

ANNUAL COMMERCIAL ITEM ACQUISITION REPRESENTATIONS AND CERTIFICATIONS (PR-TMP-01)Linked 4/25/23

Offeror will complete all of this Representations and Certifications form. Failure to furnish the following representations and certification may be cause of the rejection of Offeror's bid(s) or proposal(s) as non-responsive, resulting in no contract award. U.S. government regulations prohibit ASRC Federal and its Subsidiaries (ASRC) from awarding a seller a procurement funded under a U.S. Government contract unless the seller certifies that it complies with certain U.S. policies. Your company is a potential supplier of goods and services to ASRC whose purchase by ASRC may be funded under a U.S. Government contract. Accordingly, to be eligible for award you are required to complete the Representations and certification according to the following table:

Upon completion, please have the Representations and Certifications signed by an authorized representative of your company, date them and return them to ASRC as instructed.

ACKNOWLEDGED:

- a. By signing below, the Offeror/Seller agrees to the foregoing and attests that the Representations and Certifications set forth in Parts A, B and C, herein are current, accurate, and complete. Further, if Offeror's/Seller's status certified herein should change prior to any award based on this certification, the Offeror/Seller shall immediately notify, in writing, the person/office to whom this original certification was sent and submit an amended certification with any related data that may be required as a result of the change.
- b. I hereby acknowledge an understanding of the U.S. Government contracting and subcontracting programs and confirm the accuracy of the statements made in this document.
- c. The Offeror/Seller's business organization PERMITS DOES NOT PERMIT authorized Offeror/Seller representatives to use electronic signatures as legally binding.
- d. The Offeror/Seller RESIDES DOES NOT RESIDE in a legal jurisdiction that accepts electronic signatures as legally binding.

Firm Name: _____

Email: _____

Phone: _____ Fax: _____

Signature: _____ Date: _____

Typed Name: _____ Title _____

If the offeror is currently registered in the System for Award Management (SAM) and has completed the Representations and Certifications section of SAM electronically, the offeror may choose to use paragraph (a) of this provision instead of completing the corresponding individual representations and certifications herein. The offeror shall indicate which option applies by checking one of the following boxes:

- (i) Paragraph (a) applies, **If checked, Offeror must complete Part B and Part C below.**
- (ii) Paragraph (a) does not apply and **the offeror must complete Part A, B and C below**

(a) The offeror has completed the annual representations and certifications electronically via the SAM website. After reviewing the SAM database information, the offeror verifies by submission of the offer that the representations and certifications currently posted electronically, have been entered or updated within the last 12 months, are current, accurate, complete, and applicable (including the business size standard applicable to the NAICS code), as of the date of this offer and are incorporated in this offer by reference (see FAR 4.1201) Further, the offeror certifies the representations and certifications posted in the SAM database are equally made to ASRC Federal, including all entities;;

PART "A"

THIS PART APPLIES IF OFFEROR IS NOT REGISTERED IN THE SYSTEMS FOR AWARDS MANAGEMENT

52.203-11 CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS

- a. 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.
- b. The Offeror/Seller hereby certifies to the best of his or her knowledge and belief that, as of the date of execution of this certification –
 - 1) 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 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;
 - 2) 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/Seller shall complete and submit, with its offer, OMB standard form LLL, Disclosure of Lobbying Activities, to the Contracting Officer, and
 - 3) He or she will include the language of this certification in all subcontract awards at any tier and require that all recipients of subcontract awards in excess of \$100,000 shall certify and disclose accordingly.
- c. Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by section 1352, title 31, United States Code. 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.

52.203-18 PROHIBITION ON CONTRACTING WITH ENTITIES THAT REQUIRE CERTAIN INTERNAL CONFIDENTIALITY AGREEMENTS OR STATEMENTS-REPRESENTATION (JAN 2017)

In accordance with section 743 of Division E, Title VII, of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235) and its successor provisions in subsequent appropriations acts (and as extended in continuing resolutions), Government agencies are not permitted to use funds appropriated (or otherwise made available) for contracts with an entity that requires employees or subcontractors of such entity seeking to report waste, fraud, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

The prohibition in the paragraph above of this provision does not contravene requirements applicable to Standard Form 312, (Classified Information Nondisclosure Agreement), Form 4414 (Sensitive Compartmented Information Nondisclosure Agreement), or any other form issued by a Federal department or agency governing the nondisclosure of classified information.

By submission of its offer, the Offeror represents that it will not require its employees or subcontractors to sign or comply with internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or subcontractors from lawfully reporting waste, fraud, or abuse related to the performance of a Government contract to a

designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information (e.g., agency Office of the Inspector General).

52.209-2 PROHIBITION ON CONTRACTING WITH INVERTED DOMESTIC CORPORATIONS—REPRESENTATION

(a) Definitions. “Inverted domestic corporation” and “subsidiary” have the meaning given in the clause of this contract entitled Prohibition on Contracting with Inverted Domestic Corporations ([52.209-10](#)).

(b) Government agencies are not permitted to use appropriated (or otherwise made available) funds for contracts with either an inverted domestic corporation, or a subsidiary of an inverted domestic corporation, unless the exception at [9.108-2\(b\)](#) applies or the requirement is waived in accordance with the procedures at [9.108-4](#).

(c) Representation. The Offeror represents that—

- (1) It IS, IS NOT an inverted domestic corporation; and
- (2) It IS, IS NOT a subsidiary of an inverted domestic corporation

52.209-5 CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT, AND OTHER RESPONSIBILITY MATTERS

a. The Offeror/Seller certifies, to the best of its knowledge and belief, that—

1) The Offeror/Seller 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 the 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 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, tax evasion, or receiving stolen property;
- 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; and

2) The Offeror/Seller, aside from the offenses enumerated in paragraphs (a)(1)(i)(A), (B) and (C) of this provision,

- A) HAS HAS NOT, within the past three years, relative to tax, labor and employment, environmental, antitrust, or consumer protection laws –
 - (i) Been convicted of a Federal or state felony (or has any Federal or state felony indictments currently pending against them); or
 - (ii) Had a Federal court judgment in a civil case brought by the United States rendered against them; or
 - (iii) Had an adverse decision by a Federal administrative law judge, board, or commission indicating a willful violation of law.
- B) If the Offeror/Seller has responded affirmatively, the Offeror/Seller shall provide additional information if requested by BUYER and
- C) The Offeror/Seller HAS HAS NOT within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

b. “Principals,” for the purposes of this certification, means officers, directors, owners, partners, and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment; and similar positions).

THIS CERTIFICATION CONCERNS A MATTER WITHIN THE JURISDICTION OF AN AGENCY OF THE UNITED STATES AND THE MAKING OF A FALSE, FICTITIOUS, OR FRAUDULENT CERTIFICATION MAY RENDER THE MAKER SUBJECT TO PROSECUTION UNDER SECTION 1001, TITLE 18, UNITED STATES CODE.

1) The Offeror/Seller shall provide immediate written notice to BUYER if, at any time prior to contract award, the Offeror/Seller learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

- 2) A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in withholding of an award under this solicitation. However, the certification will be considered in connection with a determination of the Offeror/Seller's responsibility. Failure of the Offeror/Seller to furnish a certification or provide such additional information as requested by BUYER may render the Offeror/Seller nonresponsible.
- 3) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of an Offeror/Seller is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- 4) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance was placed when making award. If it is later determined that the Offeror/Seller knowingly rendered an erroneous certification, in addition to the other remedies available, BUYER may terminate the contract resulting from this solicitation for default.

52.209-11 REPRESENTATION BY CORPORATIONS REGARDING DELINQUENT TAX LIABILITY OR A FELONY CONVICTION UNDER ANY FEDERAL LAW

(a) As required by sections 744 and 745 of Division E of the Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235), and similar provisions, if contained in subsequent appropriations acts, the Government will not enter into a contract with any corporation that—

(1) 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, where the awarding agency is aware of the unpaid tax liability, unless an agency has considered suspension or debarment of the corporation and made a determination that suspension or debarment is not necessary to protect the interests of the Government; or

(2) Was convicted of a felony criminal violation under any Federal law within the preceding 24 months, where the awarding agency is aware of the conviction, unless an agency has considered suspension or debarment of the corporation and made a determination that this action is not necessary to protect the interests of the Government.

(b) The Offeror represents that—

(1) 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

(2) It IS IS NOT a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.

52.222-22 PREVIOUS CONTRACTS AND COMPLIANCE REPORTS

The Offeror/Seller represents that:

- a. It HAS HAS NOT participated in a previous contract or subcontract subject to the Equal Employment Opportunity clause of any solicitation/procurement (FAR 52.222-26).
- b. It HAS HAS NOT filed all required compliance reports.
- c. Types of Equal Opportunity Certifications: _____

52.222-25 AFFIRMATIVE ACTION COMPLIANCE

The Offeror/Seller represents that:

- a. It HAS HAS NOT developed an affirmative action program as required by the rules and regulations of the Secretary of Labor (41 CFR 60-1 and 60-2).
- b. It HAS HAS NOT previously had contracts subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.
- c. It HAS HAS NOT fewer than fifty (50) employees.

This contractor and subcontractor shall abide by the requirements of 41 CFR §§ 60-1.4(a), 60-300.5(a) and 60 741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities and prohibit discrimination against all individuals based on their race, color, religion, sex, or national origin. Moreover, these regulations require that covered prime contractors and subcontractors take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, national origin, protected veteran status or disability.

52.225-2 BUY AMERICAN ACT CERTIFICATE

(a) The offeror certifies that each end product, except those listed in paragraph (b) of this provision, is a domestic end product and that for other than COTS items, the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The offeror shall list as foreign end products those end products manufactured in the United States that do not qualify as domestic end products, *i.e.*, an end product that is not a COTS item and does not meet the component test in paragraph (2) of the definition of “domestic end product.” The terms “commercially available off-the-shelf (COTS) item,” “component,” “domestic end product,” “end product,” “foreign end product,” and “United States” are defined in the clause of this solicitation entitled “Buy American Act—Supplies.”

(b) Foreign End Products:

LINE ITEM NR	COUNTRY OF ORIGIN
_____	_____

(c) The Prime Contractor will evaluate offers in accordance with the policies and procedures of Part 25 of the Federal Acquisition Regulation.

252.209-7001 DISCLOSURE OF OWNERSHIP OR CONTROL BY THE GOVERNMENT OF A TERRORIST COUNTRY

- a. *Prohibition on award.* In accordance with 10 U.S.C. 2327, no contract may be awarded to a firm or a subsidiary of a firm if the government of a terrorist country has a significant interest in the firm or subsidiary or, in the case of a subsidiary, the firm that owns the subsidiary, unless a waiver is granted by the Secretary of Defense.
- b. *Disclosure.* If the government of a terrorist country has a significant interest in the Offeror/Seller or a subsidiary of the Offeror/Seller, the Offeror/Seller shall disclose such interest in an attachment to its offer. If the Offeror/Seller is a subsidiary, it shall also disclose any significant interest the government of a terrorist country has in any firm that owns or controls the subsidiary. The disclosure shall include-
 - 1) Identification of each government holding a significant interest; and
 - 2) A description of the significant interest held by each government.

252.209-7002 DISCLOSURE OF OWNERSHIP OR CONTROL BY A FOREIGN GOVERNMENT

- (a) *Prohibition on award.* No contract under a national security program may be awarded to an entity controlled by a foreign government if that entity requires access to proscribed information to perform the contract, unless the Secretary of Defense or a designee has waived application of 10 U.S.C. 2536(a).
- (b) *Disclosure.* The Offeror/Seller shall disclose any interest a foreign government has in the Offeror/Seller when that interest constitutes control by a foreign government as defined in this provision. If the Offeror/Seller is a subsidiary, it shall also disclose any reportable interest a foreign government has in any entity that owns or controls the subsidiary, including reportable interest concerning the Offeror/Seller’s immediate parent, intermediate parents, and the ultimate parent. **EQUAL OPPORTUNITY (FAR 52.222-26)**

The Offeror/Seller represents that it is in agreement with the subject clause and the Executive Order 11246, as amended, and the rules, regulations, and Orders of the Secretary of Labor pertaining to Equal Opportunity.

PART "B"
THIS PART APPLIES TO ALL OFFERORS

52.204-10 REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS, IS PART OF THIS SUBCONTRACT.

FAR clause 52.204-10 requires the prime contractor to provide information on its first-tier subcontractors and to disclose to the Subcontractor that the information will be made available to the public as required by FAR 52.204-10. Based on this requirement, the Subcontractor certifies that:

- a. The Subcontractor IS IS NOT an individual. *(If 'is' is marked, Complete Part C and return to ASRC.)*
- b. The Subcontractor DID DID NOT have a gross income **less than** \$300,000 in the previous tax year. *(If 'did' is marked, complete Part C and return it to ASRC. If "did not" is marked, complete the remainder of the certification and return to ASRC.)*

1) The Subcontractor's SAMS UEI Number is: _____

2) The Subcontractor's DUNS Number is: _____

3) The Subcontractor's physical address is:

Street Address: _____

City, State, nine-digit zip code, Country: _____

Congressional District: _____

4) The subcontractor's primary performance location, if different from above address is:

Street Address: _____

City, State, nine-digit zip code, Country: _____

Congressional District: _____

5) The applicable North American Industry Classification System Code (NAICS) is: _____

6) The Subcontractor represents that, in its preceding fiscal year, the Subcontractor:

- i) DID DID NOT receive 80 percent or more of its annual gross revenues from Federal contracts (and subcontracts), loans, grants (and subgrants), cooperative agreements, and other forms of Federal financial assistance; and \$25,000,000 or more in annual gross revenues from Federal contracts (and subcontracts), loans, grants (and subgrants), cooperative agreements, and other forms of Federal financial assistance; and *(If 'did not' is marked, complete Part C and return it to ASRC.)*

- ii) DOES DOES NOT provide public access to information about the compensation of the senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. If 'does not' is marked, the Subcontractor shall provide the names and total compensation (as defined in FAR 52.204-10) of each of the Subcontractor's five most highly compensated executives, for the completed fiscal year preceding the year the subcontract is awarded. **(If "does" is marked, complete Part C and return to ASRC. Otherwise, complete the required information below for your preceding completed tax year, complete Part C and return this certification to ASRC.)**

Executive Name	Total Compensation
1.	
2.	
3.	
4.	
5.	

Please indicate, by checking the appropriate box(es), the states or districts which your company is authorized to collect sales tax:

<input type="checkbox"/> All	<input type="checkbox"/> Maine	<input type="checkbox"/> Oklahoma
<input type="checkbox"/> Alabama	<input type="checkbox"/> Maryland	<input type="checkbox"/> Oregon
<input type="checkbox"/> Alaska	<input type="checkbox"/> Massachusetts	<input type="checkbox"/> Pennsylvania
<input type="checkbox"/> Arizona	<input type="checkbox"/> Michigan	<input type="checkbox"/> Rhode Island
<input type="checkbox"/> Arkansas	<input type="checkbox"/> Minnesota	<input type="checkbox"/> South Carolina
<input type="checkbox"/> California	<input type="checkbox"/> Mississippi	<input type="checkbox"/> South Dakota
<input type="checkbox"/> Colorado	<input type="checkbox"/> Missouri	<input type="checkbox"/> Tennessee
<input type="checkbox"/> Connecticut	<input type="checkbox"/> Montana	<input type="checkbox"/> Texas
<input type="checkbox"/> Delaware	<input type="checkbox"/> None	<input type="checkbox"/> Utah
<input type="checkbox"/> District of Columbia	<input type="checkbox"/> Nebraska	<input type="checkbox"/> Vermont
<input type="checkbox"/> Florida	<input type="checkbox"/> Nevada	<input type="checkbox"/> Virginia
<input type="checkbox"/> Georgia	<input type="checkbox"/> New Hampshire	<input type="checkbox"/> Washington
<input type="checkbox"/> Hawaii	<input type="checkbox"/> New Jersey	<input type="checkbox"/> West Virginia
<input type="checkbox"/> Idaho	<input type="checkbox"/> New Mexico	<input type="checkbox"/> Wisconsin
<input type="checkbox"/> Illinois	<input type="checkbox"/> New York	<input type="checkbox"/> Wyoming
<input type="checkbox"/> Indiana	<input type="checkbox"/> North Carolina	
<input type="checkbox"/> Iowa	<input type="checkbox"/> North Dakota	
<input type="checkbox"/> Kansas	<input type="checkbox"/> Ohio	
<input type="checkbox"/> Kentucky		
<input type="checkbox"/> Louisiana		

PART "C"
THIS PART APPLIES TO ALL OFFERORS

FAR 52.204-26 COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES - REPRESENTATION (DEC 2019)

- (a) Definitions. As used in this provision, Covered telecommunications equipment or services has the meaning provided in the clause 52.204-25, Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.
- (b) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for "covered telecommunications equipment or services."
- (c) Representation. The Offeror represents that it [] does [] does not provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.

FAR 2.101 FOR COMMERCIAL PRODUCTS, THE OFFEROR CERTIFIES TO THE FOLLOWING REGARDING THE PROPOSED PRODUCT(S):

<input type="checkbox"/> The products are NOT commercial products.
<input type="checkbox"/> The products are commercial products based on (include all that apply):
<input type="checkbox"/> 1.) A product, other than real property, that is of a type customarily used by the general public or by non-governmental entities for purposes other than governmental purposes, and-- <ul style="list-style-type: none"> i) Has been sold, leased, or licensed to the general public; or, ii) Has been offered for sale, lease, or license to the general public;
<input type="checkbox"/> 2.) A product that evolved from a product described in paragraph (1) of this definition through advances in technology or performance and that is not yet available in the commercial marketplace, but will be available in the commercial marketplace in time to satisfy the delivery requirements under a Government solicitation
<input type="checkbox"/> 3.) A product that would satisfy a criterion in (1) or (2) of this definition, except for; <ul style="list-style-type: none"> (i) Modifications of a type customarily available in the commercial marketplace; (ii) Minor modifications of a type not customarily available in the commercial marketplace made to meet Federal Government requirements. "Minor modifications" means modifications that do not significantly alter the nongovernmental function or essential physical characteristics of an item or component, or change the purpose of a process. Factors to be considered in determining whether a modification is minor include the value and size of the modification and the comparative value and size of the final product. Dollar values and percentages may be used as guideposts, but are not conclusive evidence that a modification is minor;
<input type="checkbox"/> 4.) Any combination of products meeting the requirements of paragraphs (1), (2) or(3) of this definition that are of a type customarily combined and sold in combination to the general public;
<input type="checkbox"/> 5.) A product, or combination of products, referred to in paragraphs (1) through (4) of this definition, even though the product, or combination of products, is transferred between or among separate divisions, subsidiaries, or affiliates of a contractor; or
<input type="checkbox"/> 6.) A non-developmental item, if the procuring agency determines the product was developed exclusively at private expense and sold in substantial quantities, on a competitive basis, to multiple State and local governments or to multiple foreign governments.
The Offeror certifies to the following regarding the proposed services
<input type="checkbox"/> The services are NOT commercial services.
<input type="checkbox"/> The services are commercial services based on (include all that apply):
<input type="checkbox"/> 1.) Installation services, maintenance services, repair services, training services, and other services if-- <ul style="list-style-type: none"> (i) Such services are procured for support of commercial product as defined in this section, regardless of whether such services are provided by the same source or at the same time as the commercial product; and (ii) The source of such services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government;
<input type="checkbox"/> 2.) Services of a type offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed or specific outcomes to be achieved and under standard commercial terms and conditions. For purposes of these services— <ul style="list-style-type: none"> (i) "Catalog price" means a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or vendor, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public; and (ii) "Market prices" means current prices that are established in the course of ordinary trade between buyers and sellers free to bargain and that can be substantiated through competition or from sources independent of the offerors. or
<input type="checkbox"/> 3.) A service referred to in paragraph (1) or (2) of this definition, even though the service transferred between or among separate divisions, subsidiaries, or affiliates of a contractor.

DFARS 252.204-7012 (CHECK ONLY ONE BOX BELOW)

- (1) Offeror certifies that it complies with all DFARS 252.204-7012 requirements, including by fully implementing NIST SP 800-171 security measures and/or otherwise satisfying the requirements set forth in this clause and if applicable, it shall use cloud service providers that are FedRAMP Moderate or equivalent. If applicable, Offeror will provide a System Security Plan (SSP) and Plan of Action and Milestones (POA&M) immediately upon request of **ASRC's** customer.
- (2) Offeror is non-compliant with DFARS 252.204-7012 requirements.

DFARS 252.204-7020 (CHECK ONLY ONE BOX BELOW)

- (1) Offeror certifies that it has completed, within the last three years, at least a Basic NIST SP 800–171 DoD Assessment (as described in [Strategically Assessing Contractor Implementation of NIST SP 800 171](#)) for all covered contractor information systems relevant to its offer that are not part of an information technology service or system operated on behalf of the Government. Offeror further certifies that it has posted said assessment in the Supplier Performance Risk System (SPRS) or submitted it to webptsmh@navy.mil via encrypted email for posting on SPRS.
- (2) Offeror is non-compliant with DFARS 252.204-7020 requirements. FLOWDOWN

If Offeror intends to share controlled unclassified information with any lower-tier suppliers, Offeror shall confirm such lower-tier suppliers are compliant with DFARS 252.204-7012 and 252.204-7020.