



SUPPLIER ANNUAL COMPLIANCE CERTIFICATION - 2019

Supplier Name: _____

Supplier Number: CAGE Code or Company No. _____

Return Via Email to: Liteye Purchasing / cjones@liteye.com

TO: SUPPLIER:

As a government contractor, we are obligated to obtain certain certifications of compliance from suppliers on an annual basis. Please **complete all sections** of this form, checking all boxes that apply, certify your compliance, and **return** it to Liteye's Procurement office. **Failure** to return the form **may result in rejection of your bid(s)/proposal(s)**.

NOTICE TO FOREIGN BUSINESS CONCERNS: Check this box if you are a foreign business concern, and then omit Clauses 1, 2 and 3 below, which do not apply to you. NOTE: If you award subcontracts to entities in the United States in furtherance of an order you receive from **Liteye Systems, Inc. ("Liteye")**, you must require that the subcontractors in the United States provide all of the certifications below to you.

1. **Prohibition of Segregated Facilities.** The Offeror certifies that it does not and will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not and will not permit its employees to perform their services at any location under its control where segregated facilities are maintained.
2. **Certification and Representation of Equal Opportunity:** Offeror certifies and represents that it complies with the Equal Opportunity Clause set forth in 41 CFR 60-1.4 (FAR 52.222-26) and that it has filed or will file all required compliance reports set forth in FAR 52.222-22. Representations indicating submission of required compliance reports, signed by proposed subcontractors, will be obtained before subcontract awards.
3. **Certification and Representation of Affirmative Action Compliance (FAR 52.222-25):** Offeror certifies and represents that it has developed and maintains an affirmative action program at each of its establishments as required by 41 CFR 60-1 and 60-2; **or** has not previously had Federal contracts or subcontracts subject to written affirmative action program requirements. Offeror agrees to develop and secure Government approval of an affirmative action program should such a program become required.
4. **Protecting the Government's Interest When Subcontracting with Contractors Debarred, Suspended, or Proposed for Debarment (FAR 52.209-6):** Offeror certifies, to the best of its knowledge and belief, that Offeror and/or any of its Principals (as defined in FAR 52.209-5(a)(2)) ARE NOT presently debarred, suspended, proposed for debarment, or declared ineligible for award of contracts by any Federal Government agency. Offeror shall provide immediate written notice to Liteye if, at any time prior to order award, Offeror learns that its certification was erroneous when submitted or has otherwise changed.
5. **Certification and Disclosure Regarding Payments to Influence Certain Federal Transactions (FAR 52.203-11) (Anti-Lobbying):**
 - A. The definitions and prohibitions contained in FAR 52.203-12, Limitation on Payments to Influence Certain Federal Transactions, are hereby incorporated in this certification by reference.
 - B. Offeror hereby certifies, to the best of Offeror's knowledge and belief, that:
 - (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 Offeror's behalf in connection with the award, extension, continuation, renewal, amendment, or modification of a Federal contract, grant, loan, or cooperative agreement. (2) If any registrants under the Lobbying Disclosure Act of 1995 have made a lobbying contact on behalf of Offeror with respect to a contract, Offeror shall complete and submit, with its offer, OMB Standard Form LLL, Disclosure of Lobbying Activities to provide the name of the registrants. Offeror need not report regularly employed officers or employees of Offeror to whom payments of reasonable compensation were made.
 - (3) Offeror will include the substance of this certification in all subcontract awards, at any and all tiers, and require that all recipients of subcontract awards in excess of \$150,000 shall certify, and if required, disclose accordingly.

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C. Submission of this certification, and disclosure if required, is a prerequisite for making or entering into any prospective order as imposed by Section 1352, Title 31, United States Code. Any person who makes expenditures prohibited under this provision or who fails to file or amend the disclosure required to be filed or amended by this provision, shall be subject to a civil penalty of not less than \$10,000 for each such failure.

6. **Certification Regarding Political Contributions, Fees and Commissions Paid in Connection with Sales**

Subject to the International Traffic In Arms Regulations (22 CFR 130): Section 130.9 of title 22 of the Code of Federal Regulations requires Liteye, in applying for an export license, to report any political contributions, fees or commissions paid to promote the export sale of the articles for which Liteye is requesting an export license. In order to facilitate Liteye's reporting, Offeror certifies that it will immediately notify Liteye in writing whenever it learns of any payment or offer of payment made to promote the export sale of any articles incorporating components that Offeror may sell to Liteye.

7. **CONFLICT MINERALS.** Supplier shall conduct and require due diligence throughout its supply chain to prevent use of Conflict Minerals, which include gold (Au), tantalum (Ta), tungsten (W) and tin (Sn) sourced from areas identified as conflict regions, including the Democratic Republic of the Congo (DRC) and Central Africa in conformance with IPC1755 (e.g., CMRT).

- a. Supplier shall use due diligence protocols, standards, and procedures that meet or exceed the reasonable country of origin inquiry described in Securities and Exchange Commission rules and the relevant best practices developed by industry, and which allow Buyer to submit accurate Conflict Mineral reports to the Government and other entities.
- b. If Supplier's part or product is included in a Liteye Systems product, Supplier shall annually complete a CMRT. Failure to submit this form to Buyer when requested may result in the termination of this Order and prevent Buyer from conducting further business with Supplier in the future.
- c. Supplier certifies it will comply with and obtain prior written approval from Liteye Systems Inc. prior to shipment if product contains conflict minerals IAW with the Dodd-Frank Act, Section 1502 or applicable EU act.

8. **Certification Regarding Combating Trafficking in Persons (FAR 52.222-50):**

Offeror certifies that:

It _____ has or _____ has not been awarded any subcontract(s) containing FAR 52.222-50.

If Offeror is required by such clause to maintain a compliance plan, (FAR 52.222-50(b)(i) Subcontracts indicates: the clause applies to any portion of this subcontract that (i) is for supplies, other than commercially available off-the-shelf items, acquired outside of the United States (US), or services to be performed outside the US; and (ii) has an estimated value that exceeds \$500.00.)

Offeror further certifies that:

(1) It _____ has or _____ has not implemented compliance plans for each and every applicable Liteye subcontract to (i) prevent any prohibited activities identified in paragraph (b) of FAR 52.222-50, and (ii) monitor, detect, and terminate any Offeror employee, agent, subcontract or subcontractor employee engaging in any such prohibited activities; and

(2) After having conducted due diligence for each such subcontract, either – (check one that applies)
_____ To the best of Offeror's knowledge and belief, neither Offeror nor any of its agents, subcontractors, or their agents is engaged in any such prohibited activities on any of the subcontracts; or

_____ Abuses relating to any of the prohibited activities identified in paragraph (b) of FAR 52.222-50 have been found, and Offeror has taken the appropriate remedial and referral actions.

9. **SUPPLIER STANDARDS OF BUSINESS CONDUCT**

Supplier shall comply with the Liteye's Supplier Standards of Business Conduct (available at <https://liteye.com/external-providers-suppliers-vendors/LiteyeSupplierStandardsofBusinessConduct.pdf>) (the "Liteye Supplier Code"). Supplier shall ensure that its employees are aware of their contribution to product or service conformity, their contribution to product safety, and the importance of ethical behavior. Supplier represents and warrants that it has not participated, and will not participate, in any conduct that violates the Liteye's Supplier Code. Supplier shall notify Buyer if at any time Supplier becomes aware of any actual or suspected violation of the Liteye's Supplier Code.

Vendor Name: _____

10. **Small Business Certification(s):**

SUPPLIER BUSINESS SIZE CERTIFICATION	
Supplier certifies that this is a (check ALL that apply):	
<input type="checkbox"/> Small Business	<input type="checkbox"/> Woman-Owned Small Business
<input type="checkbox"/> Large Business	<input type="checkbox"/> HUBZone Small Business (SBA Certified*)
<input type="checkbox"/> Small Disadvantaged Business	<input type="checkbox"/> Veteran-Owned Small Business
<input type="checkbox"/> Indian Tribe	<input type="checkbox"/> Service-Disabled Veteran-Owned Small Business
<input type="checkbox"/> Alaska Native Corporation	<input type="checkbox"/> Non-Profit
<input type="checkbox"/> Foreign	<input type="checkbox"/> Other _____ For
assistance in determining business size, please refer to the following sources:	
1) Federal Acquisition Regulations Part 19 and/or 13 CFR Part 121	
2) Small Business Administration's (SBA) website at http://www.sba.gov/size	
3) SBA's toll free number 1-800-U-ASK-SBA	
Are you registered in SAM, System for Award Management? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If you are a Small Business, please provide the primary and alternate NAICS (North American Industry Classification System) code for the products and services you provide to Liteye. NOTE: For assistance in determining your NAICS Code, reference http://sba.gov/size .	
Primary NAICS _____ Alternate NAICS _____	
* If you are an SBA Certified HUBZone Small Business, please provide a copy of your SBA certification letter.	
NOTE: For assistance reference SAM, System for Award Management (http://www.sam.gov) and/or SBA's Dynamic Small Business Search Database (http://dsbs.sba.gov)	
PENALTY CLAUSE:	
Under 15 U.S.C. 645(d), any person who misrepresents a firm's size status in order to obtain a contract to be awarded under the preference programs established pursuant to section 8(a), 8(d), 9, or 15 of the Small Business Act or any other provision of Federal law that specifically references section 8(d) for a definition of program eligibility, shall be punished by imposition of fine, imprisonment, or both; be subject to administrative remedies, including suspension and debarment; and be ineligible for participation in programs conducted under the authority of the Act.	

11. **Certification Regarding Restricted Business Operations in Sudan** (FAR 52.225-20): Offeror certifies that Offeror does not conduct any restricted business operations in Sudan.

12. **Representation and Certifications Regarding Certain Activities or Transactions Relating to Iran** (FAR 52.225-25)

Offeror:

- (1) represents, to the best of its knowledge and belief, that Offeror does not export any sensitive technology to the government of Iran or any entities or individuals owned or controlled by, or acting on behalf or at the direction of, the government of Iran;
- (2) certifies that Offeror, or any person owned or controlled by Offeror, does not engage in any activities for which sanctions may be imposed under section 5 of the Iran Sanctions Act; and
- (3) certifies that Offeror, and any person owned or controlled by Offeror, does not knowingly engage in any transaction that exceeds \$3,500 with Iran's Revolutionary Guard Corps or any of its officials, agents, or affiliates, the property and interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

NOTICE: The above certification constitutes a material representation by Offeror upon which Liteye will rely in the event it makes an order award to Offeror. This certification will be incorporated by **reference in all Requests for Quote (RFQ) and will require Offeror to certify as to its continued accuracy, or submit an** amended certification to Liteye prior to order award. Further, if Offeror's status certified herein changes, Offeror must immediately notify Liteye, in writing, and submit an amended certification with any related data that may be required. Failure to provide complete, accurate and up- to-date information may result in Termination for Default.

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Complete all the information requested below.

IF THIS IS A CORPORATE-LEVEL CERTIFICATION, provide a list of all operating elements/sites covered. Include Supplier's CAGE Code or Company No. for each operating element/site, if known, or list name and address.

For period beginning on the date below and concluding on December 31, 2019.

SIGNATURE	DATED	
PRINTED NAME	TITLE	
SUPPLIER NAME	TELEPHONE NUMBER	
ADDRESS	CITY, ST (OR COUNTRY)	POSTAL CODE (+4 FOR U.S.)