General Services Administration Washington, DC 20405

> APD 2800.12B, Change 69 February 21, 2016

GSA ORDER

Subject: General Services Administration Acquisition Manual (GSAM) Case 2015-G514, Technical Amendment to GSAM 519

- 1. <u>Purpose</u>. This order transmits a revision to the General Services Administration Acquisition Manual (GSAM).
- 2. <u>Background</u>. The General Services Administration (GSA) is amending the General Services Administration Acquisition Manual (GSAM) to make editorial changes. This technical amendment includes updating references and links within internal acquisition guidance.
- 3. Effective date. February 21, 2016.
- 4. <u>Explanation of changes</u>. The General Services Administration (GSA) is amending the General Services Administration Acquisition Manual (GSAM) to make editorial changes within GSAM 519. GSAM 519 is streamlined, removing Appendices 519A and 519B from the GSAM and replacing with links to the Office of Small Business Utilization (OSBU) subcontracting page on GSA's internal web page. This will allow OSBU to update the documents timely as changes in Agency goals and thresholds take place, rather than necessitating changes to these subcontracting tools through a formal GSAM case. See attached Line-In/Line-Out document for more detailed information.

5. Cancellations and Rescissions. None

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Jeffrey Kose Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy,

GSAR Case 2015-G514 "Technical Amendment to General Services Administration Acquisition Manual (GSAM) 519"

TAB A – GSAM Text, Line-In/Line-Out

GSAM Baseline: Change 66 effective 09/25/2015

- Additions to baseline made by proposed rule are indicated by [bold text in brackets]
- Deletions to baseline made by proposed rule are indicated by strikethroughs
- Additions to baseline made by final rule are indicated by [bold and underlined text in brackets]
- Deletions to baseline made by final rule are indicated by strikethroughs and underlined
- Five asterisks (* * * *) indicate that there are no revisions between the preceding and following sections
 Three asterisks (* * *) indicate that there are no revisions between the material shown within a subsection

PART 519—SMALL BUSINESS PROGRAMS

Subpart 519.7—The Small Business Subcontracting Program

* * * *

519.705-4 Reviewing the subcontracting plan.

(a) The contracting officer should provide offerors a model subcontracting plan when determined appropriate, e.g., when it may facilitate evaluation or negotiation. The contracting officer may use the model plan developed by the Office of Small Business Utilization (E) [as found at https:/insite.gsa.gov/subcontracting] in Appendix 519A. Include the following notice on the transmittal, if providing a model in response to a single request, or in the solicitation, if including it as an attachment:

(c) The contracting officer shall use the Subcontracting Plan Evaluation Checklist [found] at [https:/insite.gsa.gov/subcontracting] Appendix 519B and GSAM 519.7 to evaluate an offeror's subcontracting plan. * * *

519.705-5 Awards involving subcontracting plans.

(d) * * *

FORMAT B

If at any time during contract performance you are unable to identify capable small, HUBZone small, small disadvantaged, women-owned small, veteran-owned small and service-disabled veteran-owned small business concerns, please contact Ivour local Small Business Technical Advisor found at https:/insite.gsa.gov/osbucontacts or] the Office of Small Business Utilization by telephone at (202) 501-1021.

Subpart 519.70—GSA Mentor-Protégé Program

519,7014 Internal controls.

(b) * * * (4)

Appendix 519A-Small Business Subcontracting Plan Outline (Model)

Small Business Subcontracting Plan Outline (COVER PAGE)

Notice to Offerors: GSA 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 GSA encourages contractors to adopt. GSA expects offerors to thoroughly review the requirements set forth in FAR 19.704, Subcontracting Plan Requirements and FAR clause 52.219-9, Small Business Subcontracting Plan before submitting their subcontracting plans.

Definitions of Types of Plans:

COMMERCIAL PLAN: Covers the offeror's fiscal year and 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), this is the preferred type of 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 this section by submitting one SSR in eSRS, for all contracts covered by its commercial plan. This report will be acknowledged or rejected in eSRS by the contracting officer who approved the plan. The report shall be submitted within 30 days after the end of the Government's fiscal year.

INDIVIDUAL CONTRACT 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, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business concerns, small disadvantaged business (including ANCs and Indian Tribes), and women-owned small business concerns, with a separate part for the basic contract. The subcontracting plan shall be included in and made a part of the resultant contract. 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) (<u>http://www.esrs.gov</u>), following the instructions in the eSRS and in accordance with FAR clause 52.219 9.

<u>MASTER PLAN</u>: Contains all the required elements of an individual contract plan, except goals, and may be incorporated into individual contract plans, **provided the master plan has been approved.** A master plan on a plant or division-wide basis that contains all the elements, except goals, may be incorporated by reference as a part of the subcontracting plan required of the offeror by the clause 52.219-9; provided (1) The master plan has been approved; (2) The offeror ensures that the master plan is updated as necessary and provides copies of the approved master plan, including evidence of its approval, to the Contracting Officer; and (3) Goals and any deviations from the master plan deemed necessary by the Contracting Officer to satisfy the requirements of this contract are set forth in the individual subcontracting plan. A contract may have no more than one plan. When a modification meets the criteria in FAR 19.702 for a plan, or an option is exercised, the goals associated with the modification or option shall be added to those in the existing subcontracting plan. The failure of the Contractor or subcontractor to comply in good faith with the clause at FAR 52.219.8 or an approved plan required by FAR 52.219.9 shall be a material breach of the contract. The Contractor shall submit the Individual Subcontract Report (ISR), and the Summary Subcontract Report (SSR) using the Electronic Subcontracting Reporting System (eSRS) (<u>http://www.esrs.gov</u>), **following the instructions in the eSRS and in accordance with FAR clause 52.219.9**.

GSA SUBCONTRACTING GOALS (How to do the math tips)

Subcontracting goals are subject to change, based on recent achievement levels and as negotiated with the Small Business Administration (SBA). SBA is responsible for the Federal Government Goaling Program and their website at www.sba.gov-includes details and background on the goaling process.

• 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 percents 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 percents. 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.

	Sample Dollars	GSA Goal (FY 2010-11
Total dollars to be subcontracted (to both Large and Small Business)	\$1,000,000	100%
To Large Businesses	\$700,000	*70%
To all Small Businesses (includes HUBZone Small, Small Disadvantaged, Women- Owned Small, Veteran-Owned Small, Service-Disabled Veteran-Owned Small, and Other Small Business Concerns)	\$300,000	*30%
To HUBZone Small Businesses	\$30,000	3%
To Small Disadvantaged Businesses	\$50,000	5%
ToWomen-Owned Small Businesses	\$50,000	5%
To Veteran-Owned Small Businesses (includes SDVOSB below in this total)	\$30,000	3%
To Service-Disabled Veteran-Owned Small Businesses	\$30,000	3%

NOTE: The total \$300,000 to all Small businesses already includes each subgroup (HUBZone, SDB, ANCs, 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 GSA

[INSERT COMPANY NAME]

SMALL BUSINESS SUBCONTRACTING PLAN OUTLINE (MODEL)

I. IDENTIFICATION DATA:

Address:

Date Prepared:

TAB A – GSAM Text

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)

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: Base: (Date of Award thru ?? years) Option 1: (1 year, 5 years, etc.) Option 2: (1 year, 5 years, etc.) Option 3: (1 year, 5 years, etc.) Option 4:(1 year, 5 years, etc.)

Estimated Contract Value (Provide separate estimate for base contract period and each option) Base Period:

\$_____Option Period 1: \$_____Option Period 2: \$_____Option Period 3: \$_____Option
Period 4: \$_____Opticable/Not used for MAS}

Place of Performance:

DUNS Number: (under the contract awarded or pending award)

If submitting a Commercial Plan, insert dates below:

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):

____Individual Plan

_____Master Plan (incorporated into Individual Plan)

III. GOALS:

A. The 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 as subcontractors; 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 womenowned small business concerns as subcontractors; and (3) 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 will always reflect annual company-wide goals. 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 FORMAT BELOW 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:

encode and the total deliver along of the code contracted

PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
 Total Dollars to be Subcontracted (2 + 3 = 1) large and all small businesses must equal total amount to be subcontracted (both \$ and %) 		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB)		
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:

TAB A – G	SAM Text
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1st OPTION GOALS are expressed in dollars and percentages of the total dollars planned to be subcontracted.				
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT		
 Total Dollars to be Subcontracted (2 + 3 = 1) large and all small businesses must equal total amount to be subcontracted (both \$ and %) 		100%		
2. Large Businesses (Other than Small)				
3. All Small Businesses (including ANCs & Indian tribes)				
4. Veteran-Owned Small Businesses (VOSB)				
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 the total dollars planned to be subcontracted.

PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
 Total Dollars to be Subcontracted (2 + 3 = 1) large and all small businesses must equal total amount to be subcontracted (both \$ and %) 		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB)		
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:

3rd OPTION 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 (2 + 3 = 1) large and all small businesses must equal total amount to be subcontracted (both \$ and %)		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB)		
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: (LEAVE BLANK FOR MAS)

4th OPTION 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 (2 + 3 = 1) large and all small pusinesses must equal total amount to be subcontracted (both \$ and %)				
2. Large Businesses (Other than Small)				

3. All Small Businesses (including ANCs & Indian tribes)	
4. Veteran-Owned Small Businesses (VOSB)	
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)	
COMPLETE FORMAT BELOW IF SUBMITTING A COMMERCIAL PLAN (please rem submitting an individual plan). 1. Estimated total dollars planned to be subcontracted to all types of concerns (general government business, in support of commercial items sold during company fiscal year	ally for both commercial and
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	as other than smally.
3. Total dollars planned to be subcontracted to all small business concerns (including	ANCs and Indian tribes)
VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB smit	
Annual Commercial Purchases/Spend: \$% of Total	
4. Total dollars planned to be subcontracted to veteran-owned small business concerr	s (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 concerr	s (including ANCs and Indian
tribes):	
Annual Commercial Purchases/Spend: \$ = % of Total	
8. Total dollars planned to be subcontracted to women-owned small business concerr	6.
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

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, contact your local Small Business Administration Commercial Market Representative viawww.sba.gov/localresources, or access the Central Contractor Registration (CCR) Dynamic Small Business Search database at www.ccr.gov. 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
r 					-		
1							
1							
1				· · · · ·			
1							

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:

	•••••••••••••••••••••••••••••••••••••••		

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 Central Contractor Registration database

(CCR), 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 CCR 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 CCR as its source list does not relieve a firm of its responsibilities (e.g., outreach, assistance, counseling, or publicizing

subcontracting opportunities) in this clause.

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

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:

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 (telephone number, fax number and/or email address), in case of questions and provide an alternate point of contact if applicable.

Name:
Fitle/Position:
Address:
City/State/Zip Code:
Felephone number:
Fax 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 Central Contractor Registration (CCR) 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.

 Develop and promote company/division policy statements that demonstrate the company's/division's support for awarding contracts and subcontracts to SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns.
 Develop and maintain bidders' lists of SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns from all possible sources.

8. Ensure periodic rotation of potential subcontractors on bidders' lists.

9. Ensure that SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns are included on the bidders' list for every subcontract solicitation for products and services they are capable of providing.

10. Ensure that subcontract procurement "packages" are designed to permit the maximum possible participation of SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns.

11. Review subcontract solicitations to remove statements, clauses, etc., which might tend to restrict or prohibit SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns.

12. Ensure that the subcontract bid proposal review board documents its reasons for not selecting any low bids submitted by SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns.

13. Oversee the establishment and maintenance of contract and subcontract award records.

14. Attend or arrange for the attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.

15. Directly or indirectly counsel SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns on subcontracting opportunities and how to prepare bids to the company.

16. Conduct or arrange training for purchasing personnel regarding the intent and impact of Section 8(d) of the Small Business Act on purchasing procedures.

17. Develop and maintain an incentive program for buyers that support the subcontracting program.

18. Monitor the company's performance and make any adjustments necessary to achieve the subcontract plan goals. 19. Prepare and submit timely reports.

20. Coordinate the company's activities during compliance reviews by Federal agencies.

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

21. Additional Duties:

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 ensure that all small business concerns have an equitable opportunity to compete for subcontracts. These efforts may include one or more of the following activities: (please indicate which of the following apply or adapt list to fit your company's efforts).

A. Outreach efforts to obtain sources:

<u>— Contacting minority and small business trade associations.</u>

<u>Contacting business development organizations.</u>

<u>—____Requesting sources from the Central Contractor Registration (CCR), Dynamic Small Business Search, which integrated data from the SBA PRO-Net database.</u>

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.

<u>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.</u>

Monitoring activities to evaluate compliance with the subcontracting plan.

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

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 \$650,000 (\$1,500,000 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 \$650,000 (\$1,500,000 for construction) 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 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;

(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 or Contractor official 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:

Calendar Period	Report Due	Date Due	Submit Reports to eSRS with email address for:
10/01-03/31	ISR	04/30	Contracting Officer /SBTA
04/01_09/30	ISR	10/30	Contracting Officer /SBTA
10/01-09/30	SSR	10/30	Contracting Officer /SBTA

The eSRS web-based reporting requirement instructions can be found in the attachment to subcontracting plan taken from FAR clause 52-219-9.

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), 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., CCR), 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:

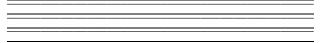
(A) Workshops, seminars, training, etc.; and

(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.

7. Other records to support your compliance with the subcontracting plan: (Please describe below.)



IX. STATUTORY REQUIREMENTS (Found at 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:

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

This subcontracting plan was SUBMITTED by:

Signature:
Typed Name:
Company Title:
Date signed:
Government Contracting Officer APPROVAL:
Signature:
Printed Name:
Agency:
Date signed:

REPORTING INSTRUCTIONS FOR CONTRACTORS

Electronic Subcontracting Reporting System web-based reporting requirements found at FAR clause 52.219-9(l): The Contractor shall submit ISRs and SSRs using the web-based eSRS at http://www.esrs.gov. Purchases from a corporation, company, or subdivision that is an affiliate of the prime Contractor or subcontractor are not included in these reports. Subcontract award data reported by prime Contractors and subcontractors shall be limited to awards made to their immediate next-tier subcontractors. Credit cannot be taken for awards made to lower tier subcontractors, unless the Contractor or subcontractor has been designated to receive a small business or small disadvantaged business credit from an ANC or Indian tribe.

(1) **ISR.** This report is not required for commercial plans. The report is required for each contract containing an individual subcontract plan and shall be submitted to the Administrative Contracting Officer (ACO) or Contracting Officer, if no ACO is assigned.

(i) The report shall be submitted semi-annually during contract performance for the periods ending March 31 and September 30. A report is also required for each contract within 30 days of contract completion. Reports are due 30 days after the close of each reporting period, unless otherwise directed by the Contracting Officer. Reports are required when due, regardless of whether there has been any subcontracting activity since the inception of the contract or the previous reporting period.

(ii) When a subcontracting plan contains separate goals for the basic contract and each option, as prescribed by FAR 19.704(c), the dollar goal inserted on this report shall be the sum of the base period through the current option; for example, for a report submitted after the second option is exercised, the dollar goal would be the sum of the goals for the basic contract, the first option, and the second option.

(iii) The authority to acknowledge receipt or reject the ISR resides-

(A) In the case of the prime Contractor, with the Contracting Officer; and

(B) In the case of a subcontract with a subcontracting plan, with the entity that awarded the subcontract.

(2) SSR. (i) Reports submitted under individual contract plans-

(A) This report encompasses all subcontracting under prime contracts and subcontracts with the awarding agency, regardless of the dollar value of the subcontracts.

(B) The report may be submitted on a corporate, company or subdivision (e.g., plant or division operating as a separate profit center) basis, unless otherwise directed by the agency.

(C) If a prime Contractor and/or subcontractor is performing work for more than one executive agency, a separate report shall be submitted to each executive agency covering only that agency's contracts, provided at least one of that agency's contracts is over \$650,000 (over \$1,500,000 for construction of a public facility) and contains a subcontracting plan. For DoD, a consolidated report shall be submitted for all contracts awarded by military departments/agencies and/or subcontracts awarded by DoD prime Contractors. However, for construction and related maintenance and repair, a separate report shall be submitted for each DoD component.

(D) For DoD and NASA, the report shall be submitted semi-annually for the six months ending March 31 and the twelve months ending September 30. For civilian agencies, except NASA, it shall be submitted annually for the twelve month period ending September 30. Reports are due 30 days after the close of each reporting period.

(E) Subcontract awards that are related to work for more than one executive agency shall be appropriately allocated. (F) The authority to acknowledge or reject SSRs in eSRS, including SSRs submitted by subcontractors with

subcontracting plans, resides with the Government agency awarding the prime contracts.

(ii) Reports submitted under a commercial plan-

(A) The report shall include all subcontract awards under the commercial plan in effect during the Government's fiscal year.

(B) The report shall be submitted annually, within thirty days after the end of the Government's fiscal year.
(C) If a Contractor has a commercial plan and is performing work for more than one executive agency, the Contractor shall specify the percentage of dollars attributable to each agency from which contracts for commercial items were received.

(D) The authority to acknowledge or reject SSRs for commercial plans resides with the Contracting Officer who approved the commercial plan.

(iii) All reports submitted at the close of each fiscal year (both individual and commercial plans) shall include a Year-End Supplementary Report for Small Disadvantaged Businesses. The report shall include subcontract awards, in whole dollars, to small disadvantaged business concerns by North American Industry Classification System (NAICS) Industry Subsector. If the data are not available when the year-end SSR is submitted, the prime Contractor and/or subcontractor shall submit the Year-End Supplementary Report for Small Disadvantaged Businesses within 90 days of submitting the year-end SSR. For a commercial plan, the Contractor may obtain from each of its subcontractors a predominant NAICS Industry Subsector and report all awards to that subcontractor under its predominant NAICS Industry Subsector.

Contracting Officer	(insert e-mail addresses)
Small-Business Technical Advisor	(email address for specific office/service/agency)
Subcontracting Manager, Office of Small Business Utilization	(janice.keys@gsa.gov or applicable alternate agency)
Small Business Administration Representative (found at www.sba.gov_and enter business zip code to find local resources/POC for contractor's location	

Appendix 519B-Subcontracting Plan Evaluation Checklist

CHECKLIST FOR REVIEW OF SUBCONTRACTING PLAN						
1. POINTSOF CONTACT, ADDRESS WITH ROOM 2. ADMINISTRATIVE CONTRACTING OFFICE,						
NUMBER & SYMBOL PHONE & FAX NUMBERS	ADDRESS, PHONE & FAX NUMBERS					
Prepared by: Phone:	NAME:					
FAX: Address:						

13. CHECKLIST

GSA, (Insert Service & Symbol) PCO is: FAX:	Phone:	Telephone: FAX:		
3. SOLICITATION NUMBER		4. CONTRACT NUMBER		
5. CONTRACTOR NAME, ADDRESS, DUNS NUMBER, AND CONTACT INFORMATION Phone: FAX: DUNS No.: E-Mail:		6. SUBCONTRACTING PLAN ADMINISTRATOR NAME, ADDRESS, & CONTACT INFORMATION Phone: FAX: E-Mail:		
7. PLACE OF PERFORMANCE	(If different from No. 5)	8. TYPE OF CONTRACT SEALED BID or INEGOTIATED SCHEDULE or INON-SCHEDULE		
9. a. CONTRACT PERIOD OR OPTION PERIOD Thru	9. b. DATE OF AWARD AND DATE OF OPTION	10. ESTIMATED CONTRACT VALUE (EACH PERIOD) OR ESTIMATE ANNUAL SALES FOR THIS CONTRACT \$		
11. DESCRIPTION OF PRODU	CTS OR SERVICES			

12. TYPE OF SUBCONTRACTING PLAN	- INDIVIDUAL INCORPORATING	COMPANY-WIDE PLAN FOR
BEING SUBMITTED	MASTER PLAN	COMMERCIAL ITEMS
INDIVIDUAL CONTRACT PLAN		COVERS ANNUAL PERIOD
		THRU

PROPOSED TARGET GOALS		Dollar Amount	PCO/ACO ACCEPTABLE		SBTA ACCEPTABLE		SBA/PCR ACCEPTABLE	
ESTABLISHED	Percent		Yes	No	Yes	No	Yes	No
(1) TOTAL SUBCONTRACTING PLANNED (To large & all small business concerns)	100							
(2)(a) TO ALL SMALL BUSINESSES (Includes ANCs or Indian Tribes, veteran- owned small, service-disabled veteran- owned small, HUBZone small, small disadvantaged, and women-owned small concerns)								
(2)(b) TO VETERAN-OWNED SMALL BUSINESS (VOSB) Percent- of Total								
(2)(c) TO SERVICE-DISABLED VETERAN- OWNED SMALL (SDVOSB) Percent of Total and subset of VOSB								
(2)(d) TO HUBZONE SMALL BUSINESS (HUBZone) Percent of Total								
(2)(c) TO SMALL DISADVANTAGED BUSINESS (SDB Includes ANCs or Indian Tribes) Percent of Total								
(2)(f) TO WOMEN-OWNED SMALL BUSINESS (WOSB) Percent of Total								
(3) DESCRIPTION OF PRINCIPAL TYPES (AND IDENTIFICATION OF TYPES PLANNE (i.e. SMALL, VOSB, SDVOSB, HUBZ, SDB,	D FOR SI	UBCONTR	ACTING					
(4) DESCRIPTION OF METHOD USED TO	DEVELOF	P GOALS;						
(5) DESCRIPTION OF METHOD USED TO	IDENTIFY	POTENTI	AL SOUF	RCES FO	OR SOLIC		4	

PURPOSES;

(6) STATEMENT AS TO WHETHER OR NOT THE OFFEROR INCLUDED INDIRECT COSTS IN

ESTABLISHING SUBK GOALS AND DESCRIPTION OF METHOD USED TO DETERMINE THE PROPORTIONATE SHARE OF INDIRECT COSTS TO BE INCURRED WITH EACH BUSINESS CONCERN;	
(7) NAME OF INDIVIDUAL WHO WILL ADMINISTER THE OFFEROR'S SUBCONTRACTING PROGRAM AND A DESCRIPTION OF THEIR DUTIES; (Include phone & fax numbers and email address of contact for further questions.)	
(8) DESCRIPTION OF EFFORTS THE OFFEROR WILL MAKE TO ASSURE EQUITABLE OPPORTUNITY TO COMPETE FOR SUBCONTRACTS;	
(9) FLOW DOWN ASSURANCE THAT THE OFFEROR WILL INCLUDE FAR CLAUSE 52.219-8 IN ALL SUBCONTRACTS THAT OFFER FURTHER SUBCONTRACTING OPPORTUNITIES; AND	
ASSURANCE THAT THE OFFEROR WILL REQUIRE ALL SUBCONTRACTORS (except SB concerns) THAT RECEIVE SUBCONTRACTS IN EXCESS OF \$650,000 (\$1.5 M for construction) TO ADOPT A PLAN THAT COMPLIES WITH THE REQUIREMENTS OF THE CLAUSE 52.219-9.	
(10) ASSURANCE THAT THE OFFEROR WILL: COOPERATE IN STUDIES OR SURVEYS; SUBMIT PERIODIC REPORTS; SUBMIT INDIVIDUAL (ISR) & SUMMARY REPORTS (SSR) USING THE 6SRS; ENSURE THAT SUBCONTRACTORS WITH PLANS AGREE TO SUBMIT THE ISR/SSR USING THE 6SRS; PROVIDE ITS PRIME CONTRACT NUMBER AND DUNS NUMBER AND EMAIL ADDRESS OF OFFICIALS RESPONSIBLE, ETC.	
(11) DESCRIPTION OF THE TYPES OF RECORDS THAT WILL BE MAINTAINED CONCERNING PROCEDURES ADOPTED TO COMPLY, AND A DESCRIPTION OF THE OFFEROR'S EFFORTS TO LOCATE VARIOUS SMALL BUSINESS CONCERNS AND AWARD SUBCONTRACTS TO THEM	
REMARKS. <u>PCO/ACO-COMMENTS</u> (i.e. original contract award, first plan or first govt. contract, annual commercial update or riding previously approved plan (copy attached), option renewal, change in business size from small to large, etc.)	SBTA

REVIEWED BY ⇒	PCO/ACO	SBTA	SBA/PCR
(Signatures and Dates)	DATE:	DATE:	DATE:

* * * * *