

APTAC Body of Knowledge Competency Guide

C. Basics of Contracting with Government Entities

C.3 Representations and Certifications

Description

One section consistently appearing in Government solicitations is the requirement to complete certain Representations and Certifications (Reps and Certs) that the offerors /bidders must complete to be eligible to receive a Government contract. It is, therefore, very important for PTAC Counselors to become familiar with Reps and Certs when counseling clients.

Reps and Certs are declarations about potential contractors/vendors' company that the Government needs to know to determine eligibility to receive a contract. Reps and Certs may be accomplished manually in response to a solicitation (Request for Proposal, Invitation for Bid, Request for Quotation). However in "Federal" Government procurements, this is now primarily accomplished when a prospective Government contractor registers in the System for Award Management (SAM) database. The registrant must agree that they have read and understand the Reps and Certs required.

Reps and Certs primarily originate from U. S. statutes, and then become incorporated into the Federal Acquisition Regulations (FAR) and applicable supplements. Importantly, SAM captures data regarding responses to FAR provisions. Some of the data prepopulates from the data the entity provides in other areas of SAM (e.g. Core Data and Assertions), while other data is captured from the entity's responses to the Reps and Certs Questionnaire.

Below are the provisions in SAM that address the Reps and Certs that prospective Federal Government contractors/vendors must answer. The information provided through SAM must be updated at least annually.

Reviewing and accomplishing Reps and Certs can be a daunting task, but doing them in SAM, with the client updating and renewing its SAM registration annually as required, saves considerable time in preparing bids/proposals/offers for any Federal Government procurement.

1. FAR 52.203-2 Certificate of Independent Price Determination
2. FAR 52.230-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions
3. FAR 52.204-3 Taxpayer Identification
4. FAR 52.204-5 Women-Owned Business
5. FAR 52.209-2 Prohibition on Contracting with Inverted Domestic Corporations-Representations

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6. FAR 52.212-3 Offeror Representations and Certifications – Commercial Items
7. FAR 52.214-14 Place of Performance-Sealed Bidding
8. FAR 52.215-6 Place of Performance
9. FAR 52.219-1 Small Business Program Representations
10. FAR 52.219-2 Equal Low Bids
11. FAR 52.219-22 Small Disadvantaged Business Status
12. FAR 52.222-18 Certification Regarding Knowledge of Child Labor for Listed End Products
13. FAR 52.222-22 Previous Contracts and Compliance Reports
14. FAR 52.222-25 Affirmative Action Compliance
15. FAR 52.222-38 Compliance with Veterans' Employment Reporting Requirements
16. FAR 52.222-48 Exemption from Application of the Service Contract Act for Maintenance, Calibration, or Repair of Certain Equipment Certification
17. FAR 52.222-52 Exemption from Application of the Service Contract Act for Certain Services – Certification
18. FAR 52.223-1 Bio based Product Certification
19. FAR 52.223-4 Recovered Material Certificate
20. FAR 52.223-9 Estimate of Percentage of Recovered Material Content for EPA-Designated Items
21. FAR 52.225-2 Buy American Act Certificate
22. FAR 52.225-4 Buy American Act–Free Trade Agreements-Israel Trade Act Certificate
23. FAR 52.225-8 Trade Agreements Certificate

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24. FAR 52.225-20 Prohibition on Conducting Restricted Business Operations in Sudan-Certification
25. FAR 52.225-25 Prohibition on Contracting with Entities Engaging in Certain Activities or Transactions Relating to Iran-Representation and Certifications (Dec
26. FAR 52.226-2 Historically Black College or University and Minority Institution Representation
27. FAR 52.227-6 Royal Information
28. FAR 52.227-015 Representations of Limited Rights Data and Restricted Computer Software

The above is just a snapshot of the FAR Clauses that have been or could be listed in the SAM Representation and Certifications (Reps and Certs) section. They are not all inclusive. PTAC Counselors are encouraged to check for the very latest updates when counseling clients on the subject of Reps and Certs.

Part B: References

SAM: www.SAM.gov

FAR: <http://farsite.hill.af.mil/>, Search on FAR PART 52