



**U.S. Department of Justice**

Office of the Deputy Attorney General

*Office of Small and Disadvantaged  
Business Utilization*

*Washington, D.C. 20530*

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TO: Arthur E. Collins, Jr.  
Director for Government Contracting  
U. S. Small Business Administration

FROM: David Sutton, Director /s/  
Office of Small and Disadvantaged Business Utilization

SUBJECT: DOJ's Input for First Small Business Scorecard for FY 2008

Here is DOJ's input for its first small business scorecard for FY 2008. If you have any questions on the content of this report, please contact me via email at [david.sutton@usdoj.gov](mailto:david.sutton@usdoj.gov) or by phone on 202-616-0523.

**1. Implemented strategies to increase the value of competitively awarded contracts to small businesses during the period.**

**Yes.** During the period, DOJ's Office of Small and Disadvantaged Business Utilization has continued to review planned procurements and proposed small business subcontracting plans in accordance with DOJ's Procurement Guidance Document (PGD) 06-02, Small Business Procurement Reviews. This document was our formal strategy to increase competitively awarded contracts to small businesses. The reviews have ensured that small businesses have the maximum practicable opportunity to participate in DOJ prime and subcontracts. In addition to making these reviews, the OSDBU has also been very active in periodically reviewing goaling reports in the Federal Procurement Data System- Next Generation (FPDS-NG) and the Electronic Subcontract Reporting System (eSRS). When prime and subcontracting accomplishments have been low for DOJ component organizations, the OSDBU Director has scheduled meeting with the components to point out areas where goals were not being met, identify corrective actions, and provide technical assistance and training.

In addition to the procurement reviews, DOJ has continued an extensive small business outreach program. The calendar of DOJ's internal outreach events may be viewed at:

[http://www.usdoj.gov/jmd/osdbu/osdbu\\_calendar\\_of\\_events.htm](http://www.usdoj.gov/jmd/osdbu/osdbu_calendar_of_events.htm)

DOJ hosts monthly vendor outreach sessions to apprise the small business community of DOJ's planned procurements and to give them technical assistance and training on the Federal procurement process in general and DOJ's procurement process in particular. We also participate in outreach sessions sponsored by other Federal agencies, members of congress, and

various trade associations.

**2. Demonstrated top-level Agency commitment to small business contracting during the period.**

**Yes.** The Assistant Attorney General for Administration and the Deputy Assistant Attorney General, Policy Management and Planning, have demonstrated extensive support for and a commitment to small business prime and subcontracting. Both individuals have ensured that the OSDBU Director has a “seat at the table” at high-level management meetings, to include the Justice Acquisition Council, which is made up of all of the Department’s Procurement Executives, and that the OSDBU Director is kept aware of major contracting efforts. (The Justice Acquisition Council meetings have provided the OSDBU Director a forum for addressing the Department’s Senior Procurement Executives on small Business matters, at least quarterly.) During these high-level management meetings, both senior officials have made very clear public statements about their support for the department’s small business programs and their expectation that the Department’s senior officials will support the program.

They have also challenged the Department’s senior contracts and program officials to meet our small business goals during small business awards ceremonies and other public meetings. The Assistant Attorney General and the Deputy also direct DOJ senior managers to coordinate with OSDBU on procurement strategies for major DOJ initiatives to ensure that small businesses have an opportunity to participate. They have also made sure the OSDBU has needed resources to implement the small business program within DOJ and have both been very active in small business events sponsored by the Department. Support for small business programs is included in both of their performance work plans and the Assistant Attorney General for Administration serves as the Designated Senior Official for implementing the Department’s Service Disabled Veteran-Owned Small Business Strategy.

**3. Executed significant events to increase small business participation in the procurement process during the period.**

**Yes.** In addition to the Procurement Guidance Document (PGD 06-02) referenced in the response to question 1, DOJ and the calendar of outreach events mentioned in the response to question 1, the Department has also participated in SBA’s matchmaking events, and outreach events put on by other entities including the National Women’s Chamber of Commerce, the National Hispanic Chamber of Commerce, and the National Minority Suppliers Development Council. The Department has also continued to implement its strategy for improving contracting opportunities for Service Disabled Veteran-Owned Small Businesses. In addition to being posted on the DOJ Sob’s website, the strategy is also linked to the websites of the Department of Veterans Affairs’ Center for Veteran Enterprise, The Association for Service-Disabled Veterans, and SBA’s Office of Government Contracting.

**4. Demonstrates that small business data is accurately reported in FPDS-NG during the period.**

**Yes.** DOJ issued Procurement Guidance Document (PGD) 07-05, Federal Procurement Data Verification and Validation on March 22, 2007, to ensure small business data is accurately reported in FPDS-NG. This PGD may be reviewed in its entirety at:

[http://www.usdoj.gov/jmd/pe/pdfs/pgd07\\_05/pdf](http://www.usdoj.gov/jmd/pe/pdfs/pgd07_05/pdf)

The PGD outlines procedures DOJ will follow to ensure that FPDS-NG data is accurate and timely and that the data is verified and validated. It also calls for an independent annual certification of the data to be provided to GSA and OMB. By ensuring FPDS is accurate, we will also satisfy most of the requirements of the contract portion of the Federal Funding Accountability and Transparency Act of 2006. The Department certified its FPDS-NG data for FY 2007 on December 12, 2007.

**5. Demonstrates that policies and procedures are in place to ensure compliance with subcontracting plans and attainment of subcontracting goals during the period.**

**Yes.** The OSDBU reviews all proposed small business subcontracting plans IAW PGD 06-02, referenced in the response to question 1. In addition, the OSDBU uses data in the Electronic Subcontract Reporting System (eSRS) extensively, to monitor the Department's small business subcontracting program. Although acceptance of Individual Subcontracting Reports (ISRs) is left up to contracting officers, the OSDBU Director reviews and accepts/rejects Summary Subcontracting Reports (SSRs)—the reports used to determine our small business subcontracting accomplishments. If accomplishments shown in SSRs appear low, the OSDBU director coordinates with the contracting officer(s) before accepting the reports. Also, if a DOJ component is not meeting its subcontracting goals, the OSDBU Director schedules a meeting with them to discuss corrective actions. The most recent such meeting was held with the Federal Prison System on February 13, 2008.

In addition, when prime contractors are not entering data correctly, technical assistance is provided as required. For example during the period, one prime contractor showed over \$300 million in subcontracting charged to the Federal Bureau of Investigation (FBI). This was an obvious overstatement because FBI's annual procurement dollars only total between \$600 million and \$700 million. Follow-up with the contracting officer and the prime contractor showed that the contractor's SSR was definitely in error. The prime was adding up all of its subcontracting dollars both with the Federal Government and non-Government entities and allocating it ALL to the Federal Agencies/Departments. The OSDBU advised the prime on the proper way to prepare the report and directed the prime to the tutorials on the eSRS website.

**6. Demonstrated that no unjustified bundling has taken place during the period.**

**Yes.** As part of the procurement review process for all planned full and open procurements described in Procurement guidance Document 06-02, contracting officers must certify whether the requirement is bundled or not, and if bundled, must justify the bundling and explain how the impact of bundling will be mitigated. DOJ had no unjustified bundling during the period.

**7. Planned training to contracting staff/managers in executing small business/socioeconomic procurements during the period.**

**Yes.** During the period, the OSDBU completed a small business training CD that covers all of the various small business prime and subcontracting programs. The CD is being duplicated by the contractor. A copy of the CD will be distributed to all contracting officers in the Department for their use and OSDBU will hold group small business training sessions using the CD upon request. In addition, the OSDBU offers small business training and technical assistance to contracting staffs upon request, and contracting staffs routinely participate in "ready talk" training sessions put on by SBA. Current DOJ-sponsored small business training sessions planned include a session for FBI contracting officials on March 5, 2008, and for Federal Prison System officials in July 2008.

**8. Planned to collaborate with SBA on formulation of small business procurement policy initiatives during the period.**

**Yes.** The OSDBU Director actively attends and participates in SBA's Small Business Procurement Advisory Council meetings.

**9. Agency submits all strategic plans and reports that became due to SBA during the reporting period.**

**Yes.** The OSDBU has developed a checklist to ensure that deadlines are met for all required strategic plans and annual reports that are due to SBA. This checklist has been implemented and will ensure that all required strategic plans and annual reports will be submitted to SBA timely.