

## PRE-AWARD INFORMATION

Please have this document executed by an official authorized to sign on behalf of your organization and return it as soon as possible. This document is intended to be a supplement to your Online Representations and Certifications Application in the System for Award Management (SAM). SAM is an e-Government initiative that was designed by the Integrated Acquisition Environment (IAE) to replace the paper based Representations and Certifications (Reps and Certs) process. The SAM on-line system can be found by going to <http://www.sam.gov> and clicking on "Online Reps and Certs Application" on the left side of the screen.

**PURCHASE ORDER/  
MODIFICATION OR SOLICITATION NO.**

### 1. Name and Location of Business Organization (Place of Performance)

UEI:

The Unique Entity ID (UEI#) is a unique 12 character alphanumeric ID assigned to an entity by SAM.gov. If you need assistance locating your UEI number, please visit <http://www.sam.gov> or call the Federal Service Desk at 1-866-606-8220.

Name of Company \_\_\_\_\_ DUNS # \_\_\_\_\_

**INSERT LEGAL NAME OF COMPANY**

Company Address \_\_\_\_\_

(Include Zip +4 Code)

Primary Performance Location \_\_\_\_\_

(Include Zip +4 Code)

E-mail address \_\_\_\_\_ www URL (Website Address) \_\_\_\_\_

Tax Payer Identification No. (TIN)

Social Security No. (SSN) if Individual \_\_\_\_\_

**Offeror must supply UEI# to receive any contract award to receive any award.**

### **SAM REGISTRATION IS REQUIRED FOR ALL AWARDS**

System for Award Management (SAM) Registration  YES or  NO

If checked YES, what is SAM Expiration Date \_\_\_\_\_.

### 2. BUSINESS ORGANIZATION

It operates as

an individual,

a partnership,

a non-profit, non-educational organization\*,

an educational institution\*\*,

a corporation, incorporated under the laws of the State of \_\_\_\_\_.

**The offeror represents as part of its offer that it  is,  is not a small U.S. domestic business concern whose primary service or product being offered was developed through a Small Business Innovation Research (SBIR) Program.**

*\*Nonprofit organization” means an organization of the type described in section 501 (c)(3) of the Internal Revenue Code of 1954 (26 U.S.C. 501 (c)) and exempt from taxation under section 501 (a) of the Internal Revenue Code (26 U.S.C. 501 (a).*

*\*\*Educational institution means a public or nonprofit institution of higher education, e.g., an accredited college or university, as defined in section 1201(a) of Public Law 89-329, November 8, 1965, Higher Education Act of 1965; (20 U.S.C. 1141 (a)).*

**3. LABORATORY TERMS AND CONDITIONS**

By submission of its offer, the offeror represents that, unless otherwise noted in the offeror's proposal, the Laboratory's standard terms and conditions (included in the Laboratory's solicitation) will be included in and govern any subsequent purchase order

**4. PERFORMANCE OF WORK LOCATION**

Will contractor personnel perform any part of the work at a Government-owned contractor-operated (GOCO) facility, such as ARGONNE, or at a Government-owned Government-operated (GOGO) facility?	Yes <input type="checkbox"/>	GOCO <input type="checkbox"/>
	No <input type="checkbox"/>	GOGO <input type="checkbox"/>

**5. BERYLLIUM MACHINING OR PROCESSING (Required if purchase order will entail the machining or processing of Beryllium)**

The offeror certifies that they are aware of beryllium hazards [10 CFR Part 850, Chronic Beryllium Disease Prevention Program, URL <http://www.eh.doe.gov/be/docs/berule.pdf> ] and are prepared to take necessary precautions in handling.

**6. BUY AMERICAN ACT – SUPPLIES (Does not apply to construction contracts)**

The offeror certifies that each end product, except those listed below, is a domestic end product (as defined in the clause entitled, Buy American Act), and that for other than commercially available off-the-shelf (COTS) items, components of unknown origin are considered to have been mined, produced, or manufactured outside the United States (as defined in the clause entitled, Buy American Act - Supplies). Note: Applicable Foreign End Products will be evaluated in accordance with FAR 25.105.

Foreign End Products	Country of Origin
_____	_____
_____	_____
_____	_____

(List as necessary)

**7. REPORTING EXECUTIVE COMPENSATION**

To receive any contract award valued at \$30,000 or more, offeror must provide the names and total compensation of each of the five most highly compensated executives for the Contractor’s preceding completed fiscal year, if --

(a) *Definitions.* As used in this clause:

“Executive” means officers, managing partners, or any other employees in management positions.

“First-tier subcontract” means a subcontract awarded directly by a Contractor to furnish supplies or services (including construction) for performance of a prime contract, but excludes supplier agreements with vendors, such as long term arrangements for materials or supplies that would normally be applied to a Contractor’s general and administrative expenses or indirect cost.

“Total compensation” means the cash and noncash dollar value earned by the executive during the Contractor’s preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

- (1) *Salary and bonus.*
- (2) *Awards of stock, stock options, and stock appreciation rights.* Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- (3) *Earnings for services under non-equity incentive plans.* This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

- (4) *Change in pension value.* This is the change in present value of defined benefit and actuarial pension plans.
  - (5) *Above-market earnings on deferred compensation which is not tax-qualified.*
  - (6) Other compensation, if the aggregate value of all such other compensation (e.g., severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.
- (d) (1) (i) in the Contractor's preceding fiscal year, the Contractor received—
- (A) 80 percent or more of its annual gross revenues in Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; and
  - (B) \$25,000,000 or more in annual gross revenues from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; and
- (ii) The public does not have access to information about the compensation of the 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. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

[CHECK ONE]

Contractor did not receive

- (a) 80% or more of its annual gross revenues in Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; or
- (b) \$25,000,000 or more in annual gross revenues from Federal contracts (and subcontracts), loans grants (and subgrants) and cooperative agreements; or

The public does have access to information about the compensation of the 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. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

- Information required is included herein.

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

Section 2(d)(2) of the Federal Funding Accountability and Transparency Act of 2006 (Pub. L. 109-282), as amended by section 6202 of the Government Funding Transparency Act of 2008 (Pub. L. 110-252), requires the Laboratory to report information on subcontract awards. The law requires all reported information be made public, therefore, the the Laboratory is advising hereby its subcontractors that the required information will be made public.

**CHECK IF APPLICABLE**

If the offeror in the previous tax year had gross income from all sources under \$300,000, the Laboratory is not required to report award to that contractor.

**8. SUSPECT/COUNTERFEIT PARTS CERTIFICATION**

Suspect/counterfeit parts shall not be used in the performance of any work resulting from this offer, whether on or off the Laboratory site, nor shall suspect/counterfeit parts be included in any supplies furnished as a result of this offer.

**9. BY SUBSCRIBING HERETO, THE OFFEROR/BIDDER AGREES THAT THE FOREGOING REPRESENTATIONS AND CERTIFICATIONS ARE TRUE AND CORRECT.**

Name of Official: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_