

23 Feb 2016

## COVER PAGE TO MODEL SUBCONTRACTING PLAN Pre-Award

**Notice to Other Than Small Vendors:** *USTRANSCOM OSBP provides this model plan as a tool. You must adapt this model plan to fit your subcontracting situation. The plan is **NOT** a fill-in-the-blank form and you **must remove instructional language**. This model does not establish minimum requirements for an acceptable plan. The model reflects objectives USTRANSCOM encourages contractors to adopt. USTRANSCOM expects offerors to thoroughly review the requirements set forth in DFARS 252.219-7003, (except when the contract will not be reported in FPDS), FAR 19.704 AND FAR clause 52-219-9 for, Subcontracting Plan Requirements of the Small Business Subcontracting Plan before submitting their subcontracting plans.*

### Subcontracting Plan Types for USTRANSCOM (Subpart 19.7 –Small Business Subcontracting Program)

**Commercial Plan-** A subcontracting plan (including goals) that covers the **offeror's** fiscal year and that applies to the entire production of commercial items sold by either the entire company or a portion thereof (e.g., division, plant, or product line). Note that this type of plan shall relate to the offeror's planned subcontracting generally, **for both commercial and government business, rather than solely to the government contract**. Per FAR 19.704(d) and clause 52.219-9(g), a commercial plan is the preferred type of subcontracting plan for contractors furnishing commercial items. Once a contractor's commercial plan has been approved, the Government shall not require another subcontracting plan from the same contractor while the plan remains in effect, as long as the product or service being provided by the contractor continues to meet the definition of a commercial item. The contractor shall— (1) Submit the commercial plan to either the first contracting officer awarding a contract subject to the plan during the contractor's fiscal year, or, if the contractor has ongoing contracts with commercial plans, to the contracting officer responsible for the contract with the **latest** completion date. The contracting officer shall negotiate the commercial plan for the Government. **The approved commercial plan shall remain in effect during the contractor's fiscal year for all Government contracts in effect during that period;** (2) submit a new commercial plan, **30** working days before the end of the Contractor's fiscal year, to the contracting officer responsible for the uncompleted Government contract with the **latest** completion date. The contractor must provide to each contracting officer responsible for an ongoing contract subject to the plan, the identity of the contracting officer that will be negotiating the new plan; (3) **When the new commercial plan is approved, provide a copy of the approved plan to each contracting officer responsible for an ongoing contract that is subject to the plan;** and (4) Comply with the reporting requirements stated in paragraph (a)(10) of FAR 19.704 by submitting **one** SSR in eSRS, for all contracts covered by its commercial plan. An ISR is not required for vendors with commercial plans. The SSR report will be acknowledged or rejected in eSRS by the contracting office who **approved** the plan. The report shall be submitted within **30** days after the end of the **Government's** fiscal year.

**Individual Plan:** Covers the entire contract period, applies to a specific contract, and has goals that are based on the offeror's planned **subcontracting (and purchasing) in support of the specific contract**, except that indirect costs incurred for common or joint purposes may be allocated on a prorated basis to the contract. For contracts with **option periods**, the plan will include **separate goals and estimated value** (or sales) **for the base period with separate goals and estimated value for each option period**. Per FAR 52.219-9(c) this type of plan **must separately address subcontracting** with small business (SB), veteran-owned small business (VOSB), service-disabled veteran-owned small business (SDVOSB), HUBZone small business concerns, small disadvantaged business (SDB) (including ANCs and Indian Tribes), and women-owned small business concerns (WOSB), **with a separate part for the basic contract and separate parts for each option** (if any). The plan shall be included in and made a part of the resultant contract. The subcontracting plan shall be negotiated within the time specified by the Contracting Officer. Failure to submit and negotiate the subcontracting plan shall make the offeror ineligible for award of a contract. The Contractor shall submit the

Individual Subcontract Report (ISR), and the Summary Subcontract Report (SSR) using the Electronic Subcontracting Reporting System (eSRS) (<http://www.esrs.gov>), following the instructions in the eSRS.

### ***USTRANSCOM SUBCONTRACTING GOALS (Stated in plan)***

Total estimated subcontracting dollars (or spend) planned to all types of business concerns must be provided, then separately state the dollars that will be subcontracted to each category. All percentages for each category will be expressed as a percentage of the **total** subcontracting dollars to all concerns (both large and small)\*.

The **Small** business dollar amount must include all sub-group category amounts; i.e., HUBZone, SDB, WOSB, VOSB, SDVOSB (plus any "other small" businesses that do not fall within one of these specified subgroups). Again note that Alaskan Native Corporations (ANCs) and Indian tribes will be included in the **SDB** and total small amounts.

\*Only the large plus all small should equal the total in both dollars and percentages. Do **not** add together subgroups to reach the total Small figure, as the same dollars can be double and triple counted for each group as applicable to the company receiving the order.

	<u>Sample Dollars</u>	<u>SAMPLE Goal</u>
<b>Total dollars to be subcontracted</b> (to both Large and Small Businesses)	\$1,000,000	<b>100%</b>
*To <b>Large</b> Businesses	\$ 630,000*	*63%
*To <b>all Small</b> Businesses (includes HUBZone Small, Small Disadvantaged, Women-Owned Small, Veteran-Owned Small, Service-Disabled Veteran-Owned Small, and <b>Other Small</b> Business Concerns)	\$ 370,000*	*37%
To HUBZone Small Businesses	\$ 30,000	3%
To Small Disadvantaged Businesses	\$ 60,000	6%
To Women-Owned Small Businesses	\$ 50,000	5%
To Veteran-Owned Small Businesses	\$ 50,000	5%
(includes SDVOSB below in this total)		
To Service-Disabled Veteran-Owned Small Businesses	\$ 30,000	3%

**NOTE:** The total \$370,000 to all Small businesses already includes each subgroup (HUBZone, SDB, WOSB, VOSB, and SDVOSB), plus other small businesses that are only small and do not fall into a specified category.

**PLEASE REMOVE THE COVER PAGES BEFORE SUBMITTING  
THE SUBCONTRACTING PLAN TO USTRANSCOM**

**FAR 19.704 SUBCONTRACTING PLAN REQUIREMENTS****[INSERT COMPANY NAME]****SMALL BUSINESS SUBCONTRACTING PLAN****I. IDENTIFICATION DATA:**

Address: \_\_\_\_\_

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

Description of Supplies/Services: \_\_\_\_\_

Solicitation Number: *(Completed for Individual Plans; N/A for commercial plans)* \_\_\_\_\_Contract Number: *(Completed for Individual Plans during option period; N/A for commercial plans)* \_\_\_\_\_***COMPLETE if submitting an Individual Contract Plan, insert dates below for the contract duration, if known (or insert N/A if the contract does not include specified option period).*****Individual Plan Period and Estimated (Proposed) Contract Value:**

	<b>Period of Performance</b>	<b>Estimated Contract Value</b> <i>(Provide separate estimate for base contract period and each option)</i>
Base Period		\$
Option Period 1		\$
Option Period 2		\$
Option Period 3		\$
Option Period 4		\$
Total		\$

Place of Performance: \_\_\_\_\_

DUNS Number: *(under the contract awarded or pending award)***COMPLETE if submitting a Commercial Plan**Commercial Plan Period: *(insert fiscal year for contractor/offeror)*

Projected annual sales (Company-wide): \$ \_\_\_\_\_

**II. TYPE OF PLAN – FAR 19.701 (For definitions, see Cover Page and FAR clause 52.219-9):**\_\_\_\_ **Commercial Plan**\_\_\_\_ **Individual Plan**\_\_\_\_ **Master Plan (incorporated into Individual Plan)**

### III. GOALS:

A. FAR clause at 52.219-9(d) states that the subcontracting plan shall include (1) goals, expressed in terms of percentages of total planned **subcontracting** dollars, for the use of small business concerns, service disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns as subcontractors. The offeror shall include all subcontracts that contribute to contract performance, and may include a proportionate share of products and services that are normally allocated as indirect costs and (2) A statement of total dollars planned to be subcontracted for an individual contract plan; or the offeror's total projected sales, expressed in dollars, and the total value of projected subcontracts to support the sales for a commercial plan. FAR 19.704(a)(1) requires separate percentage goals for using small business (including Alaskan Native Corporations (ANCs) and Indian tribes), veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business (including ANCs and Indian tribes) and women-owned small business concerns as subcontractors; and (2) A statement of the total dollars planned to be subcontracted and a statement of the total dollars planned to be subcontracted to small business (including ANCs and Indian tribes), veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business (including ANCs and Indian tribes) and women-owned small business concerns. **Commercial plans shall relate to the offeror's planned subcontracting for both Commercial and Government business and covers the offeror's fiscal year. Individual plans will reflect contract-specific goals and shall contain separate statements and goals for the basic contract (period) and separately for each option (period). Note that dollars and percentages to large and total small businesses (all inclusive) must equal the total subcontracted to all categories in both dollars and percentages. EACH CONTRACTOR IS EXPECTED TO OFFER THE MAXIMUM PRACTICABLE OPPORTUNITIES TO EACH TYPE OF SMALL BUSINESS CONCERN CONSISTENT WITH THEIR BEST FAITH EFFORTS AND SUPPORTED BY THEIR REPORTS AND RECORDS.**

**COMPLETE** if submitting an Individual Plan and note that a separate part is required for the base contract period and for each option period, if any. (Please remove this section and following page if submitting a **COMMERCIAL PLAN**.)

[**Company Name**] provides the following separate dollar and percentage goals, which are a percentage of the total subcontracting dollars for each business category:

BASE GOALS are expressed in dollars and percentages of the total dollars planned to be subcontracted.		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted <i>large and all small businesses must equal total amount to be subcontracted (both \$ and %)</i>		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB) (including SDVOSB)		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANCs & Indian tribes)		
8. Women-Owned Small Businesses (WOSB)		

If applicable:

1 <sup>ST</sup> OPTION GOALS are expressed in dollars and percentages of total dollars planned to be subcontracted.		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted <i>large and all small businesses must equal total amount to be subcontracted (both \$ and %)</i>		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB) (including SDVOSB)		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANCs & Indian tribes)		
8. Women-Owned Small Businesses (WOSB)		

If applicable:

2ND OPTION GOALS are expressed in dollars and percentages of total dollars planned to be subcontracted.		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted <i>large and all small businesses must equal total amount to be subcontracted (both \$ and %)</i>		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANC's & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB) (including SDVOSB)		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANC's & Indian tribes)		
8. Women-Owned Small Businesses (WOSB)		

If applicable:

3ND OPTION GOALS are expressed in dollars and percentages of total dollars planned to be subcontracted.		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted <i>large and all small businesses must equal total amount to be subcontracted (both \$ and %)</i>		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANC's & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB) (including SDVOSB)		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANC's & Indian tribes)		
8. Women-Owned Small Businesses (WOSB)		

4TH OPTION GOALS are expressed in dollars and percentages of total dollars planned to be subcontracted.		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted <i>large and all small businesses must equal total amount to be subcontracted (both \$ and %)</i>		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANC's & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB) (including SDVOSB)		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANC's & Indian tribes)		
8. Women-Owned Small Businesses (WOSB)		



**COMPLETE FORMAT BELOW IF SUBMITTING A COMMERCIAL PLAN** *(please remove this page/section if submitting an individual plan).*

1. Estimated **TOTAL** dollars planned to be subcontracted **to all types of concerns** (generally for both commercial and government business, in support of commercial items sold during company fiscal year):

**Annual Commercial Purchases/Spend: \$ \_\_\_\_\_ = 100% subcontracted**

2. Total dollars planned to be subcontracted to **large** business concerns (or classified as other than small):

**Annual Commercial Purchases/Spend: \$ \_\_\_\_\_ = \_\_\_\_ % of Total**

3. Total dollars planned to be subcontracted to **all small** business concerns (including ANC's and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANC's and Indian tribes), and WOSB small business concerns:

**Annual Commercial Purchases/Spend: \$ \_\_\_\_\_ = \_\_\_\_ % of Total**

4. Total dollars planned to be subcontracted to **veteran-owned small** business concerns (including service-disabled veteran-owned small businesses):

**Annual Commercial Purchases/Spend: \$ \_\_\_\_\_ = \_\_\_\_ % of Total**

5. Total dollars planned to be subcontracted to **service-disabled veteran-owned small** business concerns (Subset of VOSB above and cannot be higher than #4 above):

**Annual Commercial Purchases/Spend: \$ \_\_\_\_\_ = \_\_\_\_ % of Total**

6. Total dollars planned to be subcontracted to **HUBZone small** business concerns:

**Annual Commercial Purchases/Spend: \$ \_\_\_\_\_ = \_\_\_\_ % of Total**

7. Total dollars planned to be subcontracted to **small disadvantaged** business concerns (including ANC's and Indian tribes):

**Annual Commercial Purchases/Spend: \$ \_\_\_\_\_ = \_\_\_\_ % of Total**

8. Total dollars planned to be subcontracted to **women-owned small** business concerns:

**Annual Commercial Purchases/Spend: \$ \_\_\_\_\_ = \_\_\_\_ % of Total**

**B. FAR 19.704(a)(3)** and the clause at 52.219-9(d)(3) requires a description of the principal types of supplies and services to be subcontracted and an identification of types planned for subcontracting to SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns. **Check all that apply below, ensuring that at least one item is indicated for each column.** If assistance is needed to locate small business sources, refer to your local Small Business Administration Commercial Market Representative via <https://www.sba.gov/content/cmr-directory> or access the Systems for Award Management (SAM) at <https://www.sam.gov> or utilizing SBA's Dynamic Small Business Search at [http://dsbs.sba.gov/dsbs/search/dsp\\_dsbs.cfm](http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm). You may also post solicitations for small business opportunities on **SBA's SUB-Net** at <https://eweb1.sba.gov/subnet/search/index.cfm>.

The principal types of supplies and/or services that [**Company Name**] anticipates to be subcontracted and the identification of the type of business concern planned are as follows:

**Business Category or Size**

Supplies/Services	Large	Small	VOSB	SDVOSB	HUBZone	SDB	WOSB

**ATTACH ADDITIONAL SHEETS IF NECESSARY (OR REMOVE LINES IF NOT NEEDED)**

**C. FAR 19.704(a) (4)** and the clause at 52.219-9(d)(4) require a description of the method used to develop the subcontracting goals. Explain or state the basis for establishing your proposed goals (i.e. based on historical data and experience, market research, etc.); and provide justification for any low goal(s).

[**Company Name**] used the following method to develop the subcontracting goals:

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**D. FAR 19.704(a)(5)** and clause 52.219-9(d)(5) require a description of the method used to identify potential sources for solicitation purposes (e.g., existing company source lists, the System for Award Management (SAM)), veterans service organizations, the National Minority Purchasing Council Vendor Information Service, the Research and Information Division of the Minority Business Development Agency in the Department of Commerce, or small, HUBZone, small disadvantaged, and women-owned small business trade associations). A firm may rely on the information contained in SAM as an accurate representation of a concern's size and ownership characteristics for the purposes of maintaining SB, VOSB, SDVOSB, HUBZone, SDB, and WOSB source list. **Use of the System of Award Management (SAM) as its source list does not relieve a firm of its responsibilities (e.g., outreach, assistance, counseling, or publicizing subcontracting opportunities).**

[**Company Name**] identifies potential subcontractors using the following source lists and organizations:

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*E. FAR 19.704(a)(6) and clause 52.219-9(d)(6) require a statement as to whether or not the offeror included indirect costs in establishing subcontracting goals, and a description of the method used to determine the proportionate share of indirect costs to be incurred with SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns. **NOTE: indirect costs represent the expenses of doing business that are NOT easily identified with a specific project (i.e. contract or grant) but are generally recognized as ordinary and necessary for the general operation of the contractor's organization and the conduct of activities it performs. Types of indirect costs include overhead (e.g. facility/utility & supplies cost), general and administrative (G&A), and fringe benefits (e.g. services or benefits provided to employees such as health insurance, payroll taxes, pension contribution, etc.).***

Indirect costs \_\_\_\_\_ HAVE BEEN (or) \_\_\_\_\_ HAVE NOT BEEN included in the dollar and percentage subcontracting goals stated above.

*If indirect costs HAVE been included, the method used to determine the proportionate share of indirect costs to be incurred with small business concerns was as follows:*

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#### **IV. PROGRAM ADMINISTRATOR:**

*FAR 19.704(a)(7) and clause 52.219-9(d)(7) require the name of an individual employed by the offeror who will administer the offeror's subcontracting program, and a description of the duties of the individual. Please add the contact information for this person, in case of questions and provide an alternate point of contact if applicable.*

Name: \_\_\_\_\_  
 Title/Position: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City/State/Zip Code: \_\_\_\_\_  
 Telephone number: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

Alternate POC with contact information: \_\_\_\_\_

**Duties:** In accordance with clause 52.219-9(d)(11)(e), in order to effectively implement this plan to the extent consistent with efficient contract performance, the contractor shall perform the following functions:

1. Assist SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns. Where the Contractor's lists of potential SB, VOSB, SDVOSB, HUBZone, SDB and WOSB subcontractors are excessively long, reasonable effort shall be made to give all such small business concerns an opportunity to compete over a period of time.
2. Provide adequate and timely consideration of the potentialities of SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns in all "make-or-buy" decisions.
3. Counsel and discuss subcontracting opportunities with representatives of SB, VOSB, SDVOSB, HUBZone, SDB and WOSB firms.
4. Confirm that a subcontractor representing itself as a HUBZone small business concern is identified as a certified HUBZone small business concern by accessing the SAM database or by contacting SBA.



5. Provide notice to subcontractors concerning penalties and remedies for misrepresentations of business status as SB, VOSB, SDVOSB, HUBZone, SDB and WOSB for the purpose of obtaining a subcontract that is to be included as part or all of a goal contained in the Contractor's subcontracting plan.

6. For all competitive subcontracts over the simplified acquisition threshold in which a small business concern received a small business preference, upon determination of the successful subcontract offeror, the Contractor must inform each unsuccessful small business subcontract offeror in writing of the name and location of the apparent successful offeror prior to award of the contract.

*IF YOUR PROGRAM ADMINISTRATOR WILL PERFORM ADDITIONAL SUBCONTRACTING DUTIES NOT SHOWN ABOVE, PLEASE IDENTIFY THEM HERE:*

7. Additional Duties:

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#### **V. EQUITABLE OPPORTUNITY:**

*FAR 19.704(a)(8) and clause 52.219-9(d)(8) require a description of the efforts the offeror will make to assure that SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns have an equitable opportunity to compete for subcontracts.*

**[Company Name]** will make every effort to assure that SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns have an equitable opportunity to compete for subcontracts activities: *(please indicate which of the following apply or adapt list to fit your company's efforts)*

**A. Outreach efforts to obtain sources:**

- ☐ Contacting minority and small business trade associations
- ☐ Contacting business development organizations
- ☐ Requesting sources from the SAM, Dynamic Small Business Search, and/or SBA PRO-Net database
- ☐ Attending small and minority business trade fairs and procurement conferences

**B. Internal efforts to guide and encourage purchasing personnel:**

- ☐ Presenting workshops, seminars and training programs
- ☐ Establishing, maintaining and using small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business source lists, guides, and other data for soliciting subcontracts
- ☐ Monitoring activities to evaluate compliance with the subcontracting plan

**C. Other Additional efforts: *(Please describe below.)***

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## VI. ASSURANCES OF CLAUSE INCLUSION AND FLOW DOWN:

*FAR 19.704(a)(9) and clause 52.219-9(d)(9) require assurances that the offeror will include the clause at 52.219-8, Utilization of Small Business Concerns (see 19.708(a)), in all subcontracts that offer further subcontracting opportunities, and that the offeror will require all subcontractors (except small business concerns) that receive subcontracts in excess of \$700,000 (\$1.5M for construction) to adopt a plan that complies with the requirements of this clause (see 19.708(b)).*

[**Company Name**] agrees to include the FAR Clause 52.219-8, “Utilization of Small Business Concerns” in all subcontracts that offer further subcontracting opportunities, and will require all subcontractors (except small business concerns) that receive subcontracts in excess of \$700,000 (\$1.5M for construction of any public facility with further subcontracting possibilities) to adopt a plan that complies with the requirements of the clause at 52.219-9, Small Business Subcontracting Plan.

## VII. REPORTING AND COOPERATION:

*FAR 19.704(a)(10) and clause 52.219-9(d)(10) require assurances that the offeror will do the following:*

[**Company Name**] agrees to:

- (10)(i) Cooperate in any studies or surveys as may be required;
- (ii) Submit periodic reports so that the Government can determine the extent of compliance by the offeror with the subcontracting plan;
- (iii) Submit the Individual Subcontracting Report (ISR) and/or the Summary Subcontract Report (SSR), in accordance with the paragraph (l) of clause 52.219-9 using the Electronic Subcontracting Reporting System (eSRS) at <http://www.esrs.gov>. The reports shall provide information on subcontract awards to SB concerns (including ANCs and Indian tribes that are not SB), VOSB concerns, SDVOSB concerns, HUBZone concerns, SDB concerns (including ANCs and Indian tribes that have not been certified by the Small Business Administration as SDB), WOSB concerns.
- (iv) Ensure that its subcontractors with subcontracting plans agree to submit the ISR and/or the SSR using the eSRS;
- (v) Provide its prime contract number and its DUNS number and the e-mail address of the Government Contracting Officer responsible for acknowledging or rejecting the reports, to all first-tier subcontractors with subcontracting plans so they can enter this information into the eSRS when submitting their reports; and
- (vi) Require that each subcontractor with a subcontracting plan provide the prime contract number and its own DUNS number, and the e-mail address of the Government or Contractor official responsible for acknowledging or rejecting the reports, to its subcontractors with subcontracting plans.

Reports are to be submitted within 30 days after the close of each calendar period as indicated in the following chart:

<i>Submit Reports to eSRS</i>			
<u>Calendar Period</u>	<u>Report Due</u>	<u>Date Due</u>	<u>with email address for:</u>
<b>Individual Subcontracting Plans:</b>			
10/01--03/31	ISR	04/30	Contracting Officer
04/01--09/30	ISR	10/30	Contracting Officer
10/01—09/30	SSR *	10/30	

\*Consolidated SSR includes goal achievements for ALL Government contracts. The contractor identifies the Government Agency in Block 7 ("Agency to which the report is being submitted") by selecting the "Department of Defense (DoD) (9700)" from the top of the second dropdown menu. Do not select anything lower.

**Commercial Plans:**

10/01--09/30

SSR

10/30

Contracting POC

**VIII. RECORDKEEPING:**

*FAR 19.704(a)(11) and clause 52.219-9(d)(11) require a description of the types of records that will be maintained concerning procedures that have been adopted to comply with the requirements and goals in the plan, including establishing source lists; and a description of the efforts to locate SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns and award subcontracts to them.*

**[Company Name]** will maintain records concerning procedures that have been adopted to comply with the requirements and goals in the plan, including establishing source lists; and a description of efforts to locate SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns and award subcontracts to them. The records shall include at least the following (on a plant-wide or company-wide basis, unless otherwise indicated):

1. Source lists (e.g., SAM), guides, and other data that identify SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns.
2. Organizations contacted in an attempt to locate sources that are SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns.
3. Records on each subcontract solicitation resulting in an award of more than \$150,000, indicating:
  - (A) Whether small business concerns were solicited and, if not, why not;
  - (B) Whether veteran-owned small business concerns were solicited and, if not, why not;
  - (C) Whether service-disabled veteran-owned small business concerns were solicited and, if not, why not;
  - (D) Whether HUBZone small business concerns were solicited and, if not, why not;
  - (E) Whether small disadvantaged business concerns were solicited and, if not, why not;
  - (F) Whether women-owned small business concerns were solicited and, if not, why not; and
  - (G) If applicable, the reason award was not made to a small business concern.
4. Records of any outreach efforts to contact
  - (A) Trade associations;
  - (B) Business development organizations;
  - (C) Conferences and trade fairs to locate small, HUBZone small, small disadvantaged, and women-owned small business sources; and
  - (D) Veterans service organizations.
5. Records of internal guidance and encouragement provided to buyers through
  - (A) Workshops, seminars, training, etc.; and
  - (B) Monitoring performance to evaluate compliance with the program's requirements.
6. On a contract-by-contract basis, records to support award data submitted by the offeror to the Government, including the name, address, and business size of each subcontractor. ***Contractors having commercial plans need not comply with this requirement.***

**SIGNATURE REQUIRED:** *Plan must be signed and dated by a company official to be valid*

This subcontracting plan was SUBMITTED by:

Signature: \_\_\_\_\_

Typed Name: \_\_\_\_\_

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

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

### Government Contracting Officer APPROVAL:

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Agency: \_\_\_\_\_

### OPTIONAL

#### STATUTORY REQUIREMENTS (FAR 19.702)

Any contractor receiving a contract for more than the simplified acquisition threshold must agree in the contract that SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns will have the maximum practicable opportunity to participate in contract performance consistent with its efficient performance.

- It is further the policy of the United States that its prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their subcontracts with SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns.
- See 19.702(a)(1) for requirements that are imposed in negotiated acquisitions and (a)(2) for requirements that are imposed in sealed bidding acquisitions.
- As stated in 15 U.S.C. 637(d)(8), any contractor or subcontractor failing to comply in good faith with the requirements of the subcontracting plan is in **material breach of its contract**. Further, 15 U.S.C. 637(d)(4)(F) directs that a contractor's **failure to make a good faith effort** to comply with the requirements of the subcontracting plan shall result in the imposition of liquidated damages (see 19.702(c) and 19.705-7).

#### **X. DESCRIPTION OF GOOD FAITH EFFORT** *(Also refer to 13 CFR 125.3(d), Determination of Good Faith Effort)*

*In order to demonstrate your compliance with a good faith effort to achieve the small business subcontracting goals, outline the steps below that your company plans to take.*

**[Company Name]** will take the following steps to demonstrate compliance with a good faith effort in achieving small business subcontracting goals:

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The above requirements will be negotiated with the contracting officer prior to approval. The contracting officer must ensure per FAR 19.705-5(a)(5) that an acceptable plan is incorporated into and made a material part of the contract.

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