



**To All Education and Training Resources (ETR) 1st Tier Subcontractors
For Iroquois Job Corps Center**

Background

On July 8, 2010, the Federal Government amended the Federal Acquisition Regulation (“FAR”) to require prime contractors to report information about (i) executive compensation at the prime contractor level, (ii) first-tier subcontractor awards, and (iii) executive compensation information for first tier subcontractors. *See FAR §§ 4.1400 et seq.*

In order for Education and Training Resources (ETR) to comply with these requirements, your assistance is required as a condition of our ongoing business relationship. Please note that we may be required in accordance with the applicable statute and regulations to make the information you provide public.

Further, note that ETR is obligated to report publicly additional information about ETR’s award to your organization, including the name and address of your organization and the amount of the subcontract award. In order to comply with the law, ETR must disclose this information to the public, and this statutory obligation supersedes any confidentiality and/or nondisclosure agreement(s) that may be in effect now or in the future.

If you have any reason to believe that ETR – due to other statutory or regulatory obligations – must not disclose information about your organization, please contact Denise Socha Procurement for ETR/ Iroquois Job Corps Center immediately.

Required Information About Your Organization

You must provide to Education and Training Resources (ETR) each of the following four pieces of information:

- 1) The DUNS Number for your organization.
- 2) The DUNS Number for your parent company (if any).
- 3) Your organization’s physical address (including street address, city, state, and country), nine-digit zip code, and congressional district.
- 4) Your organization’s primary performance location (including street address, city, state, and country), nine-digit zip code, and congressional district.

Within 10 days of receipt of this notice, this required information must be emailed to Socha.Denise@jobocorps.org. It is your responsibility to notify ETR, if there are any changes to this information while the subcontract is in effect.

Required Information About Executive Compensation

Within 10 days of receipt of this notice, and annually thereafter, you must report to ETR the names, titles, and total compensation of each of the five most highly compensated executives for your organization’s preceding completed fiscal year, unless you qualify for one of the exceptions described below. This information must be e-mailed to Socha.Denise@jobocorps.org.

There are four exceptions to this requirement. If one of the exceptions applies to your organization, please inform ETR by emailing Socha.Denise@jobocorps.org within 10 days of receipt of this notice. You must be specific about which exception applies. On an annual basis, you must notify ETR by emailing Socha.Denise@jobocorps.org if the exception remains applicable. If you qualify for an exception, you must identify in your email the exception for which you qualify:



FFATA NOTICE

CPO18-027

First, you do not need to provide this information to ETR if, in your organization's preceding fiscal year, your organization did not receive (i) 80 percent or more of its annual gross revenues from Federal contracts, subcontracts, loans, grants, sub grants, and cooperative agreements.

Second, you do not need to provide this information to ETR if, in your organization's preceding fiscal year, your organization did not receive (ii) 25,000,000 or more in annual gross revenues from Federal contracts, subcontracts, loans, grants, sub grants, and cooperative agreements.

Third, you do not need to provide this information to ETR if, the public has access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

Fourth, you do not need to provide this information to ETR if there is an independent statutory or regulatory basis that prohibits disclosure of this information.

Certification

It is your responsibility to comply with this notice and provide the required information. By submitting information to ETR, your organization represents that the information is current, accurate, and complete as of the date of the submission.

Definitions

As used in this notice:

Executive means officers, managing partners, or any other employees in management positions.

Total compensation means the cash and noncash dollar value earned by the executive during your organization's preceding fiscal year and includes the following (for more information see 17 CFR 229.402 (c)(2)):

- (1) Salary and bonus.
- (2) Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
- (3) Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
- (4) Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
- (5) Above-market earnings on deferred compensation which is not tax-qualified.
- (6) Other compensation, if the aggregate value of all such other compensation (e.g., severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.



**Subcontractor's Certification of FFATA Reporting Status
FAR 52.204-10 Reporting Executive Compensation and First Tier Subcontract Awards**

This form is provided to the Company because Iroquois Job Corps Center awarded a subcontract to the Company that is valued at \$30,000 or more for the purpose of furnishing services/supplies in support of a prime Federal contract held by Education and Training Resources.

Full Company Name: _____

Name and Title of Company Official: _____

Phone # of Company Official: _____

Please complete all form sections that are applicable to the Company and return this form to Socha.Denise@jobcorps.org. Please note that information you provide may be available to the public in accordance with FAR 52.204-10.

1. Exemption from Reporting Subcontract Information to:

I am in a position to know and do hereby certify that the Company's gross income from all sources was less than \$300,000 for the Company's preceding fiscal year, so the Company is not required to report any Subcontract Information to _____ in accordance with FAR 52.204-10.

Signature of Company Official: _____ Date of Execution: _____

2. Exemption from Reporting Executive Compensation Information to:

I am in a position to know and do hereby certify that the Company's annual gross revenue from U.S Federal contracts, subcontracts, loans, grants, sub-grants, and /or cooperative agreements was less than \$30,000,000 during the Company's preceding fiscal year, so the Company is not required to report Executive Compensation Information to _____ in accordance with FAR 52.204-10.

Signature of Company Official: _____ Date of Execution: _____

3. Exemption from Reporting Executive Compensation Information to:

I am in a position to know and do hereby certify that less than 80% of the Company's annual gross revenue was from Federal contracts, subcontracts, loans, grants, sub-grants, and /or cooperative agreements during the Company's preceding fiscal year so the Company is not required to report Executive Compensation Information to _____ in accordance with FAR 52.204-10.

Signature of Company Official: _____ Date of Execution: _____



FFATA NOTICE

CPO18-027

4. Exemption from Reporting Executive Compensation Information to:

I am in a position to know and do hereby certify that the public has access to information about the compensation of the Company's top five executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m (a), 78o (d)) or section 6104 of the Internal Revenue Code 1986, so the Company is not required

to report this Executive Compensation Information to _____ in accordance with FAR 52.204-10.

Signature of Company Official: _____ Date of Execution: _____

5. Exemption from Reporting Due to Independent Statutory or Regulatory Authority:

I am in a position to know and do hereby certify that due to Independent Statutory or Regulatory Authority, the Company is not required to report Subcontract Information and Executive Compensation to _____ in accordance with FAR 52.204-10 (a written explanation of the basis for the Company's exemption is attached).

Signature of Company Official: _____ Date of Execution: _____

6. Non-Exemption from Reporting Subcontract Information and/or Executive Compensation:

I am in a position to know and do hereby certify that the Company is obliged to report Subcontract Information and/or Executive Compensation to _____ in accordance with FAR 52.204-10 and the Company's Subcontract Information and Executive Compensation Information has been entered on the attached form.

Signature of Company Official: _____ Date of Execution: _____



Subcontractor's Report of Executive Compensation and Subcontractor Information pursuant to FAR 52.204-10

If the Company certified its obligation to report Subcontract Information and/or Executive Compensation to _____ under section 6 on Form 1, the relevant sections of this Form 2 should be completed and both Forms should be returned to Socha.Denise@jobocorps.org. Please note that information you provide may be available to the public in accordance with FAR 52.204-10.

Subcontract Information about the Company

Name of Company _____

DUNS Number _____

DUNS Number for Company's parent company (if any) _____

Company's Address for Headquarters:

Street _____ Suite _____

City and State _____ 9-Digit Zip Code _____

Company's Address for Primary Location of Subcontract Performance:

Street _____ Suite _____

City and State _____ 9-Digit Zip Code _____

Executive Compensation Information for the Company (FAR 52.204-10(a) defines Executive and Total Compensation)

1 - Most highly compensated executive: Name: _____ Job Title: _____
Executive's Total Compensation for the Company's preceding, completed, fiscal year: _____

2 - Second most highly compensated executive: Name: _____ Job Title: _____
Executive's Total Compensation for the Company's preceding, completed, fiscal year: _____

3 - Third most highly compensated executive: Name: _____ Job Title: _____
Executive's Total Compensation for the Company's preceding, completed, fiscal year: _____

4 - Fourth most highly compensated executive: Name: _____ Job Title: _____
Executive's Total Compensation for the Company's preceding, completed, fiscal year: _____

5 - Fifth most highly compensated executive: Name: _____ Job Title: _____
Executive's Total Compensation for the Company's preceding, completed, fiscal year: _____