



### Programmable Power

9250 Brown Deer Road, San Diego, CA 92121 U.S.A.  
Telephone: 858-450-0085 Fax:858-458-0267

## Representations and Certifications

AMETEK Vehicular Instrumentation Systems ("VIS") is required to obtain certain information from you relative to your compliance with certain government reporting requirements. Accordingly, you are required to complete the applicable sections of the Representations and Certifications form and return it to your AMETEK Subcontracts or Purchasing representative.

The Offeror makes the following Representations and Certifications, where applicable, as part of its offer. The Offeror shall provide immediate written notice to AMETEK if, at any time prior to contract award, the Offeror learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

Offeror's Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Federal Tax Identification Number: \_\_\_\_\_

Cage Code: \_\_\_\_\_ DUNS Number: \_\_\_\_\_

- A Division of \_\_\_\_\_ Name and Address of Parent Company \_\_\_\_\_
- A Subsidiary of \_\_\_\_\_
- An Affiliate of \_\_\_\_\_
- Independently Owned and Operated \_\_\_\_\_

### 1. Type of Business Operation

By checking the applicable box below, the Offeror represents that it operates as

- a Corporation incorporated under the laws of the State of \_\_\_\_\_
- an Individual
- a Partnership
- a Joint Venture



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#### 2. Place of Performance (FAR 52.215-6)

- (a) The Offeror in the performance of any contract resulting from this solicitation, \_\_\_ intends \_\_\_ does not intend to use one or more plants or facilities located at a different address from the address of the Offeror or respondent as indicated in this proposal response to request for quotation
- (b) If the Offeror checks "intends" in paragraph (a) of this provision, it shall insert in the following spaces the required information:

Place of Performance (Street Address, City, State, Zip Code):	Name and Address of Owner and Operator of the plant or facility if other than Offeror:

#### 3. Small Business Program Representations (FAR 52.219-1)

- (a) Number of Employees (including all division, affiliates, subsidiaries, and the parent company):  
\_\_\_\_\_

- (b) Check ALL applicable boxes below:

<input type="checkbox"/> Large Business	<input type="checkbox"/> Manufacturer	<input type="checkbox"/> Non-Profit/Charitable Business
<input type="checkbox"/> Small Business	<input type="checkbox"/> Consultant	<input type="checkbox"/> Foreign Business
<input type="checkbox"/> Small Business size standard	<input type="checkbox"/> Distributor/Dealer	<input type="checkbox"/> Historically Black College/University/ Minority Institution
<input type="checkbox"/> NAICS	<input type="checkbox"/> Service Industry	<input type="checkbox"/> Other

- (c) Complete if supplier represented itself as a Small Business

<input type="checkbox"/> Sm. Disadvantaged Business*	Complete if supplier represented itself as disadvantaged. Check The category in which its ownership falls	
<input type="checkbox"/> Woman-Owned Small Business	<input type="checkbox"/> Black American	<input type="checkbox"/> Asia-Pacific American
<input type="checkbox"/> Veteran-Owned Small Business	<input type="checkbox"/> Hispanic American	<input type="checkbox"/> Subcontinent Asian (Asian-Indian)
<input type="checkbox"/> Service Disabled Veteran	<input type="checkbox"/> Native American	
<input type="checkbox"/> HUBZone*		

\*Return a copy of SBA certification with this form.



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### 4. Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters (FAR 52.209-5)

The Offeror and/or any of its Principals:

- (a) \_\_\_ are \_\_\_ are not presently disbarred, suspended, proposed for disbarment, or declared ineligible for the award of contracts 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.
- (c) \_\_\_ are \_\_\_ are not presently indicted for, or otherwise criminally or civilly charged by a government entity with commission of any of the offenses enumerated in subdivision (a) (b) of this provision.
- (d) \_\_\_ has \_\_\_ has not, within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency.

### 5. Anti-Kickback Act (FAR 52.203-7)

"Kickback" means any money, fee, commission, credit, gift, gratuity, thing of value or compensation of any kind which is provided, directly or indirectly, to Ametek, its employees, subcontractors or subcontractors' employees for the purpose of improperly obtaining or rewarding favorable treatment in connection with a primes contract or in connection with a subcontract relating to a prime contract.

- (a) The Offeror represents and certifies compliance with Anti-Kickback Act Procedures, designed to prevent and detect kickbacks and attempted kickbacks in Offeror's operations and Offeror's direct business relationships.
- (b) The Offeror further certifies that no kickback as defined in the Anti-Kickback Act has been provided, or has any attempt been made to provide any such kickback by any agent or employee of the Offeror to any agent, subcontractor or employee of Ametek, or to any other subcontractors' employee.

### 6. Restrictions on Certain Foreign Purchases (FAR 52.225-13)

- (a) The Offeror represents and certifies that it will not acquire any supplies or services originating from sources with, or that were located in or transported from or through, countries whose products are banned from importation into the United States under regulations of the Office of Foreign Assets Control, Department of the Treasury. Those countries are Cuba, Iran, Iraq, Libya, North Korea and Sudan.
- (b) The Offeror represents and certifies that it will not acquire any supplies or services from entities controlled by the government of Iraq.



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### 7. Previous Contracts and Compliance Reports (FAR 52.22-22)

- (a) The Offeror represents and certifies that it \_\_\_ has \_\_\_ has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this Solicitation
- (b) The Offeror represents and certifies that it \_\_\_ has \_\_\_ has not filed all required compliance reports.
- (c) The Offeror shall obtain representations indicating submission of required compliance reports, signed by proposed subcontractors before subcontract awards.

### 8. Walsh-Healey Public Contracts Act (FAR 52.222.20)

This applies for the manufacture or furnishing of materials, supplies, articles or equipment. It does not apply to service or construction contracts.

All stipulation required by the Act and regulations issued by the Secretary of Labor (41 CFR Chapter 50) are incorporated by reference. These stipulations are subject to all applicable rulings and interpretations of the Secretary of Labor that are now, or may hereafter, be in effect.

- (a) The Offeror represents and certifies that all employees whose work relates to this contract shall be paid not less than the minimum wage prescribed by regulations issues by the Secretary of Labor (41 CFR 50-202.2). Learners, student learners, apprentices, and handicapped workers may be employed at less than the prescribed minimum wage (see 41 CFR 50-202.3) to the same extent that such employment is permitted under Section 14 of the Fair Labor Standards Act (41 U.S.C. 40).

### 9. U.S. Supplier Export Compliance Certification

Ametek requires that its suppliers certify certain information necessary to ensure compliance with U.S. Government export control laws and regulations. Adherences to these requirements is necessary for Ametek to place, or continue to place, contracts or purchase orders, participate in technical discussions, and/or provide any items, data or assistance. This certification must be signed by a duly authorized officer of the company.

Are you a U.S. Company? (Are you a corporation, business association, partnership, or any other entity that is incorporated to do business in the United States?)

Yes  No

If No, please indicate country of incorporation: \_\_\_\_\_

#### U.S. Registration Requirements

All Ametek suppliers who are U.S. entities or persons must comply with the regulatory requirements contained in the International Traffic in Arms Regulations (ITAR) 22 CFR §120 – 130. Specifically, pursuant to 22 CFR §122.1:

“(a) any person who engages in the United States in the business of either manufacturing or exporting defense articles or furnishing defense services is required to register with the Directorate of Defense Trade Controls. Manufacturers who do not engage in exporting must nevertheless register.”



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Is your company registered with the U.S. Department of State, Directorate of Defense Trade Controls?

Yes                      Expiration Date: \_\_\_\_\_

In Process                  Application Date: \_\_\_\_\_

No                              Provide explanation: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### Foreign Persons

(a) Does your company employ foreign persons or use foreign persons as contract labor or consultants at any of your U.S. locations? A foreign person is someone who is not a U.S. citizen or U.S. permanent resident alien (sometimes referred to as a "green card holder").

Yes     No

If yes, will they be involved in any way on Ametek programs?

(b) Will your company perform any work at non-U.S. facilities, affiliates or subsidiaries for Ametek programs?

Yes     No

(c) Will you be working with any non-U.S. company or third party who will utilize non-U.S. facilities or non-U.S. persons on Ametek programs?

Yes     No

### Export Classification

What is the classification of the products and/or services that you will be provided to Ametek (parts, materials, components, date)?

Item	Description	Control (ITAR or EAR)	Classification (USML Category or ECCN #)

\*Attach additional sheets as necessary

### Supplier Export Compliance Point of Contact

The person below is authorized to discuss/verify/confirm the export compliance requirements associated with this certification.



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Company Name: \_\_\_\_\_

Point of Contact: \_\_\_\_\_ Title: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email address: \_\_\_\_\_

#### Export Compliance Requirement

Export Controlled Goods, Data and Services: I understand that certain goods, data and/or services to be provided by Ametek under a contract or purchase order may be subject to U.S. Government export control laws and regulations including the International Traffic in Arms Regulations (ITAR) and the Export Administration Regulations (EAR). Goods or data that are subject to export controls and provided by Ametek will normally be marked as such. Controlled services will also be identified. I understand that I am obligated to contact Ametek immediately to obtain an export control determination in cases where export control jurisdiction has not been clearly marked or otherwise identified by Ametek. I understand that providing access to U.S. export controlled goods, data or services to non-U.S. persons either in the U.S. or abroad is prohibited without prior written authorization from the U.S. Government

#### Code of Ethics

The Offeror hereby certifies that it has a Code of Business Ethics and Conduct and related Awareness Program and Internal Control Systems and otherwise complies with the requirements of FAR 52.203-13 and 52.203-14. (Certification is required for subcontract awards of \$5,000,000 or more.)

### 10. Authorized Signature

By signing below, the Offeror hereby certifies all the foregoing representations and certifications as correct. In the event an Offeror's certification, representation or agreement as stated herein changes, the Offeror shall notify Ametek in writing within thirty (30) days of such change.

In addition, the Offeror represents that it understands that the making of a false, fictitious or fraudulent certification may render the maker subject to criminal prosecution under Section 1001, Title 18, United States Code; and that it has notice of the provisions and requirements of the referenced FAR clauses.

Company Name: \_\_\_\_\_

Authorized Representative Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

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