

## REPRESENTATIONS AND CERTIFICATIONS SUPPLEMENT

For the Pacific Northwest National Laboratory  
Operated by Battelle Memorial Institute

Battelle Memorial Institute has executed and is engaged in the performance of Prime Contract DE-AC05-76RL01830 with the United States Department of Energy (DOE), for the management, operation, and maintenance of the Pacific Northwest National Laboratory (PNNL) in Richland, Washington. The following representations and certifications must be completed, and this form must be signed and returned with the Offeror's proposal.

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### Name, Address and DUNS Number

Business Name

Business Address

"Doing Business As" (DBA)

DUNS Number

Tax ID Number

### System for Award Management (SAM) Electronic Representations and Certifications Applications

The Offeror certifies that the annual Representations and Certifications available electronically via the System for Award Management (SAM) website at <https://www.sam.gov/portal/public/SAM/> have been completed and by submission of this offer, the Offeror further certifies that the information contained therein is current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer. Those Representations and Certifications are incorporated in this offer by reference (see FAR 4.1201).

### Employment Eligibility Verification (cl. 421 – Oct 2011)

*(Applicable to proposals exceeding \$3,000)*

Offeror represents that—

- E-Verify is not applicable based on paragraph (e) of FAR 52.222-54 Employment Eligibility Verification.
- it is  it is not currently enrolled in E-Verify.
- if not currently enrolled, it will enroll in E-Verify within 30 calendar days of subcontract award.
- it will include FAR 52.222-54 in applicable lower-tier subcontracts.

### Export Control (cl. 422 – July 2012)

*(Required for all proposals of Equipment, Tools, Software or Technology)*

The Offeror represents that the property has an Export Control requirement that is described in either of the following regulations:

A. An International Traffic in Arms Regulations (ITAR) United States Munitions List (USML) Category

Manufacturer Name  
Model Number  
Description  
USML Category #

B. An Export Administrations Regulations (EAR) Export Control Classification Number (ECCN);

Manufacturer Name  
Model Number  
Description  
ECCN #

(e.g. 1A001...NOT the Harmonizing Code)

**Note: Prior to the delivery of equipment, tools, software or technology, the successful contractor must provide the ECCN for each item to the PNNL Property Office at [pnnl.property@pnnl.gov](mailto:pnnl.property@pnnl.gov).**

**Technical Data Certification** (cl. 413 - Jan 1986)

The offeror certifies that it has not delivered or is not obligated to deliver to Battelle or to the Government under any contract or subcontract the same or substantially the same technical data included in its offer, except as set forth below:

- None
- Contract No. (and Subcontract No., if applicable), Agency name and place of delivery

**Patent Rights Representation** (cl. 417 - Jan 1986)

Offeror represents that it—

- is     is not    A small business as defined at section 2 of Pub. L. 85-536 (15 USC 632) and the implementing regulations of the Administrator of the Small Business Administration, 13 CFR Part 121.
- is     is not    An organization of the type described in section 501(c)(3) of the Internal Revenue Code and exempt from taxation under section 501(a).
- is     is not    A nonprofit scientific or educational organization qualified under a State nonprofit organization statute.
- is     is not    A U.S. domestic university or other U.S. institution of higher education.

**Cost Accounting Standards Notices and Certification** (cl. 416 - Oct 2011)

Note: This notice does not apply to small businesses or foreign governments. This notice is in three parts, identified by Roman numerals I through III.

Offerors shall examine each part and provide the requested information in order to determine Cost Accounting Standards (CAS) requirements applicable to any resultant contract.

If the offeror is an educational institution, Part II does not apply unless the contemplated contract will be subject to full or modified CAS coverage pursuant to 48 CFR 9903.201-2(c)(5) or 9903.201-2(c)(6), respectively.

I. DISCLOSURE STATEMENT—COST ACCOUNTING PRACTICES AND CERTIFICATION

- A. Any contract in excess of \$700,000 resulting from this solicitation will be subject to the requirements of the Cost Accounting Standards Board (48 CFR Chapter 99), except for those contracts which are exempt as specified in 48 CFR 9903.201-1.
- B. Any offeror submitting a proposal which, if accepted, will result in a contract subject to the requirements of 48 CFR Chapter 99 must, as a condition of contracting, submit a Disclosure Statement as required by 48 CFR 9903.202. When required, the Disclosure Statement must be submitted as a part of the offeror's proposal under this solicitation unless the offeror has already submitted a Disclosure Statement disclosing the practices used in connection with the pricing of this proposal. If an applicable Disclosure Statement has already been submitted, the offeror may satisfy the requirement for submission by providing the information requested in paragraph (c) of Part I of this provision.

Caution: In the absence of specific regulations or agreement, a practice disclosed in a Disclosure Statement shall not, by virtue of such disclosure, be deemed to be a proper, approved, or agreed-to practice for pricing proposals or accumulating and reporting contract performance cost data.

C. Check the appropriate box below:

- 1. *Certificate of Concurrent Submission of Disclosure Statement.* The offeror hereby certifies that, as a part of the offer, copies of the Disclosure Statement have been submitted as follows:
  - a. Original and one copy to the cognizant Administrative Contracting Officer (ACO) or cognizant Federal agency official authorized to act in that capacity (Federal official), as applicable; and
  - b. One copy to the cognizant Federal auditor.

(Disclosure must be on Form No. CASB DS-1 or CASB DS-2, as applicable. Forms may be obtained from the cognizant ACO or Federal official and/or from the loose-leaf version of the Federal Acquisition Regulation.)

Date of Disclosure Statement:

Name and Address of Cognizant ACO or Federal Official Where Filed:

The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the Disclosure Statement.

- 2. *Certificate of Previously Submitted Disclosure Statement.* The offeror hereby certifies that the required Disclosure Statement was filed as follows:

Date of Disclosure Statement:

Name and Address of Cognizant ACO or Federal Official Where Filed:

The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the applicable Disclosure Statement.

3. *Certificate of Monetary Exemption.* The offeror hereby certifies that the offeror, together with all divisions, subsidiaries, and affiliates under common control, did not receive net awards of negotiated prime contracts and subcontracts subject to CAS totaling \$50 million or more in the cost accounting period immediately preceding the period in which this proposal was submitted. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.
4. *Certificate of Interim Exemption.* The offeror hereby certifies that (i) the offeror first exceeded the monetary exemption for disclosure, as defined in (3) of this subsection, in the cost accounting period immediately preceding the period in which this offer was submitted and (ii) in accordance with 48 CFR 9903.202-1, the offeror is not yet required to submit a Disclosure Statement. The offeror further certifies that if an award resulting from this proposal has not been made within 90 days after the end of that period, the offeror will immediately submit a revised certificate to the Contracting Officer, in the form specified under Paragraph C.1. or C.2. of Part I of this provision, as appropriate, to verify submission of a completed Disclosure Statement.
5. *Certificate of Disclosure Statement Due Date by Educational Institution.* If the offeror is an educational institution that, under the transition provisions of 48 CFR 9903.202-1(f), is or will be required to submit a Disclosure Statement after receipt of this award, the offeror hereby certifies that (check one and complete):

A Disclosure Statement Filing Due Date of \_\_\_\_\_ has been established with the cognizant Federal agency.

The Disclosure Statement will be submitted within the 6-month period ending \_\_\_\_\_ months after receipt of this award.

Caution: Offerors currently required to disclose because they were awarded a CAS-covered prime contract or subcontract of \$50 million or more in the current cost accounting period may not claim this exemption (4). Further, the exemption applies only in connection with proposals submitted before expiration of the 90-day period following the cost accounting period in which the monetary exemption was exceeded.

## II. COST ACCOUNTING STANDARDS—ELIGIBILITY FOR MODIFIED CONTRACT COVERAGE

If the offeror is eligible to use the modified provisions of 48 CFR 9903.201-2(b) and elects to do so, the offeror shall indicate by checking the box below. Checking the box below shall mean that the resultant contract is subject to the Disclosure and Consistency of Cost Accounting Practices clause in lieu of the Cost Accounting Standards clause.

- The offeror hereby claims an exemption from the Cost Accounting Standards clause under the provisions of 48 CFR 9903.201-2(b) and certifies that the offeror is eligible for use of the Disclosure and Consistency of Cost Accounting Practices clause because during the cost accounting period immediately preceding the period in which this proposal was submitted, the offeror received less than \$50 million in awards of CAS-covered prime contracts and subcontracts. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.

Caution: An offeror may not claim the above eligibility for modified contract coverage if this proposal is expected to result in the award of a CAS-covered contract of \$50 million or more or if, during its current cost accounting period, the offeror has been awarded a single CAS-covered prime contract or subcontract of \$50 million or more.

## III. ADDITIONAL COST ACCOUNTING STANDARDS APPLICABLE TO EXISTING CONTRACTS

The offeror shall indicate below whether award of the contemplated contract would, in accordance with Paragraph A.3. of the Cost Accounting Standards clause, require a change in established cost accounting practices affecting existing contracts and subcontracts.

Yes       No

**Combating Trafficking in Persons** (cl. 423 –Mar 2015)

*(Applicable to proposals exceeding \$500,000 for supplies, other than commercially available off-the-shelf items, acquired outside the United States, or services to be performed outside the United States)*

1. The Offeror certifies, to the best of their knowledge and belief, that it-

- has       has not      implemented a compliance plan to prevent any prohibited activities identified in FAR 52.222-50, paragraph (b), and to monitor, detect and terminate any agent, subcontract, or subcontractor employee engaging in prohibited activities.

2. The Offeror certifies, to the best of their knowledge and belief, that -

- neither the offeror nor any of its agents, subcontractors, or their agents is engaged in such activities; OR
- if abuses relating to any of the prohibited activities identified in FAR 52.222-50, paragraph (b) have been found, the offeror has taken the appropriate remedial and referral actions.

**SIGNATURE**

Note: A person authorized to make legally binding commitments on behalf of the offeror must sign below. Signature constitutes a representation that reasonable and prudent inquiry has been made to ascertain the true and accurate basis of all statements. Statements which a person knows or has reason to know are false, fictitious, or fraudulent may result in criminal or civil penalties, as prescribed in 18 USC 1001 and 31 USC 3802(a)(2). These Representations and Certifications shall remain in effect for a period of one (1) year from the date signed and shall satisfy any subsequent proposal requirements during that one-year period. The Offeror shall notify Battelle of any changes that occur in any of the representation or certifications during that period.

Authorized Signature

Signer's Name (Printed)

Title

Date