



Request for Quotation (RFQ)
No. IHSAN-18-00039
Initiative for Hygiene, Sanitation, and Nutrition (IHSAN)
Laptop Computers

Due Date: February 19, 2018 at 02:30 PM Kabul Time

RFQ Number	IHSAN-18-00039
RFQ Issued By	FHI 360/IHSAN
RFQ Advertisement Date	February 12, 2018
Questions Due Date	February 13, 2018 Please email your questions to Procurement.ihsan@fhi360.org
Answers Due Date	February 14, 2018
Address for Submission of Offers.	Offers/responses must be dropped at: FHI360/IHSAN Office, H# 1144/A, The Baron Camp, District 9, Kabul, Afghanistan.
Offer Submission Requirements	Only sealed offers/quotations submitted through this means will be accepted for further consideration. All envelopes must reflect the following information: <ol style="list-style-type: none"> 1. RFQ number 2. Statement on the top right-hand corner “Laptop Computers”
Due Date	February 19, 2018 – 02:30 PM AFG Time
Questions and Answers Communication	Questions and Answers will be communicated via: Procurement.ihsan@fhi360.org
How to obtain Quotations	RFQ can be obtained from www.acbar.org or by sending a request to: Procurement.ihsan@fhi360.org Cell: 0796 00 96 87 and 0796 00 96 97

IMPORTANT NOTE:

1. **Technical and financial proposals to be submitted separately**
2. **If technical and financial proposals are submitted in the same envelope than it will be considered disqualified**
3. **Brand name, model and specifications must be mentioned**

Scope of Work

I. Project Summary

The Initiative for Hygiene, Sanitation, and Nutrition (IHSAN) is a five - year project whose goal is to assisting the Government of the Islamic Republic of Afghanistan (GIROA), civil society organizations (CSOs) , and the private sector to carry out and scale up evidence - based nutrition and water, hygiene, and sanitation (WASH) interventions that will improve the nutritional status of women and children less than five years old . Specific project objectives include enhancing capacity to institutionalize nutrition programs, increasing adoption of optimal nutrition and hygiene behaviors at community and household levels; and increasing availability of nutrition, hygiene, and sanitation services and products increased. The project will focus on the 10 provinces with poorest nutritional indicators based on the 2014 national nutrition assessment

II. Technical Specifications:

FHI 360/IHSAN seeking quotations from reputable and registered companies in Afghanistan for the purchase of below items as per minimum specifications provided below:

Line Item	Description and Specifications	Qty	Units	Unit Price AFN	Total Price AFN
1	New Brand, Core i7, 7th Generation, 76000u Processor, 8GB RAM, 500GB HDD, Graphics Processor Intel HD Graphics 4400, 14" LED (FHD), No optical Drive, Data Link Protocol Bluetooth 4.0 LE, Ethernet, Fast Ethernet, Gigabit Ethernet, IEEE 802. 11a, Windows 10 Professional License Original, One Year Warranty	40	PCS		
Subtotal:					
2 % tax for Registered companies and 7% tax for non-registered companies					
GRAND TOTAL AFN:					

Note: As mention in the above list all equipment should be Original, Update and New Brand and having high quality and Non-Original items will not be accepted.

III. Evaluation Criteria

- Only Offers/responses meeting the minimum technical specification requirements of the RFQ will be evaluated
- The full Procurement Committee will review both technical committee rating and financial quotations and award points based on the following criteria:

1. Past performance (At least 3 references)	10 points
2. Specification	20 points
3. Required documents (Cover letter, profile, license, bank statement)	10 points
4. Warranty Offer	10 points
5. Delivery Schedule	10 points
6. Total Cost	40 points
Total Possible points	100 points

The vendor with the highest points will be awarded the contract.

Key Points in Evaluation of Responses:

- 2.1 To assist in the evaluation of responses, the selection committee may, at its discretion, ask any organization for providing additional information/evidence supporting information provided by the organization. Any request for additional information/evidence shall be in writing. If organization does not provide clarifications of the information requested by the date and time set in by FHI 360's request for clarification, its response may be awarded zero marks in evaluation.
- 2.2 To assist in the evaluation of responses, the selection committee may, at its discretion, ask any organization for a clarification of its response which shall be submitted within a stated reasonable period of time. Any request for clarification and all clarifications shall be in writing. If applicant does not provide clarifications of the information requested by the date and time set in FHI 360's request for clarification, its response may be rejected. FHI 360 reserves the right to perform check on any documentation provided as a response to this solicitation.
- 2.3 Section 4 of this RFQ provides guidance to offerors concerning the documentation necessary to conduct an informed evaluation of each RFQ. The offerors must furnish adequate and specific information in the responses. A response may be eliminated from further consideration before a detailed evaluation is performed if the response is considered obviously deficient as to be totally unacceptable on its face or which prices are inordinately high or unrealistically low.
- 2.4 FHI 360 shall use all the factors, methods and criteria defined in the evaluation criteria to evaluate the RFQs of the offerors and any specialist subcontractors. FHI 360 reserves the right to waive minor deviations in the evaluation criteria if they do not materially affect the capability of an offeror to perform the contract.
- 2.5 The selection committee reserves the right to make an award under this RFQ on the basis of initial offers without discussions. Similarly, the committee also reserves the right to accept or reject one or all responses received against this RFQ.
- 2.6 Eligibility check (**Please see Annex G**) will be performed on all the responses received. Evaluation will be performed only of those responses that have passed the eligibility check.
- 2.7 FHI 360 requires that FHI 360 vendors observe the highest standard of ethics during the procurement and execution of such awards. In pursuit of this policy FHI 360:
 - a. Defines, for the purposes of this provision, the terms set forth below as follows:
 - i. "corrupt practice" means the offering, giving, receiving, or soliciting of anything of value to influence the action of a public official in the procurement process or in an award execution; and
 - ii. "fraudulent practice" means a misrepresentation of facts in order to influence a procurement process or the execution of an award to the detriment of the Borrower, and includes collusive practices among offeror (prior to or after RFQ

submission) designed to establish RFQ prices/ response at artificial, non-competitive levels and to deprive the borrower of the benefits of free and open competition;

- b. Will reject a RFQ response for award if it determines that the offeror recommended for an award has engaged in corrupt or fraudulent practices in competing for the award; and
 - c. Will declare an organization and/or an individual ineligible, either indefinitely or for a stated period of time, to be awarded any FHI 360 award if it at any time determines that the firm has engaged in corrupt or fraudulent practices in competing for, or in executing, a FHI 360 funded award.
- 2.8 Any attempt by an offeror to collude with other offers or to influence FHI 360 representatives in the evaluation of the RFQs or while making award decisions may result in the rejection of its offer/response.
- 2.9 This solicitation and any resulting contract shall be interpreted in accordance with the laws of Islamic Republic of Afghanistan or as otherwise agreed to.

FHI 360 may contact offerors to confirm contact person, address, offer amount and to confirm that the offer was submitted for this solicitation, or any relevant information to this solicitation.

IV. Instructions to Offerors

General

Organizations invited to submit quotations are under no obligation to do so. Offerors will **NOT** be reimbursed for any costs/liability/loss incurred in connection with the preparation and submission of their Offers. FHI 360 is looking forward to making an award to the most responsive offer and due to shortage of processing and implementation time, only shortlisted entities will be contacted for final selection. Individual enquiries will not be entertained for determination of status of applications.

Type of Award (Purchase Order)

FHI 360 contemplates awarding a fixed price Purchase Order with specific deliverables and payment schedules. Offeror shall follow the instructions contained herein and furnish all information as required. Failure to furnish all information requested may disqualify a quotation. A responsive offer is one that fully complies with all of the terms and conditions of the solicitation without modification.

Preparation of Offers

All offers must be submitted in English language, single-spaced and numbered consecutively. All offers must be signed by individual authorized to commit the offer on behalf of your firm/company. The completed forms shall have no erasures except those necessary to correct errors made by the offeror, in which case such corrections shall be initiated by the person or person(s) signing the offer.

The Offer (Required documents)

Only offers submitted in accordance with this RFQ requirement will be eligible for evaluation. The submission package should comprise of the following documentation:

Technical Proposal:

- Cover Letter
- Company profile
- Technical Specifications including details brand name, model, warranty, delivery schedule and after sales services
- List of three references and certificates/ documents showing past experience
- Business license/ work permits if the owners will be foreigners
- Bank statement

Financial Proposal:

- Price proposal with detailed cost breakdown including details on warranty and delivery schedule
- Bank statement

Note: Warranty and delivery schedule must have to be included in technical as well as financial proposals.

The profile of the firm/ company

The profile of the organization should include but not limited to:

1. Name, date of establishment, contact details, and other relevant details;
2. Affiliations with other companies/ organizations;
3. Name and contact information of customers, both local and international, that can provide reference
4. Statement of capacity to deliver requested service on the date and time/period indicated herein.
5. Copy of current business registration
6. Signed certifications as mentioned in section 5 of this RFQ.

Technical Specifications

The applicant firm/organization is required to submit the following:

- a. Detailed technical specification including brand name and model.
- b. Warranty for equipment/service being offer information
- c. Others (Any other additional after sale services being offered)
- d. Please mention if you already have the equipment available in Afghanistan if not then please mention the country from which you will be importing the equipment.

Delivery Period

The vendor must deliver all equipment within a maximum of 7 business days after signing the Purchase Order.

Cost Application

- a) Cost breakdown of quotations must be submitted in Afghani including payment terms and any applicable discount. **Quotations submitted in USD will not be considered.**
- b) The validity period of financial quotations shall be for a minimum thirty (30) days from the closing date of this RFQ.
- c) Payments made will be subject to applicable Income Tax regulations relating to this transaction.
- d) FHI360 is exempted from custom duties therefore you are requested not to include custom charges/ duties.

Certificates/ Documents showing past experience

Certificates or documents which show your companies past experience with other companies including references and contracted amount.

AISA license/ work permit documents

FHI360 would require valid AISA license and/or permit from any relevant Ministry.

SECTION 5-REQUIRED CERTIFICATIONS

The following certifications must be signed, stamped and submitted along your application.

- **Annex A:** Certification regarding terrorist financing
- **Annex B:** Certification of independent price determination
- **Annex C:** Certification regarding debarment, suspension, and other responsibility matters – Primary covered transaction
- **Annex D:** Certification regarding debarment, suspension, ineligibility on voluntary exclusion – lower tier covered transactions
- **Annex E:** Certification regarding drug free workplace
- **Annex F:** Certification of nationality of supplier of commodities and services (22CFR228.12).
- **Annex G:** Data Universal Numbering System (DUNS) Number

Annex A:

CERTIFICATION REGARDING TERRORIST FINANCING

By signing and submitting this application, the prospective recipient provides the certification set out below:

1. The Recipient, to the best of its current knowledge, did not provide, within the previous ten years, and will take all reasonable steps to ensure that it does not and will not knowingly provide, material support or resources to any individual or entity that commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated, or participated in terrorist acts, as that term is defined in paragraph 3.
2. The following steps may enable the Recipient to comply with its obligations under paragraph 1:
 - a. Before providing any material support or resources to an individual or entity, the Recipient will verify that the individual or entity does not (i) appear on the master list of Specially Designated Nationals and Blocked Persons, which list is maintained by the U.S. Treasury's Office of Foreign Assets Control (OFAC) and is available online at OFAC's website: <http://www.treas.gov/offices/eotffc/ofac/sdn/t11sdn.pdf>, or (ii) is not included in any supplementary information concerning prohibited individuals or entities that may be provided by USAID to the Recipient.
 - b. Before providing any material support or resources to an individual or entity, the Recipient also will verify that the individual or entity has not been designated by the United Nations Security Council (UNSC) sanctions committee established under UNSC Resolution 1267 (1999) (the "1267 Committee") [individuals and entities linked to the Taliban, Usama bin Laden, or the Al Qaida Organization]. To determine whether there has been a published designation of an individual or entity by the 1267 Committee, the Recipient should refer to the consolidated list available online at the Committee's website: <http://www.un.org/Docs/sc/committees/1267/1267ListEng.htm>.
 - c. Before providing any material support or resources to an individual or entity, the Recipient will consider all information about that individual or entity of which it is aware and all public information that is reasonably available to it or of which it should be aware.
 - d. The Recipient also will implement reasonable monitoring and oversight procedures to safeguard against assistance being diverted to support terrorist activity.
3. For purposes of this Certification-
 - a. "Material support and resources" means currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safehouses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel, transportation, and other physical assets, except medicine or religious materials."
 - b. "Terrorist act" means-
 - (i) an act prohibited pursuant to one of the 12 United Nations Conventions and Protocols related to terrorism (see UN terrorism conventions Internet site: <http://untreaty.un.org/English/Terrorism.asp>); or
 - (ii) an act of premeditated, politically motivated violence perpetrated against noncombatant targets by subnational groups or clandestine agents; or
 - (iii) any other act intended to cause death or serious bodily injury to a civilian, or to any other person not taking an active part in hostilities in a situation of armed conflict, when the purpose of such act, by its nature or context, is to intimidate a population, or to compel a government or an international organization to do or to abstain from doing any act.
 - c. "Entity" means a partnership, association, corporation, or other organization, group or subgroup.
 - d. References in this Certification to the provision of material support and resources shall not be deemed to include the furnishing of USAID funds or USAID-financed commodities to the ultimate beneficiaries of USAID assistance, such as recipients of food, medical care, micro-enterprise loans, shelter, etc., unless the Recipient has reason to believe that one or more of these

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beneficiaries commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

- e. The Recipient's obligations under paragraph 1 are not applicable to the procurement of goods and/or services by the Recipient that are acquired in the ordinary course of business through contract or purchase, e.g., utilities, rents, office supplies, gasoline, etc., unless the Recipient has reason to believe that a offeror or supplier of such goods and services commits, attempts to commit, advocates, facilitates, or participates in terrorist acts, or has committed, attempted to commit, facilitated or participated in terrorist acts.

This Certification is an express term and condition of any agreement issued as a result of this application, and any violation of it shall be grounds for unilateral termination of the agreement by Contractor prior to the end of its term.

Signature: _____

Typed Name: _____

Title: _____

Name of Organization: _____

Date: _____

Annex B:

CERTIFICATION OF INDEPENDENT PRICE DETERMINATION

The offeror certifies that—

- (a) (1) The prices in this offer have been arrived at independently, without, for the purpose of restricting competition, any consultation, communication, or agreement with any other offeror, including but not limited to subsidiaries or other entities in which offeror has any ownership or other interests, or any competitor relating to (i) those prices, (ii) the intention to submit an offer, or (iii) the methods or factors used to calculate the prices offered;
- (2) The prices in this offer have not been and will not be knowingly disclosed by the offeror, directly or indirectly, to any other offeror, including but not limited to subsidiaries or other entities in which offeror has any ownership or other interests, or any competitor before bid opening (in the case of a sealed bid solicitation) or contract award (in the case of a negotiated or competitive solicitation) unless otherwise required by law; and
- (3) No attempt has been made or will be made by the offeror to induce any other concern or individual to submit or not to submit an offer for the purpose of restricting competition or influencing the competitive environment.

- (b) Each signature on the offer is considered to be a certification by the signatory that the signatory--
 - (1) Is the person in the offeror's organization responsible for determining the prices being offered in this bid or proposal, and that the signatory has not participated and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above; or
 - (2) (i) Has been authorized, in writing, to act as agent for the principals of the offeror in certifying that those principals have not participated, and will not participate in any action contrary to subparagraphs (a)(1) through (a)(3) above;
 - (ii) As an authorized agent, does certify that the principals of the offeror have not participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above; and
 - (iii) As an agent, has not personally participated, and will not participate, in any action contrary to subparagraphs (a)(1) through (a)(3) above.

- (c) Offeror understands and agrees that --
 - (1) violation of this certification will result in immediate disqualification from this solicitation without recourse and may result in disqualification from future solicitations; and
 - (2) discovery of any violation after award to the offeror will result in the termination of the award for default.

CERTIFIED BY:

Name of Offeror Organization:

Signature of Authorized Official:

Date: _____

Title: _____

Printed Name: _____

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS -- PRIMARY COVERED TRANSACTIONS

(a) Instructions for Certification

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

4. The prospective primary participant shall provide immediate written notice to the department or agency to whom this proposal is submitted if at any time the prospective primary participant learns that this certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meaning set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the methods and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. 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 this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealing.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

(b) Certification Regarding Debarment, Suspension, and Other Responsibility Matters--Primary Covered Transactions

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

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(A) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(B) Have not within a three-year period preceding this proposal 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) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(C) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(B) of this certification;

(D) Have not within a three-year period proceeding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature: _____

Typed Name: _____

Title: _____

Name of Organization: _____

Date: _____

Annex D:

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AN VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS

(Code of Federal Regulations 22 CFR 208: Government-wide Debarment and Suspension (Nonprocurement) and Government-wide Requirements for Drug-Free Workplace (Grants); Appendix B: Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

Instructions for Certification: By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntary excluded, as used in this clause, has the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction,@ without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Non-Procurement List.

8. 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 this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions:

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(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Signature: _____

Typed Name: _____

Title: _____

Name of Organization: _____

Date: _____

Annex E:

CERTIFICATION REGARDING A DRUG-FREE WORKPLACE

- (a) Definitions. As used in this provision,
- "Controlled substance" means a controlled substance in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C 812) and as further defined in regulation at 21 CFR 1308.11-1308.15.
- "Conviction" means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.
- "Criminal drug statute" means a Federal or non-Federal criminal statute involving the manufacture, distribution, dispensing, possession or use of any controlled substance.
- "Drug-free workplace" means the site(s) for the performance of work done by the Contractor in connection with a specific contract at which employees of the Contractor are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance.
- "Employee" means an employee of a Contractor directly engages in the performance of work under a Government contract. Directly engaged is defined to include all direct cost employees and any other Contractor employee who has other than a minimal impact or involvement in contract performance.
- "Individual" means an offeror/contractor that has no more than one employee including the offeror/contractor.
- (b) By submission of its offer, the offeror, if other than an individual, who is making an offer that equals or exceeds \$25,000, certifies and agrees, that with respect to all employees of the offeror to be employed under a contract resulting from this solicitation, it will - no later than 30 calendar days after contract award (unless a longer period is agreed to in writing), for contracts of 30 calendar days of more performance duration; or as soon as possible for contracts of less than 30 calendar days performance duration, but in any case, by a date prior to when performance is expected to be completed--
- (1) Publish a statement notifying such employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
 - a. Establish an ongoing drug-free awareness program to inform such employees about-
 - (i) The dangers of drug abuse in the workplace;
 - (ii) The Contractor's policy of maintaining a drug-free workplace;
 - (iii) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (iv) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - b. Provide all employees engaged in performance of the contract with a copy of the statement required by subparagraph (b) (1) of this provision;
 - (4) Notify such employees in writing in the statement required by subparagraph (b) (1) of this provision that, as a condition of continued employment on the contract resulting from this solicitation, the employee will -
 - (i) Abide by the terms of the statement; and
 - (ii) Notify the employer in writing of the employee's conviction under a criminal drug statute for a violation occurring in the workplace no later than 5 calendar days after such conviction;
 - (5) Notify the Contracting Officer in writing within 10 calendar days after receiving notice under subdivision (b)(4)(ii) of this provision, from an employee or otherwise receiving actual notice of such conviction. The notice shall include the position title of the employee; and
 - (6) Within 30 calendar days after receiving notice under subdivision (b)(4)(ii) of this provision of a conviction, take one of the following actions with respect to any employee who is convicted of a drug abuse violation occurring in the workplace:
 - (i) Take appropriate personnel action against such employee, up to and including termination; or

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- (ii) Require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- (7) Make a good faith effort to maintain a drug-free workplace through implementation of subparagraphs (b)(1) through (b)(6) of this provision.
 - (c) By submission of its offer, the offeror, if an individual who is making an offer of any dollar value, certifies and agrees that the offeror will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in the performance of the contract resulting from this solicitation.
 - (d) Failure of the offeror to provide the certification required by paragraph (b) or (c) of this provision, renders the offeror unqualified and ineligible for award. (See FAR 9.104-1(g) and 19.602-1(a)(2)(i).)
 - (e) In addition to other remedies available to the Government, the certification in paragraphs (b) or (c) of this provision 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 Title 18, United States Code, Section 1001.

Signature: _____

Typed Name: _____

Title: _____

Name of Organization: _____

Date: _____

Annex F:

**CERTIFICATION OF NATIONALITY OF SUPPLIER OF COMMODITIES AND SERVICES
(22CFR228.12)**

The suppliers of all commodities and services financed with federal program funds appropriated under the Foreign Assistance Act of 1961, as amended, shall:

(a) If an individual, except as provided in §228.15, be a citizen or lawful permanent resident (or equivalent immigration status to live and work on a continuing basis) of a country in Code 937 (or other principal geographic procurement code designated in an implementing instrument),

(b) If an organization,

(1) Be incorporated or legally organized under the laws of a country in Code 937 (or other principal geographic procurement code designated in an implementing instrument);

(2) Must be operating as a going concern in a country in Code 935 and either

(3) Be managed by a governing body, the majority of whom are citizens or lawful permanent residents (or equivalent immigration status to live and work on a continuing basis) of countries in Code 935, or

(4) Employ citizens or lawful permanent residents (or equivalent immigration status to live and work on a continuing basis) of a country in Code 935 in more than half its permanent full-time positions and more than half of its principal management positions.

Offeror understands and agrees that --

- (1) violation of this certification will result in immediate disqualification from this solicitation without recourse and may result in disqualification from future solicitations; and
- (2) discovery of any violation after award to the offeror will result in the termination of the award for default.

CERTIFIED BY:

Name of Offeror Organization:

Signature of Authorized Official:

Date: _____

Title: _____

Printed Name: _____

Data Universal Numbering System (DUNS) Number (for US contractors only)

- (a) In the space provided at the end of this provision, the recipient should supply the Data Universal Numbering System (DUNS) number applicable to that name and address. Recipients should take care to report the number that identifies the recipient's name and address exactly as stated in the proposal.
- (b) (b) The DUNS is a 9-digit number assigned by Dun and Bradstreet Information Services. If the recipient does not have a DUNS number, the recipient should call Dun and Bradstreet directly at 1-800-333-0505. A DUNS number will be provided immediately by telephone at no charge to the recipient. The recipient should be prepared to provide the following information:
- (1) Recipient's name.
 - (2) Recipient's address.
 - (3) Recipient's telephone number.
 - (4) Line of business.
 - (5) Chief executive officer/key manager.
 - (6) Date the organization was started.
 - (7) Number of people employed by the recipient.
 - (8) Company affiliation.

*(c) Recipients located outside the United States may e-mail Dun and Bradstreet at globalinfo@dbisma.com or <http://fedgov.dnb.com/webform> to obtain the location and phone number of the local Dun and Bradstreet Information Services office.

The DUNS system is distinct from the Federal Taxpayer Identification Number (TIN) system.

DUNS: _____