

Cubic Corporation is authorized to obtain supplier certifications and representations required by statute, executive order, or regulation for every Subcontract/Purchase Order. Please review and complete by checking the appropriate option(s) and return.

Company:

UEI #:

Cage Code:

**13 CFR 125.3(c)(1)(v) Cubic has assigned the following NAICS Code, and Corresponding Size Standard assigned to potential offeror prior to acceptance and award of subcontract that best describes the principal purpose of the subcontract in accordance with FAR 52.219-9(e)(7). Suppliers do not edit the below field for NAICS Code and Corresponding Size Standard. Link to: [SBA Table of Size Standards](#)**

NAICS Code & Product or Service Description: Size Standards in Millions of Dollars: Size Standards in # of Employees:

### 52.219-1 Small Business Program Representations (Oct 2022)

a) Definitions. As used in this provision-

Economically disadvantaged women-owned small business (EDWOSB) concern means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States and who are economically disadvantaged in accordance with 13 CFR part 127, and the concern is certified by SBA or an approved third-party certifier in accordance with 13 CFR 127.300. It automatically qualifies as a women-owned small business concern eligible under the WOSB Program.

Service-disabled veteran-owned small business concern-

(1) Means a small business concern-

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) "Service-disabled veteran" means a veteran, as defined in 38 U.S.C.101(2), with a disability that is service-connected, as defined in 38 U.S.C.101(16).

Small business concern—

(1) Means a concern, including its affiliates, that is independently owned and operated, not dominant in its field of operation, and qualified as a small business under the criteria in 13 CFR part 121 and the size standard in paragraph (b) of this provision.

(2) Affiliates, as used in this definition, means business concerns, one of whom directly or indirectly controls or has the power to control the others, or a third party or parties control or have the power to control the others. In determining whether affiliation exists, consideration is given to all appropriate factors including common ownership, common management, and contractual relationships. SBA determines affiliation based on the factors set forth at 13 CFR 121.103.

Small disadvantaged business concern, consistent with 13 CFR 124.1002, means a small business concern under the size standard applicable to the acquisition, that-

(1) Is at least 51 percent unconditionally and directly owned (as defined at 13 CFR 124.105) by-

(i) One or more socially disadvantaged (as defined at 13 CFR 124.103) and economically disadvantaged (as defined at 13 CFR 124.104) individuals who are citizens of the United States, and

(ii) Each individual claiming economic disadvantage has a net worth not exceeding \$750,000 after taking into account the applicable exclusions set forth at 13 CFR 124.104(c)(2); and

(2) The management and daily business operations of which are controlled (as defined at 13 CFR 124.106) by individuals who meet the criteria in paragraphs (1)(i) and (ii) of this definition.

Veteran-owned small business concern means a small business concern-

(1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C.101(2)) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and

(2) The management and daily business operations of which are controlled by one or more veterans.

Women-owned small business concern means a small business concern-

(1) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock of which is owned by one or more women; and

(2) Whose management and daily business operations are controlled by one or more women.

Women-owned small business (WOSB) concern eligible under the WOSB Program (in accordance with 13 CFR part 127) means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States, and the concern is certified by SBA or an approved third-party certifier in accordance with 13 CFR 127.300.

(3) The small business size standard for a concern that submits an offer, other than on a construction or service acquisition, but proposes to furnish an end item that it did not itself manufacture, process, or produce (i.e., nonmanufacturer), is 500 employees if the acquisition—

- (i) Is set aside for small business and has a value above the simplified acquisition threshold;
- (ii) Uses the HUBZone price evaluation preference regardless of dollar value, unless the offeror waives the price evaluation preference; or
- (iii) Is an 8(a), HUBZone, service-disabled veteran-owned, economically disadvantaged women-owned, or women-owned small business set-aside or sole-source award regardless of dollar value.

(c) Representations. (1) The offeror represents as part of its offer that—

- (i) **it**  **is**,  **is not** a small business concern; or
- (ii) It  **is**,  **is not** a small business joint venture that complies with the requirements of 13 CFR 121.103(h) and 13 CFR 125.8(a) and (b). [ The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_\_\_.]

(2) [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents that **it**  **is**,  **is not**, a small disadvantaged business concern as defined in 13 CFR 124.1002.

(3) [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that **it**  **is**,  **is not** a women-owned small business concern.

(4) Women-owned small business (WOSB) joint venture eligible under the WOSB Program. The offeror represents as part of its offer that **it**  **is**,  **is not** a joint venture that complies with the requirements of 13 CFR 127.506(a) through (c). [ The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_\_\_.]

(5) Economically disadvantaged women-owned small business (EDWOSB) joint venture. The offeror represents as part of its offer that **it**  **is**,  **is not** a joint venture that complies with the requirements of 13 CFR 127.506(a) through (c). [ The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_\_\_.]

(6) [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that **it**  **is**,  **is not** a veteran-owned small business concern.

(7) [Complete only if the offeror represented itself as a veteran-owned small business concern in paragraph (c)(6) of this provision.] The offeror represents as part of its offer that (i) **It**  **is**,  **is not** a service-disabled veteran-owned small business concern; or (ii) **It**  **is**,  **is not** a service-disabled veteran-owned joint venture that complies with the requirements of 13 CFR 125.18(b)(1) and (2). [ The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_\_\_.] Each service-disabled veteran-owned small business concern participating in the joint venture shall provide representation of its service-disabled veteran-owned small business concern status.

(8) [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents, as part of its offer, that- (i) **It**  **is**,  **is not** a HUBZone small business concern listed, on the date of this representation, as having been certified by SBA as a HUBZone small business concern in the Dynamic Small Business Search and SAM, and will attempt to maintain an employment rate of HUBZone residents of 35 percent of its employees during performance of a HUBZone contract (see 13 CFR 126.200(e)(1)); and (ii) **It**  **is**,  **is not** a HUBZone joint venture that complies with the requirements of 13 CFR 126.616(a) through (c). [ The offeror shall enter the name and unique entity identifier of each party to the joint venture: \_\_\_\_.] Each HUBZone small business concern participating in the HUBZone joint venture shall provide representation of its HUBZone status.

(d) Notice. Under 15 U.S.C.645(d), any person who misrepresents a firm's status as a business concern that is small, HUBZone small, small disadvantaged, service-disabled veteran-owned small, economically disadvantaged women-owned small, or women-owned small eligible under the WOSB Program in order to obtain a contract to be awarded under the preference programs established pursuant to section 8, 9, 15, 31, and 36 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-

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

(End of provision)

Alternate I ( Sept2015). As prescribed in 19.309(a)(2) add the following paragraph (c)(9) to the basic provision.; add the following paragraph (c)(9) to the basic provision:  
(9) [Complete if offeror represented itself as disadvantaged in paragraph (c)(2) of this provision.] The offeror shall check the category in which its ownership falls:

\_\_\_\_\_ Black American.

\_\_\_\_\_ Hispanic American.

\_\_\_\_\_ Native American (American Indians, Eskimos, Aleuts, or Native Hawaiians).

\_\_\_\_\_ Asian-Pacific American (persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China, Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, Republic of Palau, Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Hong Kong, Fiji, Tonga, Kiribati, Tuvalu, or Nauru).

\_\_\_\_\_ Subcontinent Asian (Asian-Indian) American (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands, or Nepal).

\_\_\_\_\_ Individual/concern, other than one of the preceding.

13 CFR 121.411(g) Signature Requirement. Each offer, proposal, bid, or application for a federal contract, subcontract, or grant shall contain a certification concerning the small business size and status of a business concern seeking the federal contract, subcontract or grant. **An authorized official must sign the certification on the same page containing the size status claimed by the concern.**

Signature of person authorized to sign on behalf of offeror:

Printed Name:

Date Signed:

Continued Definitions-

Lesbian, Gay, Bisexual, and Transgender-The term "gender identity" refers to one's internal sense of one's own gender. It may or may not correspond to the sex assigned to a person at birth, and may or may not be made visible to others."Sexual orientation" refers to an individual's physical, romantic, and/or emotional attraction to people of the same and/or different gender. Examples of sexual orientations include straight (or heterosexual), lesbian, gay, and bisexual.

Historically black college or university means an institution determined by the Secretary of Education to meet the requirements of 34 CFR 608.2. Minority institution means an institution of higher education meeting the requirements of Section 365(3) of the Higher Education Act of 1965 ( 20 U.S.C.1067k), including a Hispanic-serving institution of higher education, as defined in Section 502(a) of the Act ( 20 U.S.C.1101a).

Alaska Native Corporation (ANC) means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended ( 43 U.S.C. 1601, et seq.) and which is considered a minority and economically disadvantaged concern under the criteria at 43 U.S.C. 1626(e)(1). This definition also includes ANC direct and indirect subsidiary corporations, joint ventures, and partnerships that meet the requirements of 43 U.S.C. 1626(e)(2).

Indian tribe means any Indian tribe, band, group, pueblo, or community, including native villages and native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlement Act ( 43 U.S.C. 1601 et seq.), that is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs in accordance with 25 U.S.C. 1452(c). This definition also includes Indian-owned economic enterprises that meet the requirements of 25 U.S.C. 1452(e).

Minority Business Enterprise refers to a company that is at least 51 percent owned, managed and operated by at least one of the following groups: African Americans, Hispanic Americans, Asian Americans, or Native Americans typically certified by a city, state or federal agency.

Woman Business Enterprise refers to a company that is at least 51 percent owned, managed and operated by female gender, may be non-minority or of the following ethnic group of persons: African Americans, Hispanic Americans, Native Americans, and Asian Americans typically certified by a city, state or federal agency.

Disadvantaged Business Enterprise 49 CFR 26.5 means a for-profit small business concern - (1) That is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and (2) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

Please complete the following business size certification by checking ALL the applicable box(es) for the NAICS product or service proposed. Please sign and date below.

13 CFR 121.411(g) Signature Requirement. Each offer, proposal, bid, or application for a federal contract, subcontract, or grant shall contain a certification concerning the small business size and status of a business concern seeking the federal contract, subcontract or grant. **An authorized official must sign the certification on the same page containing the size status claimed by the concern.**

Large Business (LB)	Foreign (Non US) including Canadian Business	Lesbian, Gay, Bisexual, and Transgender (LGBT)
Historically Black Colleges and Universities (HBCU) and Minority Institutions (MI)	Alaska Native Corporations (ANCs) and Indian Tribe (IT) not Small Business (SB)	Alaska Native Corporations (ANCs) and Indian Tribes (IT) not Small Disadvantaged Business (SDB)
Minority Business Enterprise (MBE)	Woman Owned Business Enterprise (WBE)	Disadvantaged Business Enterprise (DBE)

**The offeror represents and certifies as part of this offer that the information provided herewith is current, accurate, and complete as of the date of the offer for the NAICS and corresponding size standard listed.**

Signature of person authorized to sign on behalf of offeror:

Printed Name:

Date Signed:

Name of Offeror:

Offeror Street Address:

Offeror City, State, ZIP Code:

Please include additional attachments below if applicable.

If the supplier checked the box for HUBZone, Cubic must verify via SBA Dynamic Small Business Search that supplier is in fact HUBZone certified. Documentation must be saved. Link to [SBA Dynamic Small Business Search](#)

If supplier checked the box for MBE, WBE, and (or) DBE, supplier must list, and attach current state you hold certification(s) in.