

Battelle Memorial Institute  
505 King Avenue, Columbus, Ohio 43201-2693

**OFFEROR REPRESENTATIONS AND CERTIFICATIONS – PROCUREMENTS OF NONCOMMERCIAL ITEMS/SERVICES  
FORM A  
SUPPLEMENT A**

**REPRESENTATION OF LIMITED RIGHTS DATA AND RESTRICTED COMPUTER SOFTWARE** *(applicable if prime contract contains the clause FAR 52.227-14 and it is contemplated that data will be produced, furnished, or acquired under the resulting purchase order or subcontract)*

(a) This solicitation sets forth the work to be performed if a subcontract award results, and Battelle's known delivery requirements for data (as defined in FAR 27.401). Any resulting subcontract may also provide Battelle the option to order additional data under the Additional Data Requirements clause at 52.227-16 of the FAR, if included in the subcontract. Any data delivered under the resulting contract will be subject to the Rights in Data -- General clause at 52.227-14 that is to be included in this subcontract. Under the latter clause, a Subcontractor may withhold from delivery data that qualify as limited rights data or restricted computer software, and deliver form, fit, and function data in lieu thereof. The latter clause also may be used with its Alternates II and/or III to obtain delivery of limited rights data or restricted computer software, marked with limited rights or restricted rights notices, as appropriate. In addition, use of Alternate V with this latter clause provides Battelle the right to inspect such data at the Subcontractor's facility.

(b) As an aid in determining Battelle's need to include Alternate II or Alternate III in the clause at 52.227-14, Rights in Data -- General, the offeror shall complete paragraph (c) of this provision to either state that none of the data qualify as limited rights data or restricted computer software, or identify, to the extent feasible, which of the data qualifies as limited rights data or restricted computer software. Any identification of limited rights data or restricted computer software in the offeror's response is not determinative of the status of such data should a contract be awarded to the offeror.

(c) The offeror has reviewed the requirements for the delivery of data or software and states [*offeror check appropriate block and sign below*] --

**None of the data proposed for fulfilling such requirements qualifies as limited rights data or restricted computer software.**

**Data proposed for fulfilling such requirements qualify as limited rights data or restricted computer software and are identified as follows:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Note: "Limited rights data" and "Restricted computer software" are defined in the contract clause entitled "Rights in Data -- General."**

Date \_\_\_\_\_

Printed Name and Title \_\_\_\_\_

Signature \_\_\_\_\_