DETERMINATION OF RESPONSIBILITY
QUESTIONNAIRE

**PART I – INSTRUCTIONS**

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| 1. | Please state "not applicable" in questions that clearly do not apply. Do not omit any question. If any representation is not accurate and complete at the time offeror signs this questionnaire, the offeror must, as part of its proposal, identify the provision and explain the reason in detail in the space provided below. If additional space is needed, add additional sheet(s) to this questionnaire. If this space is left blank, offeror shall be deemed to have represented and warranted the accuracy and completeness of the representations on this questionnaire.  |
| 2. | All information must be legible. |
| 3. | The completed questionnaire must be sworn to by a partner (if partnership), a duly authorized officer or individual (if a corporation), or a principal (if a sole proprietorship). |
| 4. | The term "offeror" refers to the firm submitting a proposal in response to our solicitation. The term “contractor” refers to the offeror awarded the contract. |
| 5. | If during the performance of this contract, either of the following occurs, the contractor shall promptly give notice in writing of the situation to the contracting officer, and therefore cooperate with the contracting officer’s review and investigation of such information. |

i) Contractor has reason to believe that any representation or answer to any question contained in this questionnaire was not accurate or complete at the time this questionnaire was signed; or

ii) Events occur or circumstances change so that an answer to any question in Part IV is no longer accurate or complete.

PART II - IDENTITY OF OFFEROR

1. Offeror's Full Legal Name:

2. The offeror represents that it operates as the following form of legal entity: (Check whichever applies and fill in any appropriate blanks.)

|  |  |  |  |
| --- | --- | --- | --- |
|   | **[ ]**  |   | an individual or sole proprietorship |
|   | **[ ]**  |   | a general partnership |
|   | **[ ]**  |   | a limited partnership |
|   | **[ ]**  |   | a joint venture consisting of: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, |
|   |   |   | and\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
|   |   |   | (List all joint ventures on a separate sheet if this space is inadequate.) |
|   | **[ ]**  |   | a non-profit organization |
|   | **[ ]**  |   | a corporation organized or incorporated under the laws of the following state or country: |
|   |   |   | Japan on the following date:  |

3. Offeror's federal taxpayer identification number:

4. Offeror's legal address:

Telephone Number:

Fax Number:

5. Offeror's local or authorized point of contract address:

Name:

Title:

Address:

Telephone Number:

Fax Number:

6.

a. If the offeror is a corporation, has it filed a Certificate of Incorporation?

[ ]  YES [ ]  NO (If answer is "NO", attach a certified copy.)

b. Attach a certified copy of the By-Laws and Resolution of the corporation giving the names and titles of the corporate officers other than president, as well as non-officer employees, who are authorized to sign contracts, bonds, bills of sale and other legal instruments in connection with the contract, if the same have not been previously filed.

c. If a foreign corporation, does the offeror have proof of that it is authorized to transact business in the United States of America?

[ ]  YES [ ]  NO (If answer is "NO", attach a proof of such authority.)

In the event that any of offeror’s previous submissions to the FLC Sasebo Contracting Office in response to the above questions (a-c) no longer represent the offeror’s current corporate status, the offeror must attach a certified copy of any documents that amend its previous submissions.

7.

a. How long has the offeror been in business? years

b. Has the offeror’s major shareholders, officers or principals been in business under another name?

[ ]  YES [ ]  NO

If so, identify the name of the previous business entity and the date it was used.

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c. How many years of experience does the offeror have as a prime contractor/consultant? years

d. How many years of experience does the offeror have as a subcontractor? years

# PART III - OFFEROR'S REPRESENTATIONS

1. By submission of this proposal, the undersigned and each person signing on behalf of the undersigned certifies, and in the case of a joint proposal each party thereto certifies, as to its own organization, that to the best of its knowledge and belief,

a. the prices in this proposal have been arrived at independently without collusion, consultation, communication, or agreement for the purpose of restricting competition, with any other offeror or with any competitor;

b. unless otherwise required by law, the prices that have been quoted in this proposal have not been knowingly disclosed by the offeror to any other offeror or to any competitor prior to the closing date for proposals;

c. no attempt has been or will be made by the offeror to induce any other person, partnership or corporation to submit or not to submit a proposal for the purpose of restricting competition.

2. The following statements apply to any proposal or contract between the offeror and the FLC Sasebo Contracting Office. Statements b, c, d, e, f, and g below also apply to offeror’s parent, subsidiaries, and affiliates (if any), or joint ventures.

*Note; Check "YES" or "NO", as appropriate.*

a. Has the offeror been declared not responsible?

 [ ]  YES [ ]  NO

b. Has the offeror been debarred, suspended, proposed for debarment, declared ineligible, voluntarily excluded, or otherwise disqualified from bidding, proposing, or contracting?

[ ]  YES [ ]  NO

c. Has the offeror been a defaulter, as principal, surety or otherwise?

[ ]  YES [ ]  NO

d. Has the government or other public entity requested or required enforcement of any of its rights under a surety agreement on the basis of an offeror default or in lieu of declaring offeror in default?

[ ]  YES [ ]  NO

e. Is the offeror behind in repaying a contract or debt?

[ ]  YES [ ]  NO

f. Are there any proceedings pending that relate to offeror's responsibility, debarment, suspension, voluntarily exclusion or qualification to receive a Federal Government contract?

[ ]  YES [ ]  NO

g. Explain any "YES" answers to a, b, c, d, e, and f in the space provided below.

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| --- |
|  |

h. Has the offeror been convicted by a plea or verdict of guiltily of, or pleaded nolo contendere to, a misdemeanor or felony in any federal, state or local court?

[ ]  YES [ ]  NO

i. Does the offeror have any pending local or federal grand jury or court indictment?

[ ]  YES [ ]  NO

j. Is the offeror the subject of any pending investigation by any grand jury, commission, committee or other entity or agency or authority of any local or federal government entity?

[ ]  YES [ ]  NO

k. Is the offeror currently disqualified from selling or submitting bids/proposals to or receiving awards from any federal or local governmental entity?

[ ]  YES [ ]  NO

l. Within the past five years, has the offeror refused to testify or to answer any question concerning a bid or contract with any federal or local governmental entity?

[ ]  YES [ ]  NO

m. Has the offeror, 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 or local) contract?

[ ]  YES [ ]  NO

n. Explain any "YES" answers to h, i, j, k, l, and m, in the space provided below (attach additional pages as needed).

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## PART IV – ABILITY TO OBTAIN RESOURCES

See the attached “Financial Information and Diagnosis” – Attachment (2)

**PART V – CERTIFICATION AND ACKNOWLEDGEMENT**

1. IDENTITY OF OWENERS: The following are the principal owners or shareholders of this business enterprise.

|  |  |
| --- | --- |
| Name | Percent owned |
|   |   |
|   |   |
|   |   |
|   |   |
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|   |   |
|   |   |

2. CERTIFICATION

I certified that the information submitted on behalf of my company is accurate and complete the best of my knowledge, and properly reflect the position of the company.

|  |  |  |
| --- | --- | --- |
|  |  |  |
| Signature of Owner/PresidentPrint Name:  |  | Date |