

LAWRENCE LIVERMORE NATIONAL LABORATORY

ORGANIZATIONAL CONFLICTS OF INTEREST DISCLOSURE - INSTRUCTIONS (REFERENCE DEAR 952-209-8)

- (a) **Definition.** Organizational conflict of interest (OCI) means that because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance or advice to LLNS, or the person's objectivity in performing the Subcontract work is or might be otherwise impaired, or a person has an unfair competitive advantage.
- (b) **Requirement.** An Offeror notified that it is the apparent successful Offeror shall provide the statement described in paragraph (c) of this provision. For purposes of this provision, "apparent successful Offeror" means the proposer selected for final negotiations or, where individual subcontracts are negotiated with all firms in the competitive range, it means all such firms.
- (c) **Provide OCI Statement.** The statement must contain the following:
- (1) A statement of any past (within the past 12 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 clients, 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 LLNS, 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 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 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 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 Subcontract or that any actual or potential conflict of interest or unfair competitive advantage that does or may exist with respect to the Subcontract in question has been communicated as part of the statement required by (b) of this provision.
- (d) **Ineligibility.** 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)