



**MODEL**

LBNL Procurement Department  
Mail Stop 971-PROC

**SMALL BUSINESS SUBCONTRACTING PLAN**

The following is a suggested model for use when developing a Subcontracting Plan for a Subcontract with the Lawrence Berkeley National Laboratory, as required by Federal Acquisition Regulation (FAR) 52.219-9, Small Business Subcontracting Plan. While this Model Plan has been designed to be consistent with statutory and regulatory requirements, other formats of a Subcontracting Plan may be acceptable. However, failure to include essential information as reflected in this Model Plan may be cause for either a delay in acceptance or the rejection of a bid or offer when a Subcontracting Plan is required. The use of this Model is not intended to waive any requirements that may be applicable by law or regulation.

**BASIC INFORMATION**

_____	_____	_____
<b>LBNL Subcontract Number</b>	<b>Offeror/Subcontractor Name</b>	<b>Address</b>
_____	_____	_____
<b>LBNL Subcontract Amount *</b>	<b>Phone Number</b>	<b>Address</b>
_____	_____	_____
<b>Period of Performance</b>	<b>Fax Number</b>	<b>Email Address</b>

\* Total estimated value of LBNL subcontract, including options.

The following, along with any attachments, is hereby submitted as a Subcontracting Plan to satisfy the applicable requirements of the Small Business Act (15 U.S.C. 637(d)) and FAR Clause 52.219-9, Small Business Subcontracting Plan.

**TERMS AND DEFINITIONS**

The following terms, abbreviations, or acronyms are used throughout this Plan:

- **ANC** – Alaska Native Corporation
- **HUBZone** – Historically Underutilized Business Zone.
- **SB** – Small Business concern.
- **SDB** – Small Disadvantaged Business concern.
- **VOSB / SD-VOSB** – Veteran-Owned Small Business concern / Service-Disabled Veteran-Owned Small Business concern.
- **WOSB** – Women-Owned Small Business concern.

**PART I – SUBCONTRACTING GOALS (See Footnotes 1 & 2)**

A. Total dollars of planned subcontracting (including Small and Large Business): \$			
B. The separate Dollar and Percentage Goals for each of the SB concerns are as follows: Percentages are expressed as a percentage of the total dollars planned to be subcontracted. All subcontracts that will contribute to performance of the Berkeley Laboratory subcontract are included. (See Footnotes 3, 4, and 5)	All SB Concerns	\$	%
	SDBs (including ANC and Indian tribes)	\$	%
	WOSBs	\$	%
	HUBZone SBs	\$	%
	VOSBs	\$	%
	SD-VOSBs	\$	%

- <sup>1</sup> Excludes: (a) subcontracts involving performance outside the U.S. or its outlying areas, and (b) purchases to a corporation, company, or subdivision that is an affiliate of the subcontractor.
- <sup>2</sup> Indirect (Overhead) costs incurred for common or joint purposes may be allocated on a prorated basis to the subcontracts.
- <sup>3</sup> Subcontractors are required to submit separate Dollar and Percentage Goals for each Socioeconomic category in Part I B.
- <sup>4</sup> Place here Total Estimated Dollar Value and Percentage of planned Subcontracting with all Small Business categories, below.
- <sup>5</sup> Subcontracts awarded to an ANC or Indian tribe shall also be counted towards the subcontracting goals for SB and SDB, regardless of the size or Small Business Administration certification status of the ANC or Indian tribe.

C. Description of the principal types of supplies and services to be subcontracted to each SB concern category:

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SB	
SDB	
WOSB	
HUBZone SB	
VOSB	
SD-VOSB	

D. Description of the method(s) used to develop the above Subcontracting Goals:

*(attach additional sheets of paper, as necessary)*

E. Statement as to whether indirect costs are included in establishing the Goals? Yes [ ] No [ ]  
 If yes, the following describes the method(s) used to determine the proportionate share of indirect costs to be allocated to SB concerns.

SB	
SDB	
WOSB	
HUBZone SB	
VOSB	
SD-VOSB	

**PART II - SUBCONTRACTING PROCEDURES**

A. The following indicates the position (program administrator) within the company, as well as the duties and responsibilities, of the employee who will administer and monitor the compliance of Offeror/Subcontractor's Small Business Subcontracting Program: [Reference FAR Clause 52.219-9, *Small Business Subcontracting Plan*, (See Paragraphs (e)(9) –(11) of the clause) for specific duties as they relate to the company's Subcontracting Program and include any additional duties the Offeror/Subcontractor has designated].

Name & Title:	
Address:	
Telephone/e-mail:	

Description of duties:

*(attach additional sheets of paper, as necessary)*

B. The following indicates the methods used to identify potential sources for solicitations, such as the following (not all inclusive):

- Maintenance of company source list or supplier management program.
- Conducting market surveys to identify new sources.
- Contacting minority and small business trade associations.
- Contacting business development organizations and local chambers of commerce.
- Attending Small Business procurement conferences and trade fairs.
- Utilizing Veteran service organizations.

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Utilizing the System for Award Management (SAM) / SBA Dynamic Small Business Search.  
Utilizing Federal government development centers such as DoD's Procurement Technical Assistance Center (PTAC), SBA's Small Business Development Center (SBDC), Department of Commerce's Minority Business Development Agency, or the National Minority Purchasing Council Vendor Information Services.  
Other:

*(attach additional sheets of paper, as necessary)*

- C. The following describes the methods used to assure that SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB concerns are provided an equitable opportunity to compete for the lower-tier subcontracts:

*(attach additional sheets of paper, as necessary)*

### PART III – SUBCONTRACTING PLAN MANAGEMENT

**The Offeror/Subcontractor certifies, by signature on this Plan,** that the following procedures regarding management of this Subcontracting Plan will be enacted and maintained:

- A. Offeror/Subcontractor will assist SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB concerns by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate participation by such concerns.
- B. Where the lists of potential lower-tier subcontractors are excessively long, Offeror/Subcontractor will make a reasonable effort to give all SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB concerns an opportunity to compete over a period of time.
- C. Offeror/Subcontractor will provide adequate and timely consideration of the potentialities of SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB concerns in all "make or buy" decisions.
- D. Offeror/Subcontractor will counsel and discuss subcontracting opportunities with representatives of SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB concerns.
- E. Offeror/Subcontractor will provide notice to lower-tier subcontractors concerning penalties and remedies for misrepresentation of business status as SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB concerns, for the purpose of obtaining a lower-tier subcontract that is to be included as part or all of a Goal contained in the Subcontractor's Subcontracting Plan.
- F. Offeror/Subcontractor will establish and maintain the following types of records to demonstrate procedures that have been adopted to comply with the requirements and Goals in this Plan. The records shall include at least the following on a plant-wide or company-wide basis, unless otherwise indicated:
  - 1. Description(s) of Offeror/Subcontractor's efforts to locate sources that are SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB concerns and to award subcontracts to them;
  - 2. Source lists (e.g., SAM/SBA Dynamic Small Business Search), guides, and other data that identify SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB concerns;
  - 3. Records of each subcontract solicitation resulting in an award of more than \$100,000.00, 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 why the award was not made to a small business concern.
  - 4. Records of outreach efforts to contact such activities as: (a) trade associations, (b) small business development organizations, and (c) conferences and trade fairs to locate SB, VOSB, SD-VOSB, HUBZone, SDB, and WOSB business sources.

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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; and
6. Records on a lower-tier subcontract-by-subcontract basis, supporting information for award data submitted by the Subcontractor to Berkeley Laboratory, including the name, address, and business size of each lower-tier subcontractor. (Subcontractors having Commercial Plans need not comply with this requirement.)

### **PART IV – LOWER-TIER SUBCONTRACTOR FLOW DOWN CLAUSE**

**Offeror/Subcontractor certifies, by signature on this Plan,** that the following procedures regarding management of this Subcontracting Plan will be enacted:

- A. Offeror/Subcontractor agrees to include the provisions under FAR Clause 52.219-8, "*Utilization of Small Business Concerns*," in all lower-tier subcontracts that offer further lower-tier subcontracting opportunities.
- B. Offeror/Subcontractor agrees to ensure that all large business subcontractors receiving a lower-tier subcontract in excess of \$650,000.00 or \$1,500,000.00 for construction must adopt and comply with a Small Business Subcontracting Plan similar to the Plan required by FAR Clause 52.219.9, "*Small Business Subcontracting Plan*," as well as **PART V**, below. (See FAR 19.704 and FAR 19.708(b)).

### **PART V – ELECTRONIC SUBCONTRACTING REPORTING SYSTEM (eSRS) REPORTING**

**Offeror/Subcontractor hereby provides assurance** of: (1) cooperation in any studies or surveys that may be required; (2) submission of any periodic reports which will allow Berkeley Laboratory to determine the extent of compliance by the Offeror/Subcontractor with its Subcontracting Plan; and (3) submission of the electronic "*Subcontracting Report for Individual Contracts*," or "*Individual Subcontracting Report*" (ISR, formerly Standard Form [SF] 294), and the ELECTRONIC "*Summary Subcontract Report*" (SSR, formerly SF 295) in accordance with the **list below regarding MANDATORY electronic submission of these Reports.**

Reporting Period	Type of Report Due	Due Date
Oct 1 - Mar 31	ISR (formerly the SF 294)	Apr 30
Apr 1 - Sept 30	ISR (formerly the SF 294)	Oct 30
Oct 1 - Sept 30	SSR (formerly the SF 295)	Oct 30
Subcontract Completion	ISR (formerly the SF 294)	30 days after completion

#### **Special Assurances for the eSRS:**

The Offeror/Subcontractor also hereby provides assurances that the Offeror/Subcontractor will: (1) submit the "*Individual Subcontracting Report(s)*" (ISRs) and "*Summary Subcontracting Report(s)*" (SSRs) under the eSRS and (2) ensure that its subcontractors agree to submit Individual Subcontracting Reports and Summary Subcontracting Reports **at all tiers**, in eSRS.

The Offeror/Subcontractor will provide such information so as to allow applicable lower tier subcontractors to fully comply with the statutory requirements prescribed in FAR 19.702.

The Offeror/Subcontractor will utilize Berkeley Laboratory Prime Contract No. DE-AC02-05CH11231 for the eSRS submissions.

The Offeror/Subcontractor will direct any questions regarding Subcontractor submittal of ISR and SSR or eSRS to the following office: **Ms. Hanh Le, Small Business & Supplier Management Office, Procurement, Mail Stop 971-PROC, Lawrence Berkeley National Laboratory, One Cyclotron Road, Berkeley, California, 94720.** Ms. Le's Telephone Number is: 510-486-4596; Fax number is: 510-486-4502; and E-mail address is: [HMLe@lbl.gov](mailto:HMLe@lbl.gov). Additional information is available at: <http://esrs.gov> or <http://acquisition.gov>.

