

NON-DISCRIMINATION COMPLIANCE AGREEMENT

to extent that this contract is subject to them, contractor shall comply the applicable provisions of the following: Exec. Order No. 11246, Order No. 11625, Section 8 of the Small Business Act, as amended, and Revitalization and Regulatory Reform Act of 1976, Exec. Order 11701, Exec. Order No. 11758, Section 503 of the Rehabilitation Act of 1973 as amended by PL93-516, Vietnam Era Veteran's Readjustment Assistance Act of 1974 and the rules, regulations and relevant Orders of Secretary of Labor pertaining to the Executive Orders and Statutes listed above.

every amount or contractual or purchasing relationships, together with the number of the contractor's employees, determine which Executive Order provisions are applicable. For contracts valued at less than \$2,500, one of the clauses shall be considered a part of this contract. However, for contracts of or which aggregate to \$2,500 or more annually, the following table describes the clauses which are included in the contract.

- 1. Inclusion of the "Equal Employment Opportunity" clause in all contracts and orders.
 - 2. Certification of non-segregated facilities.
 - 3. Certification that an Affirmative Action program has been developed and is being followed.
 - 4. Certification that an annual Employers Information Report (EEO-1 Standard Form 100) is being followed.
 - 5. Inclusion of the "Utilization of Minority Business Enterprises" clause in all contracts and orders.
 - 6. Inclusion of the "Minority Business Subcontracting Program" clause in all contracts and orders.
 - 7. Inclusion of the "Listing of Employment Openings" clause in all contracts and orders.
 - 8. Inclusion of the "Employment of the Handicapped" clause in all contracts and orders.
- | | | |
|-----------------------|---------------------|----------------------|
| \$2,500 to \$5,000 | \$5,000 to \$10,000 | \$10,000 to \$50,000 |
| 8 | 8 | 1, 2, 3, 6, 7, 8 |
| \$50,000 to \$500,000 | \$500,000 or more | |
| 1, 2, 3*, 4*, 5, 6 | 1, 2, 3*, 4*, 5, 6 | |
| 7, 8 | 7, 8 | |
- * Applies only for businesses with 50 or more employees.

Equal Employment Opportunity Provisions
In accordance with Executive Order 11246, dated September 24, 1965 and Part 60-1 of Title 41 of the Code of Federal Regulations (Public Contracts and Property Management, Office of Federal Contract Compliance, Obligations of Contractors and Subcontractors), as may be amended from time to time, the parties incorporate herein by this reference the regulations and contract clauses required by these provisions to be made a part of Government contracts and subcontracts.

Certification of Non-segregated Facilities
The contractor certifies that it does not and will not maintain any facilities it provides for its employees in a segregated manner, or permit its employees to perform their services at any location under its control, where segregated facilities are maintained; and that it will obtain a similar certification, prior to the award of any nonexempt subcontract.

Certification of Affirmative Action Program
The contractor affirms that it has developed and is maintaining an Affirmative Action Plan as required by Part 60-2 of Title 41 of the Code of Federal Regulation.

Certification of Filing of Employers Information Reports
The contractor agrees to file annually on or before the 31st day of March complete and accurate reports on Standard Form 100 (EEO-1) or such forms as may be promulgated in its place.

Utilization of Minority Business Enterprises
(a) It is the policy of the Government that minority business enterprises shall have the maximum practicable opportunity to participate in the performance of the contract.

(b) The contractor agrees to use his best effort to carry out this policy in the award of his subcontracts to the fullest extent consistent with the efficient performance of this contract. As used in this contract the term "minority business enterprise" means a business, at least 50 percent of which is owned by minority group members, or in case of publicly owned businesses, at least 51 percent of the stock which is owned by minority group members. For the purposes of this definition, minority group members are Women, Negroes, Spanish surnamed American persons, American-Oriental, American-Indians, American-Eskimos, and American-Alutians. Contractors may rely on written representations by subcontractors regarding their status as minority business enterprises in lieu of an independent investigation.

6. Minority Business Enterprises Subcontracting Program

- (a) The contractor agrees to establish and conduct a program which will enable minority business enterprises (as defined in paragraph 5) to be considered fairly as subcontractors and suppliers under the contract. In this connection, the Contractor shall:
 - (1) Designate a liaison officer who will administer the contractor's minority business enterprises program.
 - (2) Provide adequate and timely consideration of the potentialities of known minority business enterprises in all "make or buy" decisions.
 - (3) Assure that known minority business enterprises will have an equitable opportunity to compete for subcontracts, particularly by arranging solicitations, time for preparation of bids, quantities, specifications, and delivery schedules as to facilitate the participation of minority business enterprises.
 - (4) Maintain records showing (i) procedures which have been adopted to comply with the policies set forth in this clause, including the establishment of a source list of minority business enterprises, (ii) awards to minority business enterprises on the source list, and (iii) specific efforts to identify and award contracts to minority business enterprises.
 - (5) Include the Utilization of Minority Business Enterprises clause in subcontracts which offer substantial minority business enterprises subcontracting opportunities.
 - (6) Cooperate with the Government's Contracting Officer in any studies and surveys of the Contractor's minority business enterprises procedures and practices that the Contracting Officer may from time to time conduct.
 - (7) Submit periodic reports of subcontracting to known minority business enterprises with respect to the records referred to in subparagraph (4) above, in such a form and manner and at such time (not more often than quarterly) as the Contracting Officer may prescribe.
- (b) The contractor further agrees to insert, in any subcontract hereunder which may exceed \$500,000 provisions which shall conform substantially to the language of this agreement, including this paragraph (b).

7. List of Employment Openings for Veterans
In accordance with Exec. Order 11701, dated January 24, 1973, and Part 60-250 of Title 41 of the Code of Federal Regulations, as may be amended from time to time, the parties incorporate herein by this reference the regulations and contract clauses required by these provisions to be made a part of Government contracts and subcontracts.

8. Employment of the Handicapped
In accordance with Exec. Order 11758, dated January 15, 1974, and Part 60-741 of Title 41 of the Code of Federal Regulations as may be amended from time to time, the parties incorporate herein by this reference the regulations and contract clauses required by these provisions to be made a part of Government contracts and subcontracts.

LRM
TRhm

1101

0505

4328 RV-2