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| **Supplier:** | | |  | **Supplier Code:** |  |
|  | | |  |  |  |
| **RFP/PO Number:** | | |  | **Line Item:** |  |
|  | | |  |  |  |
| **Part(s)**  **/Service Nomenclature:** | | |  | **Supplier Part(s)**  **/Service Nomenclature:** |  |
| **Sikorsky Part(s)**  **/Service Nomenclature:** |  |
| Supplier hereby represents that to the best of its knowledge, information, and belief goods and/or services offered constitute a “commercial item” as defined by FAR 2.101.  **instructions to supplier:**   1. Check only the applicable assertion(s). 2. Provide current, accurate and complete data as justification for the selected assertion(s). 3. Provide documentation substantiating the information (e.g., catalogs, purchase orders of prior sales, etc.). 4. If the United States government or its contractor previously determined the item to be a “commercial item,” provide evidence of such determination. 5. The following are examples of **unacceptable substantiation documentation:**    1. Governmental (state, local, federal, or foreign) invoices For example any invoices for a military model (such as UH-60 part) or a Direct Commercial Sale    2. Governmental (state, local, federal, or foreign) end use. For example any invoices for parts going into a helicopter used by a police department    3. Distributor invoices for sales to a Government (state, local, federal, or foreign)    4. Invoices older than one year (unless exceptional circumstances apply)    5. Commercial catalogs older than one year (unless exceptional circumstances apply) 6. Invoices from Lockheed Martin Corporation subsidiaries including Sikorsky Aircraft Corporation are discouraged and will be subject to additional scrutiny. This may result in delay in processing and rejection of the commercial item assertion. | | | | | |
| **BOX** | **NO.** | **ASSERTION #1.A -- Commercial Item Itself** | | | |
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|  | **1.A** | **The item itself is customarily used by the general public or by non-governmental entities for other than governmental purposes, and has been sold, leased, or licensed to the general public; or has been offered for sale, lease, or license to the general public**  **NOTE: “General public” and “non-governmental entities” do not include: (i) U.S. Federal Government; (ii) State, local, or foreign governments (including Direct Commercial Sales transactions); (iii) higher-tier contractors supplying the item to (i) or (ii); or (iv) affiliates of the supplier.** | | | |
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| **Documentation Substantiating the Assertion** | | | | | | |
| * 1. Describe the item and the relevant commercial market:   2. **Provide an attachment with sales data** (e.g. sale, lease, license; an offer for sale, lease, or license) on relevant transactions with the general public for comparable quantities. Include justification if data are older than 1 year or are for quantities that are not within 10% of the quantities offered to Sikorsky. | | | | | | |
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| **BOX** | **NO.** | **ASSERTION #1.B – Commercial Item of a Type** | | | |
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|  | **1.B** | **The item is of a type customarily used by the general public or by non-governmental entities for other than governmental purposes, and has been sold, leased, or licensed to the general public; or has been offered for sale, lease, or license to the general public**  **NOTE: “General public” and “non-governmental entities” do not include: (i) U.S. Federal Government; (ii) State, local, or foreign governments (including Direct Commercial Sales transactions); (iii) higher-tier contractors supplying the item to (i) or (ii); or (iv) affiliates of the supplier.** | | | |
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| **Documentation Substantiating the Assertion** | | | | | | |
| * 1. Describe the item and the relevant commercial market:   2. Include a technical assessment of the differences between the proposed item and the comparison item.   3. Provide an attachment with sales data (e.g. sale, lease, license; an offer for sale, lease, or license) on relevant transactions with the general public. Include justification if data are older than 1 year or are for quantities that are not within 10% of the quantities offered to Sikorsky. | | | | | | |

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| **BOX** | **NO.** | | **ASSERTION #2 – Evolved Commercial Item** | |
| |  |  |  | | --- | --- | --- | |  | **2.** | **Any item that has evolved from an item described in Assertion 1A or 1B through advances in technology or performance, even if it is not yet available in the commercial marketplace, but will be available in time to satisfy the delivery requirements under the RFP/PO listed above.** | |  | | **Documentation Substantiating the Assertion** | | |  * 1. Complete either Assertion 1A or 1B for the comparison commercial item.      1. Check applicable box for the evolved item:  * Product upgrade * Model change * Product improvement.      1. Include a technical assessment of the differences between the comparison item and the evolved item. 2. Provide explanation of any difference in price between the comparison item and the evolved item.   .   |  |  |  | | --- | --- | --- | | **BOX** | **NO.** | **ASSERTION #3.A – Commercial Item with Modifications of a Type Customarily Available** | | | | | | |
|  | | **3.A** | | **The item would satisfy Assertion 1, but for modifications of a type customarily available in the commercial marketplace.** | |
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| **Documentation Substantiating the Assertion** | | | | | |
| * 1. Complete Assertion 1A for the unmodified commercial item.  1. Include a technical assessment of the differences between the proposed item and the comparison item. Describe the final product and the modification, including how it affects the nongovernmental function or essential physical characteristics of the unmodified item, or changes the purpose of a process. The technical analysis must prove useful to the buyer [and USG contracting officer] who will use it, along with other sources of information, as the basis for negotiating a fair and reasonable price for the effort. 2. Provide an attachment with sales data (e.g. sale or offer for sale) on relevant transactions with the general public. Include justification if data are older than 1 year or are for quantities that are not within 10% of the quantities offered to Sikorsky. | | | | | |

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| |  |  |  | | --- | --- | --- | | **BOX** | **NO.** | **ASSERTION #3.B -- Commercial Item with Minor Modifications** | | | |
|  | **3.B** | **The item would satisfy Assertion 1, but for minor modifications of a type not customarily available in the commercial marketplace made to meet Federal Government requirements.**  **NOTE: "Minor modifications" means modifications that do not significantly alter the nongovernmental function or essential physical characteristics of an item or component, or change the purpose of a process.** |
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| **Documentation Substantiating the Assertion** | | |
| * 1. Complete Assertion 1A for the unmodified commercial item.  1. Include a technical assessment of the differences between the proposed item and the comparison item. Describe the final product and the modification, including how it affects the nongovernmental function or essential physical characteristics of the unmodified item, or changes the purpose of a process. The technical analysis must prove useful to the buyer [and USG contracting officer] who will use it, along with other sources of information, as the basis for negotiating a fair and reasonable price for the effort. 2. Provide an attachment with data on the comparative value and size of the modification and of the final product. Modification value must be less than the greater of $750,000.00 or 5% of the total price of the contract value. | | |

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| **BOX** | **NO.** | **ASSERTION #4 – Combination of Commercial Items** |

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|  | **4** | **The combination of items meeting the requirements of Assertions 1A, 1B, 2, 3A, 3B or 5 that is of a type customarily combined and sold in combination to the general public.**  **NOTE: “General public” does not include: (i) U.S. Federal Government; (ii) State, local, or foreign governments (including Direct Commercial Sales transactions) (iii) higher-tier contractors supplying the item to (i) or (ii); or (iv) affiliates of the supplier.** |
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| **Documentation Substantiating the Assertion** | | |
| * 1. Describe the combination and the relevant commercial market.   2. Complete Assertion 1A, 1B, 2, 3A, 3B or 5 for each item in the combination.  1. Provide an attachment with sales data on relevant transactions with the general public. Include justification if data are older than 1 year or are for quantities that are not within 10% of the quantities offered to Sikorsky. | | |

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| **BOX** | **NO.** | **ASSERTION #5 – Services for Commercial Items** |

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|  | **5** | **Installation, maintenance, repair, training, or other services, and**  **(A) Such services are procured for support of an item referred to in Assertion 1A, 1B, 2, 3A, 3B or 4, regardless of whether such services are provided by the same source or at the same time as the item; and**  **(B) The source of such services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government.**  **NOTE: “General public” does not include: (i) U.S. Federal Government; (ii) State, local, or foreign governments (including Direct Commercial Sales transactions); (iii) higher-tier contractors supplying the item to (i) or (ii); or (iv) affiliates of the supplier.** |
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| **Documentation Substantiating the Assertion** | | |
| 1. Describe the service and the relevant commercial market. 2. Describe the item, including the applicable assertion number, for support of which the service is procured: 3. Complete Assertions 1A, 1B, 2, 3A, 3B or 4 for the item for support of which the service is procured. 4. Describe how the terms and conditions under which the service is offered to the general public compare to those under which it is offered to the Federal Government. 5. Provide an attachment with sales data (e.g. sale or offer for sale) on relevant transactions with the general public. Include justification if data are older than 1 year or are for quantities that are not within 10% of the quantities offered to Sikorsky. | | |

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| **BOX** | **NO.** | **ASSERTION #6.A – Commercial Item Services** |

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|  | **6.A** | | **Services offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed or specific outcomes to be achieved and under standard commercial terms and conditions.**   * **“Catalog price” means a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or vendor, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public.** * **Market prices” means current prices that are established in the course or ordinary trade between buyers and sellers free to bargain and that can be substantiated through competition or from sources independent of the offerors.** | | |
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| **Documentation Substantiating the Assertion** | | | | | |
| 1. Describe the service, including the specific tasks performed or specific outcomes to be achieved, and the relevant commercial market. 2. Describe how the terms and conditions under which the service is offered and sold competitively in substantial quantities in the commercial marketplace compare to those offered under this RFP/PO: 3. Provide an attachment with sales data (e.g. sale or offer for sale) on relevant transactions with the general public, including catalogs and/or market prices from competition or from sources independent of the Offeror. Include justification if data are older than 1 year or are for quantities that are not within 10% of the quantities offered to Sikorsky. | | | | | |
| **BOX** | | **NO.** | | **ASSERTION #6.B –Commercial Item Services of a type** |
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|  | **6.B** | | **Services of a type offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed or specific outcomes to be achieved and under standard commercial terms and conditions.**   * **“Catalog price” means a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or vendor, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public.** * **“Market prices” means current prices that are established in the course or ordinary trade between buyers and sellers free to bargain and that can be substantiated through competition or from sources independent of the offerors.**   **Services “of a type” described above may be considered commercial items only if the supplier submits sufficient information to evaluate, through price analysis, the reasonableness of the price of such services. In order to make this determination, information on labor costs, material costs and overhead rates may be requested.** | | |
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| **Documentation Substantiating the Assertion** | | | | | |
| 1. Describe the service, including the specific tasks performed or specific outcomes to be achieved and the relevant commercial market: 2. Describe how the terms and conditions under which the service is offered and sold competitively in substantial quantities in the commercial marketplace compare to those offered under this RFP/PO: 3. Provide an attachment with sales data (e.g. sale or offer for sale) on relevant transactions with the general public, including catalogs and/or market prices from competition or from sources independent of the Offeror. Include justification if data are older than 1 year or are fro quantities that are not within 10% of the quantities offered to Sikorsky. | | | | | |
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| **BOX** | **NO.** | **ASSERTION #7 – Inter-entity Transfers** |

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|  | **7** | **Any item, combination of items, or service referred to in Assertions 1 through 6, notwithstanding the fact that the item, combination of items or service is transferred between or among separate divisions, subsidiaries, or affiliates of Lockheed Martin.** |
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| **Documentation Substantiating the Assertion** | | |
| 1. Complete Assertions 1 through 6, as applicable. | | |

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| **BOX** | **NO.** | **ASSERTION #8 – Nondevelopmental Commercial Items** |

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|  | **8** | **A nondevelopmental item that has been developed exclusively at private expense and sold in substantial quantities, on a competitive basis, to multiple State and local governments.**  **NOTE: “Nondevelopmental item” means:** **(1) any previously developed item of supply used exclusively for governmental purposes by a Federal agency, a State or local government, or a foreign government with which the United States has a mutual defense cooperation agreement;** **(2) any item described in paragraph (1) of this definition that requires only minor modification or modifications of a type customarily available in the commercial marketplace in order to meet the requirements of procuring department or agency; or** **(3) any item of supply being produced that does not meet the requirements of paragraph (1) or (2) solely because the item is not yet in use.** |
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| **Documentation Substantiating the Assertion** | | |
| 1. Describe the nondevelopmental item, including the elements of the above definition: 2. Describe the source of the development expenses for the nondevelopmental item: 3. Provide an attachment with sales data on relevant transactions with State and local governments: | | |

***By completing and signing this form, the Supplier represents:***

1. *That the part or service identified on page 1 meets the definition of "commercial item" at Federal Acquisition Regulation (FAR) 2.101*
2. *The data provided to justify each of the elements of the assertion selected below is current, accurate, complete, and adequate to support a determination of a “fair and reasonable price” (as per FAR 15.403-1(b) and 15.403-1(c)(3).*

**Signature of Supplier’s Authorized Representative:**

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

Title: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Internal Use -- Not to be completed by supplier**

**instructions to Sikorsky Employees for completing**

**cid & price reasonableness worksheet:**

1. Buyer review supplier’s assertion and supporting documentation.

2. Reject the assertion back to the Supplier if any of the following apply:

* 1. Form is incomplete, i.e. not filled out completely or signed by Supplier.
  2. Assertion is supported by unacceptable substantiation documentation as identified below:
     1. Governmental (state, local, federal, or foreign) invoices . For example any invoices for a military model (such as UH-60 part) or a Direct Commercial Sale
     2. Governmental (state, local, federal, or foreign) end use. For example any invoices for parts going into a helicopter used by a police department
     3. Distributor invoices for sales to a Government (state, local, federal, or foreign)
     4. Invoices older than one year (unless exceptional circumstances apply)
     5. Commercial catalogs older than one year (unless exceptional circumstances apply)
  3. Assertion is supported by inadequate data.

Note: Invoices from Lockheed Martin Corporation subsidiaries including Sikorsky Aircraft

Corporation are discouraged and shall be subject to additional scrutiny.

If data is deemed sufficient, forward SA6064 to SME for technical analysis / review.

3. SME evaluates technical assertion, conducts further analysis, documents analysis and

summarizes the rationale for acceptance or rejection of Supplier’s commercial item assertion

under Worksheet Section 1A: Commercial Item Determination and returns to Buyer.

4. Buyer reviews SME input for completeness.

If rejected by SME, notify supplier of rejection of their commercial item assertion and request

additional data if applicable.

If accepted by SME, Buyer completes Section 1B: Commercial Item Determination and documents

rationale for the commercial item determination.

5. Buyer completes Worksheet Section 2: Price Reasonableness.

Under 2A buyer provides price analysis performed to sales or market data either obtained

Independently or through the supplier.

Under 2B buyer provides price analysis to Sikorsky’s SAP historical data if available.

If Buyer cannot determine price reasonableness, Buyer contacts the supplier for additional data up

to or including cost and pricing data. If Supplier refuses, Buyer to follow escalation process in

PR:01-05-019 “ Procurement of Commercial Items under US Government Contracts”.

6. Buyer completes Worksheet Section 3: Summary and provides conclusion for commercial item

determination and why price is considered reasonable.

7. Buyer forwards SA6064, supporting documentation and completed worksheet to CPO and

Contracts and Council for review and approval.

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| **CID and Price Reasonableness Worksheet** |
| **Section 1: Commercial Item Determination**  **1Aa**  SME’s technical analysis and narrative of Commercial Item Determination:  **Subject Matter Expert:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  ( Department)  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_  Print Name Signature Date  **1B**  Buyer’s narrative of Commercial Item Determination  **Section 2: Price Reasonableness**  **2A**  Buyer’s narrative of Price Analysis performed to sales or market data:  **2B**  Buyer’s narrative of Price Analysis performed to Sikorsky SAP historical data:  **Section 3: Summary**  In conclusion, Buyer has determined this is a commercial item and the price is reasonable based on the following:  **Supply Management Buyer:**  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_  Print Name Signature Date |
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**Internal Use -- Not to be completed by supplier**

**Note: This page is not to be submitted in support of proposal activity. this page is to be kept on file within the purchase order case file**

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| **Part Service Nomenclature:** |  | **Sikorsky Part/Service No:** |  |

**Supply Management – Chief Procurement Officer**

I have reviewed the information provided by the Supplier and concur \_\_\_ that the item or service described above constitutes a "commercial item" as defined by FAR 2.101 and 15.403-1(c)(3). Comments:

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

Print Name Signature Date

**Contracts and Counsel (Legal)**

I have reviewed the information provided by the Supplier and concur \_\_\_ that the item or service described above constitutes a "commercial item" as defined by FAR 2.101 and 15.403-1(c)(3). Comments:

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

Print Name Signature Date