

ATTACHMENT C

SECTION J - LIST OF DOCUMENTS, EXHIBITS AND OTHER ATTACHMENTS

ATTACHMENT C

SMALL BUSINESS SUBCONTRACTING PLAN FY 2009

CONTRACTOR: ALLIANCE FOR SUSTAINABLE ENERGY, LLC (ALLIANCE)/NATIONAL RENEWABLE ENERGY LABORATORY

ADDRESS: 1617 COLE BOULEVARD
GOLDEN, COLORADO 80401

**SOLICITATION
OR CONTRACT
NUMBER:** DE-XXX-07GO97036

ITEM/SERVICE: Management and operation of the National Renewable Energy Laboratory to perform the lead role in renewable energy research and development and to be the Nation's primary Federal laboratory for renewable energy research.

AMOUNT OF CONTRACT FOR FY09 (NOVEMBER 9, 2008 THROUGH SEPTEMBER 30, 2009, PARTIAL YEAR) THROUGH SEPTEMBER 30, 2013: Estimated \$ _____

PERIOD OF PERFORMANCE: November 9, 2008 through September 30, 2013

TYPE OF PLAN:

- Individual Plan (All elements developed specifically for this contract and applicable for the full term of this contract).
- Master Plan (Goals developed for this contract; all other elements standard; must be renewed every three years). [See FAR 52.219.9 (f) (1)-(3)]. Our proposed Mentor-Protégé Program and model agreement referenced throughout this Plan are attached. Also included is an executed Mentor-Protégé Agreement between Alliance and New West Technologies, LLC, a Native American-owned SDB and SBA8(a) company, which will become effective upon Alliance's assumption of responsibility for the management and operation of NREL and DOE approval.
- Commercial Plan (Contractor sells large quantities of off-the-shelf commercial items to many Government agencies. Plan/goals are negotiated by a lead agency on a company wide basis rather than for individual contracts. Plan effective only during the year for which it is approved. The Contractor must provide a copy of the lead agency approval). [See FAR 19.704.704(d) and 52-219(g)].

I. GOALS

- A. The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars) are applicable to the contract period Year One: For each year of performance, revised goals will be negotiated and included in the contract by modification.

1. The total estimated dollar value of all planned subcontracting (to all types of business concerns) under this contract is: \$ 85M (100%)

*This estimated amount does not include large construction subcontract awards.

- (i) Large Business Concerns: Total estimated dollar value and percent of planned subcontracting with large businesses (all businesses concerns classified as "other the small") (% of 1. above): \$ 18.7M and 22%.

- (ii) Small Business Concerns: The total estimated dollar value and percent of planned subcontracting with small business concerns include Small, Small Disadvantaged, Women-Owned Small, HUBZone, Veteran Owned, and Service Disabled Owned Business (SB/SDB/WOSB/HZ/VOB/SDVOB) concerns. (% of 1. above):

\$ 51M % 60

This amount is included in the amount shown under A.1.b, above, as a subset.

- (iii) Small Disadvantaged Business Concerns: The total estimated dollar value and percent of planned subcontracting with small disadvantaged businesses (SDB) (% of 1. above):

\$ 4.3M % 5.0

*Items (iii) through (vi) meet DOE guidelines issued in Policy Flash 2008-19.

This amount is included in the amount shown under A.1.b, above, as a subset.

- (iv) Women-Owned Small Business Concerns: The total estimated dollar value and percent of planned subcontracting with small women-owned businesses (WOSB) (% of 1. above):

\$ 4.3M % 5.0

This amount is included in the amount shown under A.1.b, above, as a subset.

- (v) HUBZone Small Business Concerns: The total estimated dollar value and percent of planned subcontracting with HUBZone small businesses (SDB) (% of 1. above):

\$ 2.5M % 3.0

This amount is included in the amount shown under A.1.b, above, as a subset.

- (vi) Veteran Owned Small Business Concerns: The total estimated dollar value and percent of planned subcontracting with veteran owned small businesses (VOSB) (% of 1. above):

\$ 1.7M % 2.0

This amount is included in the amount shown under A.1.b, above, as a subset.

- (vii) **Service-Disabled Veteran-Owned Business Concerns:** The total estimated dollar value and percent of planned subcontracting with service-disabled veteran-owned businesses (SDB) (% of 1. above):

\$ 2.5M % 3.0

This amount is included in the amount shown under A.1.b, above, as a subset.

- B. A description of all the types of products and/or services that will be acquired under this contract is necessary to determine how the subcontracted dollars are to be spent.

1. The principal products and/or services to be obtained in support of this Plan are those generally associated with a diverse research and development environment. Small business concerns will generally supply a major portion of goods and services, including R&D, listed in Table A. As additional opportunities are identified, the list will be expanded.

Table A

SUBCONTRACTED EFFORT	SB	SDB	WOSB	HZ	VOB	SDVOB
Research, Development, Demonstration, Deployment	X	x	X	X	x	x
Research Support	X	x	X	X	x	x
Technical Support & Services	X	X	X	X	X	X
Construction	X	x	X	X	x	x
Architect & Engineering	X	x	X	X	x	x
Electrical Services & Supplies	X	x	X	X	x	x
Custodial Services & Supplies	X	x	X	X	x	x
Laboratory Supplies	X	X	X	X	X	X
Chemicals	X	X	X	X	X	X
Reproduction Supplies	X	X	X	X	X	X
Office Equipment & Supplies	X	x	X	X	x	X
Computer Supplies	X	x	X	X	x	X
Lease Facilities	X	x	X	X	x	X
Administrative Support	X	x	X	X	x	X
Information Technology Support	X	x	X	X	x	X
Consulting Services	X	x	X	X	x	X
Communications Support	X	x	X	X	x	X
Moving & Relocation Services	X	x	X	X	x	X
Environmental Services	X	x	X	X	x	X

2. **Methods Used to Develop Subcontracting Goals:** NREL established the above

subcontracting goals based on small business performance history, proposed budget, availability of small businesses in our region, and our commitment to execute the proposed subcontracting strategy embodied by this Plan. As part of this Plan we will pilot a Mentor-Protégé Program described in Section III.A. below. As previously noted, our initial protégé will be New West Technologies, LLC. In addition, the continued proactive relationship with SBA and interaction with other DOE laboratories to gain insights into best practices of their small business subcontracting activities will continue to afford NREL the opportunity to enhance subcontracting goals in meeting NREL'S mission and operation. The Subcontracting Plan for NREL will be reviewed and approved each year by the DOE GO Contracting Officer.

NREL's goal for small business of 60% greatly exceeds the DOE FY2009 guideline of 46.4%. By applying an enhanced emphasis on small business through an innovative Mentor-Protégé Program focused on research and commercialization, the maturing of the small business advocate/liason, an additional staff member in Contracts and Business Services focused on small business outreach efforts in Colorado, and the co-location of an additional small business specialist to the Vice President, Deployment and Industry Partnerships in the Commercialization and Deployment directorate, the challenging but achievable goal will be met.

Methods Used to Identify Potential Sources for Solicitation: NREL is committed to offering a fair and equitable opportunity for SB, SDB, WOB, HZ, VOB, and SDVOB concerns to compete for the goods, services, and research (RDD&D) support the mission and operation of NREL. The Lab is proactive in maintaining a program that continually searches for potential sources of supplies, services, and research using tools that include, but are not limited to, the following:

- Working with the state of Colorado and our university partners to expand our potential small business sources.
- Use of the Battelle laboratory community best practices.
- Development and Commercialization Directorate identification of R&D and deployment firms as potential sources.
- Electronic access to the Central Contractor Registration Website maintained by the SBA and used as a search tool to locate small business concerns.
- Electronic access to the NREL's Small Business Database maintained by the SBLO and the Contracts and Business Services office.
- Scheduling one on one visits with small business concerns.
- Participation in small business trade fairs, conference, and events specifically directed toward offering business opportunities with NREL.
- Participation in business development organizations, trade associations, conferences and other events to identify potential sources.
- Communicating subcontracting opportunities with potential small business concerns and to help assist these firms as required and practicable.

Listed below are examples of various directories and source lists used:

- Central Contractor Registration (CCR)

- NREL's internal small business database
 - Rocky Mountain Minority Supplier Development Council (RMMSDC)
 - Rocky Mountain Small and Disadvantaged Business Opportunity Council (SADBOC)
 - Colorado Women's Chamber of Commerce (CWCC)
 - Department of Veteran Affairs (VETBIZ.gov)
 - Local Chamber of Commerce's
 - Local Small Business Administration (SBA)
 - Office of Small Disadvantage Business Utilization database (OSDBU.gov)
3. Indirect costs: Indirect costs have not been included in establishing NREL subcontracting goals. Goals are based on total anticipated subcontract award dollars.
4. To determine the proportionate share of indirect costs allocated to each small business category (SB, SDB, WOB, HZ, VOB, and SDOV), NREL's reporting system has the capability to break out each small business concern by dollar amount.

II. PROGRAM ADMINISTRATOR

While the prime responsibility for administration of the Small Business Subcontracting Plan rests with Kristin Bornbeck, Contracts and Business Services Office Director, Mike Pacheco, Vice-President for Industrial Partnerships, who reports directly to our Executive Vice-President for Commercialization and Deployment will provide direct leadership for the small business program. Nancy Gardner, Small Business Advocate/Liaison Official (SBLO) will be responsible for the day-to day implementation of the plan. Ms. Gardner was nominated on February 5, 2008, by the Rocky Mountain Minority Supplier Development Council for the Nelson Ball Advocate Award. Points of Contact are as follows:

Name: Nancy S. Gardner
Title: Small Business Advocate/Liaison Official/Senior Subcontract Administrator
Address: 1617 Cole Boulevard, Golden, Colorado 80401
Telephone #: 303-384-7335
Facsimile #: 303-275-3109
E-Mail: nancy_gardner@nrel.gov

Name: Dr. Mike Pacheco
Title: Vice-President, Deployment and Industry Partnerships
Address: 1617 Cole Blvd, Golden, CO 80401
Telephone #: TBD
E-Mail: TBD

Duties: The SBLO has the general overall responsibility for NREL's subcontracting program, i.e., developing, preparing, and executing individual subcontracting plans and monitoring performances relative to the requirements of this particular plan. The Vice-President for Industrial Partnerships will provide leadership for the small business program and champion the outreach directed towards small businesses focused on commercialization and deployment. The duties and responsibilities of the SBLO include but are not limited to the following activities:

- Negotiate challenging small business goals for NREL.
- Developing and maintaining bidder's lists or SB, SDB, WOB, HZ, VOB and SDOV concerns from as many sources as possible.

- Ensuring that procurement packages are structured to permit participation of SB, SDB, WOB, HZ, VOB and SDVOB concerns to maximum extent possible.
- Ensuring inclusions of SB, SDB, WOB, HZ, VOB and SDVOB concerns whose capabilities coincide with solicitations requiring their products and services.
- Reviewing solicitations to identify and remove any statements, clauses, etc., which may restrict or prohibit participation of SB, SDB, WOB, HZ, VOB and SDVOB concerns.
- Ensuring that proper documentation is provided if selection is not made to SB, SDB, WOB, HZ, VOB and SDVOB concerns that provided low bid.
- Ensure establishment and maintenance of records of solicitations and subcontract award activity.
- Attending or arranging for attendance at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.
- Monitoring and achievement of proposed goals.
- Preparing and submitting semi-annual and annual subcontract reports when required.
- Coordinating contractor's activities prior to and during conduct of Federal agency compliance reviews.
- Providing monthly statistics to NREL management on progress toward established goals and recognition of significant subcontract administrator performance in this area.
- Hold periodic training and meetings with subcontract staff and other organizational groups about NREL's Plan and commitment to small business.
- Maintain a close working relationship with DOE GO to ensure that NREL's small business goals are consistent with performance expectations.
- Support the partnership with SBA activities.
- Approve subcontracting plans and evaluate performances against the plans.

III. EQUITABLE OPPORTUNITIES AND OUTREACH EFFORTS

The NREL Contracts and Business Office ensures that SB, SDB, WOB, HZ, VOB and SDVOB concerns have an equitable opportunity to compete for subcontracts that may include, but not limited to, the following activities:

A. Outreach Effort to Obtain Sources:

1. Mentor-Protégé Program

The award winning Mentor-Protégé Program at ORNL will be brought by Alliance to NREL and provide the basis for our Mentor-Protégé program. However, Alliance will bring innovation to the ORNL program by focusing on establishing mentor-protégé relationships in the areas of research and commercialization. A particular area of emphasis will be to assist industrial organizations to transfer renewable energy and energy efficiency technology to the marketplace. The principles of technology transfer in establishing a mentor-protégé partnership will apply.

balancing public and private interest, focusing on outcomes, reflecting core values, creating transparency, ensuring confidentiality, and seeking continuous improvement. This enhanced emphasis is reflected in the placement of this program under the leadership of our Vice-President, Deployment and Industry Partnerships, Dr. Michael Pacheco, who reports directly to our Senior Vice-President, Commercialization and Deployment. This organizational change will increase the extent, variety, and complexity of opportunities for small business, including those small businesses in the mentor-protégé program, and ensure they continue to have a meaningful role in the future of NREL. The program is also intended to assist these businesses in becoming successful subcontractors for other government agencies and contractors and for private industry, as well as to foster long-term relationships between small business entities and to provide increased opportunities and resources for small business growth.

To demonstrate our commitment to this objective, Alliance, as previously noted, has entered into a mentor-protégé agreement with New West Technologies, LLC, a Native American-owned SBD and SBAB(a) company. This agreement will be effective when Alliance assumes responsibility for the management and operation of NREL and upon DOE approval of the Agreement. Selection of New West by Alliance was based on general application of the selection criteria contained in the Program description attached to this plan.

The program will pilot with New West Technologies, LLC, and it is our goal to have a total of seven protégés over the base five-year term of the contract.

To ensure meaningful mentoring is afforded to the protégé, an additional innovation we will bring to the Mentor-Protégé Program is to subcontract with a small business to assist NREL in providing expertise applicable to small businesses in areas such as human resource management, QA programs, records management, business development, and financial management systems.

2. An additional staff member within Contracts and Business Services dedicated to the small business program to expand the outreach activities beyond the Denver Metro area. NREL is extremely active in the Denver Metro area. This additional staff member will provide for participation in tradeshows and matchmaking activities in other geographic locations (e.g. Western Slope, southwest area) of Colorado. This outreach effort will result in an opportunity for greater diversity of businesses engaged with NREL and also serve to expand the mission and technology outreach of NREL to many areas of Colorado.
3. Technical programs will include in their yearly goals the objective to have at least one small disadvantaged, HubZone, veteran owned, or service disabled veteran owned business to provide RDD&D in support of NREL's mission. The many networking events the technical staff are engaged in throughout the year will provide excellent opportunities for matchmaking.
4. Contacting minority and small business trade associations.
5. Significant involvement in business development organizations, e.g. serving on Boards, and holding leadership positions within the organizations.
6. Participate in regional small and minority business procurement conferences, trade fairs, and other functions for matchmaking opportunities and to locate additional small business sources.
7. Requesting sources from the Small Business Administration's Central Contractor

Registration database (CCR).

8. Utilizing telephone directories, newspapers, and magazine ads to encourage new sources.
 9. Participating in various efforts and activities to expand a socioeconomic database for this contact.
 10. Utilizing source lists, databases, and other reference material to identify SB, SDB, WOB, HZ, VOB, and SDVOB sources before the acquisitions are placed by the NREL procurement office.
 11. Seek source information from other large businesses and government entities.
- B. Internal Efforts to Guide and Encourage Subcontract/Purchasing Personnel and NREL staff:
1. Establish, maintain, and utilize SB, SDB, WOB, HZ, VOB, and SDVOB source lists, guides, and other data for soliciting subcontracts.
 2. Hold periodic training and meetings with subcontract staff and other organizational groups about NREL's Plan and commitment to small business.
 3. Monitor activities to review and evaluate compliance with this Plan.
 4. Make sure that NREL requirements are clear and precise before sending out solicitations.
 5. When practical, arrange pre-proposal conferences to make sure SB, SDB, WOB, HZ, VOB, and SDVOB concerns understand all requirements as outlined in the Request for Proposal.
 6. Make challenging and reasonable recommendations to NREL staff concerning strategies for maintaining and/or exceeding the approved small business goals.
 7. Implement and maintain a vendor/supplier database which allows firms to enter their business into the NREL Small Business Vendor Database via the internet. This database allows companies to list their capabilities and the goods/services they provide. This database is available not only to subcontract administrators, but all NREL staff, and is easily searched by vendor name, type of business, type of goods/services, state, NAICS code and keywords.

IV. SUBCONTRACTING PLAN FLOWDOWN

NREL requires that all subcontractors, except for those awarded to small business concerns, in excess of \$550,000 (\$1,000,000 for construction) must adopt and comply with requirements stated in FAR 52-219-9 - Small Business Subcontracting Plan. (MRI/NREL Flowdown Clause I-22 (9) - Utilization of Small Business Concerns). NREL understands that this requirement cannot be altered.

V. REPORTS AND SURVEYS

NREL will stay in compliance and assures the following:

- A. Will cooperate in any studies or surveys that may be required by DOE or the U.S. Small Business Administration (SBA).

- B. Upon request will submit periodic reports showing compliance with the Subcontracting Plan.
- C. Electronic submission of semi-annual Individual Subcontract Report (ISR) (formerly SF294) during subcontract performance for the periods ended March 31st and September 30th, based on the Government's fiscal year (October 1 through September 30).

Electronic submission of annual Summary Subcontract Report (SSR) (formerly SF295) for the twelve months ended September 30th, at the close of each Government fiscal year.

The ISR and SSR electronic submissions shall be made through the Electronic Subcontracting Reporting System (eSRS) at www.esrs.gov. Alliance/NREL will insure accurate and complete reports.

- D. Will ensure that large business subcontractors with subcontracting plans agree to submit ISRs (formerly SF 294s) and SSRs (formerly SF295s) or any other version as determined necessary by NREL to comply with DOE internal procedures and practices.

REPORTING PERIOD	REPORT DUE	DUE DATE
October 1 – March 31	ISR	April 30 th
April 1 – September 30	ISR	October 30 th
October 1 – March 31	SSR	April 30 th
October 1 – September 30	SSR	October 30 th

Addresses for submitting ISR and SSR: These will be submitted electronically to 1) the DOE GO Contracting Officer, and 2) a courtesy copy to the cognizant SBA Procurement Center Representative located at ^{***}, Denver, Colorado ^{***}

VI. RECORDS AND PROCEDURES

NREL will maintain the necessary records and procedures to demonstrate compliance with the requirements and goals outlined in this subcontracting plan. These records will include, but are not limited to the following:

- A. Source documentation for SB, SDB, WOB, HZ, VOB, and SDVOB concerns received from 1) SBA Pro-Net/Central Contracting Registration (CCR), 2) NREL's internal small business database, 3) Department of Veteran Affairs (VETBIZ.gov), and 4) Office of Small Disadvantage Business Utilization database (OSDBU.gov)
- B. Source documentation for SB, SDB, WOB, HZ, VOB, and SDVOB concerns received from organizations i.e. 1) Rocky Mountain Minority Supplier Development Council (RMMSDC), 2) Rocky Mountain Small and Disadvantaged Business Opportunity Council (SADBOC), 3) Colorado Women's Chamber of Commerce (CWCC), 4) Local Chamber of Commerce, and 5) Local Small Business Administration (SBA).
- C. Source documentation received on each subcontract solicitation resulting in an award of more than \$100,000 indicating whether SB, SDB, WOB, HZ, VOB, and SDVOB concerns were solicited, and if not, why not; and if applicable, reasons why an award was not made to a small business concern.
- D. Source documentation gathered from various small and minority business procurement conferences, trade fairs or other events.

E. Source documentation regarding internal training for procurement buyers along with support and technical staff to encourage, educate, and promote small business opportunities at NREL.

This Small Business Subcontracting Plan was submitted by:

SIGNED: *Nancy Gardner*
TYPED/PRINTED NAME: Nancy Gardner
TITLE: Small Business Advocate/Liaison Official
DATE: March 5, 2008
TELEPHONE NO.: 303-384-7335

SIGNED: *Michael A. Pacheco*
TYPED/PRINTED NAME: Michael A. Pacheco
TITLE: Vice-President, Deployment and Industry Partnerships
DATE: March 5, 2008
TELEPHONE NO.: TBD

PLAN ACCEPTED BY: *Steven A. Scott*
DOE GO Contracting Officer
DATE: 7/29/2008