



GOVERNMENT CONTRACT COMPLIANCE AGREEMENT

THIS AGREEMENT, by and between AirBorn, Inc. (Buyer) and the undersigned Business Entity (Seller) shall have a Term of one (1) year from the date of execution or until performance is complete under any agreement or purchase order issued by BUYER to SELLER, whichever is the longer period, and shall be deemed a part of any such agreement, or purchase orders during the Term hereof to the extent required by applicable laws, Executive Orders and the rules and regulations thereunder.

A. EQUAL OPPORTUNITY CLAUSE

During the performance of all not-exempt contract/sub-contracts or purchase orders the Seller agrees to comply with the following seven (7) provisions:

1. The Seller will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin. The Seller will take affirmative action to ensure that applicants are employed, and that employees are treated during employment without regard their race, color, religion, sex, or national origin. Such action shall include, but not limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Seller Agrees to post in conspicuous places, available to employee and applicants for employment, notices to be provided by the contracting officer setting for the provisions of this non-discrimination clause.
2. The Seller will, in all solicitations or advertisements for employees place by or on behalf of the Seller, state that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex, or national origin.
3. The Seller will send to each labor union or representative of workers with which he has a collective bargaining agreement, other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union workers' representative of the contractor's commitments under Section 202 of Executive Order No. 11246, as amended, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
4. The Seller will comply with all provisions of Executive Order No. 11246, as amended, and of the rules, regulations and relevant orders of the Secretary of Labor.
5. The Seller will furnish all information and reports required by Executive Order No. 11246, as amended, and by the rules, regulation, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to its books, records, and accounts by the contracting agency and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
6. In the event of the Seller's noncompliance with the nondiscrimination clauses of this contract or with any of such rules, regulations, or orders, this contract may be cancelled, terminated or suspended in whole or in part and the Seller may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order No. 11246, as amended, and such other sanctions may be imposed and remedies invoked as provided in Executive order 11246, as amended, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.
7. The Seller will include the provisions of Paragraphs (1) through (7) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246, as amended, so that such

provisions will be binding upon each subcontractor or vendor. The Seller will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions including sanctions for non-compliance: provided, however, that in the event the Seller becomes involved in, or is threatened with litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the Seller may request the United States to enter into such litigation to protect the interest of the United States.

B. EMPLOYER INFORMATION REPORT

1. The Seller certifies that it has filed or will file Standard Form 100 and EEO-1 and other reports required under the applicable filing requirements and will continue to file such reports when and if required.

C. AFFIRMATIVE ACTION PROGRAM

The Seller certifies that it has developed and has on file a current written affirmative action program for each of its establishments as specified in the regulations if so required.

D. CERTIFICATION OF NONSEGREGATED FACILITIES

The Seller certifies that it does not maintain or provide for its employees any segregated facilities at any of its establishments, and that it does not permit its employees to perform their services at any locations, under its control, where segregated facilities are maintained. It certifies further that it will not maintain or provide for its employees any segregated facilities at any of its establishments, and that it will not permit its employees to perform their services at any location, under its control, where segregated facilities are maintained. The bidder, offeror, applicant, or subcontractor agrees that a breach of this certification is a violation of the Equal Opportunity Clause in this contract. As used in this certification, the term "segregated facilities" means any waiting rooms, work areas, rest rooms, and wash rooms, restaurant and other eating areas, time clocks, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees which are segregated by explicit directive or are in fact segregated on the basis of race, color, religion, or national origin, because of habit, local custom, or otherwise. It further agrees that (except where it has obtained identical certification from proposed subcontractors for a specific time period) it will obtain identical certifications from proposed subcontractors prior to the award of subcontracts exceeding \$10,000 which are not exempt from the provisions of the Equal Opportunity Clause that it will retain such certifications in its files; and that it will forward the following notice to such proposed subcontractors (except where the proposed subcontractors have submitted identical certifications for specific time periods:

NOTICE TO PROSPECTIVE SUBCONTRACTORS OR REQUIREMENTS FOR CERTIFICATION OF NONSEGREGATED FACILITIES

A certification of nonsegregated facilities must be submitted prior to the award of a subcontract exceeding \$10,000 which is not exempt from the provisions of the Equal

Opportunity Clause. The certification may be submitted either for each subcontract or for all subcontracts during a period (i.e., quarterly, semi-annually, or annually).

NOTE: the penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

E. VETERAN'S EMPLOYMENT, EMPLOYMENT OF WORKERS WITH DISABILITIES, MINORITY CONTRACTORS, AND UTILIZATION OF SMALL BUSINESS AND SMALL DISADVANTAGED BUSINESS CONCERNS

The Seller agrees that the affirmative action clause for disabled veterans and Vietnam era veterans set forth at 41 CFR 60 250.5(a), the affirmative action clause for workers with disabilities

set forth at 41 CFR 60 741.5, the applicable clause with regard to the utilization of minority contractors set forth at 41 CFR 1-1.303, and the applicable clauses with regard to the Utilization of Small Business Concerns as required by 48 CFR 19.708, the Small Disadvantaged Business Participation Program as required by 48 CFR 19.1204, and the Historically Underutilized Business Zone Program as required by 48 CFR 19.1308, or as required under Governmental laws, orders or regulations to be included in such contracts, are incorporated herein by reference, as applicable.

F. BUSINESS STATUS CERTIFICATIONS

Government contracts require periodic review of our files to ensure that we have correctly recorded our supplier's self-certification of business size and status as a Small Disadvantaged Business Enterprise. Should you need assistance in determining your status in any of the categories listed below, please call U.S. Government Small Business Administration Office serving your area.

1. Business Size - Please Check Box

Our size is Small Large
(according to SBA regulations 13 CFR 121)

Number of employees _____

2. Labor Surplus AREA (20 CFR 654) - Please Check Box

This concern is is not located in labor surplus area.

3. Women Owned Status (13 CFR 124) - Please Check Box

is is not Women Owned

4. Socially and Economically Disadvantage Business (13 CFR 124) - Please Check Box

- Asian – Pacific Americans Native Americans (Indians, Eskimos, Aleuts, Hawaiians)
- Black Americans Subcontinent Asian Americans
- Hispanic Americans Member of other groups designated by SBA pursuant to 13 CFR 124.103

G. BUYER CERTIFICATION

The official signing this Agreement certifies that he is acting within the scope of his authority to make such representations and certifications, and that the information furnished herein is current, complete and accurate as of the date of signing.

SELLER'S NAME

BY

ADDRESS

TITLE

CITY STATE ZIP

DATE