

REPRESENTATIONS, CERTIFICATIONS, AND OTHER STATEMENTS OF THE OFFEROR

All current and prospective Frontier Electronic Systems Corp. (hereinafter referred to as "FES") suppliers are required to complete the annual certification and assessment each calendar year. Suppliers are required to certify their compliance with the following FAR/DFARS requirements.

SUPPLIER NAME	SUPPLIER CAGE CODE	UNIQUE ENTITY ID (UEI)

SUPPLIER ADDRESS (MANUFACTURING ADDRESS - NO PO BOX)	CONTACT NAME
	CONTACT TITLE
	CONTACT PHONE
CITY / TOWN:	
STATE / PROVINCE / REGION:	
ZIP CODE:	CONTACT EMAIL ADDRESS
COUNTRY:	

TAXPAYER IDENTIFICATION NUMBER (TIN)	

1. NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM (NAICS) CODE

Please list the appropriate NAICS Code that best represents the material/service supplied to FES:

☐ **Not Applicable** (facility located in North America (United States, Canada, or Mexico))

Please list the material/service supplied to FES:

2. TYPE OF ORGANIZATION

- ☐ Sole Proprietorship
☐ Partnership
☐ Limited Liability Corporation (LLC)
☐ Foreign Corporation or entity: _____

☐ Corporate entity (not tax- exempt)
☐ Corporate entity (tax- exempt)

3. COMMON PARENT AND PREDECESSOR OF OFFEROR (FAR 52.204-17, 52.204-20)

- ☐ Offeror is not owned or controlled by a common parent.
☐ Name and TIN of common parent:

Name: _____

TIN: _____

- ☐ Offeror, its parent company, or subsidiaries, is/has been owned or controlled by a foreign entity.

The Offeror represents that it ☐ **IS**, or ☐ **IS NOT** a successor to a predecessor that held a Federal contract or grant within the last three years.

4. SIZE OF BUSINESS ORGANIZATION

Notice of Penalty:

Supplier understands, under 15 U.S.C 645(d), any person who misrepresents a firm's status as a small business concern, a qualified HUBZone small business concern, a small business concern owned and controlled by socially and economically disadvantaged individuals, or a small business concern owned and controlled by women in order to obtain for oneself or another any:

- a.) Prime contract to be awarded pursuant to Section 638, 644 or 657(a) of this title;
- b.) Subcontract to be awarded pursuant to Section 637(a) of this title;
- c.) Subcontract to be included as part or all of a goal contained in a subcontracting plan required pursuant to section 637(d) of this title; or
- d.) Prime or subcontract to be awarded as a result, or in furtherance, of any other provision of Federal law that specifically references Section 637(d) of this title for a definition of program eligibility.

Shall be:

- a.) Punished by a fine of not more than \$500,000 or by imprisonment for not more than 10 years, or both;
- b.) Subject to the administrative remedies prescribed by the Program Fraud Civil Remedies Act of 1986 (31 U.S.C.3801-3812);
- c.) Subject to suspension and debarment as specified in subpart 9.4 of title 48, Code of Federal Regulations or any successor regulation; and
- d.) Ineligible for participation in any program or activity conducted under the authority of this chapter or the Small Business Investment Act of 1958 (15 U.S.C. 661 et seq) for a period not to exceed 3 years.

Please check all that apply:

- ☐ **Nonprofit Organization**
- ☐ **Large Business**
- ☐ **Small Business**
- ☐ **Small Disadvantaged Business (SDB) ***

(Please check the appropriate category of ownership)

- ☐ 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, US Trust Territory of the Pacific Islands (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/Concerns, other than one of the preceding.

Specify: _____

- ☐ **Certified 8(a) Firm**
- ☐ **Historically Underutilized Business Zone (HUBZone) Small Business**
- ☐ **Woman-Owned Small Business (WOSB)**
- ☐ **Economically Disadvantaged Woman-Owned Small Business (EDWOSB)**
- ☐ **Veteran-Owned Small Business (VOSB)**
- ☐ **Service-Disabled Veteran-Owned Small Business (SD-VOSB)**
- ☐ **Historically Black College or University/Minority Institution (HBCU/MI)**
- ☐ **Minority-Owned Business Enterprise (MBE)**

(Please check the appropriate category of ownership)

- ☐ Black American
- ☐ Hispanic American
- ☒ Native American
- ☐ Asian American
- ☐ **Woman-Owned Business (WBE)**

5. PROHIBITION ON CONTRACTING WITH INVERTED DOMESTIC CORPORATIONS (FAR 52.209-10)

☐ Offeror certifies that it is not an inverted domestic corporation and is not a subsidiary of one.

6. CERTIFICATION REGARDING RESPONSIBILITY MATTERS, TAX LIABILITY AND FELONY CONVICTION (FAR 52.209-5, 52.209-11)

The Offeror certifies, to the best of its knowledge and belief, that the Offeror and/or any of its Principals -

☐ **ARE**, ☐ **ARE NOT** presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

☐ **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 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, violating Federal criminal tax laws, or receiving stolen property. (If Offeror checks "**HAVE**", see FAR 52.209-7, if included in the solicitation);

☐ **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 paragraph (a)(1)(i)(B) of this provision;

☐ **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;

☐ **HAVE**, ☐ **HAVE NOT** within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency;

☐ **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

☐ **IS**, ☐ **IS NOT** a corporation that was convicted of a felony criminal violation under a Federal law within the preceding 24 months.

7. CONTRACTOR CODE OF BUSINESS ETHICS AND CONDUCT (FAR 52.203-13)

☐ Offeror certifies that it has a written Code of Business Ethics and Conduct which is available to employees engaged in performance of Government contracts and/or subcontracts.

☐ Offeror certifies that it has an ongoing business ethics awareness and compliance program to communicate periodically and in a practical manner the Offeror's standards and procedures and other aspects of the Offeror's business ethics awareness and compliance program and internal control system, by conducting effective training programs and otherwise disseminating information appropriate to an individual's respective roles and responsibilities.

8. CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (FAR 52.203-11, FAR 52.203-12)

☐ Offeror **is exempt** from certifying as the anticipated award value is <\$150k (including all options).

☐ Offeror hereby **certifies to the best of its knowledge and belief that 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 its behalf in connection with the awarding of this subcontract**

☐ Offeror has **attached OMB Standard Form (SF- LLL) disclosing lobbying activities with its offer.**

9. PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FAR 52.222-22)

The Offeror represents that:

It ☐ **HAS**, ☐ **HAS NOT** participated in a previous contract or subcontract subject to the Equal Opportunity Clause of this solicitation;

It ☐ **HAS**, ☐ **HAS NOT** filed all required compliance reports; and Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

☐ It is exempt (less than 50 employees).

10. EMPLOYMENT REPORTS ON VETERANS (FAR 52.222-38)

☐ Offeror certifies that it is in full compliance with the provisions set forth in FAR 52.222-38.

11. CERTIFICATION REGARDING A DRUG-FREE WORKPLACE (FAR 52.223-6)

☐ Offeror certifies that it is in full compliance with the provisions for a drug free workplace set forth in FAR 52.223-6.

12. REPORTING EXECUTIVE COMPENSATION AND FIRST-TIER SUBCONTRACT AWARDS (FAR 52.204-10)

The Offeror represents that:

If a Subcontract or Purchase Order award to Offeror has an expected value of \$30,000 or more in support of a prime contract, Prime Contractor must, subject to certain exceptions, gather and publicly report information regarding the award in accordance with FAR 52.204-10.

Has Offeror had gross income under \$300,000 in the previous tax year?

☐ YES

☐ NO

NOTE: If NO, Offeror is required to complete the ‘Subcontractor Executive Compensation Certification’ form for consideration of Subcontract or Purchase Order awards with an expected value of \$30,000 or more in support of a prime contract.

13. REPRESENTATION REGARDING CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT PROHIBITION (FAR 52.204-24)

Definitions and Prohibitions. See 52.204-25 for list of definitions and prohibitions as used in this provision.

The Offeror represents that:

- a) It ☐ **WILL PROVIDE**, ☐ **WILL NOT PROVIDE** covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation; and
- b) After conducting a reasonable inquiry, for purposes of this representation, the Offeror represents that:

It ☐ **DOES USE**, ☐ **DOES NOT USE** covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services.

If the Offeror has represented that it “**WILL PROVIDE**” or that it “**DOES USE**” covered telecommunications equipment or services, the Offeror shall provide the following information as part of the offer—

- a.) A description of all covered telecommunications equipment and services offered (include brand; model number, such as original equipment manufacturer (OEM) number, manufacturer part number, or wholesaler number; and item description, as applicable);
- b.) Explanation of the proposed use of covered telecommunications equipment and services and any factors relevant to determining if such use would be permissible under the prohibition paragraph of this provision;
- c.) For services, the entity providing the covered telecommunications services (include entity name, unique entity identifier, and Commercial and Government Entity (CAGE) code, if known); and
- d.) For equipment, the entity that produced the covered telecommunications equipment (include entity name, unique entity identifier, CAGE code, and whether the entity was the OEM or a distributor, if known).

14. REPRESENTATION REGARDING COVERED TELECOMMUNICATIONS EQUIPMENT OR SERVICES (FAR 52.204-26)

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. The offeror shall review the list of excluded parties in the System for Award Management (SAM) for entities excluded from receiving federal awards for “covered telecommunications equipment or services” as defined in FAR 204-25.

15. REGISTRATION WITH THE DIRECTORATE OF DEFENSE TRADE CONTROLS (DDTC)

The Offeror certifies that it ☐ **IS**, ☐ **IS NOT** required to be registered to manufacture or export defense articles or furnish defense services as required by the International Traffic in Arms Regulations (22 CFR Part 122). If required to be registered, the Offeror certifies it is currently registered with the DDTC.

16. PRESENCE OF CONFLICT MINERALS IN PRODUCTS SUPPLIED BY OFFEROR

Offeror certifies that it complies with Section 240.13p-1 of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Conflict Minerals have been defined by the SEC as consisting of the following: Tantalum, extracted from Columbite-Tantalite, or Coltan; Tin, extracted from Cassiterite; Gold; and Tungsten, extracted from Wolframite, when these minerals have originated from a *Covered Country*, which includes: Angola, Burundi, Central African Republic, the Republic of the Congo, Democratic Republic of Congo, Rwanda, South Sudan, Tanzania, Uganda, and Zambia.

Are Conflict Minerals necessary to the functionality or production of any products which Offeror proposes to supply as part of its proposal/materials?

☐ YES (Please attach a list to completed form) ☐ NO

17. PROHIBITION ON A BYTEDANCE COVERED APPLICATION (FAR 52.204-27)

(a) Definitions. As used in this clause-

Covered application means the social networking service TikTok or any successor application or service developed or provided by ByteDance Limited, or an entity owned by ByteDance Limited. Reference FAR 52.204-27 for expanded clause.

☐ Offeror certifies that it is in full compliance with the provisions set forth in FAR 52.204-27.

18. BUY AMERICAN ACT CERTIFICATION (FAR 52.225-2)

☐ Not Applicable

☐ Offeror certifies that they are compliant with the requirements and provisions in the Buy American Act (FAR 52.225-2).

19. BUY AMERICAN - FREE TRADE AGREEMENTS - ISRAELI TRADE ACT CERTIFICATE (FAR 52.225-4)

☐ Not Applicable

☐ Offeror certifies that they are compliant with the requirements and provisions in the Buy American – Free Trade Agreements as defined by FAR 52.225-3 & FAR 52.225-4.

20. CERTIFICATION OF COMPLIANCE - CONTRACTOR COUNTERFEIT ELECTRONIC PART DETECTION AND AVOIDANCE SYSTEMS (DFARS 252.246-7007)

a.) The Offeror certifies it has and maintains a documented Counterfeit Parts Prevention Control Plan or Policy that addresses the detection, risk mitigation, disposition, and reporting of suspect and/or confirmed counterfeit goods or services from entering the supply chain.

☐ YES

☐ NO, Reason: _____

☐ Not Applicable

b.) If YES, is such plan consistent with DFARS 252.246-7007 or Industry standards (e.g. SAE AS5553, SAEAS6496, or SAE AS6081, IDEA-STD-1010)

☐ YES

☐ NO, Reason: _____

☐ Not Applicable

c.) Are there any current or ongoing counterfeit parts issues?

☐ NO

☐ YES, (Please reference GIDEP, ERAI, or other tools): _____

21. CERTIFICATION OF COMPLIANCE - SOURCES OF ELECTRONIC PARTS (DFARS 252.246-7008)

The Offeror certifies its processes promote procurement of parts and materials through authorized sources and prevent the purchase, acceptance, and distribution of suspect and/or counterfeit parts.

☐ YES

☐ NO, Reason: _____

☐ Not Applicable

Note: An authorized source is identified as the OCM, OEM, their verified Authorized (Franchised) Distributors.

22. CERTIFICATION OF COMPLIANCE - RESTRICTION ON ACQUISITION OF CERTAIN ARTICLES CONTAINING SPECIALTY METALS (DFARS 252.225-7009)

The Offeror certifies that its processes ensure compliance with the requirements of DFARS 252.225-7009, including:

- a.) Procurement of specialty metals melted or produced in the United States, its outlying areas, or qualifying countries, as defined in DFARS 225.003.
- b.) Adherence to authorized exceptions, including for commercially available off-the-shelf (COTS) items, electronic components, or de minimis/national security exemptions.
- c.) The Offeror certifies compliance or will notify FES of any limited exceptions as set forth in the clause or DFARS subpart 225.7002-2 prior to delivery, providing supporting documentation.

☐ YES

☐ NO, Reason: _____

☐ Not Applicable

CERTIFICATION

This annual business certification contains various representations and certifications of the Supplier. The individual signing below must be an authorized representative of the Supplier and does hereby certify that they have read and understand the representations and certifications, and that all statements are true and correct to the best of their knowledge and belief. These representations and certifications shall be valid for requests for quotations and purchase orders issued by Frontier Electronic Systems Corporation for one year from the date of the signature below, or until the information presented on these representations and certifications changes, whichever occurs first. Signature on this certification concerns a matter within the jurisdiction of an agency of the United States and making of a false, fictitious or fraudulent certification may render the maker subject to prosecution under Section 1001, Title 18, United States Code.

Signature of Authorized Representative:	Date of Signature:
Printed/Typed Name of Authorized Representative:	Title of Authorized Representative: