

ORGANIZATIONAL CONFLICTS OF INTEREST DISCLOSURE

ADVISORY AND ASSISTANCE SUBCONTRACTS (SEP 2005)

(Derived from DEAR 952.209-8 - JUN 1997)

- A. Organizational Conflict of Interest means that because of other activities or relationships a subcontractor is unable or potentially unable to render impartial assistance or advice to NREL, or the subcontractor's objectivity in performing the subcontract work is or might be impaired, or the subcontractor will or may obtain an unfair competitive advantage.
- B. An offeror notified that it is the apparent successful offeror shall provide the statement described in paragraph (C) (1) or (2) of this provision. For purposes of this provision, "apparent successful offeror" means the offeror selected for final negotiations or where individual subcontracts are negotiated with all offerors in the competitive range it means all such offerors.
- C. The statement must contain one of the following:
 - 1. A [disclosure] statement of any past (within the past twelve months), present, or currently planned financial, contractual, organizational, or other interests relating to the performance of the statement of work. For contractual interests, such statement must include the name, address, telephone number of the client or client(s), a description of the services rendered to the previous client (s), and the name of a responsible officer or employee of the offeror who is knowledgeable about the services rendered to each client, if, in the 12 months preceding the date of the statement, services were rendered to the Government or any other client (including a foreign government or person) respecting the same subject matter of the instant solicitation, or directly relating to such subject matter. The agency and subcontract number under which the services were rendered must also be included, if applicable. For financial interests, the statement must include the nature and extent of the interest and any entity or entities involved in the financial relationship. For these and any other interests enough such information must be provided to allow a meaningful evaluation of the potential effect of the interest on the performance of the statement of work.
 - 2. A [representation] statement that no actual or potential conflict of interest or unfair competitive advantage exists with respect to the advisory and assistance services to be provided in connection with the instant solicitation or that any actual or potential conflict of interest or unfair competitive advantage that does or may exist with respect to the solicitation has been or will be communicated as part of the of the statement required by (B) above.
- D. Failure of the offeror to provide the required statement may result in the offeror being determined ineligible for award. Misrepresentation or failure to report any fact may result in the assessment of penalties associated with false statements or such other provisions provided for by law or regulation. (END OF PROVISION)

**ORGANIZATIONAL CONFLICTS OF INTEREST
DISCLOSURE STATEMENT**

Solicitation/Proposed Subcontract Number: _____

On behalf of my organization, I disclose that with respect to a potential or actual organizational conflict of interest regarding: (1) being able to render impartial, technically sound, and objective assistance or advice, or (2) being given an unfair competitive advantage, the facts of such potential or actual conflict are fully disclosed on the attached page(s) numbered: _____ through _____.

NOTE: An unfair competitive advantage does not include the normal flow of benefits from the performance of the proposed effort under the proposed subcontract with NREL.

I hereby disclose all information included in the attached statement in accordance with DEAR 952.209-08:

A statement of any past (within the past twelve months), present, or currently planned financial, contractual, organizational, or other interests relating to the performance of the statement of work.

For contractual interests, the statement must include the name, address, telephone number of the client(s), a description of the services rendered to the client(s), and the name of the responsible officer or employee of the offeror who is knowledgeable about the services rendered to such client(s) if, in the twelve months preceding the date of the statement, services were rendered to the U.S. Government or any other client(s) (including a foreign government or person) respecting the same subject matter of the solicitation or proposed subcontract or directly related to such subject matter. The agency name and contract number under which the services were rendered must also be included, if applicable.

For financial interests, the statement must include the nature and extent of the interest and the name and address of any entity or entities involved in the financial relationship.

For these and any other interests enough such information must be provided to allow a meaningful evaluation of the potential effect of the interest on the performance of the statement of work.

The disclosed information shall be in the format prescribed above.

Organization: _____

Signature: _____

Name: _____

Title: _____

Date: _____

**ORGANIZATIONAL CONFLICTS OF INTEREST
REPRESENTATION STATEMENT**

Solicitation/Proposed Subcontract Number: _____

Check all appropriate boxes, sign and return as part of your offer.

- On behalf of my organization, I represent that no actual or potential conflict of interest or unfair competitive advantage exists with respect to the advisory and assistance services to be provided by my organization under the proposed subcontract with NREL.

- In the event that I become aware that an actual or potential conflict of interest or unfair competitive advantage does or may exist with respect to the proposed subcontract with NREL, I will disclose the relevant facts as part of a disclosure statement required under **ORGANIZATIONAL CONFLICTS OF INTEREST DISCLOSURE—ADVISORY AND ASSISTANCE SUBCONTRACTS (JUN 1997) (Derived from DEAR 952.209-8.**

- I am not a former or current U.S. Government employee.

- I have not been an employee of NREL for a least one (1) year.

Organization: _____

Signature: _____

Name: _____

Title: _____

Date: _____

PLEASE NOTE: If you are a former or current U.S. Government employee or you have been an employee of NREL within the last 12 months, do not complete this OCI REPRESENTATION STATEMENT but instead complete an OCI DISCLOSURE STATEMENT.