SUBJECT: Determination of Contractor Responsibility or Non-Responsibility

DATE:

VENDOR NAME:

DUNS NUMBER:

**A. In accordance with FAR 9.104, the following has been reviewed and verified:**

The vendor **is** registered in the System for Award Management (SAM) at <https://www.sam.gov>,and was checked IAW FAR 9.405(d)(4) on: () and date is current in SAM until: ()

Vendor **is not** registered in SAM, but one of the following exceptions apply. (See FAR 4.1102 exceptions that apply)

**Supporting Rationale:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**CONTRACTOR SHALL PROVIDE A NARRATIVE FOR SUPPORTING RATIONALE**

The vendor  **has** active exclusions (such as: Prohibition/Restriction Ineligible Proceedings Completed),  **has no** active exclusions (The vendor identified above is not listed as debarred, suspended or otherwise ineligible for award by any Federal agency).

The vendor  **is,**   **is not** IAW FAR 52.212-3, Vendor Representations and Certifications- Commercial Items, the vendor  **has**,  **has not** completed the annual representations and certifications electronically via system for award management.

**B. The Contracting Officer has determined that:**

The vendor  **does,**   **does not** have adequate resources to perform the contract, or the ability to obtain them (see [9.104-3](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/09.htm#P38_5527)(a));

**Supporting Rationale: CONTRACTOR SHALL PROVIDE A NARRATIVE FOR SUPPORTING RATIONALE**

The vendor  **does,**  **does not** have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them (*including, as appropriate, such elements as production control procedures, property control systems, quality assurance measures, and safety programs applicable to materials to be produced or services to be performed by the prospective contractor and subcontractors*). (See [9.104-3](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/09.htm#P38_5527)(a)).

The vendor  **does,**  **does not** have the necessary production and technical equipment and facilities, or the ability to obtain them (see [9.104-3](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/09.htm#P38_5527)(a)); and

The vendor  **is able,**  **is unable** to comply with the required or proposed performance schedule, taking into consideration all existing commercial and governmental business commitments;

The vendor  **does,**   **does not** have a satisfactory performance record (see [9.104-3](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/09.htm#P38_5527)(b) and [subpart 42.15](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/42.htm#P759_109106)). A prospective contractor shall not be determined responsible or non-responsible solely on the basis of a lack of relevant performance history, except as provided in [9.104-2](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/09.htm#P35_4784);

The vendor **does,**  **does not** have a satisfactory record of integrity and business ethics (*for example, see FAR 9.104-3(c*) and [*Subpart 42.15*](http://farsite.hill.af.mil/reghtml/regs/far2afmcfars/fardfars/far/42.htm#P759_109106)

The vendor  **has,**  **has not** made an affirmative response per FAR provisions 52.209-5(a)(1)-Certification Regarding Responsibility Matters & 52.212-3(h) - Offerors Representations and Certifications - Commercial Items, have been reviewed.

Check for Federal Delinquency and tax debt as defined in FAR 52.209-11. This vendor responded that it  **is,**  **is not**, a corporation that has any unpaid Federal tax liability IAW 52.209-11.

Check for Felony Criminal Violation: The vendor  **is**,  **is not** a corporation that was convicted of a Federal felony criminal violation IAW 52.209-11.

**C. Small Business Concern/Other than Small Business**

The vendor **is not** a small business, therefore section C **does not** apply.

The vendor **is** considered a small business concern therefore, section C **applies.**

IAW FAR 9.104-3(d)(2), the vendor is a small business, **is unable** to comply with the limitations on subcontracting per 52.219-14, and is considered **non-responsible**.

The contracting officer has made a determination of **non-responsibility** with regard to this small business concern and has referred the matter to the Small Business Administration (SBA). Upon review SBA, shall determine whether to issue a Certificate of Competency (COC) per FAR 19.6 (Date sent to SBA: \_\_\_\_\_\_\_\_\_\_\_\_\_\_)

The small business is otherwise **qualified and eligible** to receive an award under applicable laws and regulations (see also inverted domestic corporation prohibition at 9.108). **(Attached copy of Certificates of Competency)**

As required by FAR 9.104-4 and 19.705-5(a) the vendor  **has**,  **has not** complied with subcontracting plans submitted on previous contracts.

The  **small business vendor /**  **other than small business**  **is,**  **is not** otherwise qualified and eligible to receive an award.

**D. Determination**

Based on the above, I hereby determine that (.) **is,  is not,** responsible within the definition of FAR 9.104-Standards**.** In support of this recommendation, the Government has completed a detailed review and assessment of the information provided in SAM.gov and Federal Awardee Performance and Integrity Information (FAPIIS).

As a result of the review the vendor is deemed  **qualified  not qualified, and is**  **eligible**  **ineligible** to receive an award under applicable laws and regulations**.**

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**Contracting Officer Signature**  **Date**

Kathleen McCoy