

TEXTRON Systems

Textron Systems -124 Industry Lane, Hunt Valley, MD 21030-0126
 Textron Systems -1010 Gause Blvd, Slidell, LA, 70148-2940
 ATAC – 1001 Providence Blvd., Newport News, VA 23602
 Textron Systems – 5 Alliance Drive, Goose Creek, SC 29445
 Textron Systems – 201 Lowell Street, Wilmington, MA 01887

ANNUAL SUPPLIER CERTIFICATION *(Foreign Suppliers, complete heading and sections 7, 8, 9, 10, 11, 12, 13, 14 & 15 only)*

Please complete all applicable questions. Leaving blanks may cause delayed processing.

COMPANY NAME:			SUPPLIER'S EIN:	
DIVISION OF: (Name and address, if applicable)			SUPPLIER'S WEBPAGE ADDRESS:	
STREET ADDRESS:			COMPANY MAIN PHONE NUMBER:	
CITY, STATE, ZIP:			FAX NUMBER:	
NAICS CODE (6 Digits)	DUN'S NO. (9 Digits)	NO. OF EMPLOYEES	CAGE CODE (5 Characters)	
SUPPLIER'S POC COMPLETING THIS FORM (Name):		POC EMAIL ADDRESS:	POC PHONE NO.	TEXTRON SYSTEMS REQUESTOR'S NAME:

1. FAR 52.222-21 Certification of Non-Segregated Facilities
 Yes I assert that this supplier **does not** and **will not maintain** or **provide** segregated facilities for employees, regardless of size or number of employees and is compliant with **FAR 52.222-21**.

2. FAR 52.222-22 Previous Contracts and Compliance Reports

a. Supplier **has** **has not** participated in a previous contract or subcontract subject to the Equal Opportunity Clause. **FAR 52.222-26** is applicable when during a 12-month period the subcontractor has been awarded subcontracts that have an aggregate value in excess of \$10,000.

b. Supplier **has** **has not** filed all required compliance reports.

1) EEO-1 Report is applicable when subcontractor employs 100 or more employees or employs 50 or more employees and has Federal contracts / subcontracts totaling more than \$50,000
 Not Applicable (For more information, access the EEOC home page at: <http://www.eeoc.gov>)

2) VETS-4212 report is applicable when the subcontractor receives a contract/subcontract in the amount of \$100,000 or more (regardless of number of employees)
 Not Applicable (For additional information or filing on line, access VETS: <https://www.dol.gov/agencies/vets/programs/fcp>)

3. FAR 52.222-25 Affirmative Action Compliance (Applicable to companies with 50 employees and a single award greater than \$50,000 to develop and have on file an Affirmative Action Program.) **Not Applicable**

a. Supplier represents that it **has developed and has on file** **has developed and does not have on file**.

b. Supplier **has** **has not** previously had contracts subject to written Affirmative Action Programs.

4. FAR 52.203.7 Anti-Kickback Procedures

a. **Yes** **No** Prior to receiving this questionnaire, were you aware of your responsibilities to report possible violations of the Anti-Kickback Act and to cooperate with federal investigators? (**FAR 52.203-7**, Anti-Kickback Procedures clause.)

b. **Yes** **No** Do you have in place and follow reasonable procedures designed to prevent and detect kickbacks in your own operations and direct business relationships?

c. **Yes** **No** Do you know of any instances of Textron Systems employees requesting or accepting kickbacks, e.g., gifts, gratuities, entertainment, from you or from others?

If yes, any violations or suspected violations of the anti-kickback law should be reported to the Textron Help Line at 800/892-9871.

5. **FAR 52.209-5** Certification Regarding Responsibility Matters, **FAR 52.209-6** Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment and **FAR 52.209-7** Information Regarding Responsibility Matters
- a. **Yes** **No** Is your company presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency?
- b. **Yes** **No** Has your company, within a three-year period preceding this offer, been convicted of or had a civil judgment 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, violating Federal criminal tax laws, or receiving stolen property?
- c. **Yes** **No** Is your company presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (5) (b)?
- d. **Yes** **No** Has your company, within a three-year period preceding this offer, been notified of any delinquent Federal taxes in an amount that exceeds \$3,500 for which the liability remains unsatisfied?
- e. **Yes** **No** Has your company, within a three-year period preceding this offer, had one or more contracts terminated for default by any Federal agency?
- f. **Yes** **No** Does your company currently have current active Federal contracts and grants with total value greater than \$10,000,000?
 Yes **No** If yes to 5.f., are you in compliance with the requirements of **FAR 52.209-7**?

6. **FAR 52.203-13** Contractor's Code of Business Ethics and Conduct and **FAR 52.203-14** Display of Hotline Poster(s).
- Yes** **No** **FAR 52.203-13** - Does your company have active federal contracts with the total amount exceeding \$5,500,000 and a performance period of more than 120 days?
 Yes **No** If yes to 6, have you adopted a written code of business ethics that is in compliance with **FAR 52.203-13** and **FAR 52.203-14**?

EXPORT / IMPORT COMPLIANCE
International Traffic in Arms Regulations (ITAR) and Export Administration Regulations (EAR)

7. Textron Systems Corporation, a Defense / Military Contractor, must comply with the U.S. Government export/import laws and regulations such as ITAR under the jurisdiction of the United States Department of State, Directorate of Defense Trade Controls (DDTC) and the EAR under the jurisdiction of the United States Department of Commerce, Bureau of Industry and Security (BIS). Textron Systems is required to enforce and ensure compliance in all areas. Therefore, before a supplier can do business with Textron Systems, the following questions must be answered:
- a. **Yes** **No** Does your company have an Export Compliance Program?
- b. **Yes** **No** Do you manufacture (perform any step required during the manufacturing process of a military part to include, but not limited to, special processing or testing necessary to complete a part) "Defense Articles" as defined in Section 120.6 of the ITAR or foreign equivalent? **(if no, proceed to 8)**
- c. **Yes** **No** If U.S. and if yes to **7b**, are you registered with the DDTC as required under Section 122.1 of the ITAR?
- d. Who is your Empowered Official (E.O.)?
Enter printed name, email and phone number. _____
(Must be a U.S. person as defined in Sections 120.15 and 120.25 of the ITAR.)

The following Section 7 questions (e-k) are to be answered by the above Empowered Official.

- e. **Yes** **No** Are you aware that the technical data Textron Systems could provide may be classified on the United States Munitions List (USML) of the ITAR and / or the Commerce Control List (CCL) of the EAR and therefore subject to the applicable export regulations?
- f. **Yes** **No** Are you a partly or wholly-owned subsidiary of a foreign entity? If yes, provide name & address below. (**DFAR 252.209-7002**, Disclosure of Ownership or Control by a Foreign Government)

- g. **Yes** **No** Are you affiliated with any foreign entities? If yes, provide name & address below. (**DFAR 252.209-7002**, Disclosure of Ownership or Control by a Foreign Government)

- h. **Yes** **No** Do you employ any "Foreign Person(s)" as defined in Sections 120.16 of the ITAR?
- i. **Yes** **No** If yes to question g. or h., do you have firewalls and procedures in place to control information from unauthorized release to your foreign employees or foreign affiliates?
- j. **Yes** **No** Do or will you share any Textron Systems export controlled information or items with any foreign parties (including your own employees who are not U.S. persons)?
- k. **Yes** **No** If yes to j. above, do you have the proper licenses in place to do so?

8. Ethics

- a. **Yes** **No** Do you know of any instance where a Textron Systems employee improperly disclosed confidential, proprietary or procurement sensitive information?
- b. **Yes** **No** Does your company directly or indirectly compete with products or services being developed, manufactured, marketed, or sold by Textron Systems? **If yes, proceed to c; if no, proceed to d.**
- c. **Yes** **No** Are you aware of any Textron Systems employee who has or is pursuing a business interest/opportunity or employment with your company?
- d. **Yes** **No** Are you aware of any former Textron Systems employee who within two years after termination of employment with Textron Systems solicited or took away a Textron Systems customer or employee?

9. Cyber Security – FAR 52.204-21 Basic Safeguarding of covered Contractor Information and 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident Reporting

- a. **Yes** **No** Does your company have Federal Contract Information residing or transiting through your information system defined by FAR 4.1901?
- b. **Yes** **No** If Yes, has your company implemented the security controls enumerated in FAR 52.204-21(b)(1)?
- c. **Yes** **No** Does your company receive or develop Covered Defense Information as defined by DFARS 252.204-7012, that is required in the performance of any US Government contract?
- d. **Yes** **No** If Yes, is your company compliant with 252.204-7012 and enacted the current security requirements in National Institute of Standards and Technology (NIST) Special Publications (SP) 800-171 “Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations”?

10. Human Trafficking - FAR 52.222-50 Combating Trafficking in Persons.

- a. **Yes** **No** Will your company provide supplies, other than commercially available off-the-shelf items, acquired outside the United States or services to be performed outside the United States that have a cumulative value of over \$500,000?
- b. **Yes** **No** This supplier has implemented a compliance plan to prevent and prohibit activities described in paragraph (b) of the clause at FAR 52.222-50, Combating Trafficking in Persons, and will take appropriate action, up to and including termination, against employees, agents, or subcontractors that violate the policy of this clause; and, after conducting due diligence to the best of the supplier’s knowledge and belief, neither it nor any of its proposed agents, subcontractors, or their agents is engaged in any such activities.
- c. **Yes** **No** The Supplier represents it will not engage in any trafficking in persons or related activities, including but not limited to the use of forced labor, in the performance of a contract, has hiring and subcontracting policies to protect the rights of its employees and the rights of subcontractor employees and will comply with those policies in the performance a contract; and
- d. **Yes** **No** Notified its employees and subcontractors of the responsibility to report trafficking in persons violations by the Contractor, Contractor employees, or subcontractor employees, at any tier and employee protection from reprisal for whistle blowing on trafficking in persons violations.

11. FAR 52.204-10 Reporting Executive Compensation and First-Tier Subcontract Awards in the preceding fiscal year:

- a. **Yes** **No** Was your company's gross income, from all sources over \$300,000? **If your response to 11a was "No", please skip to Section 12.**
- b. **Yes** **No** Did your company receive 80% or more of your annual gross revenues from Federal contracts (and subcontracts), loans, grants (and sub-grants) and cooperative agreements?
- c. **Yes** **No** Did your company receive \$25,000,000 or more in annual gross revenues from Federal contracts (and subcontracts), loans, grants (and sub-grants) and cooperative agreements?
- d. **Yes** **No** Does the public have access to information about your company’s top 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?

If you answered “Yes” to 11b and 11c, and “No” to 11d, then please provide the name and total compensation for each of the five (5) most highly compensated executives for your company for the preceding completed fiscal year in the space provided below.

Name (please print)	Compensation Amount
1) _____	_____
2) _____	_____
3) _____	_____
4) _____	_____
5) _____	_____

12. FAR 52.203-11 Certification & Disclosure Regarding Payments to Influence Certain Federal Transactions and FAR 52.203-12 Limitation on Payments to Influence Certain Federal Transactions. The supplier / subcontractor, by signing this Annual Certification, hereby certifies compliance in accordance with **FAR 52.203-11, 31 U.S.C. 1352 and 15 U.S.C. 645(d).**

13. System for Award Management (Sam) Database: Is your Company registered in the US Government's SAM database? Yes No

14. Supplier certifies its business size is:

- Large Business (including Non-Profit) (L)**
ISR/SSRs are required to be submitted semi-annually, when applicable, per FAR 19.704 (a) (10) & FAR 52.219-9 (d) (10).
- Small Business** *Check ALL Small Business types that apply.*
 - Small Disadvantaged Business (SDB) Self Certified**
 - Historically Underutilized Business (HUBZone)**
MUST include a copy of profile from SBA Dynamic Small Business Search (DSBS), SAM.gov or the SBA certification letter
 - Service Disabled Veteran Owned Small Business (SDVOSB)**
 - Alaskan Native Corporations (ANC)**
 - Foreign (F) Foreign Suppliers, complete heading and sections 7, 9, 10, 11, 12, 13 & 14 only. Enter Country** _____
- Woman Owned Small Business (WOSB)**
- Veteran Owned Small Business (VOSB)**
- Indian Tribes (IT)**
- Native American (NA)**

To review the definitions for the above categories, see **FAR Subpart 19.7** or **FAR 52.219-8** (<https://www.acquisition.gov/far/>). If you have difficulty ascertaining your NAICS Code and size status, please call 800-U-ASK-SBA or refer to SBA's website at www.sba.gov/size-standards-tool.

The offeror verifies by submission of this certification and/or proposal that the size or socioeconomic representations and certifications are current, accurate, and complete as of the date of the offer for the order(s) related to this requirement. Under 15 U.S.C. 645(d), any misrepresentation of business size status shall (1) be punished by a fine, imprisonment, or both; (2) be subject to administrative remedies; and (3) be ineligible for participation in programs conducted under the authority of the Small Business Act.

15. FAR 52.204-26 Covered Defense Telecommunications Equipment or Services – Representation Covered Telecommunications Equipment or Services-Representation (Oct 2020)

- (a) Definitions. As used in this provision, "covered telecommunications equipment or services" and "reasonable inquiry" have the meaning provided in the clause FAR 52.204-25. Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment.
- (b) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for "covered telecommunications equipment or services".
- (c) (1) Representation. The Offeror represents that it **does**, **does not** provide covered telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract, or other contractual instrument.

 (2) After conducting a reasonable inquiry for purposes of this representation the offeror represents that it **does**, **does not** use covered telecommunications equipment or services, or any equipment, system, or service that uses covered telecommunications equipment or services.

DFAR 252.204-7106 Covered Defense Telecommunications Equipment or Services – Representation Covered Defense Telecommunications Equipment or Services – Representation (Dec 2019)

- (d) Definitions. As used in this provision, "covered defense telecommunications equipment or services" has the meaning provided in the clause DFAR 252.204.7018. Prohibition on the Acquisition of Covered Defense Telecommunications Equipment or services".
- (e) Procedures. The Offeror shall review the list of excluded parties in the System for Award Management (SAM) (<https://www.sam.gov>) for entities excluded from receiving federal awards for "covered defense telecommunications equipment or services".
- (f) Representation. The Offeror represents that it **does**, **does not** provide covered defense telecommunications equipment or services as a part of its offered products or services to the Government in the performance of any contract, subcontract or other contractual instrument.

Should there be a material change to the information and representations made herein, you are required to notify the Supplier Management Representative [specified by the order(s) related to this requirement] in writing, at once.

Company Officer (Printed Name)	Manually sign or apply a certified digital signature	Date
Reviewed by Textron Systems (Manually sign or apply a certified digital signature.)		Date

Return Completed Form to: requesting Textron Systems Staff