

# Raytheon

## CERTIFICATE OF CATALOG OR MARKET PRICING

TO: Prospective Supplier  
 FROM: Raytheon Company  
 SUBJECT: Supplier's Certification

**PLEASE REFER TO THE DEFINITIONS ON PAGE 2 OF THIS CERTIFICATE AND SUBPART 2.101 OF THE FEDERAL ACQUISITION REGULATION (FAR).**

If the item in your proposal meets the definition of "Commercial Item" at FAR Subpart 2.101, please indicate the applicable pricing category: A, B, C, or D.

- A Established catalog price;  
 B Based on an established catalog price;  
 C Established market price; or  
 D Based on an established market price.

If you have checked Category A, please attach:

The catalog page, price list or schedule, marked to identify the Commercial Item, and states the prices at which sales of the Commercial Item are currently or were last made to a significant number of buyers constituting the general public.

If you have checked Category C or D, please identify sources other than you and the manufacturer, who can substantiate the market price of the Commercial Item.

In addition, if the pricing category checked above is either Category B or D indicating that the price for this Commercial Item is "based on" a catalog or market price, please identify the applicable catalog or market price and describe the difference between the standard catalog item(s) or standard market item(s), and the item in your proposal, and provide a price analysis substantiating the difference in the established price and the price in your proposal.

**THE SUPPLIER CERTIFIES THAT THE ABOVE REPRESENTATIONS MEET THE FEDERAL ACQUISITION REGULATION (FAR) 2.101 DEFINITION STATED ON PAGE 2 OF THIS CERTIFICATION IN SECTION \_\_\_\_\_, SUBSECTION \_\_\_\_\_ AND ARE CURRENT, ACCURATE AND COMPLETE AS OF THE DATE THIS CERTIFICATE IS EXECUTED.**

\_\_\_\_\_  
 Procurement Action Reference  
 (RFQ No. \_\_\_\_\_)

Company: \_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

The definition of commercial items at FAR 2.101:

"Commercial item" means-

- (1) Any item, other than real property, that is of a type customarily used by the general public or by non-governmental entities for purposes other than governmental purposes, and-
  - (i) Has been sold, leased, or licensed to the general public; or
  - (ii) Has been offered for sale, lease, or license to the general public;
- (2) Any item that evolved from an item described in paragraph (1) of this definition through advances in technology or performance and that is not yet available in the commercial marketplace, but will be available in the commercial marketplace in time to satisfy the delivery requirements under a Government solicitation;
- (3) Any item that would satisfy a criterion expressed in paragraphs (1) or (2) of this definition, but for-
  - (i) Modifications of a type customarily available in the commercial marketplace; or
  - (ii) Minor modifications of a type not customarily available in the commercial marketplace made to meet Federal Government requirements. Minor modifications means modifications that do not significantly alter the nongovernmental function or essential physical characteristics of an item or component, or change the purpose of a process. Factors to be considered in determining whether a modification is minor include the value and size of the modification and the comparative value and size of the final product. Dollar values and percentages may be used as guideposts, but are not conclusive evidence that a modification is minor;
- (4) Any combination of items meeting the requirements of paragraphs (1), (2), (3), or (5) of this definition that are of a type customarily combined and sold in combination to the general public;
- (5) Installation services, maintenance services, repair services, training services, and other services if-
  - (i) Such services are procured for support of an item referred to in paragraph (1), (2), (3), or (4) of this definition, regardless of whether such services are provided by the same source or at the same time as the item; and
  - (ii) The source of such services provides similar services contemporaneously to the general public under terms and conditions similar to those offered to the Federal Government;
- (6) Services of a type offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed under standard commercial terms and conditions. This does not include services that are sold based on hourly rates without an established catalog or market price for a specific service performed. For purposes of these services-
  - (i) "Catalog price" means a price included in a catalog, price list, schedule, or other form that is regularly maintained by the manufacturer or vendor, is either published or otherwise available for inspection by customers, and states prices at which sales are currently, or were last, made to a significant number of buyers constituting the general public; and
  - (ii) "Market prices" means current prices that are established in the course of ordinary trade between buyers and sellers free to bargain and that can be substantiated through competition or from sources independent of the offerors.
- (7) Any item, combination of items, or service referred to in paragraphs (1) through (6) of this definition, notwithstanding the fact that the item, combination of items, or service is transferred between or among separate divisions, subsidiaries, or affiliates of a contractor; or
- (8) A nondevelopmental item, if the procuring agency determines the item was developed exclusively at private expense and sold in substantial quantities, on a competitive basis, to multiple State and local governments.