

ENGILITY

10/17/12
 approved by
 Jen H. @ osp

**ENGILITY CORPORATION
 ANNUAL SUPPLIER REPRESENTATIONS and CERTIFICATIONS
 PLEASE READ CAREFULLY**

Procurement of material, services and supplies for a United States Government contract requires that prime contractors, subcontractors and suppliers comply with socioeconomic programs enacted into public law, implemented by Executive Order, and promulgated by Federal Regulations. Representations and Certifications must be completed prior to award of any order(s) to your company and be updated annually.

COMPANY NAME	The Pennsylvania State University						
ADDRESS, PO BOX, SUITE NO.	Office of Sponsored Programs 110 Technology Center Building						
CITY, STATE, ZIP CODE	University Park, PA 16802-7000						
PHONE	(814) 865-1372						
FAX	(814) 865-3377						
E-MAIL ADDRESS	osp@psu.edu						
CAGE CODE	7A720						
DUNS NUMBER (FAR 52.204-6)	00-340-3953						
TAXPAYER IDENTIFICATION NUMBER (TIN) (FAR 52.204-3)	24-6000376						
NUMBER OF EMPLOYEES FOR LAST 12 MONTHS (FAR 52.212-3 (c)(8)(ii)(A)) or	Approximately 17,780						
NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM (NAICS) CODE (FAR 19.102) NAICS Code listings are also available at your public library, and through the Internet at: http://www.sba.gov/regulations/sic/codes/ . (End of Provision)	Enter the 6-digit NAICS Code that most closely represents the product, commodity or service that your firm is likely to sell to Engility Corporation in the calendar year covered by these representations. NAICS Code: <table border="1" style="display: inline-table; vertical-align: middle;"> <tr> <td style="text-align: center;">6</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td style="text-align: center;">0</td> </tr> </table>	6	1	1	3	1	0
6	1	1	3	1	0		

Please review each statement below and place a check mark in the box that represents your current state of compliance with each requirement. **NOTE: DO NOT LEAVE ANY OF THE SECTIONS BLANK.** Sign and date the last page and return the completed form to the appropriate Engility Corporation Procurement Compliance Office.

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1. TYPE OF BUSINESS ORGANIZATION (Must be on file for each Supplier) – (FAR 52.204-3) (Oct 1998) All Orders

Taxpayer Identification Number (TIN)

TIN: 24-6000376

TIN has been applied for

TIN is not required because:

Offeror is a nonresident alien, foreign corporation, or foreign partnership that does not have income effectively connected with the conduct of a trade or business in the United States and does not have an office or place of business or a fiscal paying agent in the United States;

Offeror is an agency or instrumentality of a foreign government;

Offeror is an agency or instrumentality of the Federal Government.

The offeror, by checking the applicable box, represents that it operates as -

a corporation incorporated under the laws of the State of _____

a sole proprietorship

a government entity (Federal, State, or local)

a foreign entity and if a corporation registered for business in _____ (country)

a partnership

an International organization per 26 CFR 1.6049-4 or

a joint venture between _____

an individual

Offeror is not owned or controlled by a common parent as defined in paragraph (a) of this provision.

Name and TIN of common parent:

Name: _____

TIN: _____

REPORTING EXECUTIVE COMPENSATION AND FIRST TIER SUBCONTRACT AWARDS (FAR 52.204-10) (July 2010)

The following questions (1-3) apply to first tier sub-award recipients to US Federal Contracts only. If you are not a first tier sub-award recipient, please skip this section and go to section 2.

1) In the previous tax year, was your company's gross income from all sources under \$300,000?

YES NO

(If your response to item 1 is "No", please skip questions 2 and 3 below and go to section 2)

2) In your preceding completed fiscal year, did you receive:

1) 80% or more of annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements; and

2) \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements?

YES NO

(If your response to item 2 above is "No", please skip item 3 below and go to section 2)

3) Does the public have access to information about the compensation of the senior executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d), or section 6104 of the Internal Revenue Code of 1986?

YES NO

Yes (if your response to item 3 is "Yes", go to section 2)

No (if your response to item 3 is "No", complete compensation information as indicated below)

Name: _____ Position: _____ Salary: (US Dollar) _____

Name: _____ Position: _____ Salary: (US Dollar) _____

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Name: _____ Position: _____ Salary: (US Dollar) _____

Name: _____ Position: _____ Salary: (US Dollar) _____

Name: _____ Position: _____ Salary: (US Dollar) _____

(End of provision)

2. BUSINESS SIZE AND TYPE CLASSIFICATION: OFFEROR REPRESENTS THAT IT IS A (FAR 52.219-1) (May 2004) - All Orders.

NOTICE OF PENALTY Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, small disadvantaged, or women-owned 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 (i) be punished by imposition of fine, imprisonment, or both; (ii) be subject to administrative remedies, including suspension and debarment; and (iii) be ineligible for participation in programs conducted under the authority of the Act (FAR 52.219-1(d)(2)).

SMALL BUSINESS (SB) – (FAR 52.219.1)(May 2004) "*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, and qualifies as a small business under the criteria in 13 CFR Part 121 and the size standard identified by the NAICS Code identified in above.

WOMEN-OWNED SMALL (WOSB) (FAR 52.219.1) (May 2004) – "*Women-Owned Small Business Concern*" means a small business concern which is at least 51% owned by one or more women or, in the case of any publicly owned business, at least 51% of the stock of which is owned by one or more women and whose management and daily business operations are controlled by one or more women.

HISTORICALLY BLACK COLLEGE or UNIVERSITY (HBCU) (FAR 52.226-2) (Oct 2008) – "*Historically Black College or University*" means an institution determined by the Secretary of Education to meet the requirements of 34 CFR 608.2. For the Department of Defense, the National Aeronautics and Space Administration, and the Coast Guard, the term also includes any nonprofit research institution that was an integral part of such a college or university before November 14, 1986.

MINORITY INSTITUTION (MI) (FAR 52.226-2)(Oct 2008) - "*Minority Institution*" means an institution of higher education meeting the requirements of Section 365(3) of the Higher Education Act of 1965 (20 U.S.C.1067k), including a Hispanic-serving institution of higher education, as defined in Section 502(a) of the Act (20 U.S.C. 1101a).

SMALL DISADVANTAGED (SDB) (FAR 52.219.1)(May 2004) – "*Small Disadvantaged Business Concern*" [whether or not also women-owned] means a small business concern owned and controlled by socially and economically disadvantaged individuals that has received certification as a small disadvantaged business concern consistent with 13 CFR 124.1002.

OFFEROR () is, () is not SBA Certified

HUB Zone Small Business Certified (HUB Zone SB) (FAR 52.219-1)(May 2004) - "*HUB Zone Small Business Concern*" must be a small business according to the definition of FAR 52.219-1(b)(1) and the NAICS Code size standards, be 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, or HUBZone employee percentage has occurred since it was certified by the Small Business Administration in accordance with 13 CFR Part 126.

A copy of the offeror's current Small Business Administration (SBA) certification letter and a copy from of the CCR profile may be requested.

VETERAN-OWNED SMALL BUSINESS (VOSB) (FAR 52.219-1)(May 2004) "*Veteran-Owned Small Business concern*" means a small business with no less than 51% 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% of the stock of which is

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owned by one or more veterans; and the management and daily operations of which are controlled by one or more veterans.

SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS (SDVOSB) (FAR 52.219-1)(May 2004) – “*Service-Disabled Veteran-Owned Small Business concern*” means a small business not less than 51% of which is owned by one or more service disabled veterans (as defined at 38 USC 101(2)) or, in the case of any publicly owned business, not less than 51% of the stock of which is owned by one or more service disabled veterans; controlled, and actively managed by the individual(s) or the spouse/caregiver of a veteran with permanent or severe disabilities.

ALASKAN NATIVE CORPORATION (ANC) (FAR 19.701) – “*Alaskan Native Corporation*” means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1602, et seq), and which is considered a minority and economically disadvantaged concern under the criteria at 43 U.S.C. 1626(e) (1). This definition also includes ANC direct and indirect subsidiary corporations, joint ventures, and partnerships that meet the requirements of 43 U.S.C. 1626(e) (2).

INDIAN TRIBE (FAR 19.701) – “*Indian Tribe*” means any Indian tribe, band, group, pueblo, or community, including native villages and native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlement Act (43 U.S.C.A 1601, et seq.), that is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs in accordance with 25 U.S.C. 1452 (c). This definition also includes Indian-Owned economic enterprises that meet the requirements of 25 U.S.C. 1452(e).

MINORITY INSTITUTE/BUSINESS – (if certified by agency other than the SBA)

NON-PROFIT ORGANIZATION

LARGE BUSINESS (LB)

ALASKAN NATIVE CORPORATION (ANC) (FAR 19.701) – “*Alaskan Native Corporation*” means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1602, et seq), and which is considered a minority and economically disadvantaged concern under the criteria at 43 U.S.C. 1626(e) (1). This definition also includes ANC direct and indirect subsidiary corporations, joint ventures, and partnerships that meet the requirements of 43 U.S.C. 1626(e) (2).

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GOVERNMENT AGENCY/ENTITY: Explain _____

MINORITY OWNERSHIP: IF OFFEROR HAS REPRESENTED ITSELF AS A SMALL DISADVANTAGED BUSINESS (SDB), MINORITY INSTITUTION (MI), OR WOMEN-OWNED SMALL DISADVANTAGED BUSINESS (WOSDB), PLEASE CHECK THE APPROPRIATE CATEGORY OF OWNERSHIP: (FAR 52.219-1 Alt. I) (Apr 2002)

A. Black American

B. Hispanic American

C. Native American: American Indians, Eskimos, Aleuts, or Native Hawaiians

D. Asian-Pacific American: persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu or Nauru

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- E. Subcontinent Asian (Asian-Indian) American: persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal
- F. Individual/concern, other than one of the preceding. Explain: _____
(End of Provision)

3. OFFEROR REPRESENTATIONS AND CERTIFICATIONS – COMMERCIAL ITEMS (FAR 52.212-3)(APR 2011)

- A. Buy American Act Certificate. (FAR 52.225-2) (Applies only if the clause at FAR 52.225-1, Buy American Act – Supplies, is included)
 - a. The offeror certifies that each end product, except those listed in paragraph (f)(2) of this provision, is a domestic end product and that for other than COTS items, 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 Number:		Country of Origin
<u> NA </u>	_____	_____
_____	_____	_____

(List as necessary)

4. EXPORT/IMPORT CERTIFICATIONS FOR PROCUREMENT

Engility Corporation (Engility) requires that its suppliers certify the following information to ensure compliance with the U.S. Government export/import laws and regulations including the U.S. Department of State, Directorate of Defense Trade Controls (DDTC), International Traffic in Arms Regulations (ITAR) and the U.S. Department of Commerce, Bureau of Industry and Security (BIS), Export Administration Regulations (EAR).

ITAR 22 CFR 120.15 and EAR 15 CFR Part 772 define a U.S. person as a person who is a lawful permanent resident as defined by 8 U.S.C. 1101(a)(20) or who is a protected individual as defined by 8 U.S.C. 1324b(a)(3). It also means any corporation, business association, partnership, society, trust, or any other entity, organization or group that is incorporated to do business in the United States. It also includes any governmental (federal, state or local) entity.

- A. OFFEROR (X) is, (___) is not a "U.S. Person" as defined in the ITAR 22 CFR Part 120.15 and EAR 15 CFR 772.

Any person who engages in the United States in the business of either manufacturing or exporting ITAR controlled defense articles or furnishing defense services is required to register with the Directorate of Defense Trade Controls (DDTC) unless exempted by one of the four conditions listed in ITAR 22 CFR Part 122.1. Engility cannot enter into any procurement contract with a supplier within the United States that involves the acquisition of ITAR controlled defense articles or provision of defense services until the supplier has certified that it is registered with DDTC.

This registration requirement does not apply to manufacturers of EAR controlled articles and/or services.

- B. OFFEROR meets one of the following conditions

(___) DOES NOT manufacture or export ITAR controlled defense articles or furnish defense services

(___) Manufactures or exports ITAR controlled defense articles or furnishes defense services and is registered to do so. Expiration Date of Registration (_____)

(___) Is exempt from registration, based upon one of the following exemptions:

- 1) Officers and employees of the United States Government acting in an official capacity
- 2) Persons whose pertinent business activity is confined to the production of unclassified technical data only
- 3) Persons all of whose manufacturing and export activities are licensed under the Atomic Energy Act of 1954, as amended

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- 4) Persons who engage only in the fabrication of articles for experimental or scientific purpose, including research and development

() Not registered with the U.S. Department of State, Directorate of Defense Trade Controls per ITAR 22 CFR Part 122.1 (a) and (b).

The supplier is responsible for the protection of any controlled technical data or defense articles provided to them by Engility to assist in the manufacture of a defense article or provision of a defense service. The release of this data by the supplier to a Foreign Person employee or its transfer to another Foreign Person for the purpose of Off-Shore Procurement is defined as an export (ITAR 22 CFR Parts 120.17 and 124.13 and EAR 15 CFR Part 734.2(b) (2) (ii)) and Supplements 1 and 2 or Part 774 and subject to the licensing requirements of the ITAR and EAR as applicable.

- C. OFFEROR () will obtain the necessary export authorization prior to the release of controlled technical data or other defense articles provided by Engility for the purpose of procurement to any Foreign Person in or outside of the United States.

(End of Provision)

5. BIOBASED PRODUCT CERTIFICATION (FAR 52.223-1) (DEC 2007)

As required by the Farm Security and Rural Investment Act of 2002 and the Energy Policy Act of 2005 (7 U.S.C. 8102(c) (3)), the offeror certifies, by signing this offer, that biobased products (within categories of products listed by the United States Department of Agriculture in 7 CFR part 2902, subpart B) to be used or delivered in the performance of the contract, other than biobased products that are not purchased by the offeror as a direct result of this contract, will comply with the applicable specifications or other contractual requirements.

(End of Provision)

6. CERTIFICATION REGARDING KNOWLEDGE OF CHILD LABOR FOR LISTED END PRODUCTS (FAR 52.222-18) (Feb 2001) – \$3,000

[An award will not be made to an OFFEROR unless the Offeror, by checking the appropriate block, certifies to either paragraph A or B of this provision.]

- A. () OFFEROR will not supply any end product listed in paragraph C that was mined, produced, or manufactured in a corresponding country as listed for that end product.
PLEASE NOTE: If A is selected, please indicate NONE under "Listed End Product" and "Listed Countries of Origin" in Section C.
- B. () OFFEROR may supply an end product listed in paragraph C that was mined, produced, or manufactured in the corresponding country as listed for that product. The offeror certifies that is 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.
- C. Listed End Product

NONE _____

Listed Countries of Origin _____

(End of Provision)

7. RECOVERED MATERIAL CERTIFICATION (FAR 52.223-4) (May 2008)

As required by the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6962(c)(3)(A)(i)), the offeror certifies, by signing this offer, that the percentage of recovered materials to be used in the performance of the contract will be at least the amount required by the applicable contract specifications or other contractual requirements.

(End of Provision)

8. PREVIOUS CONTRACTS AND COMPLIANCE REPORTS (FAR 52-222.22) (Feb 1999) - \$10,000

- A. OFFEROR (X) has, () has not participated in a previous contract or subcontract subject to the Equal Opportunity clause of this solicitation;
- B. OFFEROR (X) has, () has not, filed all required compliance reports and

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- C. Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.

(End of Provision)

9. CERTIFICATION OF AFFIRMATIVE ACTION COMPLIANCE (FAR 52.222.25) (Apr 1984) - \$10,000

- A. OFFEROR () *has* developed and has on file, () *has not* developed and does not have on file, at each establishment, affirmative action programs required by the rules and regulations of the Secretary of Labor in 41 CFR 60-1 and 60-2; or
- B. OFFEROR () *has not* previously had contract subject to the written affirmative action programs requirement of the rules and regulations of the Secretary of Labor.

(End of Provision)

10. EQUAL OPPORTUNITY (FAR 52.222-26) (March 2007) - \$10,000

The OFFEROR represents that it is in agreement with the subject clause and the Executive Order 11246, as amended, and the rules, regulations, and Orders of the Secretary of Labor pertaining to Equal Opportunity.

11. PROTECTING THE GOVERNMENT'S INTEREST WHEN SUBCONTRACTING WITH CONTRACTORS DEBARRED, SUSPENDED, OR PROPOSED FOR DEBARMENT (FAR 52.209-6) (Sep 2006) - \$30,000

- A. The Government suspends or debar Contractors to protect the Government's interests. The Contractor shall not enter into any subcontract in excess of \$30,000 with a Contractor that is debarred, suspended or proposed for debarment unless there is a compelling reason to do so.
- B. The Contractor shall require each proposed first-tier subcontractor, whose subcontract will exceed \$30,000, to disclose to the Contractor, in writing, whether as of the time of award of the subcontract, the subcontractor, or its principals, is or is not debarred, suspended, or proposed for debarment by the Federal Government.
- C. A corporate officer or a designee of the Contractor shall notify the Contracting Officer, in writing, before entering into a subcontract with a party that is debarred, suspended, or proposed for debarment (See FAR 9.404 for information on the Excluded Parties List System). The notice must include the following:
1. The name of the subcontractor
 2. The Contractor's knowledge of the reasons for the subcontractor being in the Excluded Parties List System.
 3. The compelling reason(s) for doing business with the subcontractor notwithstanding its inclusion in the Excluded Parties List System.
 4. The systems and procedures the Contractor has established to ensure that it is fully protecting the Government's interests when dealing with such subcontractor in view of the specific basis for the party's debarment, suspension, or proposed debarment.

(End of Clause)

12. CERTIFICATION REGARDING RESPONSIBILITY MATTERS (FAR 52.209-5) (Apr 2010) - \$100,000

(a)(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 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;

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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.

D. Have (), have not (), within a three-year period preceding this offer, been notified of any delinquent Federal taxes in an amount that exceeds \$3,000 for which the liability remains unsatisfied.

(1) Federal taxes are considered delinquent if both of the following criteria apply:

(i) *The tax liability is finally determined.* The liability is finally determined if it has been assessed. A liability is not finally determined if there is a pending administrative or judicial challenge. In the case of a judicial challenge to the liability, the liability is not finally determined until all judicial appeal rights have been exhausted.

(ii) *The taxpayer is delinquent in making payment.* A taxpayer is delinquent if the taxpayer has failed to pay the tax liability when full payment was due and required. A taxpayer is not delinquent in cases where enforced collection action is precluded.

(2) *Examples.*

(i) The taxpayer has received a statutory notice of deficiency, under I.R.C. § 6212, which entitles the taxpayer to seek Tax Court review of a proposed tax deficiency. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek Tax Court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.

(ii) The IRS has filed a notice of Federal tax lien with respect to an assessed tax liability, and the taxpayer has been issued a notice under I.R.C. § 6320 entitling the taxpayer to request a hearing with the IRS Office of Appeals contesting the lien filing, and to further appeal to the Tax Court if the IRS determines to sustain the lien filing. In the course of the hearing, the taxpayer is entitled to contest the underlying tax liability because the taxpayer has had no prior opportunity to contest the liability. This is not a delinquent tax because it is not a final tax liability. Should the taxpayer seek tax court review, this will not be a final tax liability until the taxpayer has exercised all judicial appeal rights.

(iii) The taxpayer has entered into an installment agreement pursuant to I.R.C. § 6159. The taxpayer is making timely payments and is in full compliance with the agreement terms. The taxpayer is not delinquent because the taxpayer is not currently required to make full payment.

(iv) The taxpayer has filed for bankruptcy protection. The taxpayer is not delinquent because enforced collection action is stayed under 11 U.S.C. 362 (the Bankruptcy Code).

(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 the Contracting Officer 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.

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- (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 the Contracting Officer 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 Government, the Contracting Officer may terminate the contract resulting from this solicitation for default.

(End of Provision)

13. WOMEN-OWNED BUSINESS (OTHER THAN SMALL BUSINESS) (FAR 52.204-5) (May 1999) - \$100,000

[Complete only if the offeror is a women-owned concern and has not represented itself as a small business concern in paragraph (b) (1) of FAR 52.219-1, Small Business Program Representations]

- A. The OFFEROR represents that it () is, () is not a women-owned business concern.

(End of Provision)

14. CERTIFICATION AND DISCLOSURE REGARDING PAYMENTS TO INFLUENCE CERTAIN FEDERAL TRANSACTIONS (FAR 52.203-11) (SEPT 2007) - \$100,000

- A. 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 offer 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.
- B. *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.
- C. *Penalty.* Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by 31 U.S.C. 1352. 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.

(End of Provision)

15. CERTIFICATION OF TOXIC CHEMICAL RELEASE REPORTING (FAR 52.223-13) (AUG 2003) - \$100,000

- A. OFFEROR certifies that
 - 1. As the owner or operator of facilities that will be used in the performance of this contract that are subject to the filing and reporting requirements described in section 313 of the Emergency Planning and Community Right-to-Know Act of 1986 (EPCRA) (42 U.S.C. 11023) and section 6607 of the Pollution Prevention Act of 1990 (PPA) (42 U.S.C. 13106), the offer will file and continue to file for such facilities for the life of the contract the Toxic Chemical Release Inventory Form (form R) as described in sections 313(a) and (g) of EPCRA and section 6607 of PPA; or –
 - 2. None of its owned or operated facilities to be used in the performance of this contract is subject to the Form R filing and reporting requirements because each such facility is exempt for at least one of the following reasons: (Check each block that is applicable.)

- (i) The facility does not manufacture, process, or otherwise use any toxic chemicals listed in 40 CFR 372.65;

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- (ii) The facility does not have 10 or more full-time employees as specified in section 313(b)(1)(A) of EPCRA, 42 U.S.C. 11023(b)(1)(A).
- (iii) The facility does not meet the reporting thresholds of toxic chemicals established under section 313(f) of EPCRA, 42 U.S.C. 11023(f) including the alternate thresholds at 40 CFR 372.27, provided an appropriate certification form has been filed with EPA;
- (iv) The facility does not fall within Standard Industrial Classification Code (SIC) major groups 20 through 39 or their corresponding North American Industry Classification System (NAICS) sectors: (A) Major group code 10 (except 1011, 1081, and 1094); (B) Major group code 12 (except 1241); (C) Major group codes 20 through 39; (D) Industry code 4911, 4931, or 4939 (limited to facilities that combust coal and/or oil for the purpose of generating power for distribution in commerce), 31 through 33; or (E) Industry code 4953 (limited to facilities regulated under the Resource Conservation and Recovery Act, Subtitle C (42 U.S.C. 6921, et seq.), 5169, 5171, or 7389 (limited to facilities primarily engaged in solvent recovery services on a contract or fee basis); or
- (v) The facility is not located in the United States or its outlying areas.
(End of Provision)

"Certificate of Compliance with Laws on Human Trafficking and Slavery". This certificate states that the undersigned is familiar with the laws on human trafficking and slavery in the country or countries in which it does business and complies with all such laws. The undersigned further certifies that the materials incorporated into products delivered to Engility Corporation comply with the laws regarding slavery and human trafficking of the country or countries in which it does business. List of Products Requiring Contractor Certification as to Forced or Indentured Child Labor
(End of Provision)

NOTE: Additional Certifications

Offerors are hereby advised that additional certifications may be required at the time of acquisition. These certifications are required at certain dollar thresholds if specific Public Laws are incorporated into the terms of the contract (at \$650,000 and above unless the contract dictates a lower threshold). Specifically these include Subcontractor Cost or Pricing Data (FAR 52.215-12) and Cost Accounting Standards (FAR 52.230-1). In the event these clauses are required contractually, offerors shall submit the required information and associated certifications unless otherwise exempt as specified in the FAR clauses referenced.

CERTIFICATION

I hereby acknowledge an understanding of the United States Government contracting and subcontracting programs and confirm the accuracy of the statements made above. This certification shall apply to all solicitations, agreements, purchase orders or subcontracts received from Engility Corporation, and shall be valid for one year from the date of execution.

The offeror verifies by submission of this document that the representations and certifications shown above are current, accurate, and complete as of the date executed.

David W. Richardson
NAME (please print or type)

SIGNATURE

DATE

Associate Vice President, Research
TITLE