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| Acknowledgement *(RFP Attachment A-1)* *(This completed acknowledgement must accompany your offer)* |

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| **Offeror Identification/Point of Contact** |

**1**. Offeror name:

***Note****: Include the full name of the firm (not just any operating division) that would be required by you to appear on a subcontract, if one were to be awarded to your firm.*

**2**. Name and telephone number of persons authorized to conduct negotiations:

Name:       Phone Number:

Name:       Phone Number:

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| **Offeror Information** |

**3**. Please indicate your Business Classification and Organization Type:

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| **Business Classification**  *(check all appropriate boxes in the left* ***OR*** *right column)* | |
| Large Business  Nonprofit Organization  Foreign Business/Institution  Government  Educational Institution  Historically Black Colleges & Universities/Other Minority Institutions (HBCU/MI) | Small Business (SB)  *(plus any of the below, if appropriate)*  Small Disadvantaged Business (SDB)  Woman-Owned (WOSB)  HUBZone (HUB)  Veteran-Owned (VOSB)  Service-Disabled VO (SDVOSB) |

The Offeror’s size and socioeconomic status representation is current, accurate, and complete as of the date of the offer in accordance with the size standard under this RFP, FAR 52.219-8(d)(1) and FAR 52.219-9(c)(2)(i). Notice to Offeror: 15 U.S.C. 645(d) Misrepresentation, etc., and FAR 52.219-9(e)(5) describe penalties and remedies for misrepresentations of business status as a small business for the purpose of obtaining an award.

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| **Organization Type**  *(check the appropriate types)* |
| Individual/Sole proprietor, under the laws of the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.  Partnership, under the laws of the State of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.  Corporation; incorporated under the laws of the State of ­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.  Non-profit  Government  Tax Exempt payee  Joint Venture  Limited Liability Company (LLC) --- *If “LLC” is checked, you must also select one of the following tax classifications:*  *D=disregarded  C=corporation  P=partnership* |
| **Defense Priorities and Allocations System** | | |

**4.** Are there any orders/contracts presently in your system that have priority, under the Defense Priorities and Allocations System, 15 CFR § 700 (DPAS), or otherwise, that would be placed ahead of the proposed work for JPL?

No

Yes – If yes, check all that apply below:

Existing commercial order(s)

Order(s) rated DO under DPAS

Order(s) rated DX under DPAS

Known priority delay(s) from any of your suppliers/lower-tiers

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| **Terms and Conditions** |

**5.** The Offeror acknowledges that the offer will be valid for      days after the date for receipt of offers specified on the cover page of this solicitation.

**6.** Disclosure of claims related to responsibility determination:

The Offeror shall disclose any pending claims against it (legal or otherwise) that may impact JPL’s determination of responsibility under FAR Part 9.  The disclosure shall state the basis of the claim, party asserting the claim and date of filing (or date the claim arose), court of jurisdiction (if applicable), proposer’s point of contact to discuss the claim with JPL, and a brief summary of the nature and basis of the claim.

This disclosure shall include, but is not limited to the following:

* Filed or pending lawsuits, demand letters, or administrative actions
* Labor disputes
* Breach of contract claims
* Claims of fraudulent misrepresentation
* Defamation claims
* Claims of misappropriation of trade secrets
* Claims challenging the proposer’s integrity or business ethics
* Claims based on any tort

**7.** The Offeror certifies that the Offeror presently does not have, and if awarded a subcontract will not have for the duration of the subcontract, any previous JPL or Caltech employee involved in this procurement who has separated from JPL for less than one year, who participated personally and substantially in the subject matter while working for JPL or Caltech, who was officially responsible for the subject matter while working for JPL or Caltech, and who owns or represents the proposer's organization.

**8.** Certification And Disclosure Regarding Payments To Influence Certain Federal Transactions (Sept 2007)

      (a) Definitions. As used in this provision-"Lobbying contact" has the meaning provided at [2 U.S.C. 1602(8)](http://uscode.house.gov/browse.xhtml;jsessionid=114A3287C7B3359E597506A31FC855B3). The terms "agency," "influencing or attempting to influence," "officer or employee of an agency," "person," "reasonable compensation," and "regularly employed" are defined in the FAR clause of this solicitation entitled "Limitation on Payments to Influence Certain Federal Transactions" ( [52.203-12](https://www.acquisition.gov/far/52.203-12#FAR_52_203_12)).

      (b) Prohibition. The prohibition and exceptions contained in the FAR clause of this solicitation entitled "Limitation on Payments to Influence Certain Federal Transactions" ( [52.203-12](https://www.acquisition.gov/far/52.203-12#FAR_52_203_12)) are hereby incorporated by reference in this provision.

      (c) Certification. The Offeror, by signing its offer, 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 contract.

      (d) Disclosure. If any registrants under the Lobbying Disclosure Act of 1995 have made a lobbying contact on behalf of the Offeror with respect to this contract, the Offeror shall complete and submit, with its offer, OMB Standard Form LLL, Disclosure of Lobbying Activities, to provide the name of the registrants. The Offeror need not report regularly employed officers or employees of the offeror to whom payments of reasonable compensation were made.

      (e) Penalty. Submission of this certification and disclosure is a prerequisite for making or entering into this subcontract imposed by [31 U.S.C. 1352](http://uscode.house.gov/browse.xhtml;jsessionid=114A3287C7B3359E597506A31FC855B3). Any person who makes an expenditure prohibited under this provision or who fails to file or amend the disclosure required 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.

**9.** Can you supply the requested items through a Federal Supply Schedule (GSA) Contract?

Yes If yes, list FSS (GSA) Contract No.:      ; skip No. 10.

No If no, complete the remainder of this form.

**10.** The Offeror *acknowledges* *does not acknowledge* the following are acceptable with no modifications, additions, or deletions in case of subcontract award: the Specimen Subcontract and its: Schedule/Articles, any exhibits and attachments, General Provisions (GPs) Set\*, Additional General Provisions (AGPs) Set\* (if applicable), and Subcontract Forms Set.\* (\*can be found at: [*https://acquisition.jpl.nasa.gov/terms-conditions/*](https://acquisition.jpl.nasa.gov/terms-conditions/)

***Note:*** *Many of the GPs and AGPs cannot be altered without NASA approval.* ***If you answer “does not acknowledge” above, attach a detailed explanation of the exception(s), including a thorough rationale for each exception.***

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| **Buy American Act** |

**11**. Preference will be given to United States (U.S.) domestic end products under the Buy American Act (BAA) for those items to be used in the U.S.

*The Offeror certifies that each end product/service to be supplied is domestic, as defined in the BAA, except for those which the Offeror has listed, with country of origin shown, on a separate attachment to this Acknowledgment and that components of unknown origin were considered by the Offeror to have been mined, produced, or manufactured outside the U.S. The Offeror also certifies whether the Offeror qualifies for any special treatment as a signator to any international agreements, such as designated country status under the Trade Agreements Act.*

**12**. Pursuant to FAR 52.204-25 and section 889(a)(1)(A) & (B) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232), as well as FAR 52.204–23 and National Defense Authorization Act for Fiscal Year 2018 (Public Law 115-91), your organization shall not provide nor cause JPL to use any telecommunications equipment, surveillance equipment, software, system, or service (or a component thereof) from any prohibited entity, including but not limited to: Kaspersky Labs, Huawei Technologies Company, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, Dahua Technology Company (or any subsidiary or affiliate of such entities), or an entity owned, controlled by, or connected to The People’s Republic of China, as determined by the Secretary of Defense.

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| **Audit/EEO Information** |

**13**. Name, address, phone number of cognizant Government Audit Agency representative:

Name:

Address:

Phone:

**14**. (A) Audit Reports. The Offeror agrees that all Government audit reports directly related to its offer(s) and subcontract, if any, resulting from this solicitation are authorized to be released to JPL. Yes No

(B) Is your organization a State or Local Government or Nonprofit Organization subject to Uniform Guidance 2 CFR200?  Yes  No

If yes, the “year ending” date of the most recent report is:       *(Attach a copy of the most recent report, unless previously submitted to JPL)*.

**15**. All prospective procurements (excluding construction) with an estimated contract value of $10,000,000 or more require that a determination be made by the Department of Labor (DOL) regarding a prospective domestic subcontractor’s Equal Employment Opportunity (EEO) status. A determination that the Offeror is either in compliance or is able to comply with EEO laws is a prerequisite to the Offeror’s eligibility for award.

If the offer is for $10,000,000 or more, the Offeror acknowledges that it  has  has not successfully survived an EEO survey within two years of the anticipated award date. *(If the “has” box is checked, a copy of the EEO Clearance should* *be included with the offer).*

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| **Earned Value Management (EVM)** |

**16**. Does your organization have a validated earned value management (EVM) system?

Yes  No

If yes, validation certified by:

Government Agency name:

Self-Certified

Dollar threshold at which your organization’s internal policy requires EVM:

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| **Reporting** **Executive Compensation FAR 52.204-10** |

**17**. In accordance with Public Law 109-282 and FAR 52.204-10, Reporting Executive Compensation for First-Tier Subcontract Awards (OCT 2016), you are required to provide certain information pertaining to compensation of executives in order to be eligible for this subcontract award. You are required to answer the following in connection with this requirement:

1. The public has access to information about the compensation of your executives through periodic reports filed with the Securities Exchange Commission Yes  No

If the answer is **Yes** to the above statement, you are exempt from this reporting requirement. Complete the “Offeror Certification” at the end of this form and submit with your proposal. If the answer is **No,** see section (b) below:

1. Your organization in the previous tax year had gross income from all sources equal to or greater than $300,000;

**and**

Your organization, in the previous fiscal year, received 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants), cooperative agreements, and other forms of Federal financial assistance;

**and**

Your organization, in the previous fiscal year, received $25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants), cooperative agreements, and other forms of Federal financial assistance.

Yes  No

If the answer is **No** to the above statement, you are exempt from this reporting requirement. Complete the “Offeror Certification” at the end of this form and submit with your proposal.

If the answer is **Yes** to the above statement, FAR 52.204-10 applies and you are required to report the names and total compensation of each of the five most highly compensated executives for the preceding completed fiscal year:

|  |  |
| --- | --- |
| Name | Total Compensation |
| 1. |  |
| 2. |  |
| 3. |  |
| 4. |  |
| 5. |  |

**Note**:

If the Offeror is awarded, the required information reported pursuant to FAR 52.204-10 will be made public.

If the answer to any of the above questions change during the course of the subcontract, contact the Subcontracts Manager to determine if you will be required to report Executive Compensation.

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I, the undersigned, hereby declare that I am a duly authorized representative of the organization below, and I can certify and commit the organization regarding the information on this form, including the total offer amount sub­mitted in response to RFQ/RFP No.      .

Further, the Offeror acknowledges receiving the following Addenda No(s). to the RFQ/RFP:

***Note****: Failure to acknowledge receipt of all Addenda may result in your offer being rejected.*

Organization:

***Note****: Insert legal name of the organization, not operating division. Such legal name is the name used on income tax filings.*

|  |  |  |  |
| --- | --- | --- | --- |
| Authorized Signature: |  | Date: |  |
| Type/Print Name: |  |  | |
| Phone: |  |  | |