

Certifications – Country of Origin

OECO, LLC

A. Definitions. As used in this document:

“Buyer” means [OECO, LLC].

“Government” means the federal government of the United States.

“Order” means any contract or subcontract between the Buyer and the Seller for the supply of Products or Services, resulting from the Buyer’s request.

“Product” means any products, components, goods or materials agreed in the Order to be supplied to the Buyer by the Seller (including any part or parts of them).

“Seller” means the company or corporation named on the quotation or Order acceptance and/or who supplies the Product and/or Services to the Buyer and applies to any reference in the applicable FAR/DFARS provisions to “contractor” or “offeror...”

“Services” means any services (including without limitation any maintenance, repair and overhaul services) agreed in the Order to be provided to the Buyer by the Seller (including any part or parts of them).

B. Certifications and Representations.

The Seller certifies that the information provided herein shall remain valid from the date of signature below until the conclusion of any contract or order accepted by Seller. The Seller agrees to provide immediate written notice to Buyer if any of the Seller's certifications and representations change at any time from the date of signature below through the performance of any contract or order accepted; such notice shall not constitute a waiver of Seller's obligations to perform as previously certified. The Seller acknowledges that Buyer shall rely on the information provided herein in its performance of Government contracts. The Seller understands that it may be subject to immediate default termination by Buyer and debarment/suspension or prosecution for potential criminal or civil penalties by the Government, if the Seller misrepresents or falsely or fraudulently completes any of these certifications or representations. Further, Seller indemnifies and holds Buyer harmless from any damages arising from a false or fraudulent certification herein. Seller shall flow-down these certifications and obligations to its suppliers, to the extent required by the applicable FAR/DFARS provision.

1. FAR 52.215-6 Place of Performance (OCT 1997)

(A) The Seller certifies that it complies with FAR 52.215-6 and that, in the performance of any order from Buyer, the Seller intends, does not intend [*check applicable block*] to use one or more



plants or facilities located at a different address from the address of the Seller as indicated in this proposal or response to request for information.

- (B) If the Seller 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, county, zip code)	Name and address of owner and operator of the plant or facility if other than Seller
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2. FAR 52.225-2 – Buy American Act Certificate (FEB 2009)

- (A) As defined in FAR 52.225-1, Buy American Act – Supplies, the Seller certifies that each end product, except those listed in paragraph (B) of this provision, is a domestic end product and that for other than COTS items, the Seller has considered components of unknown origin to have been mined, produced, or manufactured outside the United States. The Seller shall list as foreign end products those end products manufactured in the United States that do not qualify as domestic end products, i.e., an end product that is not a COTS item and does not meet the component test in paragraph (2) of the definition of "domestic end product." The terms "commercially available off-the-shelf (COTS) item," "component," "domestic end product," "end product," "foreign end product," and "United States" are defined in FAR 52.225-1, "Buy American Act--Supplies."

- (B) Foreign End Products:

[List as necessary]

Line Item No/Part No.	Country of Origin	Part No. Description
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3. FAR 52.225-13 – Restrictions on Certain Foreign Purchases (JUN 2008)

- (A) Except as authorized by the Office of Foreign Assets Control (OFAC) in the Department of the Treasury, the Seller complies with FAR 52.225-13 and as such shall not acquire, for use in the performance of this order, any supplies or services if any proclamation, Executive order, or statute administered by OFAC, or if OFAC's implementing regulations at 31 CFR chapter V, would prohibit such a transaction by a person subject to the jurisdiction of the United States.
- (B) Except as authorized by OFAC, most transactions involving Cuba, Iran, and Sudan are prohibited, as are most imports from Burma or North Korea, into the United States or its outlying areas. Lists of entities and individuals subject to economic sanctions are included in OFAC's List of Specially Designated Nationals and Blocked Persons at <http://www.treas.gov/offices/enforcement/ofac/sdn>. More information about these restrictions, as well as updates, is available in the OFAC's regulations at 31 CFR chapter V and/or on OFAC's Web site at <http://www.treas.gov/offices/enforcement/ofac>.

4. FAR 52.225-20 – Prohibition on Conducting Restricted Business Operations in Sudan--Certification (AUG 2009)

- (A) Definitions. As used in this provision:

Business operations means engaging in commerce in any form, including by acquiring, developing, maintaining, owning, selling, possessing, leasing, or operating equipment, facilities, personnel, products, services, personal property, real property, or any other apparatus of business or commerce.

Marginalized populations of Sudan means:

- (1) Adversely affected groups in regions authorized to receive assistance under section 8(c) of the Darfur Peace and Accountability Act (Pub.L. 109-344) (50 U.S.C. 1701 note); and
- (2) Marginalized areas in Northern Sudan described in section 4(9) of such Act.

Restricted business operations means business operations in Sudan that include power production activities, mineral extraction activities, oil-related activities, or the production of military equipment, as those terms are defined in the Sudan Accountability and Divestment Act of 2007 (Pub. L. 110-174). Restricted business operations do not include business operations that the person (as that term is defined in Section 2 of the Sudan Accountability and Divestment Act of 2007) conducting the business can demonstrate:

- (1) Are conducted under contract directly and exclusively with the regional government of southern Sudan;
- (2) Are conducted pursuant to specific authorization from the Office of Foreign Assets Control in the Department of the Treasury, or are expressly exempted under Federal law from the requirement to be conducted under such authorization;
- (3) Consist of providing goods or services to marginalized populations of Sudan;



(4) Consist of providing goods or services to an internationally recognized peacekeeping force or humanitarian organization;

(5) Consist of providing goods or services that are used only to promote health or education; or

(6) Have been voluntarily suspended.

(B) Certification. By submission of its offer, the Seller certifies that it complies with FAR 52.225-20 and as such the Seller does not conduct any restricted business operations in Sudan.

5. FAR 52.225-25 – Prohibition on Contracting With Entities Engaging in Sanctioned Activities Relating to Iran--Representation and Certifications (DEC 2012)

(A) Definitions. As used in this provision:

Person:

(1) Means:

- (i) A natural person;
- (ii) A corporation, business association, partnership, society, trust, financial institution, insurer, underwriter, guarantor, and any other business organization, any other nongovernmental entity, organization, or group, and any governmental entity operating as a business enterprise; and
- (iii) Any successor to any entity described in paragraph (1)(ii) of this definition; and

(2) Does not include a government or governmental entity that is not operating as a business enterprise.

Sensitive technology:

(1) Means hardware, software, telecommunications equipment, or any other technology that is to be used specifically:

- (i) To restrict the free flow of unbiased information in Iran; or
- (ii) To disrupt, monitor, or otherwise restrict speech of the people of Iran; and

(2) Does not include information or informational materials the export of which the President does not have the authority to regulate or prohibit pursuant to section 203(b)(3) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)(3)).

(B) Except if a waiver has been granted in accordance with FAR 25.703–4, by submission of its offer, the Seller certifies that it complies with FAR 52.225-25 and as such:

(1) Represents, to the best of its knowledge and belief, that the Seller does not export any sensitive technology to the government of Iran or any entities or individuals owned or controlled by, or acting on behalf or at the direction of, the government of Iran;

(2) Certifies that the Seller, or any person owned or controlled by the Seller, does not engage in any activities for which sanctions may be imposed under section 5 of the Iran Sanctions Act.

These sanctioned activities are in the areas of development of the petroleum resources of Iran, production of refined petroleum products in Iran, sale and provision of refined petroleum products



to Iran, and contributing to Iran's ability to acquire or develop certain weapons or technologies; and

(3) Certifies that the Seller, and any person owned or controlled by the Seller, does not knowingly engage in any transaction that exceeds \$3,000 with Iran's Revolutionary Guard Corps or any of its officials, agents, or affiliates, the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) (see OFAC's Specially Designated Nationals and Blocked Persons List at <http://www.treasury.gov/ofac/downloads/t11sdn.pdf>).

6. FAR 52.247–63 Preference for U.S.–Flag Air Carriers (JUN 2003)

(A) Definitions. As used in this clause:

International air transportation means transportation by air between a place in the United States and a place outside the United States or between two places both of which are outside the United States.

United States means the 50 States, the District of Columbia, and outlying areas.

U.S.-flag air carrier means an air carrier holding a certificate under 49 U.S.C. Chapter 411.

(B) Section 5 of the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. 40118) (Fly America Act) requires that all Federal agencies and Government contractors and subcontractors use U.S.-flag air carriers for U.S. Government-financed international air transportation of personnel (and their personal effects) or property, to the extent that service by those carriers is available. It requires the Comptroller General of the United States, in the absence of satisfactory proof of the necessity for foreign-flag air transportation, to disallow expenditures from funds, appropriated or otherwise established for the account of the United States, for international air transportation secured aboard a foreign-flag air carrier if a U.S.-flag air carrier is available to provide such services.

(C) The Seller certifies that, in performing work under this order, it shall use U.S.-flag carriers for international air transportation of personnel (and their personal effects) or property.

7. DFARS 252.209–7004 – Subcontracting With Firms That are Owned or Controlled by the Government of a Terrorist Country (DEC 2006)

(A) The Seller certifies that it complies with DFARS 252.209-7004 and as such shall not enter into any subcontract in excess of \$30,000 with a firm, or a subsidiary of a firm, that is identified in the Excluded Parties List System as being ineligible for the award of Defense contracts or subcontracts because it is owned or controlled by the government of a terrorist country.

8. DFARS 252.225–7007 – Prohibition On Acquisition of United States Munitions List Items From Communist Chinese Military Companies (SEP 2006)

(A) Definitions. As used in this clause:

Communist Chinese military company means any entity that is:



- (1) A part of the COMMERCIAL OR DEFENSE industrial base of the People's Republic of China; or
- (2) Owned or controlled by, or affiliated with, an element of the Government or armed forces of the People's Republic of China.

United States Munitions List means the munitions list of the International Traffic in Arms Regulation in 22 CFR Part 121.

- (B) The Seller certifies that it complies with DFARS 252.225-7007 and as such it has not acquired, directly or indirectly, from the Communist Chinese military company any supplies or services covered by the United States Munitions List to be delivered under this order.

9. DFARS 252.225-7009 – Restriction on Acquisition of Certain Articles Containing Specialty Metals (JUN 2013)

- (A) Definitions. As used in this clause:

Alloy means a metal consisting of a mixture of a basic metallic element and one or more metallic, or non-metallic, alloying elements.

- (i) For alloys named by a single metallic element (e.g., titanium alloy), it means that the alloy contains 50 percent or more of the named metal (by mass).
- (ii) If two metals are specified in the name (e.g., nickel-iron alloy), those metals are the two predominant elements in the alloy, and together they constitute 50 percent or more of the alloy (by mass).

Assembly means an item forming a portion of a system or subsystem that:

- (i) Can be provisioned and replaced as an entity; and
- (ii) Incorporates multiple, replaceable parts.

Commercial derivative military article means an item acquired by the Department of Defense that is or will be produced using the same production facilities, a common supply chain, and the same or similar production processes that are used for the production of articles predominantly used by the general public or by nongovernmental entities for purposes other than governmental purposes.

Commercially available off-the-shelf item--

- (i) Means any item of supply that is:
 - (a) A commercial item (as defined in paragraph (1) of the definition of "commercial item" in section 2.101 of the Federal Acquisition Regulation);
 - (b) Sold in substantial quantities in the commercial marketplace; and
 - (c) Offered to the Government, under this order or a subcontract at any tier, without modification, in the same form in which it is sold in the commercial marketplace; and
- (ii) Does not include bulk cargo, as defined in 46 U.S.C. 40102(4), such as agricultural products and petroleum products.



Component means any item supplied to the Government as part of an end item or of another component.

Electronic component means an item that operates by controlling the flow of electrons or other electrically charged particles in circuits, using interconnections of electrical devices such as resistors, inductors, capacitors, diodes, switches, transistors, or integrated circuits. The term does not include structural or mechanical parts of an assembly containing an electronic component, and does not include any high performance magnets that may be used in the electronic component.

End item means the final production product when assembled or completed and ready for delivery under a line item of this order.

High performance magnet means a permanent magnet that obtains a majority of its magnetic properties from rare earth metals (such as samarium).

Produce means:

- (i) Atomization;
- (ii) Sputtering; or
- (iii) Final consolidation of non-melt derived metal powders.

Qualifying country means any country listed in the definition of "Qualifying country" at 225.003 of the Defense Federal Acquisition Regulation Supplement (DFARS).

Required form means in the form of mill product, such as bar, billet, wire, slab, plate, or sheet, and in the grade appropriate for the production of:

- (i) A finished end item to be delivered to the Government under this contract; or
- (ii) A finished component assembled into an end item to be delivered to the Government under this order.

Specialty metal means:

- (i) Steel:
 - (a) With a maximum alloy content exceeding one or more of the following limits: Manganese, 1.65 percent; silicon, 0.60 percent; or copper, 0.60 percent; or
 - (b) Containing more than 0.25 percent of any of the following elements: Aluminum, chromium, cobalt, molybdenum, nickel, niobium (columbium), titanium, tungsten, or vanadium;
- (ii) Metal alloys consisting of:
 - (a) Nickel or iron-nickel alloys that contain a total of alloying metals other than nickel and iron in excess of 10 percent; or
 - (b) Cobalt alloys that contain a total of alloying metals other than cobalt and iron in excess of 10 percent;
- (iii) Titanium and titanium alloys; or
- (iv) Zirconium and zirconium alloys.

Steel means an iron alloy that includes between .02 and 2 percent carbon and may include other elements.

Subsystem means a functional grouping of items that combine to perform a major function within an end item, such as electrical power, attitude control, and propulsion.

- (B) Restriction. Except as provided in paragraph (C) of this clause, any specialty metals incorporated in items delivered under this order shall be melted or produced in the United States, its outlying areas, or a qualifying country and the Seller certifies that it complies with such restrictions in DFARS 252.225-7009 for all items delivered under this order.
- (C) Exceptions. If the exceptions in DFARS 252.225-7009(C) apply, the Seller shall notify the Buyer in its offer or in advance of order acceptance. Such exception is not valid until accepted by Buyer in advance by written modification to this order.

10. DFARS 252.225–7012 – Preference for Certain Domestic Commodities (FEB 2013)

- (A) Definitions. As used in this clause:

Component means any item supplied to the Buyer as part of an end product or of another component.

End product means supplies delivered under a line item of this order.

Qualifying country means a country with a reciprocal defense procurement memorandum of understanding or international agreement with the United States in which both countries agree to remove barriers to purchases of supplies produced in the other country or services performed by sources of the other country, and the memorandum or agreement complies, where applicable, with the requirements of section 36 of the Arms Export Control Act (22 U.S.C. 2776) and with 10 U.S.C. 2457. Accordingly, the following are qualifying countries:

Australia	France	Poland
Austria	Germany	Portugal
Belgium	Greece	Spain
Canada	Israel	Sweden
Czech Republic	Italy	Switzerland
Denmark	Luxembourg	Turkey
Egypt	Netherlands	United Kingdom of Great Britain and Northern Ireland
Finland	Norway	

Structural component of a tent:

- (i) Means a component that contributes to the form and stability of the tent (e.g., poles, frames, flooring, guy ropes, pegs);
- (ii) Does not include equipment such as heating, cooling, or lighting.



United States means the 50 States, the District of Columbia, and outlying areas.

U.S.-flag vessel means a vessel of the United States or belonging to the United States, including any vessel registered or having national status under the laws of the United States.

- (B) The Seller certifies that it complies with DFARS 252.225-7012 and as such it shall deliver under this order only such of the following items, either as end products or components, that have been grown, reprocessed, reused, or produced in the United States:

- (1) Food.
- (2) Clothing and the materials and components thereof, other than sensors, electronics, or other items added to, and not normally associated with, clothing and the materials and components thereof. Clothing includes items such as outerwear, headwear, underwear, nightwear, footwear, hosiery, handwear, belts, badges, and insignia.
- (3) (i) Tents and structural components of tents;
(ii) Tarpaulins; or
(iii) Covers.
- (4) Cotton and other natural fiber products.
- (5) Woven silk or woven silk blends.
- (6) Spun silk yarn for cartridge cloth.
- (7) Synthetic fabric, and coated synthetic fabric, including all textile fibers and yarns that are for use in such fabrics.
- (8) Canvas products.
- (9) Wool (whether in the form of fiber or yarn or contained in fabrics, materials, or manufactured articles).
- (10) Any item of individual equipment (Federal Supply Class 8465) manufactured from or containing fibers, yarns, fabrics, or materials listed in this paragraph (B).

- (C) This restriction does not apply:

- (1) To items listed in section 25.104(a) of the Federal Acquisition Regulation (FAR), or other items for which the Government has determined that a satisfactory quality and sufficient quantity cannot be acquired as and when needed at U.S. market prices;
- (2) To chemical warfare protective clothing produced in a qualifying country; or
- (3) To fibers and yarns that are for use in synthetic fabric or coated synthetic fabric (but does apply to the synthetic or coated synthetic fabric itself), if:
 - (i) The fabric is to be used as a component of an end product that is not a textile product. Examples of textile products, made in whole or in part of fabric, include--
 - (a) Draperies, floor coverings, furnishings, and bedding (Federal Supply Group 72, Household and Commercial Furnishings and Appliances);



- (b) Items made in whole or in part of fabric in Federal Supply Group 83, Textile/leather/furs/apparel/findings/ tents/flags, or Federal Supply Group 84, Clothing, Individual Equipment and Insignia;
 - (c) Upholstered seats (whether for household, office, or other use); and
 - (d) Parachutes (Federal Supply Class 1670); or
- (ii) The fibers and yarns are para-aramid fibers and continuous filament para-aramid yarns manufactured in a qualifying country.

11. DFARS 252.225–7015 – Restriction on Acquisition of Hand or Measuring Tools (JUN 2005)

The Seller certifies that it complies with DFARS 252.225-7015 and as such any hand or measuring tools delivered under this order are produced in the United States or its outlying areas.

12. DFARS 252.225–7016 – Restriction on Acquisition of Ball and Roller Bearings (JUN 2011)

- (A) Definitions. As used in this clause:
 - (1) Bearing component means the bearing element, retainer, inner race, or outer race.
 - (2) Component, other than a bearing component, means any item supplied to the Buyer or the Government as part of an end product or of another component.
 - (3) End product means supplies delivered under a line item of this order.
- (B) Except as provided in paragraph (C) of this clause, the Seller certifies that it complies with DFARS 252.225-7016 and as such:
 - (1) Each ball and roller bearing delivered under this order shall be manufactured in the United States, its outlying areas, or Canada; and
 - (2) For each ball or roller bearing, the cost of the bearing components manufactured in the United States, its outlying areas, or Canada shall exceed 50 percent of the total cost of the bearing components of that ball or roller bearing.
- (C) The restriction in paragraph (B) of this clause does not apply to ball or roller bearings that are acquired as:
 - (1) Commercial components of a noncommercial end product; or
 - (2) Commercial or noncommercial components of a commercial component of a noncommercial end product.

13. DFARS 252.225–7031 – Secondary Arab Boycott of Israel (JUN 2005)

- (A) Definitions. As used in this provision:



(1) Foreign person means any person (including any individual, partnership, corporation, or other form of association) other than a United States person.

(2) United States means the 50 States, the District of Columbia, outlying areas, and the outer Continental Shelf as defined in 43 U.S.C. 1331.

(3) United States person is defined in 50 U.S.C. App. 2415(2) and means:

- (i) Any United States resident or national (other than an individual resident outside the United States who is employed by other than a United States person);
- (ii) Any domestic concern (including any permanent domestic establishment of any foreign concern); and
- (iii) Any foreign subsidiary or affiliate (including any permanent foreign establishment) of any domestic concern that is controlled in fact by such domestic concern.

(B) Certification. If the Seller is a foreign person, the Seller certifies that it complies with DFARS 252.225-7031 and as such, by submission of an offer or acceptance of an order, that it:

(1) Does not comply with the Secondary Arab Boycott of Israel; and

(2) Is not taking or knowingly agreeing to take any action, with respect to the Secondary Boycott of Israel by Arab countries, which 50 U.S.C. App. 2407(a) prohibits a United States person from taking.

14. DFARS 252.247–7022 Representation of Extent of Transportation By Sea (AUG 1992)

The Seller certifies that it will not transport supplies by sea in the performance of any order or subcontract with the Buyer.

CERTIFICATION (SIGNATURE) IS REQUIRED BY AN AUTHORIZED OFFICIAL VERIFYING THE INFORMATION CONTAINED ON THIS FORM IS TRUE AND CORRECT. Signature below applies to all provisions above.

Company: _____

Date: _____

Signature: _____

Printed Name: _____

Title: _____

Phone: _____

Email: _____