

**NON-DISCLOSURE AGREEMENT FORM FOR  
ACCESS TO THE DEPARTMENT OF ENERGY  
PORTSMOUTH INFRASTRUCTURE SUPPORT SERVICES  
(PORT ISS)  
SOLICITATION NO. 89303320REM000072  
CONTROLLED UNCLASSIFIED INFORMATION (CUI)**

I, \_\_\_\_\_, hereby certify that:

1. I am a United States citizen by birth or naturalization. (Circle one)  
(Date and City and State of Birth and if nationalized add country of  
birth as well as city and state of naturalization and naturalization  
certificate number.)

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2. I sign this form in my capacity as \_\_\_\_\_ [Title] of  
\_\_\_\_\_ [Name of Corporation,  
LLC, J.V., Partnership, College/University, Not for Profit, Not-For-Profit, Etc.]  
(hereinafter the "Company"). In doing so, I acknowledge I have the requisite  
authority to sign or obligate the Company. My business address, telephone  
number and email address are:

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3. The Company is foreign owned or has a percentage of foreign ownership or is  
totally U.S. owned (circle one). Its corporate headquarters or principal place of  
business is:

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4. Foreign ownership of the Company consists of citizens or companies from the  
following nations:

\_\_\_\_\_.

5. As a foreign owned or controlled company, this company has, an existing  
executed a FOCI Mitigation Agree with the U.S. DOE. It will provide a copy with  
this executed agreement to the Contracting Officer herein. Circle Yes or No or  
NA  
Please provide date of said agreement: \_\_\_\_\_

6. I understand and agree that if the Company is part of a consortium, joint venture, or other teaming arrangement, or if the Company has a parent or subsidiary corporation, each parent or subsidiary corporation, or each entity comprising the consortium, joint venture or other teaming arrangement must submit a *“Non-Disclosure Agreement Form for Access to the Department of Energy Portsmouth Infrastructure Support Services (PORT ISS) Solicitation No. 89303320REM000072 Controlled Unclassified Information (CUI)”* agreement form in order to gain access to CONTROLLED UNCLASSIFIED INFORMATION (CUI). Under no circumstances shall the Company share this CONTROLLED UNCLASSIFIED INFORMATION with another entity, including a parent or subsidiary corporation, or an employee thereof.
7. I am an employee of the Company. There exists a relationship between myself and the Company, which, for purposes of this form, means that the certifications contained herein are legally binding on both the company and myself.
8. For purposes of this form, I understand and agree that the term “foreign national” means an individual who is not a citizen of the United States of America.
9. The Company [has] [has no] (circle one) foreign national employees that require access to the requested CONTROLLED UNCLASSIFIED INFORMATION (CUI). (If answered in the affirmative, additional documentation will be required for DOE review and approval, which may be provided by the Contracting Officer (CO) upon request.)
10. I understand and acknowledge that DOE is providing access to the requested CONTROLLED UNCLASSIFIED INFORMATION for the specific purpose of responding to a Request for Proposals. Furthermore, I understand and acknowledge that Company employees approved to have access to the requested information will comply with the duties and responsibilities identified herein.
11. The Company “shall” limit and control the requested CONTROLLED UNCLASSIFIED INFORMATION to the minimum required for responding to the Request for Proposal.
12. I understand and acknowledge the Company has a continuing obligation with respect to the requested CONTROLLED UNCLASSIFIED INFORMATION (CUI).
13. I understand that the Company may be contacted to verify the statements made herein and that DOE may visit the Company to ensure that the proper information security practices are in place and are being followed. The Company agrees to cooperate fully in DOE’s effort in this regard.

14. My statements in the agreement form are true, complete and correct to the best of my knowledge, information and belief. They are made in good faith for the purposes of obtaining access to the Department of Energy Portsmouth Infrastructure Support Services (PORT ISS) Solicitation No. 89303320REM000072 Controlled Unclassified Information (CUI). I understand and acknowledge that a knowing and willful false statement in this form is punishable by fine, imprisonment, or both, pursuant to **18 United States Code, Section 1001**.

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

Title/Position \_\_\_\_\_

Phone: \_\_\_\_\_

Name of Company: \_\_\_\_\_

Name of Offeror: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Signature and Date: \_\_\_\_\_