



**FAX or Mail back to requester.**

**Attention: 2009** \_\_\_\_\_

## 2009 ANNUAL CERTIFICATION

Supplier Code \_\_\_\_\_  
(ITT Use Only)

Government Regulation Compliance and Business Size Certificate

<b>Name and Address</b>		<b>Billing Address</b>	
<b>Telephone Number</b>	<b>Facsimile Number</b>	<b>Number of Employees</b>	<b>CAGE/FSCM Number</b>
<b>NAICS U.S. Industry Title (Commodity)</b>	<b>NAICS Industry Number</b>	<b>North American Industry Classification System (NAICS) Website <a href="http://www.sba.gov/size/sizetable2002.html">http://www.sba.gov/size/sizetable2002.html</a></b>	
		<b>DUNS NUMBER</b>	

The procurement of material supplies or services for a U.S. Government contract requires compliance by prime contractors, subcontractors, and suppliers with various programs enacted into law, implemented by Executive Order and declared by Federal Regulations. Section I is required by the ITT Export Control. Sections II & IV are required by ITT to update supplier records. Section III is the ITT Annual Terms & Conditions acknowledgement section. **Please review and complete all sections. THERE ARE NO EXCEPTIONS FOR ANY SECTION.**

The following certifications are effective for the period of 12 months beginning on the date of signature on this document. If there is any change to your status under any of the following certifications during the period, you are required to inform ITT Business Unit named in the letterhead in writing promptly, within fifteen (15) days of the change in status.

### I. ITT SUPPLIER EXPORT COMPLIANCE CERTIFICATION

ITT requires that its suppliers certify certain information necessary to ensure compliance with U.S. government export control laws and regulations. Adherence to this requirement is necessary before ITT will place, or continue to place, any orders, participate in technical discussions or provide any items, data, or assistance. This certification must be signed by a duly authorized officer of the company.

**Section 1: Supplier Export Compliance Point of Contact**

**ITT Supplier Number** \_\_\_\_\_

The person below is authorized to discuss/verify/confirm the export compliance requirements associated with this certification.

Company Name: \_\_\_\_\_

Point of Contact: \_\_\_\_\_ Title: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**Section 2: U.S. Registration Requirements (§ 122.1)**

All ITT suppliers who are U.S. entities or persons must comply with the U.S. regulatory requirements contained in the U.S. International Traffic in Arms Regulations (ITAR); 22 CFR §122.1:

*(a) Any person who engages in the United States in the business of either manufacturing or exporting defense articles or furnishing defense services is required to register with the Directorate of Defense Trade. Manufacturers who do not engage in exporting must nevertheless register.*

**Is your company registered with the Directorate of Defense Trade Controls, U.S. Department of State?**  
(please checkmark answer)

- Yes      Expiration Date \_\_\_\_\_ *[Note: Effective 7/18/08, registration with the DOS is for 1 year, previously was 1 or 2 years. Have you renewed?]*
- In Process      Application Date \_\_\_\_\_ *(Must complete Section 4)*
- No      Provide explanation in Section 3, answer questions in Section 4, Provide signature in Section 5

**Section 3: I am not required to be registered with the U.S. Department of State for the following reasons:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Section 4: Required Supplier Information for Non-Registered Companies** (Please checkmark all answers below)

1. Are you a non-U.S. company or other legal entity?  
*Answering YES means you are NOT a corporation, business association, partnership, society, trust, or any other entity that is incorporated to do business in the United States. Answering NO means that your company or legal entity is a U.S. corporation, business association, partnership, society, trust or any other entity that is incorporated to do business in the United States.*

- Yes       No

2. Does your company employ non-U.S. persons or use non-U.S. persons as contract labor or consultants at any of its U.S. locations? A non-U.S. person is someone who is NOT a U.S. citizen or U.S. permanent resident alien (sometimes referred to as a "green card holder").

Yes  No

3. Does your company perform work at non-U.S. facilities, affiliates, or subsidiaries?

Yes  No

4. Will any third party who is a non-U.S. company or who will utilize non-U.S. facilities or non-U.S. persons be involved in any way on ITT transactions?

Yes  No

5. Will the item produced or to be produced for ITT use; any part, material, component or data that is or would become subject to the U.S. International Traffic in Arms Regulations (ITAR)?

Yes  No

**Section 5: Export Compliance Requirement** Please read the statement below, sign and return the form to ITT.

**Export Controlled Goods, Data, and Services:** I understand that certain goods, data, and/or services to be provided by ITT under a contract or purchase order may be subject to U.S. government export control laws and regulations including the International Traffic in Arms Regulations (ITAR) and the Export Administration Regulations (EAR). Goods or data that are subject to export controls and provided by ITT will normally be clearly marked as such. Controlled services will also be clearly identified. I understand that I am obligated to contact ITT immediately to obtain an export control determination in cases where export control jurisdiction has not been clearly marked or otherwise identified by ITT. I understand that providing access to U.S. export controlled goods, data, or services to non-U.S. persons either in the U.S. or abroad is prohibited without prior written authorization from the U.S. Government.

**I certify that to the best of my knowledge the above information is true and correct and that Company Name shall be responsible for ensuring that the requirements of this certification are conveyed to all sub-tier suppliers that will receive Buyer's technical data, or equipment or technology.**

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**II. BUSINESS INFORMATION (check all applicable)**

The supplier, by checking the applicable box, represents that: (a) it operates as  a corporation incorporated under the laws of the State of \_\_\_\_\_,  a sole proprietorship,  a partnership, or  a nonprofit organization; (b) if the supplier is a foreign entity, it operates as  a sole proprietorship  a partnership,  a nonprofit organization, or  a corporation registered for business in (country) \_\_\_\_\_.

A. Check all applicable box(es) as described under FAR 19.001 Definitions and FAR 19.201 General Policy:

- |   |   |   |
|---|---|---|
| <input type="checkbox"/> Foreign-Owned              | <input type="checkbox"/> Large Business               | <input type="checkbox"/> Small Business             |
| <input type="checkbox"/> Indian Tribes              | <input type="checkbox"/> Small Disadvantaged Business | <input type="checkbox"/> Women-Owned Small Business |
| <input type="checkbox"/> Alaska Native Corporations | <input type="checkbox"/> Veteran-Owned Small Business | <input type="checkbox"/> HUBZONE Business           |

Service-Disabled Veteran-Owned Small Business

B. If Supplier is a Hubzone Business please provide a **copy of the Hubzone Certification**.

Under 15 U.S.C. 645(d), any person who misrepresents a firm's status as a small, HUBZone small, small disadvantaged, or woman-owned small business concern 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 –

- (i) Be punished by imposition of fine, imprisonment, or both;
- (ii) Be subject to administrative remedies, including suspension and debarment; and
- (iii) Be ineligible for participation in programs conducted under the authority of the Act.

### III. ANNUAL TERMS AND CONDITIONS

Supplier agrees that all purchase orders issued by ITT during calendar year 2009 shall incorporate the terms and conditions found on the enclosed 'Fixed Price Terms and Conditions of Purchase forms. Purchase orders issued from the ITT Corporation, Defense Business Units will be in accordance with form DEF 9437(Rev. 12/08). Please acknowledge your CONTRACTUAL AGREEMENT TO THE ABOVE TERMS by executing and returning this form.

**Accepted by:**

Typed: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

### IV. BUSINESS CONTINUITY PLAN

**Supplier certifies as follows:**

"Supplier has a continuity plan in place pursuant to which, at a minimum, Supplier shall (a) promptly notify Buyer in the event of a FORCE MAJEURE event, (b) maintain such part performance as is reasonably possible, and (c) resume full performance as soon as is reasonably possible."

**Accepted by:**

Typed: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

### V. FOREIGN CONTROL COMPLIANCE CERTIFICATION – (15 CFR 730-774)

**(Foreign Suppliers Only)**

- A. Supplier hereby acknowledges notification that any documentation provided to Supplier which is defined as technical data (information regarding the Design, Development, Manufacture, Production, Assembly, Testing, Repair, Maintenance, or Modification of ITT CS's products and services, hereinafter called "Buyer's technical data") is subject to U.S. Government export control regulations (Export Administration Regulations, "EAR"), and may not be disclosed without prior written approval from the U.S. Department of Commerce and ITT.
- B. Supplier hereby acknowledges notification of the export requirement to disclose to ITT CS employees by country who hold dual-citizenship status with a country other than the U.S. (e.g., they are citizens of your country and a third country, other than the U.S.).

I certify that to the best of my knowledge the above information is true and correct and that Company Name shall be responsible for ensuring that the requirements of this certification are conveyed to all sub-tier suppliers that will receive Buyer's technical data, or equipment or technology.

Printed Name: \_\_\_\_\_  
Company Name: \_\_\_\_\_  
Signature: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**CERTIFICATION:**

I hereby acknowledge an awareness of the U.S. Government's contracting and subcontracting programs and confirm the accuracy of the statements made above. This certification shall apply to all Requests for Quotations, Purchase Orders or Subcontracts received from ITT. Furthermore, I am responsible for notifying the ITT Buyer of any changes in status affecting this certification.

NAME (Type)	TITLE	SIGNATURE	DATE
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Requester:

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