

GENERAL DYNAMICS ROBOTIC SYSTEMS

REQUEST FOR QUOTATION GENERAL REQUIREMENTS

The General requirements set forth below apply to all Requests for Quotations/Proposals in addition to any special requirements which may appear on the face of the solicitation.

1. **DUE DATE:** All quotations and modifications thereof must be received at the plant shown on or before the due date. Buyer reserves the right to reject late quotations or late modifications thereof.

2. **WRITTEN AND VERBAL QUOTATIONS:** All quotations and modifications thereof must be in writing. Verbal quotations will be accepted only if permission to do so is indicated on the face of the solicitation and must be confirmed in writing.

3. **TERMS AND CONDITIONS:** Any purchase order or subcontract resulting from this solicitation will be subject to General Dynamics Land Systems General Terms and Conditions on form 84-005-0807 in effect as of the date of the purchase order or subcontract. In addition, if the order relates to a U. S. Government Department of Defense Prime Contract or Subcontract, the Government Contract Attachment form 84-005-0808 shall also apply. Said terms will prevail over and be in lieu of any supplier terms and conditions submitted with quotations or confirmation of orders.

4. **SPECIAL TOOLING AND SPECIAL TEST EQUIPMENT (ST/STE):**

(a) ST/STE COSTS must be segregated on the quotation together with a brief description of the production capacity of each item. A drawing or sketch of the special tools, fixtures, patterns, etc., will be required. If drawings or sketches are not available or practical, descriptive photographs may be acceptable.

(b) State the maximum life of the tools in terms of the total number of pieces the tools are capable of producing.

(c) If U. S. Government or GDLS owned facilities and/or ST/STE in your possession will be used to produce the end item or parts thereof, the appropriate identification number, total acquisition costs (less freight and installation charges), facilities contract number, and a brief description of the item(s) must be submitted with your quotation for each item.

5. Non-Recurring Engineering: All Non-recurring Engineering Costs must be identified separately.

6. NO BIDS: In the event you choose not to submit a quotation, please indicate reasons in writing and return the technical data package.

7. TECHNICAL REQUIREMENTS: Configuration, type and frequency of required testing and inspections, submission of samples, specimens and procedures and other technical requirements are specified in the technical data package and must be fully complied with by the Seller irrespective of prior years custom or waivers.

8. CERTIFICATIONS: By submission of its quotation or proposal, supplier certifies compliance with the following requirements:

(a) EQUAL OPPORTUNITY:

1. Except as noted below, up to the date of this offer, no advice, information, or notice has been received by the offeror from any Federal Government Agency or representative thereof that the offeror or any of its divisions or affiliates is in violation of any of the provisions of Executive Order No. 11246 of September 24, 1965. Executive Order No. 11375 of October 13, 1977, or rules and regulations of the Secretary of Labor (41 CFR, Chapter 60) and specifically as to not having an acceptable affirmative action program or being in noncompliance with any other aspect of the Equal Employment Opportunity Program. It is further certified and agreed that should there be any change in the status of circumstances certified to above between this date and the date of expiration of this offer or any extension thereof, the Government Contracting Officer cognizant of this procurement will be notified forthwith.

2. Offeror has complied with all applicable rules and regulations of the United States Department of Labor concerning the establishment and implementation of an affirmative action compliance program, including, but not limited to, all requirements of "order No. 4" of the United States Department of Labor (41 CFR 60-2).

(b) CLEAN AIR AND WATER (1977 JUNE):

(Applicable if the bid or offer exceeds \$100,000 or the purchaser had determined that orders under an indefinite quantity contract in any year will exceed \$100,000, or a facility to be used has been the subject to a conviction under the Clean Air (42 U.S.C. 1857c-8 (c))

(1) or the Federal Water Pollution Act (33 U.S.C. 1319(c) and is listed by the EPA, or is not otherwise exempt.)

By submission of bid or proposal, offeror certifies that:

1) Any facility to be utilized in the performance of this proposed contract is not listed on the Environmental Protection Agency List of Violation Facilities.

2) He will promptly notify the purchaser prior to award, of the receipt of any communication from the Director, Office of Federal Activities, U. S. Environmental Protection Agency, indicating that any facility which he proposed to use for the performance of the contract is under consideration to be listed on the EPA List of Violation Facilities.

3) He will include substantially this solicitation certification, including this paragraph (c), in every nonexempt subcontract.

(c) ASSURANCE - NONSEGREGATED FACILITIES

CERTIFICATION ON NONSEGREGATED FACILITIES

(Applicable to (1) contracts, (2) subcontracts, and (3) agreements with applicants who are themselves performing federally assisted construction contracts, exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity clause).

By the submission of this bid, the bidder, offeror, applicant, or subcontractor certifies that he does not maintain or provide for his employees any segregated facilities at any of his establishments, and that he does not permit his employees to perform their services at any location under his control where segregated facilities are maintained. The bidder, offeror, applicant, or subcontractor agrees that a breach of this certification is a violation of the Equal Opportunity clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, restrooms and washrooms, restaurants and other eating areas, time clocks, locker rooms, and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the bases of race, color, religion, or national origin, because of habit, local custom, or otherwise. He further agrees that (except where he has obtained identical certifications from proposed

subcontractors for specific time periods) he will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000, which are not exempt from the provisions of the Equal Opportunity clause, that he will retain such certifications in his files; and that he will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods):

Notice to prospective subcontractors of requirements for certifications of nonsegregated facilities:

A Certification of Nonsegregated Facilities must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal Opportunity clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semiannually, or annually).

52.209-5 Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters (Mar 1996)

This certification is required prior to award of any subcontract.

(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 not presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any Federal agency;

(B) 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; and

(C) Are not presently indicted for, or otherwise criminally or civilly charged by a governmental entity with,

commission of any of the offenses enumerated in subdivision (a)(1)(i)(B) of this provision.

(ii) The Offeror 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.

(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.

52.203-11 Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (Apr 1991)

This certification is required prior to award of any subcontract.

(b) The offeror, by signing its offer, hereby certifies to the best of his or her knowledge and belief that on or after December 23, 1989--

(1) No Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan, or cooperative agreement;

(2) If any funds other than Federal appropriated funds (including profit or fee received under a covered Federal transaction) have been paid, or will be paid, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress on his or her behalf in connection with this solicitation, the offeror shall complete and submit, with its offer, OMB standard form LLL, Disclosure of Lobbying Activities, to the Contracting Officer; and

(3) He or she will include the language of this certification in all subcontract awards at any tier and require that all recipients of subcontract awards in excess of \$100,000 shall certify and disclose accordingly.

(c) Submission of this certification and disclosure is a prerequisite for making or entering into this contract imposed by section 1352, title 31, United States Code. Any person who makes an expenditure prohibited under this provision or who fails to file or amend the disclosure form 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.

NOTE: The penalty for making false offers is prescribed in 18 U. S. C. 1001.d.

9. AWARD: Buyer may make an award, based on quotations received and without discussion of such quotations to that offeror whose quotation conforming

to this solicitation is most advantageous to buyer, price and other factors considered. Therefore, quotations should be based on most favorable terms from a price and technical standpoint, Buyer reserves the right to waive informalities and minor irregularities and to reject all quotations received,