

MIT LINCOLN LABORATORY

SMALL BUSINESS PROGRAM CERTIFICATIONS AND REPRESENTATIONS (April 2008)

All prospective MIT Lincoln Laboratory (MIT LL) vendors shall complete the following certifications and representations. For affirmative responses to question (b)(2) [SDB] or question (b)(6) [HubZone], MIT LL requires that a copy of the SBA certification, which can be found at http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm, be attached.

(a) **The North American Industry Classification System (NAICS).**

(1) The NAICS No. for which the firm completing this form is certifying is _____.

(Firms certifying under multiple NAICS codes, use a separate form for each NAICS.)

(2) The small business size status is derived from the receipts, number of employees, assets, barrels of oil, and/or megawatt hours. The small business size standard for the NAICS code entered above can be found at http://www.naics.com/sba_sizestandards.htm.

(3) The small business size standard for a concern which submits an offer in its own name, other than on a construction or service contract, but which proposes to furnish a product which it did not itself manufacture, is 500 employees.

(b) **Representations.**

(1) The offeror represents as part of its offer that it is, is not a small business concern.

(2) [Complete only if offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] (Note: SBA certification must be attached if "is" box is checked.)

The offeror represents, for general statistical purposes, that it is, is not a small disadvantaged business concern as defined in 13 CFR 124.1002.

(3) [Complete only if offeror represented itself as a small business concern in paragraph (b)(1) of this provision.]

The offeror represents as part of its offer that it is, is not a women-owned small business concern.

(4) [Complete only if the offeror represented itself as a small business concern in paragraph (b)(1) of this provision.]

The offeror represents as part of its offer that it is, is not a veteran-owned small business concern.

(5) [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (b)(4) of this provision.]

The offeror represents as part of its offer that it is, is not a service-disabled veteran-owned small business concern.

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(6) [Complete only if offeror represented itself as a small business concern in paragraph (b)(1) of this provision.] The offeror represents, as part of its offer, *(Note: SBA certification must be attached if "is" box in item (i) below is checked)* that

(i) It is, is not a HUBZone small business concern listed, on the date of this representation, on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration, and no material change in ownership and control, principal office of ownership, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR Part 126; and

(ii) It is, is not a joint venture that complies with the requirements of 13 CFR Part 126, and the representation in paragraph (b)(6)(i) of this provision is accurate for the HUBZone small business concern or concerns that are participating in the joint venture. [The offeror shall enter the name or names of the HUBZone small business concern or concerns that are participating in the joint venture: _____.] Each HUBZone small business concern participating in the joint venture shall submit a separate signed copy of the HUBZone representation.

(c) Definitions.

As used in this provision,

"Service-disabled veteran-owned small business concern"

(1) Means a small business concern

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) "Service-disabled veteran" means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

"Small business concern"

Means a concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria in 13 CFR Part 121 and the size standard in paragraph (a) of this provision.

"Veteran-owned small business concern"

Means a small business concern

(1) Not less than 51 percent of which is owned by one or more veterans, as defined at 38 U.S.C. 101(2), or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

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“Women-owned small business concern”

Means a small business concern

- (1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and
- (2) Whose management and daily business operations are controlled by one or more women.

(d) Penalties

Under 15 U.S.C. 645(d), any person who misrepresents a firm’s status, shall

- (1) Be punished by imposition of fine, imprisonment, or both;
- (2) Be subject to administrative remedies, including suspension and debarment; and
- (3) Be ineligible for participation in programs conducted under the authority of the Act.

OFFEROR'S NAME AND TITLE OF PERSON AUTHORIZED TO BIND OFFEROR (Type or Print Company Name)	
COMPANY	TITLE
SIGNATURE	DATE