DON GPC - Use of Covered Telecommunications Equipment or Services Representation

Section 1: References

FAR 52.204-24 Representation Regarding Certain Telecommunications and Video Surveillance Services or Equipment

Section 889(a)(1)(B) of the John S. McCain National Defense Authorization Act

Section 2: Merchant Representation

Prior to making any open market GPC purchase, the merchant shall first review the list of excluded parties in the System for Award Management (SAM) (https://www.sam.gov) or on the GSA SmartPay website (https://smartpay.gsa.gov/content/prohibited-vendor-list) for entities excluded from receiving federal awards for "covered telecommunications equipment or services". Conducting business with merchants who use 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.

Section 3: Instructions

- A. Cardholder (CH) provides this representation document to the merchant to complete, sign, and return to the CH.
- B. Merchant verifies the list of prohibited companies & upon completion, fills out the Section 2 above and returns the form to the CH.
- C. If a merchant represents "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 with that merchant. Instead, CH must find an alternate merchant that represents "does not" or forwards the requirement along with the Representation to their supporting contracting office for action.
- E. If applicable, and after receiving the requirement and representation, the supporting contracting office may provide written approval for the CH to make the purchase. If so, the CH shall retain this approval documentation in their files.
- F. The following GPC transactions are exempt as these transactions are payments, not purchases.
- a. Contract Payment Official use of the GPC as a payment method only
- b. Inter/Intra-Governmental Payments (ex. DLA Document Services, NSN items using FedMall, or GSA Global Supply
- c. SF-182 Training Payments

Section 4: Retention

This form is considered key supporting documentation and shall be retained in the purchase file for 10 years.