

Newport News Shipbuilding (NNS)

Cost Accounting Standards Notices and Certification

(Authorities: Public Law 100-679, 102 Stat. 4056, 41 U.S.C. § 422; FAR Part 30; NNS Purchase Order Appendix A)

**This notice is in two parts, identified by Roman numerals I and II. A response is required in each of these two parts.**

Potential NNS Suppliers/Subcontractors (referred to hereafter as “Offeror(s)”) shall examine each part below and provide the requested information to determine Cost Accounting Standards (CAS) requirements applicable to any NNS Purchase Order (also referred to herein as “contract”) awarded as a result of this Request for Quotation (RFQ(s)).

If the Offeror is an educational institution, Modified Contract Coverage, as described in subparagraph I(c)(5) below, does not apply unless the NNS Purchase Order will be subject to full or modified CAS coverage pursuant to 48 CFR 9903.201-2(c)(5) or 9903.201­2(c)(6), respectively.

I. Disclosure Statement— Cost Accounting Practices and Certification

(a) Any contract in excess of Truthful Cost or Pricing Data (TCPD) formerly TINA Threshold set by prime contract resulting from an NNS RFQ(s) is subject to the requirements of the Cost Accounting Standards Board (48 CFR Chapter 99), except for contracts that are exempt as specified in 48 CFR 9903.201-1 (see subparagraph I(c)(6) below).

(b) Any Offerors submitting a proposal in response to an NNS RFQ(s) which, if accepted, will result in a contract 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 Offeror’s proposal in response to the NNS RFQ(s), unless the Offeror has already submitted a Disclosure Statement disclosing the practices used in connection with the pricing of its proposal. If an applicable Disclosure Statement has already been submitted, the Offeror may satisfy the requirement for submission by providing the information requested in the applicable subparagraph of paragraph I(c) below.

CAUTION: In the absence of specific regulations or agreement, a practice disclosed in a Disclosure Statement is not, by virtue of disclosure, 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 in subparagraphs (1)-(7) below (check only **one** of these subparagraphs):

🞎 (1) *Certificate of Concurrent Submission of Disclosure Statement*. The Offeror hereby certifies that, as a part of the proposal, copies of the Disclosure Statement have been submitted as follows **(if this block is checked, the Offeror must also check either (i) or (ii) below)**:

🞎 (i) The original and two copies of the Disclosure Statement are submitted to NNS as part of this proposal; or

🞎 (ii) The Offeror has determined that this information is proprietary or business sensitive and declines to provide it to NNS as provided for in 48 CFR 9903.202-4; instead, the Offeror certifies that the original and one copy of the Disclosure Statement have been provided concurrent with the submission of the proposal to the Supervisor of Shipbuilding, Conversion, and Repair, United States Navy, Newport News, Virginia 23607, Attention: Administrative Contracting Officer, Code 402.

 Date of Disclosure Statement: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Date of Submittal: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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.

NOTE: Disclosure must be on Form No. CASB DS-1 or CASB DS-2, as applicable. Forms may be obtained from the cognizant Administrative Contracting Officer (ACO) or Federal Official and/or from the loose-leaf version of the Federal Acquisition Regulation.

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🞎 (2) C*ertificate of Previously Submitted Disclosure Statement*. The Offeror hereby certifies that the required Disclosure Statement was filed previously as follows:

 Date of Disclosure Statement(s): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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

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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 applicable Disclosure Statement.

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🞎 (3) C*ertificate of Monetary Exemption*. The Offeror hereby certifies that it, 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 proceeding the period in which this proposal was submitted. The Offeror further certifies that if such status changes before an award resulting from this proposal, the Offeror will advise NNS immediately.

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🞎 (4) *Certificate of Interim Exemption*. The Offeror hereby certifies that (i) it first exceeded the monetary exemption for disclosure, as defined in subparagraph I(c)(3) above 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 Offeror is not yet required to submit a Disclosure Statement. The Offeror further certifies that if an award resulting from this proposal has not been made within 90 days after the end of that period, it will immediately submit a revised copy of this certificate to NNS, with the appropriate check(s) in subparagraph I(c)(1) or I(c)(2), as appropriate, to verify submission of a completed Disclosure Statement.

CAUTION: Offerors that currently are 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 in subparagraph I(c)(4). Further, this interim 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.

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🞎 (5) *Certificate of Eligibility for Modified Contract Coverage*. The Offeror hereby certifies that it is eligible to use the modified provisions of 48 CFR 9903.201-2(b) and it elects to do so. Checking this box shall mean that the resultant contract is subject to the Disclosure and Consistency of Cost Accounting Practices clause (FAR 52.230-3 in lieu of the Cost Accounting Standards clause FAR 52.230-2. By claiming eligibility for the use of the Disclosure and Consistency of Cost Accounting Practices clause, the Offeror certifies that, during the cost accounting period immediately proceeding the period in which this proposal was submitted, it received less than $50 million in awards of CAS-covered prime contracts and subcontracts. The Offeror further certifies that if such status changes before an award resulting from this proposal, it will advise NNS immediately.

CAUTION: A Offeror may not claim the above eligibility for modified contract coverage if its 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, it has been awarded a single CAS-covered prime contract or subcontract of $50 million or more.

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🞎 (6) *Certificate of Exemption*. The Offeror hereby certifies that it is exempt from the Cost Accounting Standards under 48 C.F.R. 9903.201-1(b) based on the following **(check one or more of the boxes below, as applicable)**:

🞎 (i) Competitively bid purchase order.

🞎 (ii) Purchase Order less than TCPD Threshold set by prime contract.

🞎 (iii) Offeror is a small business.

🞎 (iv) Offeror is a foreign government or its agent or instrumentality, or, insofar as the requirements of CAS other than 9904.401 and 9904.402 are concerned, Offeror is a foreign concern.

🞎 (v) Price is set by law or regulation.

🞎 (vi) Contracts and subcontracts authorized in 48 CFR 12.207 for the acquisition of commercial items.

🞎 (vii) Contracts or subcontracts of less than $7.5 million, provided that, at the time of award, the business unit of the contractor or subcontractor is not currently performing any CAS covered contracts or subcontracts valued at $7.5 million or greater.

🞎 (xiii) Offeror is a foreign concern performing a subcontract under the NATO PHM Ship program outside the United States.

🞎 (xv) Firm-fixed-price purchase orders awarded on the basis of adequate price competition without submission of cost or pricing data.

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🞎 (7) *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 box 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. The name and address of the Cognizant ACO or Federal Official where Disclosure Statement is to be filed is: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

II. Additional Cost Accounting Standards Applicable to Existing Contracts

The Potential NNS Supplier/Subcontractor shall indicate below whether award of the contemplated purchase order would, in accordance with subparagraph (a)(3) of the Cost Accounting Standards clause, FAR 52.230-2, require a change in established cost accounting practices affecting existing contracts and subcontracts.

🞎 YES 🞎 NO

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| NAME OF COMPANY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | RFQ(s) No.: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
| SIGNATURE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | DATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |
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