Section K Representations, Certifications and Other Statements of Offerors

Precise Ensemble Network Communications Allowing Positioning, Navigation, and Timing (PENCAP)
Solicitation/Model Contract #FA2377-26-R-B014
OFFEROR INSERT COMPANY NAME, CAGE
OFFEROR INSERT PROPOSAL NUMBER/TITLE

The following RFO/R-DFARS provisions shall be completed and returned **as applicable to the contract information stated above.** Please ensure the full text of these provisions are reviewed directly from the corresponding regulation prior to completing the fill-ins. This document supplements the annual Representations and Certifications from SAM.gov. If you have any questions, please contact the Contract Specialist, Gabriel Berner at Gabriel.Berner@us.af.mil. **Note to Offeror: Once completed, please print this document to Adobe PDF, insert digital signature on the final page and return.**

In accordance with RFO 52.252-1, Solicitation Provisions Incorporated by Reference (FEB 1998):

1. These provisions are incorporated by reference and available in full text at https://www.acquisition.gov/
   a. RFO: https://www.acquisition.gov/far-overhaul
   b. R-DFARS: https://www.acq.osd.mil/dpap/dars/dfars_far_overhaul_class_deviations.html
   c. Class Deviations: Links to full text of applicable memorandum included in chart below.

2. Many provisions require fill-in information or disclosures from the offeror, as noted throughout below the table. If a provision has a fill-in, that information is contained in a row directly below that provision.

3. Those requiring completion by the Contractor will cite the applicable paragraph reference and be left blank upon receipt from the Contract Specialist. Please select the appropriate box by clicking on it, or enter the text in the space available with the paragraph reference.

RFO / R-DFARS Provision(s)	Title	Applicability
52.203-2 – N/A for Cost	Certificate of Independent Price Determination (Apr 1985)	Applies to All Firm Fixed Price and Fixed price contracts or Fixed-Price Contract with Economic Price Adjustment
	(b)(2)(i) Has been authorized, in writing, to act as agent for the following principals in certifying that those principals have not participated, and will not participate in any action contrary to paragraphs (a)(1) through (a)(3) of this provision Full name of person(s) — Title of position in offeror's organization	
52.204-7	System for Award Management - Registration (FEB 2026)	
52.204-90	Offeror Identification (FEB 2026)	All

52.209-7	Information Regarding Responsibility Matters (FEB 2026)	All
	(b) The offeror ☐has ☐does not have current active Federal contracts and grants with total value greater than $10,000,000.	All greater than $750,000
52.209-12	Certification Regarding Tax Matters (OCT 2025)	
	(b)(1) Has ☐ filed all Federal tax returns required during the three years preceding the certification; (b)(2) Has not ☐ been convicted of a criminal offense under the Internal Revenue Code of 1986; and (b)(3) Has not ☐ more than 90 days prior to certification, been notified of any unpaid Federal tax assessment for which the liability remains unsatisfied, unless the assessment is the subject of an installment agreement or offer in compromise that has been approved by the Internal Revenue Service and is not in default, or the assessment is the subject of a non-frivolous administrative or judicial proceeding.	All greater than $7M
52.209-13	Violation of Arms Control Treaties or Agreements-Certification (FEB 2026)	
	(b)*Certification [Offer shall check either (1) or(2)]* ☐(1) ☐(2)	All exceeding SAT
52.211-14	Notice of Priority Rating for National Defense, Emergency Preparedness, and Energy Program Use (APR 2008)	All
52.215-22	Limitations on Pass-Through Charges-Identification of Subcontract Effort (Oct 2009)	Applies when award exceeds the threshold for obtaining cost or pricing data and is other than fixed price.
52.222-56	Certification Regarding Trafficking in Persons Compliance Plan (FEB 2026)	Applies when at least $700k of anticipated contract value may be performed outside US AND acquisition is not entirely for COTS items
52.229-11	Tax on Certain Foreign Procurements—Notice and Representation (FEB 2026)	All
	(d)(1) It ☐is ☐ is not a foreign person (d)(2) ☐a full exemption, or ☐ partial or no exemption	

	Reference (e)(2) for offeror submission should (d)(1) represent the offeror is a foreign person	
52.230-1	Cost Accounting Standards Notices and Certification (FEB 2026)	Applicable to all subject to CAS (generally all except small businesses or foreign governments)
	(c) Check the appropriate box below: (1) ☐ *Certificate of Concurrent Submission of Disclosure Statement*. The offeror hereby certifies that, as a part of the offer, copies of the Disclosure Statement have been submitted as follows: (i) Original and one copy to the cognizant Administrative Contracting Officer (ACO) or cognizant Federal agency official authorized to act in that capacity (Federal official), as applicable; and (ii) One copy to the cognizant Federal auditor. (Disclosure must be on Form No. CASB DS-1 or CASB DS-2, as applicable. Forms may be obtained from the cognizant ACO or Federal official.) Date of Disclosure Statement: _____ Name and Address of Cognizant ACO or Federal Official Where Filed: _____ The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the Disclosure Statement. (2) ☐ *Certificate of Previously Submitted Disclosure Statement*. The offeror hereby certifies that the required Disclosure Statement was filed as follows: Date of Disclosure Statement: Name and Address of Cognizant ACO or Federal Official Where Filed: _____ The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the applicable Disclosure Statement. (3) ☐ *Certificate of Monetary Exemption*. The offeror hereby certifies that the offeror, together with all divisions, subsidiaries, and affiliates under common control, did not receive net awards of negotiated prime contracts and subcontracts subject to CAS totaling $50 million or more in the cost accounting period immediately preceding the period in which this proposal was submitted. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately.	

	(4) ☐ *Certificate of Interim Exemption*. The offeror hereby certifies that (i) the offeror first exceeded the monetary exemption for disclosure, as defined in (3) of this subsection, in the cost accounting period immediately preceding the period in which this offer was submitted and (ii) in accordance with 48 CFR 9903.202-1, the offeror is not yet required to submit a Disclosure Statement. The offeror further certifies that if an award resulting from this proposal has not been made within 90 days after the end of that period, the offeror will immediately submit a revised certificate to the Contracting Officer, in the form specified under paragraph (c)(1) or (c)(2) of Part I of this provision, as appropriate, to verify submission of a completed Disclosure Statement. *Caution*: Offerors currently required to disclose because they were awarded a CAS-covered prime contract or subcontract of $50 million or more in the current cost accounting period may not claim this exemption (4). Further, the exemption applies only in connection with proposals submitted before expiration of the 90-day period following the cost accounting period in which the monetary exemption was exceeded. II. Cost Accounting Standards-Eligibility for Modified Contract Coverage If the offeror is eligible to use the modified provisions of 48 CFR 9903.201-2(b) and elects to do so, the offeror shall indicate by checking the box below. Checking the box below shall mean that the resultant contract is subject to the Disclosure and Consistency of Cost Accounting Practices clause in lieu of the Cost Accounting Standards clause. ☐ The offeror hereby claims an exemption from the Cost Accounting Standards clause under the provisions of 48 CFR 9903.201-2(b) and certifies that the offeror is eligible for use of the Disclosure and Consistency of Cost Accounting Practices clause because during the cost accounting period immediately preceding the period in which this proposal was submitted, the offeror received less than $50 million in awards of CAS-covered prime contracts and subcontracts. The offeror further certifies that if such status changes before an award resulting from this proposal, the offeror will advise the Contracting Officer immediately. *Caution*: An offeror may not claim the above eligibility for modified contract coverage if this proposal is expected to result in the award of a CAS-covered contract of $50 million or more or if, during its current cost accounting period, the offeror has been awarded a single CAS-covered prime contract or subcontract of $50 million or more. III. Additional Cost Accounting Standards Applicable to Existing Contracts The offeror shall indicate below whether award of the contemplated contract would, in accordance with paragraph (a)(3) of the Cost Accounting Standards clause, require a change in established cost accounting practices affecting existing contracts and subcontracts. ☐ Yes ☐ No (End of provision)	
52.230-7	Proposal Disclosure-Cost Accounting Practice Changes (APR 2005)	Applicable to contracts subject to CAS

	☐ yes ☐ no Reference paragraph (1) & (2) for offer required submission(s) should "Yes" be selected above.	
52.240-90	Security Prohibitions and Exclusions Representations and Certifications (FEB 2026)	All
52.252-5	Authorized Deviations in Provisions (NOV 2020)	All
	(b) The use in this solicitation of any ***DFARS*** (48 CFR Chapter ***2***) provision with an authorized deviation is indicated by the addition of "(DEVIATION)" after the name of the regulation.	
252.203-7005	Representation Relating to Compensation of Former DoD Officials (SEP 2022)	All
252.204-7998	Alternate A, Annual Representations and Certifications (DEVIATION 2026-O0043)(FEB 2026)	All • Paragraph (f)(2) is applicable as noted below
	(f)(2) The following representations or certifications in SAM are applicable to this solicitation as indicated by the Contracting Officer: *[Contracting Officer check as appropriate.]* __X__(i) 252.209-7002, Disclosure of Ownership or Control by a Foreign Government. ____(ii) 252.225-7000, Buy American—Balance of Payments Program Certificate. ____(iii) 252.225-7020, Trade Agreements Certificate. ____Use with Alternate I. ____(iv) 252.225-7031, Secondary Arab Boycott of Israel. ____(v) 252.225-7035, Buy American—Free Trade Agreements—Balance of Payments Program Certificate. ____Use with Alternate I. ____Use with Alternate II. ____Use with Alternate III. ____Use with Alternate IV. ____Use with Alternate V. ____ (vi) 252.226-7002, Representation for Demonstration Project for Contractors Employing Persons with Disabilities. __X__ (vii) 252.232-7015, Performance-Based Payments—Representation. (g) The Offeror has completed the annual representations and certifications electronically via the SAM website at *https://www.sam.gov* After reviewing the SAM database information, the Offeror verifies by submission of the offer that the representations and certifications currently posted electronically that apply to this solicitation as indicated in FAR 52.204-7 and paragraph (f) of this provision have been entered or updated within the last 12 months, are current, accurate, complete, and applicable to this solicitation (including the	

	business size standard applicable to the NAICS code referenced for this solicitation), as of the date of this offer, and are incorporated in this offer by reference (see FAR 4.203-1); except for the changes identified below [*Offeror to insert changes, identifying change by provision number, title, date*]. These amended representation(s) and/or certification(s) are also incorporated in this offer and are current, accurate, and complete as of the date of this offer FAR/DFARS provision No. | Title | Date | Change Any changes provided by the Offeror are applicable to this solicitation only, and do not result in an update to the representations and certifications located in the SAM database.	
252.204-7008	Compliance with Safeguarding Covered Defense Information Controls (OCT 2016)	All
252.204-7016	Covered Defense Telecommunications Equipment or Services – Representation (DEC 2019)	All , can delete if included in contractor reps & certs.
	(c) ☐does ☐does not	
252.204-7017	Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or Services—Representation (MAY 2021)	
	(c) ☐will ☐will not Reference paragraph (e) for applicable disclosure information required to be provided should the offer provide a positive response	
252.204-7024	Notice on the Use of the Supplier Performance Risk System (MAR 2023)	All (except for supplies or services exempted by DoDI 5000.79. R&D is not exempted)
252.204-7025	Notice of Cybersecurity Maturity Model Certification Level Requirements (NOV 2025)	All when clause 252.204-7021 applies (include in all unless acquisition is solely for COTS items)
	(b)(1) Cybersecurity Maturity Model Certification (CMMC) level. The CMMC level required by this solicitation is: CMMC Level 2 (Self). This CMMC level, or higher (see 32 CFR part 170), is required prior to award for each contractor information system that will process, store, or transmit Federal contract information (FCI) or controlled unclassified information (CUI) during performance of the contract.	
252.215-7013	Supplies and Services Provided by Nontraditional Defense Contractors (JAN 2023)	All
252.219-7000	Advancing Small Business Growth (Jun 2023)	Applies when the estimated annual value of the contract is expected to exceed the small business size standard or $70M

		if small business size standard is expressed as #'s of employees for the NASIC Code in this solicitation
252.225-7003	Report of Intended Performance Outside the United States and Canada – Submission with Offer (OCT 2025)	Applies if anticipated contract value will exceed $20M
252.225-7055	Representation Regarding Business Operations with the Maduro Regime (MAY 2022)	All
252.225-7057	Preaward Disclosure of Employment of Individuals Who Work in the People's Republic of China (AUG 2022)	All
252.225-7059	Prohibition on Certain Procurements from the Xinjiang Uyghur Autonomous Region–Representation (JUN 2023)	All
252.225-7966	Prohibition Regarding Russian Fossil Fuels Business Operations – Representation (DEVIATION 2024-O0006, REVISION 1) (MAR 2024) https://www.acq.osd.mil/dpap/policy/policyvault/USA000513-24-DPC.pdf	All over SAT unless contracts are- Jointly determined by the Secretary of Defense and Secretary of State to be— • Necessary for purposes of— o Providing humanitarian assistance to the people of Russia; or o Disaster relief and other urgent lifesaving measures; • Vital to the national security interests of the United States; or • A business operation with a fossil fuel company in a country other than the Russian Federation that was entered into prior to the date of the effective date of the prohibition; • Related to the operation and maintenance of the U.S. Government's consular offices and diplomatic posts in Russia; or x Licensed by the Office of Foreign Assets Control of the Department of the Treasury or

		otherwise authorized to operate in Russian by the U.S. Government.
252.225-7973	Prohibition on the Procurement of Foreign-Made Unmanned Aircraft Systems—Representation. (DEVIATION 2024-O0014) (AUG 2024) https://www.acq.osd.mil/dpap/policy/policyvault/USA001878-24-DPCAP.pdf	•All, unless (1) Counter-unmanned aircraft system surrogate testing and training; or (2) Intelligence, electronic warfare, and information warfare operations, texting, analysis, and training; or (b) A waiver has been granted by the Secretary of Defense in accordance with section 848 of the National Defense Authorization Act for Fiscal Year 2020 (Pub. L. 116-92) and section 817 of the NDAA for FY 2023 (Pub. L. 117-263)
252.227-7028	Technical Data or Computer Software Previously Delivered to the Government (JUN 1995)	All
252.227-7992	Identification and Assertion of Use, Release, or Disclosure Restrictions (DEVIATION 2026-O0036)(FEB 2026)	All
	Note to Offeror: Reference Solicitation Attachment No. 3, Model Contract, for Identification and Assertion of Use, Release, or Disclosure Restrictions	
252.228-7001	Ground and Flight Risk (MAR 2023)	Only applicable if conditions under DFARS 228-371(b) apply
252.239-7009	Representation of Use of Cloud Computing (SEP 2015)	Applies to information technology services (include for most R&D)
	(c) ☐does ☐does not	
252.239-7017	Notice of Supply Chain Risk (DEC 2022)	All
252.239-7098	Prohibition on Contracting to Maintain or Establish a Computer Network Unless Such Network is Designed to Block Access to Certain Websites - Representation (DEVIATION 2021-O0003)(APR 2021) https://www.acq.osd.mil/dpap/policy/policyvault/USA000226-21-DPC.pdf	All

End of Provision Chart

Signature signifying accuracy and completeness of the above representations and Certifications:

SIGNATURE/DATE: _____

NAME: _____

TITLE: