



**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

For Mason Use Only
GMU Proposal #: _____

This form is to be completed by Subcontractor and submitted with its proposal to Mason.

1. GENERAL SUBCONTRACTOR INFORMATION			
Subcontractor Legal Name			DUNS #
Unique Entity ID #			
Street Address			
City	State	Country	Zip +4
Type of Organization Choose an item If required, please specify			Subcontractor Congressional District
Parent Company (if applicable)			
	Subcontractor PI/Technical Contact		Subcontractor Administrative Contact
Name			
Address			
Phone			
Email			
Sub Proposal Title			
Address where research will be performed			
City	State	Country	Zip +4
Performance Period Start Date		Performance Period End Date	
Person authorized to conduct negotiations and commit Subcontractor with respect to the proposal submittal:			
Name	Phone	Email	
Prime Sponsor Name	Prime Sponsor Project Number	Prime Sponsor Project Title	

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

2. SUBCONTRACTOR SYSTEMS AND CONTROLS	
Subcontractor currently maintains commercial general liability insurance, professional liability insurance and worker's compensation insurance or is covered under a self-insurance plan Yes <input type="checkbox"/> No <input type="checkbox"/>	
Subcontractor registered in SAM Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, expiration date?	Does Subcontractor receive awards directly from a Federal Agency Yes <input type="checkbox"/> No <input type="checkbox"/>
Does Subcontractor have a DCAA approved accounting system Yes <input type="checkbox"/> No <input type="checkbox"/>	
If subcontractor does not have a DCAA approved accounting system, please check all that apply to your financial management system:	
<input type="checkbox"/> Effective control of all funds. Control systems must be adequate to ensure that costs charged to Federal funds and those counted as the subcontractor's cost share or match are consistent with requirements for cost reasonableness, allowability, and allocability in the applicable cost principles (see § 34.17) and in the terms and conditions of the award.	
<input type="checkbox"/> Accurate, current and complete records that document for each project funded wholly or in part with Federal funds the source and application of the Federal funds and the Subcontractor's required cost share or match. These records shall: (i) Contain information about receipts, authorizations, assets, expenditures, program income, and interest. (ii) Be adequate to make comparisons of outlays with budgeted amounts for each award (as required for programmatic and financial reporting under § 34.41 .	
<input type="checkbox"/> To the extent that advance payments are authorized under § 34.12 , procedures that minimize the time elapsing between the transfer of funds to the Subcontractor from the Government and the Subcontractor's disbursement of the funds for program purposes.	
<input type="checkbox"/> The system supports charges to Federal awards for salaries and wages, whether treated as direct or indirect costs. Where employees work on multiple activities or cost objectives, a distribution of their salaries and wages will be supported by personnel activity reports which must: (i) Reflect an after the fact distribution of the actual activity of each employee. (ii) Account for the total activity for which each employee is compensated. (iii) Be prepared at least monthly, and coincide with one or more pay periods.	
<input type="checkbox"/> Accounting records including cost accounting records that are supported by source documentation.	
Does subcontractor have written policies that address the following? (Check all that apply)	
<input type="checkbox"/> Pay Rates and Benefits	<input type="checkbox"/> Time and attendance
<input type="checkbox"/> Travel	<input type="checkbox"/> Leave
<input type="checkbox"/> Purchasing Procedures	<input type="checkbox"/> Discrimination

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

Check the applicable box below:

Subcontractor has a DCMA approved property system

OR

Subcontractor has property control procedures that adequately control, protect and preserve government property in accordance with requirement of FAR 52.245-1

3. PROPOSAL DOCUMENTS INCLUDED

<input type="checkbox"/> Statement of Work (required)	<input type="checkbox"/> Subcontractor Facilities Questionnaire (required for classified work)
<input type="checkbox"/> Price Proposal including spend plan (required)	<input type="checkbox"/> Assertion of Data Rights (if applicable, otherwise Government will receive all deliverables with unlimited rights)
<input type="checkbox"/> Biosketches of all Key Personnel	<input type="checkbox"/> W-9 COV [Virginia Version] (required)
(Required) <input type="checkbox"/> Provide a recent financial credit report from D&B or similar agency; OR <input type="checkbox"/> Provide letter or statement that Subcontractor had no financial irregularities in its most recent financial audit	<input type="checkbox"/> Representations and Certifications. Subcontractor has completed the annual representations and certifications electronically in SAM website accessed through https://www.sam.gov . After reviewing the SAM information, Subcontractor verifies by submission of the proposal that the representations and certifications currently posted electronically have been entered or updated within the last 12 months, are current, accurate, and complete as of the date of this proposal and are incorporated in the proposal by reference; with the exception that any representations or certifications contained in this Subcontractor Commitment Form supersedes the information in SAM.gov and are also incorporated into the proposal.
<input type="checkbox"/> Small Business Subcontracting Plan (required if Subcontractor is Large and value of subaward is over \$750,000)	<input type="checkbox"/> Acceptance of Subaward terms and conditions or detailed exceptions with supporting rationale (required)
<input type="checkbox"/> Certificate of Current Cost and Pricing Data (required if FAR 52.215-12 or 13 applies and proposal is at or above the Truth in Negotiations Act threshold (stated in 10 USC 2306a), as adjusted for inflation (41 USC 1908 and 41 USC 1502(b)(1)(B))	<input type="checkbox"/> Cost Accounting Standards Certification (required if Subcontractor is not exempt and proposal is at or above CAS threshold)

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

4. OTHER PROPOSAL INFORMATION	
To be completed by SUBCONTRACTOR	To be completed by MASON
Subcontractor's scope of work will include Human Subjects Yes <input type="checkbox"/> No <input type="checkbox"/>	Mason IRB Approval Received Yes <input type="checkbox"/> No <input type="checkbox"/> IRB #
Subcontractor's scope of work will include Animal Subjects Yes <input type="checkbox"/> No <input type="checkbox"/>	Mason IACUC Approval Received Yes <input type="checkbox"/> No <input type="checkbox"/> IACUC #
Subcontractor's scope of work will require access to or will produce CDI/CUI? Yes <input type="checkbox"/> No <input type="checkbox"/>	Mason Facility Security Officer (FSO) notified? Yes <input type="checkbox"/> No <input type="checkbox"/>
Subcontractor's scope of work will require access to or will produce export-controlled information? Yes <input type="checkbox"/> No <input type="checkbox"/>	Mason Export Office notified? Yes <input type="checkbox"/> No <input type="checkbox"/>
Subcontractor's scope of work will require access to classified information? Yes <input type="checkbox"/> No <input type="checkbox"/>	Facilities Questionnaire sent to Mason FSO? Yes <input type="checkbox"/> No <input type="checkbox"/>
Subcontractor's scope of work will require Mason or the Government to provide Property? Yes <input type="checkbox"/> No <input type="checkbox"/>	Mason Government Property Manager notified? Yes <input type="checkbox"/> No <input type="checkbox"/>
5. INDIRECT COST (F&A) RATE INFORMATION	
Is Subcontractor an FDP Clearinghouse Member? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, skip to Number 6, Certifications.	

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

<p>The information below is to be completed by all Subcontractors subject to OMB Uniform Guidance, 2 CFR Part 200, that do <u>NOT</u> have an FDP clearinghouse profile:</p>	
F&A Rate	Fringe Benefit Rate
<input type="checkbox"/> Subcontractor has applied its federally negotiated F&A rates. Negotiated rate agreement is attached or link to document provided. Rate:	<input type="checkbox"/> Subcontractor has applied its rates consistent with or lower than its federally-negotiated rates. Negotiated rate agreement is attached or link to document provided Rate:
<input type="checkbox"/> Subcontractor does not have a federally negotiated rate and desires to negotiate a rate with Mason. Subcontractor has attached its F&A Rate information.	<input type="checkbox"/> Subcontractor does not have a federally-negotiated rate and has applied actual fringe benefits (Subcontractor proposal specifies the benefit categories).
<input type="checkbox"/> Subcontractor elects to use a de minimums rate Rate: (up to 10%)	<input type="checkbox"/> Subcontractor has applied other rates, the basis on which rates have been calculated, including elements used in calculation, is included in Subcontractor's proposal).
<input type="checkbox"/> Subcontractor has applied other rates as required by the prime sponsor policies/guidelines Rates:	
<input type="checkbox"/> Subcontractor does not propose indirect rates	
<p>The information below is to be completed by all other Subcontractors not subject to OMB Uniform Guidance, 2 CFR Part 200)</p> <p>Subcontractor has a DCAA Forward Pricing Rate Agreement (FPRA) or similar agreement with the government (appropriate for pricing proposals) and has used such rates to price this proposal effort. Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If Yes, date of Agreement</p>	
<p>If FAR 52.215-12/13 is included in the prime contract and Subcontractor's proposal exceeds \$2M and an exemption in FAR 15.403-1 does not apply, complete the following:</p>	
Subcontractor's proposal includes the cost elements identified in FAR has provided the cost details that are required in FAR 15.408 , Table 15-2. Yes <input type="checkbox"/> No <input type="checkbox"/>	
Subcontractor considers cost details required by FAR 15.408 , Table 15-2 to be proprietary. Subcontractor has provided a summary proposal to Mason and will submit the detailed cost information to the Government upon delivery instruction from Mason. Yes <input type="checkbox"/> No <input type="checkbox"/>	
Subcontractor's Cognizant DCAA Contact information is provided below: Office: Contact Name: Address: Phone: Telephone: Email:	

6. CERTIFICATIONS**RESEARCH WITH HUMAN SUBJECTS**

When human research subjects are involved in the performance of Work, Subcontractor agrees to comply with all current U.S. Government regulations concerning protection of human research subjects, with particular reference to Sponsor's implementation of 45 CFR Part 46 – Protection of Human Subjects. Subcontractor agrees to provide certification to Mason prior to the conduct of any human subjects research under any Subcontract that an appropriate institutional review board has reviewed and approved the procedures which involve human subjects and that the Subcontractor also have a Federal Wide Assurance for research with human subjects. Mason will not serve as the institutional review board for the Subcontractor. Instances of noncompliance with this provision shall be reported immediately to the Office of Research Subject Protections.

The Subcontractor agrees to provide copies of all reportable events such as unanticipated problems, continuing reviews, amendments that are submitted to the Subcontractor's institutional review board during the course of the research with human subjects, to the Principal Investigator and Contracts Officer identified in any Subcontract and to:

Office of Research Integrity & Assurance
George Mason University
Research Hall, Room 142
4400 University Drive, MS 6D5
Fairfax, VA 22030

USE OF LABORATORY ANIMALS

When the use of live vertebrate animals is involved in the performance of a Subcontract, Subcontractor agrees to comply with all current Federal regulations concerning the care and use of animals, as required by the Animal Welfare Act, as amended. Subcontractor agrees to provide certification to Mason upon execution of a Subcontract that an appropriate institutional animal care and use committee has reviewed and approved all procedures involving live vertebrate animals. Mason will not serve as the institutional review board for the Subcontractor. Instances of noncompliance with this provision shall be reported immediately to the Mason Contracts Officer.

SCIENTIFIC MISCONDUCT

Subcontractor agrees and certifies that instances of scientific fraud or misconduct related to the performance of a Subcontract shall be reported to the Mason Contracts Officer immediately subsequent to any independent determination that fraud or misconduct has occurred.

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)****FINANCIAL DISCLOSURE**

If Subcontractor employs more than 50 persons, Subcontractor certifies to the best of its knowledge that all financial disclosures required by the Sponsor/Agency policy have been made and that all identified conflicts will have been satisfactorily managed, reduced or eliminated prior to expenditure of any funds under a Subcontract, in accordance with Subcontractor's conflict of interest policy. Yes No

As conflicts which cannot be satisfactorily managed, reduced or eliminated, must be disclosed to Sponsor/Agency through Mason, Subcontractor shall promptly advise Mason of any such conflict(s). Yes No

If Subcontractor is an educational institution, Subcontractor certifies that its most recent A-133 audit was completed for the fiscal year and there were no findings of material weakness, material instances of noncompliance, or other findings that will be applicable to a Subcontract awarded by Mason. Yes No

COMPLIANCE WITH FEDERAL AND STATE LAW

Subcontractor represents and certifies that it is currently in compliance with all applicable local, state and federal laws and will remain in such compliance at all times and in all events during the term of this Agreement.

Subcontractor agrees to notify Mason promptly if there is any change of status in any of this certification. Failure to so comply will automatically terminate any subcontract as of the time of noncompliance. To the greatest extent permitted by law, subcontractor will indemnify and hold Mason and its employees harmless from the results of any and all violations.

CONFLICT OF INTEREST - PROMOTING OBJECTIVITY IN RESEARCH

Check all that apply:

Subcontractor certifies that it has an active and enforced conflict of interest policy that is consistent with the provision of 42 CFR Part 50, Subpart F "Responsibility of Applicants for Promoting Objectivity in Research" and 45 CFR Part 94 "Responsible Prospective Contractors."

Subcontractor certifies that, to the best of Institution's knowledge, (1) all financial disclosures have been made related to the activities that may be funded by or through a resulting agreement, and required by its conflict of interest policy; (2) all identified conflicts of interest have or will have been satisfactorily managed, reduced or eliminated in accordance with subcontractor's conflict of interest policy prior to the expenditures of any funds under any resultant agreement; and (3) all identified conflicts and resultant management plans will be reported to Mason's Office of Sponsored Programs to enable compliance with federal reporting requirements.

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)****ORGANIZATIONAL CONFLICT OF INTEREST**

Organizational Conflict of Interest or “OCI” means that, because of other activities or relationships the Subcontractor is unable or potentially unable to render impartial assistance or advice to the Government or Mason, or the Offeror's objectivity in performing the contract work is or might be otherwise impaired, or the Offeror has an unfair competitive advantage (See FAR 2.101). OCI but is not necessarily limited to, the situations set forth in FAR [9.505](#) and/or [9.508](#).

Subcontractor certifies, to the best of its knowledge and belief, that it has undertaken a thorough internal OCI review and that it is not aware of any information bearing on the existence of any actual or potential OCI which relates to the work to be performed. This includes any past, present or planned activities or relationships (financial, business, contractual, organizational, or otherwise) relating to the work to be performed under any resulting agreement which may suggest an OCI situation.

Yes No

If no, please attach explanation.

COMBATIING HUMAN TRAFICKING (22 USC 7104b(c), FAR 52.222-50)

Applicability: Applies to subcontracts issued under –

- 1) federal grants or cooperative agreements where the estimated value of services to be performed outside of the United States exceeds \$500,000; or
- 2) Federal contracts for supplies (other than Commercially-Available off-the-shelf Items), or federal contracts for services, either of which are purchased or performed outside of the United States and where the value of the supplies, goods or services exceeds \$550,000.

Certification:

Not Applicable

OR

Subcontractor certifies it has implemented a compliance plan to prevent any prohibited activities identified in the applicable provisions to monitor, detect, and terminate any agent, subcontractor or subcontract employee, engaging in prohibited activities; and

Subcontractor has conducted due diligence and to the best of its knowledge and belief, neither it nor any of its subcontractors, or their agents is engaged in any such activities.

PERSONAL CONFLICT OF INTEREST

Subcontractor certifies, to the best of its knowledge and belief, that it has undertaken a thorough review of either its own personnel or subcontract personnel (“personnel”), for performance under the proposal, and that no personal conflict of interest exists. A “Personal Conflict of Interest” is defined as a situation in which personnel has a financial interest, personal activity, or relationship that could impair the personnel’s ability to act impartially and in the best interest of Mason, Mason’s Prime Sponsor and/or the Government when performing under any resultant Agreement.

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)****DEBARMENT (FAR 52.209-6)**

Yes No The Subcontractor, PI or any other employee or student participating in this subcontract are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency

Yes No The Subcontractor, PI or any other employee or student participating in this subcontract are not presently indicted for or otherwise criminally charged by a governmental entity with the commission of any offense.

Yes No The Subcontractor has not within a three-year period preceding the submission of 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.

Yes No The Subcontractor has not within a three-year period preceding submission of this proposal had one or more public transactions (Federal, State or Local) terminated for cause or default.

Yes No The Subcontractor is not delinquent on any Federal debt.

LOBBYING (2 CFR 200.450, FAR 52.203-12)

The Subcontractor certifies that to the best of his/her knowledge and belief, that no Federal appropriated funds have been paid or will be paid, by or on behalf of the Subcontractor, 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 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 in accordance with 2 CFR 200.450. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or intending 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 in connection with this Federal contract, grant, loan, or cooperative agreement, the Subcontractor shall complete and submit Standard Form -LLL, "Disclosure Form to Report Lobbying," to Mason.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

PROHIBITION ON CERTAIN TELECOMMUNICATION AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT (2 CFR 200.216, DFARS 252.204-7018)

Subcontractor shall not obligate or expend funds received under a Subcontract to: (1) procure or obtain; (2) extend or renew a contract to procure or obtain; or (3) enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services (as described in Public Law 115-232, section 889) as a substantial or essential component of any system, or as a critical technology as part of any system.

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)****PROGRAM FOR ENHANCEMENT OF CONTRACTOR EMPLOYEE PROTECTIONS (41 U.S.C 4712)**

Subcontractor shall inform their employees working on any federal award that they are subject to the whistleblower rights and remedies of the program; inform their employees in writing of employee whistleblower protections under 41 U.S.C §4712 in the predominant native language of the workforce; and include such requirements in any agreement made with a lower tier subcontractor or subgrantee.

REPRESENTATION RELATING TO COMPENSATION OF FORMER DOD OFFICIALS (DFARS 252-203-7005)

If applicable, by submission of this offer, the Subcontractor represents, to the best of its knowledge and belief, that all covered DoD officials employed by or otherwise receiving compensation from the Subcontractor, and who are expected to undertake activities on behalf of the Subcontractor for any resulting contract, are presently in compliance with all applicable post-employment restrictions, including those contained in 18 U.S.C. 207, 41 U.S.C. 2101-2107, 5 CFR part 2641, section 1045 of the National Defense Authorization Act for Fiscal Year 2018 (Pub. L. 115-91), and Federal Acquisition Regulation 3.104-2

SUBCONTRACTOR BUSINESS SIZE (FAR 52.219-1)

The NAICS to be utilized for this procurement:
Small Business Size Standard for the above NAICS:
NAICS Description:

Check the business size(s) for that NAICS below:

(Example: If you are a Woman-Owned Small Business, check both the Small and WOSB boxes.)

- Large Small SDB
 WOSB HBCU/MI ANC
 VOSB SDVOSB HUBZone

If representing as a Small Disadvantaged Business (SDB) above, check the appropriate box:

- Black American Native American Asian-Pacific American
 Hispanic American Individual/concern, other than one of the preceding

The Government may impose a penalty against a firm misrepresenting their business size and/or disadvantaged status. Eligibility as a small business is based on the regulations issued by the Small Business Administration in CFR13, Part 121 of the SBA rules and regulations and the Federal Acquisition Regulations. Per 15 U.S.C. 645 (d), punishment includes imposition of a fine, imprisonment, or both, and possible administrative remedies including suspension and debarment.

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)****COST ACCOUNTING STANDARDS (CAS) (48 CFR 9903.201-1(b), FAR 52.230-2)**

This section describes the rules for determining whether a resulting award is exempt from CAS. Negotiated subcontracts not exempt in accordance with Items 1-15 below shall be subject to CAS.

Subcontractor hereby claims the following exemption from all CAS requirements because:

- 1.This is a sealed bid subcontract.
- 2.This is a negotiated subcontract not in excess of the Truth in Negotiations Act threshold (stated in 10 USC 2306a), as adjusted for inflation (41 USC 1908 and 41 USC 1502(b)(1)(B)).For purposes of this exemption, an order issued by one segment to another segment shall be treated as a subcontract.
- 3.The Subcontractor is a small business.
- 4.This subcontract is with a foreign government or its agent or instrumentality or, insofar as the requirements of CAS other than 9904.401 and 9904.402 are concerned, this subcontract is with a foreign concern.
- 5.The price of this subcontract is set by law or regulation.
- 6.This is a Firm-Fixed Price, Fixed Price with Economic Price Adjustment (provided that the price adjustment is not based on actual costs incurred), Time and Materials, or Labor Hour subcontract for the acquisition of commercial items.
- 7.This is a subcontract valued at less than \$7.5 million, provided that, at the time of award, the business unit of the subcontractor is not currently performing any CAS-covered contracts or subcontracts valued at \$7.5 million or greater.
- 8.This is a subcontract issued under the NATO Patrol Combatant Hydrofoil (Missile) (PHM)Ship program to be performed outside the United States by a foreign concern.
- 9.This is a Firm-Fixed-Price subcontract awarded on the basis of adequate price competition without submission of cost or pricing data.

IF AN EXEMPTION IS CLAIMED ABOVE, THE RESULTING AWARD WILL NOT BE CAS COVERED AND THIS SECTION IS COMPLETE; HOWEVER, IF NO EXEMPTION IS CLAIMED, SUBRECIPIENT MUST CHECK THE BOX BELOW AND COMPLETE THE ATTACHED CAS CERTIFICATION .

- No CAS exemptions claimed.

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006, AS AMENDED, 2008 (FFATA) (FAR 52.204-10)

Yes No In the preceding fiscal year, did you or your parent entity receive more than 80% of its annual gross revenue from federal funds?

Yes No In the preceding fiscal year, did you or your parent entity receive more than \$25 million in federal funding?

If the answers to the above two question above are **YES**, are the names and total compensation of the top 5 employees of your company publicly available? Yes No

If answer is **No** please provide the names and the total compensation for your entity's five highest paid Senior Executives as required under FFATA (Public Law 110-252) unless the public has access to information about the compensation of your Senior Executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 [15 U.S. Code §§78m(a) and 78o(d)] or §1601 of the Internal Revenue Code (26 U.S. Code)

Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:
Name:	Total Compensation:

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

DFARS 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident reporting /7020 NIST SP 800-171 DoD Assessment Requirements (Only applicable if a DoD agency is the Prime Sponsor)

As of November 30, 2020, DoD contractors must have a current DoD assessment posted in the Supplier Performance Risk System (SPRS) prior to award of any new DoD contracts unless an exception applies. This requirement flows down to Subcontractors. Therefore, Mason will also require a DoD assessment to be posted in the SPRS for Subcontractor prior to award of any subcontract and also requires Subcontractor to flow down same requirement from any lower tier subcontractor .

The Subcontractor shall make its representation and certification by selecting only one of the following:

The Subcontractor qualifies for the COTS exception set forth in DFARS 204.7304 and the Subcontractor represents and certifies that it solely provides COTS items as defined in Federal Acquisition Regulation 2.101; and therefore, the Subcontractor qualifies for the exception to DFARS 252.204-7012 Safeguarding Covered Defense Information and Cyber Incident reporting as prescribed by DFARS 204.7304. By making this representation and certification, the Subcontractor agrees to only provide COTS items under any subcontracts issued for the MADD prime contract;

OR

The Subcontractor confirms a DoD assessment is posted in DoD’s Supplier Performance Risk Assessment (SPRS) for each covered contractor information system* as described below:

Systems Security Plan (SSP)	CAGE Codes Supported by this SSP	Assessment Level (Basic, Medium or High)	Score	Date Assessment was completed	Date score of 110 for NIST SP 800-171 will be achieved (if not already achieved)

**As defined in DFARS 252-204-7102 a “covered contractor information system” is an unclassified information system that is owned or operated by or for a contractor that processes, stores or transmits Covered Defense Information.*

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

DFARS 252.239-7009 (SEP 2015) REPRESENTATION OF USE OF CLOUD COMPUTING (Only applicable if a DoD agency is the Prime Sponsor)

(a) Definition. "Cloud computing," as used in this provision, means a model for enabling ubiquitous, convenient, on-demand network access to a shared pool of configurable computing resources (e.g., networks, servers, storage, applications, and services) that can be rapidly provisioned and released with minimal management effort or service provider interaction. This includes other commercial terms, such as on-demand self-service, broad network access, resource pooling, rapid elasticity, and measured service. It also includes commercial offerings for software-as-a-service, infrastructure-as-a-service, and platform-as-a-service.

(b) The Subcontractor shall indicate by checking the appropriate blank in paragraph (c) of this provision whether the use of cloud computing is anticipated under the resultant subcontract.

(c) The Subcontractor represents that it—

- Does anticipate that cloud computing services will be used in the performance of any subcontract resulting from this solicitation.
- Does not anticipate that cloud computing services will be used in the performance of any subcontract resulting from this solicitation.

7. SIGNATURE

The information, certifications and assurances above have been read, signed and made by an authorized official of the Subcontractor named here. The appropriate programmatic and administrative personnel involved in this application are aware of agency policy in regard to subcontracts and are prepared to establish the necessary inter-institutional agreements consistent with those policies. **Any work begun and/or expenses incurred prior to execution of a subaward agreement are at the Subcontractor's own risk.**

Subcontractor Name	
Authorized Official Signature	
Name	
Title	
Date	

Please complete and sign attachments as applicable

ATTACHMENTS

1. Certificate of Current Cost or Pricing Data
2. Cost Accounting Standards Certification
3. Identification and Assertion of Restrictions on the Government's Use, Release, or Disclosure of Technical Data, Other than Commercial Computer Software and Other than Commercial Computer Software Documentation
4. FAR 52.215-23 Limitation of Pass-through changes - GMU
5. FAR 52.215-23 Limitation of Pass-through changes - Subrecipient

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

CERTIFICATE OF CURRENT COST OR PRICING DATA

This is to certify that, to the best of my knowledge and belief, the cost or pricing data (as defined in section [2.101](#) of the Federal Acquisition Regulation (FAR) and required under FAR subsection [15.403-4](#)) submitted, either actually or by specific identification in writing, to the Contracting Officer or to the Contracting Officer's representative in support of _____* are accurate, complete, and current as of _____**. This certification includes the cost or pricing data supporting any advance agreements and forward pricing rate agreements between the offeror and the Government that are part of the proposal.

Company:	
Signature:	
Name	
Title	
Date	

* Identify the proposal, request for price adjustment, or other submission involved, giving the appropriate identifying number (e.g., RFP No.).

** Insert the day, month, and year when price negotiations were concluded and price agreement was reached or, if applicable, an earlier date agreed upon between the parties that is as close as practicable to the date of agreement on price.

***Insert the day, month, and year of signing, which should be as close as practicable to the date when the price negotiations were concluded and the contract price was agreed to.

SUBCONTRACTOR COMMITMENT FORM (PRIME IS FEDERAL CONTRACT)
--

COST ACCOUNTING STANDARDS CERTIFICATION

This certificate is required if it has been determined that Subcontractor does not have an exemption to Cost Accounting Standards in accordance with 48 CFR 9903.201-1(b).

This certification is in three parts, identified by Roman numerals I through III. Subcontractors shall examine each part and provide the requested information in order to determine Cost Accounting Standards (CAS) requirements applicable to any resultant subcontract.

If the subcontractor is an educational institution, Part II does not apply unless the contemplated subcontract will be subject to full or modified CAS coverage pursuant to 48 CFR 9903.201-2(c)(5) or 9903.201-2(c)(6), respectively.

I. DISCLOSURE STATEMENT-COST ACCOUNTING PRACTICES AND CERTIFICATION

(a) Any subcontract in excess of the lower CAS threshold specified in Federal Acquisition Regulation (FAR) 30.201-4(b) resulting from this solicitation will be subject to the requirements of the Cost Accounting Standards Board (48 CFR chapter 99), except for those subcontracts which are exempt as specified in 48 CFR 9903.201-1.

(b) Any subcontractor submitting a proposal which, if accepted, will result in a subcontract subject to the requirements of 48 CFR chapter 99 must, as a condition of contracting, submit a Disclosure Statement as required by 48 CFR 9903.202. When required, the Disclosure Statement must be submitted as a part of the subcontractor's proposal under this solicitation unless the subcontractor has already submitted a Disclosure Statement disclosing the practices used in connection with the pricing of this proposal. If an applicable Disclosure Statement has already been submitted, the subcontractor may satisfy the requirement for submission by providing the information requested in paragraph (c) of Part I of this provision.

Caution: In the absence of specific regulations or agreement, a practice disclosed in a Disclosure Statement shall not, by virtue of such disclosure, be deemed to be a proper, approved, or agreed-to practice for pricing proposals or accumulating and reporting contract performance cost data.

(c) Check the appropriate box below:

(1) *Certificate of Concurrent Submission of Disclosure Statement.* The subcontractor hereby certifies that, as a part of the offer, copies of the Disclosure Statement have been submitted as follows:

- (i) Original and one copy to the cognizant Administrative Contracting Officer (ACO) or cognizant Federal agency official authorized to act in that capacity (Federal official), as applicable; and
- (ii) One copy to the cognizant Federal auditor.

(Disclosure must be on Form No. CASB DS-1 or CASB DS-2, as applicable. Forms may be obtained from the cognizant ACO or Federal official.)

Date of Disclosure Statement:

Name and Address of Cognizant ACO or Federal Official Where Filed:

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

The offeror further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the Disclosure Statement.

(2) *Certificate of Previously Submitted Disclosure Statement.* The Subcontractor hereby certifies that the required Disclosure Statement was filed as follows:

Date of Disclosure Statement:

Name and Address of Cognizant ACO or Federal Official Where Filed:

The Subcontractor further certifies that the practices used in estimating costs in pricing this proposal are consistent with the cost accounting practices disclosed in the applicable Disclosure Statement.

(3) *Certificate of Monetary Exemption.* The Subcontractor hereby certifies that the Subcontractor, together with all divisions, subsidiaries, and affiliates under common control, did not receive net awards of negotiated prime contracts and subcontracts subject to CAS totaling \$50 million or more in the cost accounting period immediately preceding the period in which this proposal was submitted. The Subcontractor further certifies that if such status changes before an award resulting from this proposal, the Subcontractor will advise Mason immediately.

(4) *Certificate of Interim Exemption.* The Subcontractor hereby certifies that (i) the Subcontractor first exceeded the monetary exemption for disclosure, as defined in (3) of this subsection, in the cost accounting period immediately preceding the period in which this proposal was submitted and (ii) in accordance with 48 CFR 9903.202-1, the Subcontractor is not yet required to submit a Disclosure Statement. The Subcontractor further certifies that if an award resulting from this proposal has not been made within 90 days after the end of that period, the Subcontractor will immediately submit a revised certificate to Mason, in the form specified under paragraph (c)(1) or (c)(2) of Part I of this provision, as appropriate, to verify submission of a completed Disclosure Statement.

Caution: Subcontractor currently required to disclose because they were awarded a CAS-covered prime contract or subcontract of \$50 million or more in the current cost accounting period may not claim this exemption (4). Further, the exemption applies only in connection with proposals submitted before expiration of the 90-day period following the cost accounting period in which the monetary exemption was exceeded.

Alternate I (Apr 1996). As prescribed in 30.201-3 (b), add the following paragraph (c)(5) to Part I of the basic provision:

(5) *Certificate of Disclosure Statement Due Date by Educational Institution.* If the offeror is an educational institution that, under the transition provisions of 48 CFR 9903.202-1(f), is or will be required to submit a Disclosure Statement after receipt of this award, the offeror hereby certifies that (check one and complete):

(i) A Disclosure Statement Filing Due Date of _____ has been established with the cognizant Federal agency.

(ii) The Disclosure Statement will be submitted within the 6-month period ending _____ months after receipt of this award.

SUBCONTRACTOR COMMITMENT FORM (PRIME IS FEDERAL CONTRACT)
--

Name and Address of Cognizant ACO or Federal Official Where Disclosure Statement is to be Filed:

II. Cost Accounting Standards-Eligibility for Modified Contract Coverage

If the Subcontractor is eligible to use the modified provisions of 48 CFR 9903.201-2(b) and elects to do so, the Subcontractor shall indicate by checking the box below. Checking the box below shall mean that the resultant award is subject to the Disclosure and Consistency of Cost Accounting Practices clause in lieu of the Cost Accounting Standards clause.

The Subcontractor hereby claims an exemption from the Cost Accounting Standards clause under the provisions of 48 CFR 9903.201-2(b) and certifies that the Subcontractor is eligible for use of the Disclosure and Consistency of Cost Accounting Practices clause because during the cost accounting period immediately preceding the period in which this proposal was submitted, the Subcontractor received less than \$50 million in awards of CAS-covered prime contracts and subcontracts. The Subcontractor further certifies that if such status changes before an award resulting from this proposal, the Subcontractor will advise the Contracting Officer immediately.

Caution: A Subcontractor may not claim the above eligibility for modified contract coverage if this proposal is expected to result in the award of a CAS-covered contract of \$50 million or more or if, during its current cost accounting period, the offeror has been awarded a single CAS-covered prime contract or subcontract of \$50 million or more.

III. Additional Cost Accounting Standards Applicable to Existing Contracts

The Subcontractor shall indicate below whether award of the contemplated contract would, in accordance with paragraph (a)(3) of the Cost Accounting Standards clause, require a change in established cost accounting practices affecting existing contracts and subcontracts.

Yes No

If Subcontractor checked yes above, the Subcontractor shall:

- (i) Prepare the price proposal in response to the solicitation using the changed practice for the period of performance for which the practice will be used; and
- (ii) Submit a description of the changed cost accounting practice to Mason and the Cognizant Federal Agency Official as pricing support for the proposal.

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)****SECTION IV. CERTIFICATION**

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 18 USC § 1001.

UNDER 15 USC § 645(d), ANY PERSON WHO MISREPRESENTS THE STATUS OF ANY CONCERN 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.

THE UNDERSIGNED AUTHORIZED CORPORATE OFFICIAL HEREBY CERTIFIES ALL THE PROVISIONS REQUIRING CERTIFICATION IN THIS DOCUMENT AND CONFIRMS ACCEPTANCE OF ALL PROVISIONS IDENTIFIED. SUBRECIPIENT SHALL PROVIDE IMMEDIATE WRITTEN NOTICE TO MASON IF, AT ANY TIME PRIOR TO AWARD, THE SUBRECIPIENT LEARNS THAT ITS CERTIFICATION WAS ERRONEOUS WHEN SUBMITTED OR HAS BECOME ERRONEOUS BY REASON OF CHANGED CIRCUMSTANCES.

Company:	
Signature:	
Name	
Title	
Date	

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

Identification and Assertion of Restrictions
on the Government's Use, Release, or Disclosure of
Technical Data, Other than Commercial Computer Software and Other than Commercial Computer Software
Documentation

I. TECHNICAL DATA

The Subcontractor asserts that the Government's rights to use, release, or disclose the following technical data should be restricted—

Technical Data to be Furnished with Restrictions*	Basis for Assertion**	Asserted Rights Category***	Name of Person/Company Asserting Rights****

*If the assertion is applicable to items, components, or processes developed at private expense, identify both the data and each such item, component, or process.

**Generally, the development of an item, component, or process at private expense, either exclusively or partially, is the only basis for asserting restrictions on the Government's rights to use, release, or disclose technical data pertaining to such items, components, or processes. Indicate whether development was exclusively or partially at private expense. If development was not at private expense, enter the specific reason for asserting that the Government's rights should be restricted.

***Enter asserted rights category (e.g., government purpose license rights from a prior contract, rights in SBIR data generated under another contract, limited or government purpose rights under this or a prior contract, or specifically negotiated licenses).

****Corporation, individual, or other person, as appropriate.

II. COMPUTER SOFTWARE (OTHER THAN COTS) AND DOCUMENTATION

The Subcontractor asserts that the Government's rights to use, release, or disclose the following computer software and documentation should be restricted—

Computer Software to be Furnished with Restrictions*	Basis for Assertion**	Asserted Rights Category***	Name of Person/Company Asserting Rights****

*Generally, development at private expense, either exclusively or partially, is the only basis for asserting restrictions on the Government's rights to use, release, or disclose computer software.

**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

**Indicate whether development was exclusively or partially at private expense. If development was not at private expense, enter the specific reason for asserting that the Government's rights should be restricted.

***Enter asserted rights category (e.g., restricted or government purpose rights in computer software, government purpose license rights from a prior contract, rights in SBIR software generated under another contract, or specifically negotiated licenses).

****Corporation, individual, or other person, as appropriate.

Company	
Signature	
Printed Name	
Title	
Date	



**SUBCONTRACTOR COMMITMENT FORM
(PRIME IS FEDERAL CONTRACT)**

FAR 52.215-23 LIMITATION ON PASS-THROUGH CHARGES - SUBRECIPIENT

Subrecipient Name:	
Federal Contract #:	
Subrecipient Proposal Number:	dated

When FAR 52.215-23 is included in Mason’s prime award, Subrecipient is required to complete the form as part of its proposal effort.

The FAR clause defines an excessive pass-through charge as a charge to the government by a contractor (Mason) or subcontractor (Mason’s Subrecipient) for indirect costs or profit/fee on work performed by a subcontractor that adds no or negligible value to a contract or subcontract. The government considers indirect costs and profit/fee that a contractor applies to subcontract costs that exceed 70 percent of the contract to be “pass through costs”.

ORIGINAL PROPOSAL (Complete if proposal is for new award)	
Total Ceiling Value of Subrecipient's original proposal:	\$
Total Value of all lower tier Subcontracts/Consultants/Purchase Orders:	
Proposed Subrecipient % of Total Ceiling Value	
MODIFICATION (complete is proposal is for Subagreement modification)	
Total Cumulative Ceiling Value for subaward if Mason awards a modification to the subaward valued at your proposed price/cost:	\$
Total Value of all lower tier Subcontracts/Consultants/Purchase Orders if Mason awards a modification to the subagreement at your proposed price	
Subrecipient % of Total Ceiling Value after modification	

By signing below, I certify that the above is true accurate and correct.

Subrecipient Name:	
Signature:	Date:
Name:	Title: