

**RE: REPRESENTATIONS AND CERTIFICATIONS OF SUPPLIERS  
UNDER GOVERNMENT PRIME CONTRACTS WITH A VALUE OF  
\$10,000.00 OR MORE.**

Gentlemen:

Under the Government's procurement acquisition regulations, it is necessary that suppliers certify that they comply with certain Government policies prior to award of an order funded under a Government Prime Contract.

In this regard, since your company is a supplier or potential supplier to FN Manufacturing, LLC (FNMLLC) under a Government funded Prime Contract, it is necessary that you complete, date, sign (by an authorized representative), and return the enclosed Representation and Certification Form(s) to the undersigned.

The Government requires that these Representations and Certifications be completed prior to award of any orders to your company. In accordance with this policy, no Purchase Orders/Subcontracts may be issued to your company for products or services, which will be used in the performance of our Government Prime contracts prior to the return of these Representations and Certifications.

In view of the importance of this matter, we request that your company complete the applicable portions of the enclosed Representations and Certifications Form(s) and return same with your quotation response.

Should you have any questions regarding this matter, please contact the writer at once.

Sincerely,

Enclosures

**TO: ALL FN MANUFACTURING, LLC SUPPLIERS OF MATERIALS, SUPPLIES AND SERVICES:**

FNMLLC is obligated by law to obtain certifications and information from its suppliers as specified in the following Federal law and regulations:

Equal Employment Opportunity Executive Order 11246 of September 24, 1965, as amended by Executive Orders 11375 of October 13, 1967 and 12086 of October 5, 1978, and rules, regulations and orders pursuant thereto.

Small Business Concerns and Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged individuals (15 U.S.C. 637 (d)).

Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters per FAR 52.209-5 and 52.209-6.

Please complete all sections, sign and return the attached form(s) regardless of whatever other form or correspondence you may use to respond to our request. Without the form, you will be deemed as non-compliant to FN's request and no orders can be placed with your company.

**EQUAL EMPLOYMENT OPPORTUNITY COMPLIANCE CERTIFICATE**

Has your company held contracts or subcontracts subject to the Equal Opportunity Clause contained in Executive Orders 10925, 11114 or 11246, as amended (FAR 52.222-26)?

YES  NO

Has your company filed or will it file the Employer Information Report EEO-1 (Standard Form 100) and all other required compliance reports (FAR 52.222-22)?

YES  NO

If "NO", check the appropriate reason for not filing:

- 1. Employ less than 50 people
- 2. Have not received any prime contracts, Government bills of lading first-tier subcontracts or on-site construction subcontracts below the first Tier for \$50,000 or more.
- 3. Have specific exemption from Secretary of Labor as provided in Section 204 or Executive Order 11246, as amended by Executive Order 12086.

Does your company have at each of its establishments a written Affirmative Action Compliance program, as called for in Part 60-1 of Title 41 of the Code of Federal Regulations (FAR 52.222-25)?

YES  NO

Has your company filed all reports due under the applicable filing requirements?

YES  NO

If "NO", within 120 days after receipt of any order of \$50,000 or more from FNMLLC, does your company agree if it has fifty (50) or more employees and is not otherwise exempt by law or regulation to develop an affirmative action compliance program for each of its establishments?

YES  NO

**FAR 52.222-22 - PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FEB 1999)**

The offeror represents that—

- (a) It  has,  has not participated in a previous contract or subcontract subject the Equal Opportunity clause of this solicitation;
- (b) It  has,  has not filed all required compliance reports; and
- (c) Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

**FAR 52.222-18 - CERTIFICATION REGARDING KNOWLEDGE OF CHILD LABOR FOR LISTED END PRODUCTS (FEB 2001)**

(a) *Definition.*

"Forced or indentured child labor" means all work or service—

- (1) Exacted from any person under the age of 18 under the menace of any penalty for its nonperformance and for which the worker does not offer himself voluntarily; or
- (2) Performed by any person under the age of 18 pursuant to a contract the enforcement of which can be accomplished by process or penalties.

(b) *Listed end products.* The following end product(s) being acquired under this solicitation is (are) included in the List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor, identified by their country of origin. There is a reasonable basis to believe that listed end products from the listed countries of origin may have been mined, produced, or manufactured by forced or indentured child labor.

Listed End Product	Listed Countries of Origin
_____	_____
_____	_____

(c) *Certification.* The Government will not make award to an offeror unless the offeror, by checking the appropriate block, certifies to either paragraph (c)(1) or paragraph (c)(2) of this provision.

- (1) The offeror will not supply any end product listed in paragraph (b) of this provision that was mined, produced, or manufactured in a corresponding country as listed for that end product.
- (2) The offeror may supply an end product listed in paragraph (b) of this provision that was mined, produced, or manufactured in the corresponding country as listed for that product. The offeror certifies that it has made a good faith effort to determine whether forced or indentured child labor was used to mine, produce, or manufacture such end product. On the basis of those efforts, the offeror certifies that it is not aware of any such use of child labor.

**FAR 52.225-2 - BUY AMERICAN ACT CERTIFICATE (June 2003)**

(a) The offeror certifies that each end product, except those listed in paragraph (b) of this provision, is a domestic end Product and that 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. The terms "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 No	Country of Origin
_____	_____
_____	_____
_____	_____

*[List as necessary]*

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

**FAR 52.225-4 - Buy American Act-Free Trade Agreements-Israeli Trade Act Certificate (Jan 2005)**

(a) The offeror certifies that each end product, except those listed in paragraph (b) or (c) of this provision, is a domestic end product and that the offeror has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The terms "component," "domestic end product," "end product," "foreign end product," and "United States" are defined in the clause of this solicitation entitled "Buy American Act-Free Trade Agreements-Israeli Trade Act."

(b) The offeror certifies that the following supplies are End Products of Australia, Canada, Chile, Mexico, or Singapore or Israeli end products as defined in the clause of this solicitation entitled "Buy American Act- Free Trade Agreements-Israeli Trade Act":

End Products of Australia, Canada, Chile, Mexico, or Singapore or Israeli  
End Products:

Line Item No	Country of Origin
_____	_____
_____	_____
_____	_____

*[List as necessary]*

- (c) The offeror shall list those supplies that are foreign end products (other than those listed in paragraph (b) of this provision) as defined in the clause of this solicitation entitled "Buy American Act-Free Trade Agreements-Israeli Trade Act." The offeror shall list as other foreign end products those end products manufactured in the United States that do not qualify as domestic end products.

Other Foreign End Products:

Line Item No	Country of Origin

[List as necessary]

- (d) FNMLLC will evaluate offers in accordance with the policies and procedures of Part 25 of the Federal Acquisition Regulation.

*Alternate I (Jan 2004).* As prescribed in 25.1101(b)(2)(ii), substitute the following paragraph (b) for paragraph (b) of the basic provision:

(b) The offeror certifies that the following supplies are Canadian end products as defined in the clause of this solicitation entitled "Buy American Act—Free Trade Agreements—Israeli Trade Act":  
Canadian End Products:

**LINE ITEM NO.**

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—
—

[List as necessary]

*Alternate II (Jan 2004).* As prescribed in 25.1101(b)(2)(iii), substitute the following paragraph (b) for paragraph (b) of the basic provision:

(b) The offeror certifies that the following supplies are Canadian end products or Israeli end products as defined in the clause of this solicitation entitled "Buy American Act—Free Trade Agreements—Israeli Trade Act":

CANADIAN OR ISRAELI END PRODUCTS:

LINE ITEM No.	COUNTRY OF ORIGIN
—	—
—	—
—	—

[List as necessary]

**FAR 52.225-6 - TRADE AGREEMENTS CERTIFICATE (JAN 2005)**

- (a) The offeror certifies that each end product, except those listed in paragraph (b) of this provision, is a U.S.-made or designated country end product, as defined in the clause of this solicitation entitled "Trade Agreements."
- (b) The offeror shall list as other end products those supplies that are not U.S.-made or designated country end products.

Other End Products:

Line Item No	Country of Origin
_____	_____
_____	_____
_____	_____

[List as necessary]

- (c) FNMLLC will evaluate offers in accordance with the policies and procedures of Part 25 of the Federal Acquisition Regulation. For line items covered by the WTO GPA, the Government will evaluate offers of U.S.-made or designated country end products without regard to the restrictions of the Buy American Act. FNMLLC will consider for award only offers of U.S.-made or designated country end products unless the Contracting Officer determines that there are no offers for such products or that the offers for those products are insufficient to fulfill the requirements of this solicitation.

**AUTHORIZED NEGOTIATORS**

The offeror or quoter represents that the following persons are authorized to negotiate on its behalf with Buyer in connection with this request for proposals or quotations:

Name	Title	Tel. No.
_____	_____	_____
_____	_____	_____

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

**PLEASE ASSURE THAT ALL SECTIONS ARE ANSWERED**

**THE OFFEROR CERTIFIES THAT THE INFORMATION CONTAINED WITHIN THIS DOCUMENT IS TRUE AND ACCURATE TO THE BEST OF ITS KNOWLEDGE.**

**BY THE EXECUTION OF THIS DOCUMENT, THE OFFEROR AGREES TO PROVIDE IMMEDIATE WRITTEN NOTICE TO FNMLLC. IF, AT ANY TIME DURING THE EFFECTIVE PERIOD OF THIS DOCUMENT, THE UNDERSIGNED OFFEROR LEARNS THAT THIS DOCUMENT WAS ERRONEOUS WHEN SUBMITTED OR HAS BECOME ERRONEOUS BY REASON OF CHANGED CIRCUMSTANCES.**

**THE EFFECTIVE PERIOD OF THIS DOCUMENT IS ONE YEAR FROM THE DATE OF EXECUTION THROUGH DECEMBER 31<sup>ST</sup> OF THE SAME YEAR.**

\_\_\_\_\_  
SIGNED TITLE

\_\_\_\_\_  
FIRM NAME DATE

**NOTE: The above referenced certification must be returned to Buyer before the award of any proposed purchase order by Buyer.**

**CERTIFICATE OF BUSINESS SIZE AND STATUS  
CERTIFICATION  
FAR 52.219-1**

	<b>Must list min of NICS code</b>	<b>Must check one of these categories</b>	
**	Seller certifies that it is a: <b>SIC Code</b> _____**	01 <input type="checkbox"/> Small Business Concern see FAR 52.219-19 thru 22 for details	
**	<b>NAICS Code</b> _____**	02 <input type="checkbox"/> Large Business Concern	
**	<b>DUNS #</b> _____	03 <input type="checkbox"/> Small Disadvantaged Business Concern * (see note a bottom pg.)	
	** Must have the first two digits for your NIAICS code. A government requirement reporting.	04 <input type="checkbox"/> Woman Owned Small Business Concern	
		05 <input type="checkbox"/> Woman Owned Small Disadvantaged Business	
		06 <input type="checkbox"/> HUBZone Small Business see FAR 52.219-4(a) for details	
		07 <input type="checkbox"/> NIB/NISH organization	
		08 <input type="checkbox"/> Service Disabled Veteran Owned Small Business * (see note )	
		09 <input type="checkbox"/> Veteran Owned Small Business	
Company Name		Date	Telephone :
Mailing Address		Number of years In business: _____	Fax number :
Shipping Address			E-mail address:
Official Name and Title of Certifying Official		Name of Parent Company	
Signature		Signature	
<p>NOTICE, as noted in FAR 52.219-1 (d) (2) Ref.</p> <p>Under 15 U.S.C. 645 (D), ANY PERSON WHO MISREPRESENTS A FIRM'S STATUS AS A SMALL BUSINESS CONCERN IN ORDER TO OBTAIN A CONTRACT TO BE AWARDED UNDER THE PREFERENCE PROGRAMS ESTABLISHED PURSUANT TO SECTION 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, SHALL</p> <p>(i) be punished by imposition of fine, imprisonment or both;</p> <p>(ii) be subject to administrative remedies, including suspension and debarment; and</p> <p>(iii) be ineligible for participation in programs conducted under the authority of the Act.</p>			
Seller is <input type="checkbox"/> <input type="checkbox"/> is not a Non-Profit Concern.		(07) NIB/NISH organization: <input type="checkbox"/> Yes <input type="checkbox"/> No	
Seller is <input type="checkbox"/> <input type="checkbox"/> is not a Foreign Owned Concern.			
Seller is:	<input type="checkbox"/> Independently Owned and Operated	<input type="checkbox"/> Manufacturer	
	<input type="checkbox"/> A Division of	<input type="checkbox"/> Distributor	
	<input type="checkbox"/> A Subsidiary of	<input type="checkbox"/> Service	
	<input type="checkbox"/> An Affiliate of	<input type="checkbox"/> Construction	
Name and Address of Parent Company			

\* If company claims small disadvantage business status, a supporting SBA certification or copy of the letter indicating certification has been requested must be attached to this certification.

\* If company claims to be Service Disabled Veteran Owned Small Business they must provide a copy of letter or certification from the Veteran's Administration.

\*\* Must have the first two digits for you SIC or NAICS code. The government requires this in the reporting of the SF-294s and SF-295s.

**RE: REPRESENTATIONS AND CERTIFICATIONS OF SUPPLIERS UNDER  
GOVERNMENT PRIME CONTRACTS WITH A VALUE OF \$25,000.00 OR MORE.**

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, PROPOSED DEBARMENT, AND  
OTHER RESPONSIBILITY MATTERS (FAR 52.209-5) (December 2001)**

- (1) The Offeror certifies, to the best of its knowledge and belief, that-
- (i) The Offeror and/or any of its Principals-
    - (A) *Are \_\_\_\_\_, are not \_\_\_\_\_ presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contract or subcontracts by any Federal agency;*
    - (B) 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, or receiving stolen property; and
    - (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 paragraph (a)(1)(i)(B) of this provision.
  - (ii) The Offeror has \_\_\_\_\_, has not \_\_\_\_\_, within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.
- (2) "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.

- (b) The Offeror shall provide immediate written notice to FNMLLC if, at any time prior to subcontract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- (c) 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's responsibility. Failure of the Offeror to furnish a certification or provide such additional information as requested by FNMLLC may render the Offeror nonresponsible.

- (d) 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 is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- (e) 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 knowingly rendered an erroneous certification, in addition to other remedies available to the FNMLLC, FNMLLC may terminate the subcontract resulting from this solicitation for default.

**PLEASE ASSURE THAT ALL SECTIONS ARE ANSWERED**

**THE OFFEROR CERTIFIES THAT THE INFORMATION CONTAINED WITHIN THIS DOCUMENT IS TRUE AND ACCURATE TO THE BEST OF ITS KNOWLEDGE.**

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**THE EFFECTIVE PERIOD OF THIS DOCUMENT IS ONE YEAR FROM THE DATE OF EXECUTION THROUGH DECEMBER 31<sup>ST</sup> OF THE SAME YEAR.**

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SIGNED \_\_\_\_\_ TITLE \_\_\_\_\_

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COMPANY \_\_\_\_\_ DATE \_\_\_\_\_

**NOTE: The above referenced certification must be returned to FNMLLC before the award of any proposed purchase order by a Buyer.**