

**SMALL BUSINESS
SUBCONTRACTING PLAN INSTRUCTIONS**

- I. Offeror shall refer to the applicable General Provision article entitled, "Small Business and Small Disadvantaged Business Subcontracting Plan". This article applies to all inquiries and resultant purchase orders which offer subcontracting possibilities and exceed \$550,000 (\$1,000,000 for construction), provided the offeror is not a small business concern.
- II. The offeror understands that:
 - a. No order will be awarded unless and until an acceptable plan is negotiated with BMPC which the plan shall be incorporated into the order as a material part thereof.
 - b. An acceptable plan must, in the determination of BMPC, provide the maximum practicable opportunity for small business concerns and small disadvantaged business concerns to participate in the performance of the order.
 - c. If a subcontracting plan acceptable to BMPC is not negotiated within the time limits prescribed by the contracting activity and the failure to reach agreement is the result of a cause or causes that were within the control of or as a result of the fault or negligence of the offeror, the offeror shall be ineligible for an award. BMPC shall notify the Seller in writing of its reasons for determining a subcontracting plan to be unacceptable. Such notice shall be given early enough in the negotiating process to allow the contractor to modify the plan within the time limits prescribed.
 - d. Prior compliance of the **offeror** with other such subcontracting plans under previous orders will be considered by BMPC in determining the responsibility of the offeror for award of the order.
 - e. It is the **offeror's** responsibility to develop a satisfactory subcontracting plan with respect to both small business concerns and small business concerns owned and controlled by socially and economically disadvantaged individuals and that each such aspect of the offeror's plan will be judged independently of the other.
 - f. The **offeror** will submit, as required by BMPC, subcontracting reports in accordance with the instructions thereon, and as further directed by BMPC. Subcontractors will also submit these reports to the Government contracting officer or as otherwise directed, with a copy of each to BMPC' designated small business liaison officer (SBLO).
- III. A sample of an acceptable Subcontracting Plan is included herein for your guidance and use.

SAMPLE SMALL BUSINESS SUBCONTRACTING PLAN

DATE: []

CONTRACTOR: []

ADDRESS: []

PURCHASE ORDER NUMBER: []

ITEM/SERVICE: []

The following, together with any attachments, is hereby submitted as a Small Business Subcontracting Plan to satisfy the applicable requirements of Public Law 95-507 as implemented by FAR Clause 52.219-9.

1. The total estimated dollar value of all planned subcontracting (to all types of business concerns) under this contract is: \$[].
2. The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars) are applicable to the contract cited above or to the contract awarded under the solicitation cited.
 - (a) Small business concerns: [] % of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns.
 - (b) Veteran-owned small business concerns: [] % of total planned subcontracting dollars under this contract will go to subcontractors who are veteran-owned small business concerns. This percentage is included in the percentage shown under 2(a), above.
 - (c) Service-disabled veteran-owned small business concerns: [] % of total planned subcontracting dollars under disabled veteran-owned small business concerns. This percentage is included in the percentage shown under 2(a) above.
 - (d) HUB Zone small business concerns: [] % of total planned subcontracting dollars under this contract will go to subcontractors who are HUB Zone small business concerns. This percentage is included in the percentage shown under 2(a), above.
 - (e) Small disadvantaged business concerns: [] % of total planned subcontracting dollars under this contract will go to subcontractors who are small disadvantaged business concerns. This percentage is included in the percentage shown under 2(a), above.
 - (f) Women-owned small business concerns: [] % of total planned subcontracting dollars under this contract will go to subcontractors who are women-owned small

business concerns. This percentage is included in the percentage shown under 2(a), above.

The following dollar values correspond to the percentage goals shown in 2. above.

- (a) Total dollars planned to be subcontracted to small business concerns: \$[].
- (b) Total dollars planned to be subcontracted to veteran-owned small business concerns: \$[]. This amount is included in the amount shown under (a), above.
- (c) Total dollars planned to be subcontracted to service-disabled veteran-owned small business concerns: \$[]. This amount is included in the amount shown under (a), above.
- (d) Total dollars planned to be subcontracted to HUB Zone small business concerns: \$[]. This amount is included in the amount shown under (a), above.
- (e) Total dollars planned to be subcontracted to small disadvantaged business concerns: \$[]. This amount is included in the amount shown under (a), above.
- (f) Total dollars planned to be subcontracted to women-owned small business concerns: \$[]. This amount is included in the amount shown under (a), above.

[The contractor may present this information as follow:]

GOALS PROJECTED FOR THE CURRENT CONTRACT

Total Subcontracting Dollars	[\$_____]
Small Business Dollars	[\$_____]
Small Business Percent	[_____ %]
Veteran-Owned Small Business Dollars	[\$_____]
Veteran-Owned Small Business Percent	[_____ %]
Service-Disabled Veteran-Owned Small Business Dollars	[\$_____]
Service-Disabled Veteran-Owned Small Business Percent	[_____ %]

HUB Zone Small Business Dollars [\$_____]

HUB Zone Small Business Percent [_____%]

Small Disadvantaged Dollars [\$_____]

Small Disadvantaged Percent [_____%]

Women-Owned Small Business Dollars [\$_____]

Women-Owned Small Business Percent [_____%]

3. Principal products and/or services to be subcontracted under this contract are listed below along with the distribution to small, veteran-owned, service-disabled-veteran-owned, HUB Zone, small disadvantaged, women-owned small business, or large business concerns:

Products: _____

SMALL BUSINESS: []

VETERAN-OWNED SMALL BUSINESS: []

SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS: []

HUB ZONE SMALL BUSINESS: []

SMALL DISADVANTAGED BUSINESS: []

WOMEN-OWNED SMALL BUSINESS: []

LARGE BUSINESS: []

4. The following method was used in developing subcontract goals: [The offeror will insert a statement explaining how the products and services to be subcontracted were established, how the products and services to be subcontracted to small, veteran-owned, service-disabled-veteran-owned, HUB Zone, small disadvantaged, and women-owned business concerns were determined, and how capabilities of these firms were substantiated prior to their inclusion in source lists.]
5. The following methods were used to identify potential sources for solicitation purposes: [The contractor will insert items such as existing company source lists, the Procurement Marketing and Access Network (PRO-Net) of the Small Business Administration (SBA), the

list of certified small disadvantaged business concerns of the SBA, 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, veteran-owned, HUB Zone, small disadvantaged, and women-owned small business trade associations. Other examples include: review "subcontractable" requirements to determine applicability to small, veteran-owned, service-disabled-veteran-owned, HUB Zone small/disadvantaged and women-owned business concerns.]

6. Indirect costs (check one below):

[] have been,

[] have not been

Included in the goals specified in Item 2. [If so, describe the method used to determine the proportionate share of indirect costs to be incurred with small, veteran-owned, service-disabled-veteran-owned, HUB Zone, small disadvantaged and women-owned business concerns.]

7. The following individual will administer the subcontracting program:

Name: []

Title: []

Address and Telephone: []

This individual's specific duties, as they relate to the firm's subcontracting program, are as follows:

General overall responsibility for this company's Small Business Program, the development, preparation and execution of individual subcontracting plans, and for monitoring performance relative to contractual subcontracting requirements contained in this plan. [The contractor will include a specific list of this individual's duties. These duties may include:

- (a) Developing and maintaining bidders lists of small and small disadvantaged business concerns from all possible sources.
- (b) Ensuring that procurement packages are structured to permit small and small disadvantaged business concerns to participate to the maximum extent possible.
- (c) Assuring inclusion of small and small disadvantaged business concerns in all solicitations for products or services which they are capable of providing.
- (d) Reviewing solicitations to assure that no statements or clauses are included which may tend to restrict or prohibit small/small disadvantaged business participation.
- (e) Ensuring that corporate proposal reviewers document reasons for not selecting low

bids submitted by small and small disadvantaged business concerns.

- (f) Ensuring the establishment and maintenance of records of solicitations and subcontract award activity.
 - (g) Attending or arranging for attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.
 - (h) Conducting or arranging for conduct of motivational training for purchasing personnel pursuant to the intent of Public Law 95-507.
 - (i) Monitoring attainment of proposed goals.
 - (j) Preparing and submitting periodic subcontracting reports required.]
8. The following efforts will be taken to assure that small business, veteran-owned, service-disabled-veteran-owned, HUB Zone small business, small disadvantaged business and women-owned business concerns will have an equitable opportunity to compete for subcontracts: [The contractor will include a list of specific efforts to be taken. Such efforts may include:
- (a) Maintenance of small, small disadvantaged and women-owned small business concerns source lists, guides, and other data identifying small, veteran-owned, service-disabled-veteran-owned, HUB Zone, small disadvantaged and women-owned business concerns and utilized by buyers in soliciting subcontracts.
 - (b) Utilization of small, veteran-owned, service-disabled-veteran-owned, HUB Zone, small disadvantaged, and women-owned business source lists by buyers.
 - (c) Internal efforts to guide and encourage buyers:
 - (i) Attendance at small and small disadvantaged workshops, seminars, and training programs.
 - (ii) Monitoring of activities to assure compliance with subcontracting plan.]
9. [Insert Firm's Name] agrees that the clause entitled "Utilization of Small Business Concern" will be included in all subcontracts which offer further subcontracting opportunities; and all subcontractors (except small business concerns) who receive subcontracts in excess of \$500,000 will be required to adopt and comply with a subcontracting plan similar to this one. Such plans will be reviewed by comparing them with the provisions of FAR 52.219-9, and assuring that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentage goals shall be determined on a case-by-case basis depending on the supplies/services involved and the availability of potential small business subcontractors. Once approved and implemented, plans will be monitored through the submission of periodic reports, periodic visits to subcontractors facilities to review applicable records, and subcontracting program progress.

10. [Insert Firm's Name] agrees to submit periodic reports and cooperate in any studies or surveys as may be required by the contracting agency or the Small Business Administration in order to determine the extent of compliance with the subcontracting plan and with the clause entitled "Utilization of Small Business Concerns" contained in the contract. We further agree to submit Standard Form 294, Subcontracting Report for Individual Contracts, and/or Standard Form 295, Summary Subcontract Report, in accordance with the instructions on the forms.

Additionally, we will ensure that our subcontractors agree to submit SF 294 and SF 295, when applicable.

The Standard Form 294 and Standard Form 295 will be submitted electronically using the Subcontract Reporting System (SRS) at <http://www.pr.doe.gov/srs/>.

11. [Insert Firm's Name] agrees to maintain at least the following types of records to document compliance with this subcontracting plan:
- (a) Source Lists (e.g. PRO-Net), guides, and other data that identify small business, veteran-owned small business, service-disabled-veteran-owned small business, HUB Zone small business, small disadvantaged business, and women-owned small business concerns.
 - (b) Organizations contacted in an attempt to locate sources that are small business, veteran-owned small business, service-disabled-veteran-owned, HUB Zone small business, small disadvantaged business, or women-owned business concerns.
 - (c) Records on each subcontract solicitation resulting in an award of more than \$100,000, indicating on each solicitation:
 - (i) Whether small business concerns were solicited, and if not, why not;
 - (ii) Whether veteran-owned small business concerns were solicited, and if not, why not;
 - (iii) Whether service-disabled-veteran-owned small businesses were solicited, and if not, why not;
 - (iv) Whether HUB Zone small business concerns were solicited, and if not, why not;
 - (v) Whether small disadvantaged business concerns were solicited, and if not, why not;
 - (vi) Whether women-owned small business concerns were solicited, and if not, why not; and
 - (vii) If applicable, the reason award was not made to a small or small disadvantaged business concern.
 - (d) Records of any outreach efforts to contact trade associations, business development

organizations, and conferences and trade fairs to locate small, veteran-owned, service-disabled-veteran-owned, HUB Zone small, small disadvantaged, and women-owned small business concerns.

- (e) Records of internal guidance and encouragement provided to buyers through workshops, seminars, and training programs; and monitoring of performance to evaluate compliance with program requirements.
- (f) On a contract-by-contract basis, records to support award data including the name, address and business size of each subcontractor. [Contractors having commercial plans need not comply with this requirement.]