

## Section 889 Merchant Representation for GPC Purchases

### Section 1 – References

1. FAR 52.204-24 through 26 , FAR 4.2105(a)

### Section 2 – Merchant Representation

**Procedures** - The merchant will make their selections stating whether or not they provide or use the following:

**Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation, (or any subsidiary or affiliate of such entities); Video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities) is strictly prohibited.**

As prescribed in 4.2105(a), the Merchant shall complete the following representation in FAR Clause 52.204-24

(d) Representation. The Offeror represents that—

(1) It **will, will not** provide covered telecommunications equipment or services to the Government in the performance of any contract, subcontract or other contractual instrument resulting from this solicitation. The Merchant shall provide the additional disclosure information required at paragraph (c)(1) of this section if the Merchant responds “will” in paragraph (d)(1) of this section; and

(2) After conducting a reasonable inquiry, for purposes of this representation, the Merchant represents that—

It **does, does not** use covered telecommunications equipment or services, or use any equipment, system, or service that uses covered telecommunications equipment or services. The Merchant shall provide the additional disclosure information required at paragraph (c)(2) of this section if the Merchant responds “does” in paragraph (d)(2) of this section.

The below Authorized Representative certifies this verification is good for the following period of time:

30 days

1 Year

2 Years

3 Years

Merchant's Authorized Representative

(Signature)

(Typed Name)

Name of Merchant

(Today's date)

### Section 3 - Instructions

1. Merchant goes to the following FAR site:

<https://www.acquisition.gov/content/part-52-solicitation-provisions-and-contract-clauses#id1989I600I4C>

2. Merchant reads FAR 52.204-24 and 52.204-25 & upon completion fills out the Section 2 above and returns the form to the CH.

B. Cardholder (CH) provides this representation document to the merchant to complete, sign, and return to the CH.

**C. If a merchant represents “will not” and “does not,” the CH can rely on the representation and make the purchase.**

**D. If a merchant represents “does,” or the merchant declines to complete the Representation - the CH shall not make the purchase and should contact the contracting office for assistance. If it is determined that entering into a contract with the vendor does not violate the section 889 prohibitions, the supporting contracting office may provide written approval to make the purchase.**

E. Retain all documentation that supports this representation and upload in AXOL (US Bank)

**F. The following GPC transactions are exempt as these transactions are payments, not purchases.**

**1. Contract Payment Official - use of the GPC as a payment method only (BPA Purchases)**

**2. Inter/Intra-Governmental Payments - (ex. DLA Document Services, NSN items using FedMall, or GSA Global Supply.**

**3. SF-182 Training Payments**