

GUIDANCE ON THE DEPARTMENT OF ENERGY SUBCONTRACTING PROGRAM



U.S. DEPARTMENT OF ENERGY

**OFFICE OF ECONOMIC IMPACT AND DIVERSITY
OFFICE OF SMALL AND DISADVANTAGED
BUSINESS UTILIZATION**

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Abbreviations and Acronyms

AL—Acquisition Letter

APAT—Advanced Planning Acquisition Team

CCR—Central Contractor Registration

DEAR—Department of Energy Acquisition Regulation

DOE—Department of Energy

eSRS—Electronic Subcontracting Reporting System

FAR—Federal Acquisition Regulation

FMC—Facility Management Contract/Contractor

GSA—General Services Administration

HCA—Head of Contracting Activity

HUBZone—HUBZone Small Business

ISR—Individual Subcontracting Report

NNSA—National Nuclear Security Administration

NON-FMC—Non-Facility Management Contract/Contractor

OFPP/OMB—Office of Federal Procurement Policy, Office of Management and Budget

OSDBU—Office of Small and Disadvantaged Business Utilization

PCR—Procurement Center Representative (Small Business Administration)

PLAN (the Plan)—Subcontracting Plan

POC—Point of Contract

RFP—Request for Proposal

SBA—Small Business Administration

SBA-PCR—Small Business Administration Procurement Center Representative

SBPM-CA—Small Business Program Manager at the Contracting Activity

SBPM-FMC—Small Business Program Manager at the Facility Management Contractor

SBPM-PE—Small Business Program Manager at the Program Element

SDB—Small Disadvantaged Business

SDVOB—Service-Disabled Veteran-Owned Business

SPE—Senior Procurement Executive

SSR—Summary Subcontracting Report

VOSB—Veteran-Owned Small Business

WOSB—Women-Owned Small Business

1. Introduction

1.1. Purpose

The purpose of this guidance is to provide uniform direction to the Department of Energy (DOE) personnel and its major prime contractors¹ in order to assist them in utilizing “best practices” in their pursuit of a comprehensive and successful subcontracting program.

This guidance also is provided in response to the General Accountability Office’s report entitled, “Improved Oversight Could Better Ensure Opportunities for Small Business Subcontracting,” GAO-05-459. The guidance highlights the oversight responsibility of the Office of Small and Disadvantaged Business Utilization (OSDBU), and its role in ensuring that the Department engages all elements in enhancing DOE’s small business subcontracting program. It identifies the roles, responsibilities, and the interaction of personnel in these roles, as they implement the departmental small business subcontracting program.

This guidance is a supplement to Acquisition Letter 2005-08, dated 6/10/05, and Revision 1, dated 5/24/06.

1.2. Background

DOE has a large network of Facility Management Contracts (FMCs) and other major prime contractors that provide goods and services to DOE and are subject to the subcontracting plan requirements pursuant to FAR 19.704. FMCs include Management and Operating contracts; Management and Integration contracts, and Environmental Restoration and Waste Management contracts. These FMCs expend approximately 85 percent of DOE’s total contracting dollars.

1.3. Laws and Regulations

The laws and regulations governing subcontracting are contained in the Small Business Act, 15 U.S.C. § 637 and Federal Acquisition Regulation (FAR), Part 19:

(1) Any contractor, other than a small business, receiving a contract for more than the simplified acquisition threshold must agree in the contract that Small Business (SB), Veteran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business (SDVOSB), HUBZone Small Business (HUBZone), Small Disadvantaged Business (SDB), and Women-Owned Small Business concerns will have the maximum practicable opportunity to participate in contract performance consistent with its efficient performance.

(2) Each offeror submitting an offer in response to a solicitation that is expected to exceed \$550,000 (\$1,500,000 million if construction) must have an approved subcontracting plan prior to award reflecting the maximum practicable participation by

¹ For purposes of this guidance, the terms “major prime contracts,” “major prime contractors,” and “major acquisitions,” refer to: (1) Facility Management Contracts/Contractors (FMCs), and (2) non-FMC contracts that are with large companies, and considered by the program element and/or the contracting activity to be sizeable in scope and/or dollar value; important or critical to DOE’s mission; formerly performed as an FMC; multi-year; or have potentially significant subcontracting opportunities for small business participation.

small businesses, including VOSBs, SDVOSBs, HUBZones, SDBs, and WOSBs concerns.

(3) The Act and FAR 19.7 outline the specific elements to be included in the subcontracting plan, e.g., goals for each small business category.

(4) The FAR 19.7 specifies that the solicitation for applicable procurements should contain certain subcontracting clauses:

- Utilization of Small Business Concerns (FAR 52.219-8)
- Small Business Subcontracting Plan (FAR 52.219-9)
- Liquidated Damages (FAR 52-219-16)

(5) Subcontracting plans are not required:

- (a) from small business concerns;
- (b) for personal service contracts;
- (c) for contracts or contract modifications that will be performed entirely outside of any State, territory, or possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico; or
- (d) for modifications to contracts within the general scope of the contract that do not contain the clause at 52.219.8, Utilization of Small Business Concerns (or equivalent prior clauses, e.g., contracts awarded before the enactment of Public Law 95-507). (FAR 19.702(b))

(6) Section 8(d) of the Act designates the Small Business Administration (SBA) as the principal Government agency responsible for enforcing the provisions of the law pertaining to development and implementation of the subcontracting plan.

1.4. Applicability

This guidance applies to the OSDBU, Small Business Program Managers (SBPMs), DOE contracting personnel, NNSA contracting personnel, and prime contractors involved in planning, developing, reviewing or administering contracts that require a subcontracting plan, i.e., FMCs and non-FMCs.

DOE and NNSA contracting personnel should take whatever steps are deemed necessary to ensure that prime contractors are made aware of the roles and responsibilities outlined in this guidance. This document will be made a part of DOE's acquisition guidance to contracting personnel.

2. Roles and Responsibilities

This section describes the role of OSDBU in managing DOE’s Small Business Program and the role of the stakeholders, including DOE staff and organizations, as well as prime contractors, involved in the implementation of the Department’s small business subcontracting program. It highlights the importance of the roles of the DOE Office of Procurement and Assistance Management and the NNSA Office of Acquisition and Supply Management, and their headquarters and field networks of contracting personnel, in working with the OSDBU and program elements to conduct a successful small business subcontracting program.

2.1. Office of Small & Disadvantaged Business Utilization (OSDBU)

The OSDBU plays a key role in developing, implementing, and managing DOE’s Small Business Program at both the prime and subcontracting levels. On the subcontracting level, it: (1) proposes policies and strategies to the Secretary of Energy on ways to ensure that small businesses are provided an equitable opportunity to receive subcontracts for supplies and services that are procured by DOE prime contractors; and (2) oversees the actions of departmental elements, offices, and facilities as they pertain to compliance with the subcontracting plan (hereafter referred to as “the plan”) clauses in DOE contracts in accordance with FAR 19.7.

In managing DOE’s small business program, the OSDBU serves as the agency’s focal point for discussions about small business policies and programs with Congress, the Office of Federal Procurement Policy of the Office of Management and Budget (OFPP/OMB), the Small Business Administration (SBA), and the small business community. The OSDBU also has established subcontract oversight efforts to ensure that the Department implements the provisions of the FAR 19.7. A summary of these efforts is listed:

- Recommend DOE small business subcontracting policies, as needed, to comply with FAR 19.7.
- Collaborate with departmental elements on establishment of prime and subcontracting goals.
- Submit the proposed departmental small business prime and subcontracting goals to the Deputy Secretary for approval.
- Negotiate the department-wide small business subcontracting goals with the SBA.²
- Implement the 8(a) Pilot, Service-Disabled Veteran-owned Business Pilot, and the Mentor-Protégé Programs that facilitate the process for small businesses to obtain subcontracts.
- Conduct a comprehensive outreach strategy that includes radio and print media, and conference participation including matchmaking events focused on

² References to department-wide small business subcontracting goals apply only to FMCs as only FMC subcontracting goals are included in the Department’s calculation of its subcontracting goals .

subcontracting. (Matchmaking events allow small businesses to meet one-on-one with agency or contractor buyers.)

- Provide training courses for DOE staff and contractors involved in carrying out the subcontracting program.
- Maintain a customized small business database for DOE procurement and program staff, and prime contractors, to aid in their market research efforts.
- Maintain a department-wide forecast of contracting and subcontracting opportunities.
- Review all major acquisitions (see footnote 1) for small business prime and subcontracting consideration.
- Review and assess the subcontracting goals in the plans (for major acquisitions) in which the goals are below the department-wide small business goals.³
- Monitor subcontracting compliance jointly with the SBPM and Contracting Officer.
- Randomly review the Summary Subcontracting Reports in the Electronic Subcontracting Reporting System (eSRS) to ascertain subcontracting performance.
- Request, through the cognizant SBPM-PE, that the contracting activity, provide an improvement plan when goals are not met.
- Issue an annual Report Card of DOE's Subcontracting Achievement.
- Coordinate the SBPM review of Summary Subcontracting Reports for completeness and accuracy.
- Conduct Advanced Planning Acquisition Team (APAT) meetings (discussed in detail in Section 2.9 of this guide).
- Coordinate with SBA on Surveillance Reviews.

2.2. Senior Procurement Executive

The Senior Procurement Executive (SPE) is responsible for managerial direction of the acquisition system of the Department, including implementation of the unique acquisition policies, regulations, and standards of the executive agency. As such, the SPE issues small business policies and regulatory guidance for headquarters and field procurement organizations, and outlines the management strategies for providing the maximum subcontracting opportunities to small businesses.

2.3. Head of Contracting Activity

The Head of Contracting Activity (HCA) is the lead DOE official who has been delegated authority to: 1) manage the contracting activity's award, administration, and

³References to the review of subcontracting plans pertain to subcontracting plans of FMCs and non-FMCs. Plans that do not meet department-wide goals are forwarded to OSDBU for review in accordance with Acquisition Letter 2005-08, as amended.

termination of contracts and financial assistance agreements, and (2) ensure that the contracting activity provides opportunities for small businesses to fairly compete for subcontracts. The HCA shall designate a Contracting Activity Small Business Program Manager whose primary responsibilities are to develop and administer the activity's small business program. The HCA also shall establish proper quality control systems to ensure timely reporting and accuracy of subcontracting reports. Further, the HCA may issue directives outlining specific steps to be taken by his/her staff to support the Senior Procurement Executive's initiatives and departmental small business objectives.

2.4. Contracting Officer

The Contracting Officer has the primary authority to enter into, administer, and terminate contracts, and to make related determinations and findings. The Contracting Officer's role in subcontracting is vast as he/she has the authority and responsibility to negotiate, approve, and administer the plan submitted by an offeror. The Contracting Officer works closely with the cognizant SBPM, as well as with other departmental personnel, e.g., the OSDBU, to maximize subcontracting opportunities to small businesses, and monitor subcontracting compliance, pursuant to FAR 19.4 and 19.7. The Contracting Officer is responsible for reviewing the Individual Subcontracting Reports that relate to the contracts they administer.

The Contracting Officer reviews subcontracts and subcontracting opportunities in existing contracts for conversion to prime contracts.

2.5. Small Business Program Manager (SBPM)

A Small Business Program Manager (SBPM), who is assigned by a senior official in the organization, represents the program element, contracting activity, or prime contractor by coordinating the small business activities of the organization. The SBPM, traditionally referred to as "Small Business Specialist" or "Small Business Advocate," plans, directs, coordinates, develops, implements, participates, and serves as liaison and point of contact for the element, activity, facility or laboratory, for all small business activities pursuant to FAR 19.7. The next section describes the general responsibilities of all SBPMs, followed by specific functions of each type of SBPM.

2.5.1. SBPM General Responsibilities

The SBPMs for the program element, contracting activity, and FMC, have similar roles in regard to the conduct of the small business subcontracting program. The general responsibilities of most SBPMs are to:

- Ensure establishment of annual small business subcontracting plan goals.
- Negotiate, with the Contracting Officer, the SBPM recommendations for best and final plan goals for the prime contractor. The SBPM will coordinate with the OSDBU when plan goals do not meet department-wide goals pursuant to Acquisition Letter 2008-05, as amended.
- Review annual subcontracting achievement; identify shortcomings if any; develop strategies for improving the subcontracting program; and periodically update management on the status of the program.

- Encourage the major prime contractors' participation in DOE small business outreach activities, e.g., the annual DOE Small Business Conference and SBA matchmaking conferences.
- Periodically review subcontracts and subcontracting opportunities in existing contracts for conversion to prime contracts.
- Seek to include small businesses in subcontracting opportunities in areas, technologies, or acquisitions that are non-traditional to small business participation.
- Participate in local, regional, or national discussions, whichever is appropriate, about small business issues that impact DOE's small business subcontracting program, e.g., discussions with legislative officials, SBA, the General Services Administration (GSA), and other agencies.
- Work with the contracting activity, the OSDDBU, the program element, the DOE Office of Procurement and Assistance Management, or the NNSA Office of Acquisition and Supply Management, whichever is applicable, to maintain a viable small business subcontracting program.
- Conduct periodic reviews, with the Contracting Officer, to ascertain whether FMCs are in compliance with small business policies and regulations.

2.5.2. Program Element SBPM

The Program Element SBPM (SBPM-PE) provides management and oversight of small business subcontracting activities, for the element, including its offices, contracting activities, and prime contractors, in their execution of the mission and mission-related functions. The SBPM-PE, at the direction of the Assistant Secretary, Administrator or Director, establishes the program element's primary small business goals and objectives, and works with the OSDDBU to promote increased subcontracting opportunities to the small business community. The SBPM-PE may prepare policy statements, for signature by the Assistant Secretary, Administrator, or Director, to convey management's strategies to ensure that small businesses receive a fair share of DOE subcontracts.

2.5.3. Contracting Activity SBPM

The Contracting Activity SBPM (SBPM-CA) serves as the small business representative for the organization at the Headquarters Procurement Services Office or at a field site, and is responsible for ensuring that contracts awarded by the office or site, maximize subcontracting opportunities with small businesses, as provided in FAR 19.7. The SBPM-CA supports the Contracting Officer by reviewing the offeror and contractor's proposed small business goals, and monitoring the contractor's achievement. The SBPM-CA works with the SBPM-PE to establish goals and objectives.

The SBPM-CA has the primary responsibility at the contracting activity for serving as the eSRS Point of Contact; approving all registrations for the cognizant HCA and affiliated contracting offices; reviewing the Summary Subcontracting Reports that are entered into the eSRS, and reporting to OSDDBU and the SBPM-PE, any issues

concerning the Summary Subcontracting Reports. The SBPM-CA ensures that the SBA-Procurement Center Representative (PCR) reviews the subcontracting plans.

Further, the SBPM-CA oversees the activity's small business efforts and serves as the point of contact for internal and external discussions about the activity's small business program.

2.5.4. Facility Management Contract SBPM

The Facility Management Contract SBPM (SBPM-FMC) is the contractor's small business representative and typically serves as coordinator and administrator of the contractor's small business program. If the SBPM-FMC also serves as the Administrator of the plan, he/she works with the Contracting Officer and SBPM-CA to ensure that the plan complies with the terms and conditions of the contract. The SBPM-FMC, if not the plan Administrator, works with the Administrator to ensure that the contractor provides the maximum subcontracting opportunities to small businesses. The SBPM-FMC may prepare internal policy statements, for signature by a senior executive with the FMC, which outline management's strategies for providing the maximum subcontracting opportunities to small businesses.

2.6. Prime Contractor

The Prime Contractor's designated representative, i.e., the Subcontract Administrator or the SBPM-FMC, will perform responsibilities, e.g., those listed below in accordance with the terms of the contract:

- Comply with departmental subcontracting requirements that are outlined in the solicitation.
- Establish and meet small business plan goals.
- Participate in outreach activities at local small business conferences and trade fairs, and support the Department's annual small business conference.
- Provide training to contractor staff involved in implementing the plan.
- Conduct restricted procurement methods and outreach programs, when applicable, to enhance subcontracting opportunities for small businesses. Specifically, FMCs shall consider conducting or utilizing the:

- 1) DOE Mentor-Protégé Program, which authorizes mentors to make non-competitive awards to protégés;
- 2) 8(a) Pilot Program, which authorizes the award of subcontracts non-competitively up to \$3.5 million, and \$5.5 million for manufacturing;
- 3) HUBZone competitive and noncompetitive procurement methods;
- 4) SDVOSB competitive and noncompetitive procurement methods;
- 5) Restricted competition as set-aside purchases at any dollar

- value for award to small businesses;
- 6) Purchases valued up to \$100,000 on a sole source basis to small businesses.

2.7. Small Business Administration-Procurement Center Representative

The Small Business Administration's Procurement Center Representative (SBA-PCR or PCR) plays a key role in the execution of Federal policies and programs that seek to provide maximum subcontracting opportunities to small businesses. The SBA monitors the small business subcontracting efforts of Federal prime contractors, and assigns one or more of its PCRs to Federal agencies in order to review their acquisitions for small business subcontracting consideration. The Contracting Officer, working with the SBPM-CA, shall contact the SBA-PCR to review the plan and provide advice and recommendations on the sufficiency of the plan goals. Typically, the SBA-PCR will work with the contracting activity to assist it in enhancing opportunities for small businesses.

2.8. Acquisition Planning Team

An Acquisition Planning Team is the program element and/or the local contracting activity team which is typically formed for large (\$1 million and above) procurements. It is organized to plan the acquisition strategy from the point at which the Department's need is identified through to contract award. The team, which meets periodically, may operate informally or as a formal team with designated responsibilities. The Acquisition Planning Team, or a similar team within the program element, consists of the technical and contracting personnel and resources deemed necessary to execute the procurement. It determines the proposed acquisition strategy, including defining the parameters of the requirement, i.e. the critical and support elements in the procurement, solicitation methodology, and how it will be evaluated. The Acquisition Planning Team may assist the program element in selecting the Source Evaluation Board.

The team, working with the SBPM-PE, will submit the proposed FMC acquisition, or the appropriate proposed non-FMC acquisition, to the OSDBU's Advanced Planning Acquisition Team (described below) for review.

2.9. Advanced Planning Acquisition Team

DOE has established an "Advanced Planning Acquisition Team" (APAT), comprised of the DOE Office of Procurement and Assistance Management, the NNSA Office of Acquisition and Supply Management, the OSDBU, the SBA-PCR, and the program element submitting the acquisition for review. The purpose of the APAT is to review proposed acquisition strategies of new and re-competed acquisitions in the developmental stage for the purpose of identifying the practicable extent to which small business prime contracting participation is feasible, and/or the extent of subcontracting opportunities. The Acquisition Planning Team, or a member of the team, e.g., the program element or the Contracting Officer, in collaboration with the SBPM-PE, forwards the acquisition plan to the APAT for initial review and recommendations for small business consideration. The APAT review is separate and distinct from, and occurs prior to, the required OSDBU review of proposed acquisitions estimated to be \$3 million or above,

and not recommended for small business set-aside. Details on the APAT can be found in Acquisition Letter 2005-08, as amended.

3. Guidelines on Interactions in the Contracting Process

The guidelines contained in this section describe the interaction of the various headquarters and field organizations that collectively oversee the contractors' small business subcontracting efforts. Specifically, they pertain to the interactions of the SBPMs, DOE and NNSA program and contracting staff, and prime contractor personnel that are involved in identifying and developing subcontracting opportunities to comply with the requirements prescribed by FAR 19.7. These subcontracting opportunities may result from new or recompleted prime contracts; opportunities created by contract consolidations; larger dollar value contracts; procurements that require unique capabilities; or opportunities which are expected to be procured through full and open competition.

The interactions contained in these guidelines are organized by phases of the contracting process. These phases are: (a) Acquisition Planning; (b) Solicitation Development; (c) Evaluation; (d) Selection; (e) Development and Review of the Subcontracting Plan; and (f) Post Award Interactions.

3.1. Acquisition Planning

The Contracting Officer will work with the SBPM-CA and the SBPM-FMC in determining whether there are subcontracting possibilities in accordance with FAR 19.7. The following actions will be taken subsequent to a determination that subcontracting possibilities exist:

- The SBPM-CA and the Contracting Officer will work to identify small business concerns to perform subcontracts.
- The Contracting Officer will determine if the acquisition should include contract language to incentivize prime contractors, e.g., incorporation of the "Incentive Subcontracting clause", FAR 52.219-10 in Section I of the RFP or a clause substantially the same, as allowed by FAR 19.708(c)(1) or performance evaluation points.
- A member of the Acquisition Planning Team, e.g., the program element or the Contracting Officer, working with the SBPM-CA, will forward the plans for major acquisitions (see footnote 1 for definition) to the APAT for discussion of prime and subcontracting opportunities.
- The Contracting Officer, working with the SBPM-CA and SBPM-PE, will forward to OSDBU, the plans of major acquisitions in which the goals do not meet the department-wide subcontracting goals, pursuant to Acquisition Letter 2005-08, as amended. Allow a total of 10 business days for the reviews. (NNSA federal site offices shall submit FMC plans through the SBPM-CA.)

3.2. Solicitation Development

The Contracting Officer, working with the SBPM-CA, shall develop solicitations that include subcontracting plan requirements in accordance with FAR 19.704. The contracting officer and the SBPM-CA will ensure that the solicitation will notify offerors that:

- DOE requires contractors submitting a plan to comply with the SBA goaling guidelines to: (1) include only subcontracts involving performance in the U.S, or its outlying areas; and (2) exclude purchases from a corporation, company, or subdivision that is an affiliate of the prime/subcontractor.⁴
- Goals may be negotiated annually.
- The OSDBU will review the subcontracting goals of all plans for major acquisitions (see footnote 1), in which the goals do not meet the department-wide small business subcontracting goals.
- The SBA-PCR will review and advise the contracting officer of the acceptability of the plan prior to acceptance by the contracting officer.
- Only FMC subcontracting goals are included in the department-wide subcontracting goals that are negotiated with the SBA.

3.3. Evaluation

- The offeror's past small business subcontracting performance record may be considered by the evaluating team as a part of the evaluation process, pursuant to FAR 9.104-3(b) and 19.705-5.

3.4. Selection

- In making an award that requires a subcontracting plan, the Contracting Officer shall comply with the requirements of the FAR 19.705-5.

3.5. Review of the Subcontracting Plan/Small Business Goals

Subcontracting Plans for New and Reopened Acquisitions

- An offeror submits the plan to the Contracting Officer and the Technical Evaluation Committee, as required.
- The SBPM-CA, working with the Contracting Officer, shall evaluate the offeror's proposed plan to determine if it will provide for the maximum practical subcontracting opportunities.
- The Contracting Officer, working with the SBPM-CA, shall ensure that the offeror's proposed goals are calculated in accordance with the guidelines for exclusions to the base outlined in the SBA Goaling Guidelines.
- The Contracting Officer, working with the SBPM-CA, will forward the plan to the OSDBU for review if the plan does not meet department-wide small business goals. (The SBPM-CA will advise the SBPM-PE of deficient plans.)

⁴ A sample Model Subcontracting Plan is available (upon request) at the OSDBU for optional.

- The OSDBU will review the plan goals and advise the Contracting Officer, through the SBPM-CA and/or the SBPM-PE, of its findings and recommendations within 10 days of receipt of the plan, in accordance with Acquisition Letter 2005-08, as amended.
- The Contracting Officer will make all plans available to the SBA-PCR for review within a reasonable period.
- The Contracting Officer shall negotiate plans in accordance with FAR 19.705.

Subcontracting Goals for Existing Contracts (Annual Goals)

- The OSDBU will request subcontracting goals annually through the SBPM-PE.
- The SBPM-PE shall work with its SBPM-CA and SBPM-FMC to establish realistic and achievable subcontracting goals.
- The SBPM-CA and Contracting Officer will evaluate the FMC's plan goals against historical achievement of prior years, and the balanced scorecard performance objectives; or if the contractor is an NNSA facility, evaluate the plan against the performance objectives matrix.
- The SBPM-PE shall submit its proposed annual subcontracting goals to the OSDBU.
- The OSDBU will concur with the goals, or recommend changes.

3.6. Post Award Interactions

- The prime contractor will include the clause of this contract entitled "Utilization of Small Business Concerns" in all subcontracts that offer further subcontracting opportunities.
- The contractor will require all subcontractors (except small business concerns) that receive subcontracts in excess of \$550,000 (\$1,500,000 for construction of any public facility) to adopt a plan that complies with the requirements of FAR 52-219.
- Where applicable, the prime contractor will flow down the requirement to establish goals at the level of the department-wide subcontracting goals.
- The prime contractor and its lower tier subcontractors will submit the Individual Subcontracting reports twice a year to the eSRS 30 days after the close of the reporting period, and the Summary Subcontracting Report to the SBPM-CA once a year 30 days after the close of the reporting period.
- The Contracting Officer, working with the SBPM-CA, is responsible for reviewing the Individual and Summary Subcontracting Reports that relate to the contract administered by the contracting activity.
- The OSDBU has overall responsibility for the Summary Subcontracting Reports and will acknowledge receipt of the Report for completeness and required information.

- The prime contractor will validate data entered into the eSRS periodically, but at least once a year.
- For prime contractors that do not achieve their subcontracting goals, the OSDBU, through the SBPM-PE, will require submittal of an improvement plan. The improvement plan will identify the steps that the contractor will take to improve subcontract achievement. The steps may include:
 - 1) Identifying additional subcontracting opportunities, including work previously performed by large subcontractors.
 - 2) Seeking additional small business sources, i.e., from the Central Contractor Registration (CCR) database, and the OSDBU database.
 - 3) Publicizing subcontracting opportunities widely, including in the SBA's, "Sub-Net" (FAR 5.206).
 - 4) Mentor a small business that will be developed as a potential small business subcontractor.
- The OSDBU will, on a random basis, select a prime contractor for review of achievement against its plan goals and objectives.
- The OSDBU will report subcontracting achievement annually to the Secretary of Energy in the DOE Annual Small Business Report. The report will outline each contractor's performance and include department-wide achievement.