



Supplier's Assertion of Commerciality

RFP/RFQ Number	Select One: <input type="checkbox"/> Assertion of Commerciality applies to all the items produced by the supplier at this time <input type="checkbox"/> Assertion of Commerciality applies to the items identified in part I below
Supplier Name	

PART I

Items identified for Suppliers Assertion of Commerciality: <i>(Attach an additional sheet if needed)</i>		
Line Item	Name/Description	Part Number

PART II

To support the Prime Contractor's determination under FAR Part 2.101, the Supplier provides the following information:

Supporting information for the assertion: (Check all that apply)

- A. The item(s) is of a type customarily used for non-governmental purposes and that:
 1. Has been sold, leased, or licensed to the public; or
 2. Has been offered for sale, lease or license to the general public.
- B. The item(s) has evolved from an item described in paragraph (A) of this definition through advances in technology or performance and that is not yet available in the commercial marketplace, but will be available in the commercial marketplace in time to satisfy the delivery requirements under a Government solicitation.
- C. The item(s) would satisfy a criterion expressed in paragraph (A) or (B) hereof, but for:
 1. Modifications of a type customarily available in the commercial marketplace; or
 2. Minor modifications of a type not customarily available in the commercial marketplace made to meet Federal Government requirements. "Minor modifications," means modifications that do not significantly alter the non-governmental function or essential physical characteristics of an item or component, or change the purpose of a process. Factors to be considered in determining whether a modification is minor include the value and size of the modification and the comparative value and size of the final product.
- D. The item(s) represents a combination of items meeting the requirements of paragraphs (A), (B), (C), or (E) hereof that are of a type customarily combined and sold in combination to the general public.
- E. The services are installation services, maintenance services, repair services, or training services and other services. Such services are procured in support of an item meeting the criteria of FAR Part 2.101 and the source of such services;
 1. Offers such services to the general public and the Federal Government and its contractors contemporaneously and under similar terms and conditions; and
 2. Offers to use the same work force for providing the Federal Government with such services as the source uses for providing such services to the general public.



F. The service(s) is 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 under standard commercial terms and conditions. This does not include services that are sold based on hourly rates without an established catalog or market price for a specific service performed.

G. Any item, combination of items, or services referred to in paragraph (E) through (F), notwithstanding the fact that the item, combination of items, or service is transferred between or among separate divisions, subsidiaries, or affiliates of the Supplier.

H. The item(s) is a non-developmental item, as defined in FAR 2.101, which has been developed exclusively at private expense and sold in substantial quantities, on a competitive basis, to multiple State and local governments.

PART III

In support of the Commercial Item Determination in Part II, the following information is required (attach supporting documentation):

A. If you have checked the box by Paragraph (A) or (B) in Part II, please provide general sales information supporting your assertion that the item(s) has been offered for sale, lease or license or has been sold, leased or licensed or has evolved from an item described in Part I, paragraph (A) of this definition. For example, this information can take the form of a narrative description of such offers or the information may include catalog or market prices, pricing standards, invoices general sales volume, etc.

B. If you have checked the box by Paragraph (C) in Part II, please provide a brief description of the modification to be performed and information supporting the type of modification. Examples of supporting information may include estimated dollar value, size of the modification, comparative value, part count, complexity, past experience and size of the final product.

C. If you have checked the box by Paragraph (D), (E), (F), (G), or (H) in Part II, please provide relevant supporting information to assist in making our determination.

D. Other sources of data and information may be identified below that support this assertion and may be helpful to the Prime Contractor in making your determination:

Seller Name		Seller Title		Signature
Date	Phone		Email	