

MIT LINCOLN LABORATORY
REPRESENTATIONS AND CERTIFICATIONS
COMMERCIAL (JUN 2018)

The MIT Lincoln Laboratory preferred method of verifying annual representations and certifications is through an online U.S. government website, which is available at <https://www.sam.gov>

We request that as a MIT Lincoln Laboratory vendor, you complete the representations and certifications at <https://www.sam.gov>. If you require an assistance during the process, please call the MIT Lincoln Laboratory Small Business Office at (781) 981-7256 or e-mail at SBLO@ll.mit.edu.

If you are unable to use <https://www.sam.gov>, please complete the attached paper representations and certifications and return them with your proposal.

INSTRUCTIONS

All applicable sections must be fully completed.

If quoted amount exceeds \$10,000, Offeror shall complete certifications and representations under Part A.

PART A - COMMERCIAL

Dun and Bradstreet Number (DUNS Number) and SAM Certifications

- a. If the bidder has an existing DUNS number and has completed certifications in SAM, please provide DUNS Number here: _____.
- b. If the bidder does not have a DUNS number, intends to do business with MIT Lincoln Laboratory in the future, complete certifications using SAM:
 1. Obtain a DUNS number, if located within the United States, by calling Dun and Bradstreet at 1-866-705-5711 or via the Internet at <https://www.sam.gov>; or if located outside the United States, by contracting the local Dun and Bradstreet office.
 2. Enter contractor information into Central Contractor Registration (CCR) located within SAM <https://www.sam.gov>.
 3. Complete certifications online after signing into SAM on <https://www.sam.gov>.

52.212-3 -- Offeror Representations and Certifications -- Commercial Items (Nov 2017) (Tailored)

(c) Offerors must complete the following representations when the resulting contract is to be performed in the United States or its outlying areas. Check all that apply.

(1) *Small business concern.* The offeror represents as part of its offer that it ☐ **is**, ☐ **is not** a small business concern.

(2) *Veteran-owned small business concern.* [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that it ☐ **is**, ☐ **is not** a veteran-owned small business concern.

(3) *Service-disabled veteran-owned small business concern.* [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(2) of this provision.] The offeror represents as part of its offer that it ☐ **is**, ☐ **is not** a service-disabled veteran-owned small business concern.

(4) *Small disadvantaged business concern.* [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents that it ☐ **is**, ☐ **is not**, a small disadvantaged business concern as defined in 13 CFR 124.1002.

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(5) Women-owned small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents that it ☐ **is**, ☐ **is not** a women-owned small business concern.

Note: Complete paragraphs (c)(8) and (c)(9) only if this solicitation is expected to exceed the simplified acquisition threshold.

(6) WOSB concern eligible under the WOSB Program. [Complete only if the offeror represented itself as a women-owned small business concern in paragraph (c)(5) of this provision.] The offeror represents that—

(i) It ☐ **is**, ☐ **is not** a WOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and

(ii) It ☐ **is**, ☐ **is not** a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (c)(6)(i) of this provision is accurate for each WOSB concern eligible under the WOSB Program participating in the joint venture. [The offeror shall enter the name or names of the WOSB concern eligible under the WOSB Program and other small businesses that are participating in the joint venture: _____.] Each WOSB concern eligible under the WOSB Program participating in the joint venture shall submit a separate signed copy of the WOSB representation.

(7) Economically disadvantaged women-owned small business (EDWOSB) concern. [Complete only if the offeror represented itself as a WOSB concern eligible under the WOSB Program in (c)(6) of this provision.] The offeror represents that—

(i) It ☐ **is**, ☐ **is not** an EDWOSB concern, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and

(ii) It ☐ **is**, ☐ **is not** a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (c)(7)(i) of this provision is accurate for each EDWOSB concern participating in the joint venture. [The offeror shall enter the name or names of the EDWOSB concern and other small businesses that are participating in the joint venture: _____.] Each EDWOSB concern participating in the joint venture shall submit a separate signed copy of the EDWOSB representation.

(8) Women-owned business concern (other than small business concern). [Complete only if the offeror is a women-owned business concern and did not represent itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents that it ☐ **is**, a women-owned business concern.

(9) *Tie bid priority for labor surplus area concerns.* If this is an invitation for bid, small business offerors may identify the labor surplus areas in which costs to be incurred on account of manufacturing or production (by offeror or first-tier subcontractors) amount to more than 50 percent of the contract price:

(10) HUBZone small business concern. [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents, as part of its offer, that—

(i) 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 changes in ownership and control, principal office, or HUBZone employee percentage have occurred since it was certified in accordance with 13 CFR part 126; and

(ii) It ☐ **is**, ☐ **is not** a HUBZone joint venture that complies with the requirements of 13 CFR part 126, and the representation in paragraph (c)(10)(i) of this provision is accurate for each HUBZone small business concern participating in the HUBZone joint venture. [*The offeror shall enter the names of each of the HUBZone small business concerns participating in the HUBZone joint venture:* _____.]

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

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(11) *Alternate I (Oct 2014)* (Complete if the offeror has represented itself as disadvantaged in paragraph (c)(4) of this provision.) [*The offeror shall check the category in which its ownership falls*]:

- ☐ Black American.
☐ Hispanic American.
☐ Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).
☐ Asian-Pacific American (persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, Republic of Palau, Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).
☐ Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).
☐ Individual/concern, other than one of the preceding.

(d) Representations required to implement provisions of Executive Order 11246 --

(1) Previous contracts and compliance. The offeror represents that --

(i) It ☐ **has**, ☐ **has not**, participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation; and

(ii) It ☐ **has**, ☐ **has not**, filed all required compliance reports.

(2) *Affirmative Action Compliance*. The offeror represents that --

(i) It ☐ **has** developed and **has on file**, ☐ **has not** developed and **does not** have on file, at each establishment, affirmative action programs required by rules and regulations of the Secretary of Labor (41 CFR parts 60-1 and 60-2), or

(ii) It ☐ **has not** previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

OFFEROR'S NAME AND TITLE OF PERSONS AUTHORIZED TO BIND OFFEROR	
(Type or Print Company Name)	
COMPANY	TITLE
SIGNATURE	DATE

(h) *Certification Regarding Responsibility Matters (Executive Order 12689)*. (Applies only if the contract value is expected to exceed the simplified acquisition threshold.) The offeror certifies, to the best of its knowledge and belief, that the offeror and/or any of its principals--

(1) ☐ **Are**, ☐ **are not** presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(2) ☐ **Have**, ☐ **have not**, within a three-year period preceding this offer, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a Federal, state or local government 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, violating Federal criminal tax laws, or receiving stolen property; and

(3) ☐ **Are**, ☐ **are not** presently indicted for, or otherwise criminally or civilly charged by a Government entity with, commission of any of these offenses enumerated in paragraph (h)(2) of this clause; and

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(4) ☐ **Have**, ☐ **have not**, within a three-year period preceding this offer, been notified of any delinquent Federal taxes in an amount that exceeds \$3,500 for which the liability remains unsatisfied.

OFFEROR'S NAME AND TITLE OF PERSONS AUTHORIZED TO BIND OFFEROR (Type or Print Company Name)	
COMPANY	TITLE
SIGNATURE	DATE

n) Prohibition on Contracting with Inverted Domestic Corporations—

(2) *Representation.* The offeror represents that—

- (i) It ☐ **is**, ☐ **is not** an inverted domestic corporation; and
- (ii) It ☐ **is**, ☐ **is not** a subsidiary of an inverted domestic corporation.

q) *Representation by Corporations Regarding Delinquent Tax Liability or a Felony Conviction under any Federal Law.*

(2) The Offeror represents that--

- (i) It **is** ☐ **is not** ☐ a corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability; and
- (ii) It **is** ☐ **is not** ☐ a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.

OFFEROR'S NAME AND TITLE OF PERSONS AUTHORIZED TO BIND OFFEROR (Type or Print Company Name)	
COMPANY	TITLE
SIGNATURE	DATE