## **52.226-3 Disaster or Emergency Area Representation.**

As prescribed in $26.206$ (a), insert the following provision:
Disaster or <i>Emergency</i> Area Representation (Nov 2007)
(a) Set-aside area. The area covered in this contract is: [Contracting Officer to fill in with definite
geographic boundaries.]
(b) <i>Representations</i> . The <i>offeror</i> represents that it $\square$ does $\square$ does not reside or primarily do business in the designated set-aside area.
(c) An $\it offeror$ is considered to be residing or primarily doing business in the set-aside area if, during the last twelve months-
(1) The offeror had its main operating office in the area; and
(2) That office generated at least half of the <i>offeror</i> 's gross revenues and employed at least half of the <i>offeror</i> 's permanent employees.
(d) If the <i>offeror</i> does not meet the criteria in paragraph (c) of this provision, factors to be considered in determining whether an <i>offeror</i> resides or primarily does business in the set-aside area include-
(1) Physical location(s) of the <i>offeror</i> 's permanent office(s) and date any office in the set-aside area(s) was established;
(2) Current state licenses;
(3) Record of past work in the set-aside area(s) (e.g., how much and for how long);
(4) Contractual history the <i>offeror</i> has had with subcontractors and/or suppliers in the set-aside area;
(5) Percentage of the <i>offeror</i> 's gross revenues attributable to work performed in the set-aside area;
(6) Number of permanent employees the <i>offeror</i> employs in the set-aside area;
(7) Membership in local and state organizations in the set-aside area; and
(8) Other evidence that establishes the <i>offeror</i> resides or primarily does business in the set-aside area. For example, sole proprietorships <i>may</i> submit utility bills and bank statements.

(e) If the *offeror* represents it resides or primarily does business in the set-aside area, the *offeror* shall furnish documentation to support its representation if requested by the *Contracting Officer*. The *solicitation may* require the *offeror* to submit with its *offer* documentation to support the

(End of provision)

representation.

Parent topic: 52.226 [Reserved]