

REPRESENTATION AND CERTIFICATIONS

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| OFFEROR NAME: | |
| UNIQUE ENTITY IDENTIFIER (UEI) ASSIGNED BY SAM.GOV: | |
| DUNS NO.: | |

PREAMBLE

Consolidated Nuclear Security, LLC (Company) is committed to conducting all business activities in compliance with applicable laws and regulations and U.S. Department of Energy (DOE), National Nuclear Security Administration (NNSA) directions. Therefore, and to the maximum extent permitted by law, Company intends to begin forbearing enforcement of clauses, provisions, terms, and conditions in its solicitations and subcontracts that relate to diversity, equity, and inclusion (DEI) policies or objectives. This forbearance may include, but is not limited to, any clauses that mandate diversity-related obligations, any reporting or recordkeeping requirements specifically related to the same, and to requirements imposed on subcontractors and their lower-tiers, unless those obligations or requirements are otherwise mandated by applicable law. Company anticipates issuing further guidance and direction regarding the enforcement of DEI terms, conditions, and requirements based on anticipated further guidance from DOE, NNSA.

REPRESENTATIONS AND CERTIFICATIONS

Offeror has read each of the representations and certifications herein, and by signing this below certification, Offeror attests, under penalty of law, to the accuracy and completeness of the representations and certifications contained herein:

OFFEROR:

(Offeror's Legal Name)

SIGNATURE:

(Name of Authorized Representative)

TITLE:

DATE:

CLAUSE NO. 1: ON-LINE REPRESENTATIONS AND CERTIFICATIONS APPLICATIONS

Offeror represents that it has completed the annual representations and certifications electronically in System for Award Management (SAM) accessed through <https://sam.gov>. After reviewing the SAM information, Offeror represents by submission of this offer that the representations and certifications currently posted electronically in SAM, are: (1) current, accurate, complete, and applicable to this solicitation (including the business size standard applicable to the North American Industry Classification System (NAICS) Code referenced for this solicitation), as of the date of this offer; (2) have been entered or updated in the last 12 months; (3) and are incorporated in this offer by reference (see FAR [4.1201](#)), except for the following Clauses at numbers 2 through 5 herein that Offeror has completed for the purposes of this solicitation only, if any:

Clauses:

CLAUSE NO. 2: OFFEROR SMALL BUSINESS REPRESENTATION

NOTICE: Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a "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 a contract to be awarded under the preference programs established pursuant to Sections 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references Section 8(d) for a definition of program eligibility, will (1) be punished by imposition of a fine, imprisonment, or both; (2) be subject to administrative remedies including suspension and debarment; and (3) be ineligible for participation in programs conducted under the authority of the Act.

Based on the business size standard applicable to the NAICS Code referenced for this solicitation, Offeror represents that by submission of this offer it is a:

- | | | | |
|---|----------------------------|--------------------------------------|--------------------------------|
| <input type="checkbox"/> OTSB | Other Than Small Business | <input type="checkbox"/> VO | Veteran-Owned Small Business |
| <input type="checkbox"/> HUBZONE | HUBZone Small Business | <input type="checkbox"/> SDB | Small Disadvantaged Business |
| <input type="checkbox"/> SB | Small Business | <input type="checkbox"/> SDVO | Service-Disabled Veteran-Owned |
| <input type="checkbox"/> WO | Woman-Owned Small Business | <input type="checkbox"/> 8(a) | 8(a) Participant |

REPRESENTATION AND CERTIFICATIONS

CLAUSE NO. 3. ANTI-KICKBACK

By submission of this offer, Offeror certifies that it has not provided, attempted to provide, offered to provide, solicited, accepted or attempted to accept any kickback; and has not included, directly or indirectly, that amount of any kickback in the offer. "Kickback" means any money, fee, commission, credit, gift, gratuity, thing of value, or compensation of any kind that is provided, directly or indirectly, to any prime contractors of the Company, prime Contractor employee, subcontractor at any tier, or employee of a subcontractor at any tier, for the purpose of improperly obtaining or regarding favorable treatment in connection with a Government prime contractor in connection with a subcontract at any tier relating to a Government prime contract.

CLAUSE NO. 4. BUY AMERICAN

(a) Offeror certifies that each end product except those listed in paragraph (b) of this provision is a domestic end product and that Offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States.

(b) Foreign end products

Line Item No.: _____ Country of Origin: _____

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

CLAUSE NO. 5: CERTIFICATION OF ENROLLMENT IN E-VERIFY (FAR 52.222-54)

(This clause applies to offers of more than \$3,500 in response to either solicitations for services or solicitations for construction work performed in the United States.)

Offeror certifies that-

☐ Offeror is not enrolled in E-Verify, but Offeror will enroll within 30 calendar days of any resulting award and will verify all new employees and employees assigned to any resulting award within 90 calendar days of enrollment or within 30 calendar days of the employee's assignment to the awarded subcontract, whichever date is later. Offeror will comply, for the period of performance of any resulting award, with the requirements of the E-Verify program.

☐ Offeror is enrolled in E-Verify, and will comply, for the period of performance of any resulting award, with the requirements of the E-Verify program.