; (2) THEY WILL IMMEDIATELY NOTIFY FES, BEFORE AWARD, OF THE RECEIPT OF ANY COMMUNICATION FROM THE EPA INDICATING THAT ANY FACILITY THAT THE OFFEROR PROPOSES TO USE FOR THE PERFORMANCE OF THE PROPOSED CONTRACT IS UNDER CONSIDERATION TO BE LISTED ON THE EPA LIST OF VIOLATING FACILITIES, AND (3) THEY WILL INCLUDE A CERTIFICATION SUBSTANTIALLY THE SAME AS THIS CERTIFICATION, INCLUDING THIS PARAGRAPH (3) IN EVERY NONEXEMPT PURCHASE ORDER.

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**PREAWARD ON-SITE EQUAL OPPORTUNITY COMPLIANCE REVIEW**

AN AWARD IN THE AMOUNT OF \$1 MILLION OR MORE WILL NOT BE MADE UNDER THIS SOLICITATION 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 THIS SOLICITATION.

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**THE OFFEROR HEREBY CERTIFIES TO THE REQUIREMENTS AS SET FORTH IN THE ABOVE REPRESENTATIONS AND CERTIFICATIONS. IF AWARDED A PURCHASE ORDER OR SUBCONTRACT, THIS DOCUMENT SHALL BE INCORPORATED BY REFERENCE THEREIN. THE OFFEROR FURTHER AGREES TO PROVIDE IMMEDIATE NOTICE TO FES IN THE EVENT ANY INFORMATION SUBMITTED HEREIN CHANGES.**

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FIRM

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Proposal/Quotation Number

\_\_\_\_\_  
Name (Printed)

\_\_\_\_\_  
Title