

COVER PAGE TO MODEL SUBCONTRACTING PLAN – LEASE ACQUISITION

Notice to Offerors: GSA provides this model plan as a tool. Adapt this model plan to fit your subcontracting situation. Note: the plan is NOT a fill-in-the-blank form.

- Remove instructional language before submitting the subcontracting plan to the Lease Contracting Officer (LCO)
- This model does not establish minimum requirements for an acceptable plan. The model reflects objectives GSA encourages lessors to adopt.
- Review the requirements set forth in FAR 19.704, Subcontracting Plan Requirements and FAR clause 52.219-9, Small Business Subcontracting Plan before submitting subcontracting plans
- Offerors are reminded that it is a statutory requirement to maximize practicable opportunities for small business subcontracting (FAR 19.702).

AN INDIVIDUAL SUBCONTRACTING PLAN:

- Covers the entire lease period, firm term and non-firm term, inclusive of all options.
- Applies to succeeding leases
- Contains goals that are based on the offeror's planned **subcontracting (and purchasing) in support of the specific lease**
- Indirect costs incurred for common or joint purposes may be included and allocated on a prorated basis to the lease.
- **For leases with both firm terms and non-firm terms and any options, include separate goals and estimated value (or sales) for the firm term with separate goals and estimated value for the non-firm term as well as any option.**
- **Break out construction, recurring services and any other subcontracted supplies/services**
- **Separately address subcontracting** with small business, veteran-owned small business (VOSB), service-disabled veteran-owned small business (SDVOSB), HUBZone small business concerns, small disadvantaged business (SDB) (including ANCs and Indian Tribes), and women-owned small business concerns (WOSB), **with a separate list of goals for the firm term, non-firm term, and options** (if any).

The subcontracting plan shall be negotiated within the time specified by the LCO. Failure to submit and negotiate an acceptable subcontracting plan shall make the offeror ineligible for award of a lease.

The plan shall be included in and made a material part of the resultant lease.

AFTER AWARD REPORTING REQUIREMENTS

Submit the SF 294s twice a year directly to the LCO or his/her designated representative. The SF294 replaced the Individual Subcontract Report (ISR). File the Summary Subcontract Report (SSR) required in **FAR clause 52.219-9, Alternate III.**

The purpose of these semi-annual reports is to measure the lessor's progress against the lease's subcontracting plan.

<u>Calendar Period</u>	<u>Report Due</u>	<u>Date Due</u>	<u>Submit Report to:</u>
10/01--03/31	SF294	04/30	LCO
04/01--09/30	SF294	10/30	LCO
10/01--09/30	SSR	10/30	eSRS

GSA SUBCONTRACTING GOALS (How to do the math tips)

GSA subcontracting goals are subject to change as the goals are negotiated annually with the Small Business Administration (SBA). SBA is responsible for the Federal Government Goaling Program and their website at www.sba.gov includes details and background on the goaling process.

- Total estimated subcontracting dollars (or spend) planned to all types of business concerns both large and small must be provided, then separately state the dollars that will be subcontracted to each category. All percents for each category will be expressed as a percentage of the **total** subcontracting dollars to all concerns (both large and small)*.
- The **Small** business dollar amount must include all sub-group category amounts; i.e., HUBZone, SDB, WOSB, VOSB, SDVOSB (plus any "other small" businesses that do not fall within one of these specified subgroups). Note that Alaskan Native Corporations (ANCs) and Indian tribes will be included in the SDB and total small business amounts.

	<u>Sample Dollars</u>	<u>GSA Goal</u> <u>(FY 2017)</u>
Calculate Total dollars to be subcontracted (to both Other Than Small Business (OTSB) and all Small)	\$1,000,000	100%
To OTSB Businesses	\$ 710,000	71%
To all Small Businesses combined ¹	\$ 290,000*	29%*

***Only the OTSB plus all Small Businesses should equal the total in both dollars and percentages. Do not add together subgroups to reach the total Small figure, as the same dollars can be double and triple counted for each socio-economic group applicable to the company receiving the order.**

For small businesses, account each socio-economic category attributable to your small business subcontractors

- To HUBZone Small Businesses \$ 30,000 3%
- To Small Disadvantaged Businesses \$ 50,000 5%
- To Women-Owned Small Businesses \$ 50,000 5%
- To Veteran-Owned Small Businesses \$ 30,000 3%
- (includes SDVOSB below in this total)
- To Service-Disabled Veteran-Owned Small Businesses \$ 30,000 3%

Be sure to apply the subcontracted dollars towards all small business socio-economic categories applicable to your suppliers. For example, a \$30,000 subcontract awarded to a HUBZone, service-disabled veteran owned small business:

- **apply \$30,000 against HUBZone**
- **apply \$30,000 against SDVOSB**
- **apply \$30,000 against VOSB (since a SDVOSB is a VOSB)**
- **apply \$30,000 against small business since HUBZone and SDVOSB are SBs.**

¹ Includes Small, HUBZone, Small Disadvantaged Business, Women-Owned Small Business, Veteran Owned Small Business, Service-Disabled Veteran-Owned Small Business, and any other small business concerns.

NOTE: The total \$290,000 to all small businesses already includes each subgroup (HUBZone, SDB, ANCs, WOSB, VOSB, and SDVOSB), plus other small businesses that are only small and do not fall into a specified category.

**PLEASE REMOVE THE COVER PAGES BEFORE SUBMITTING
THE SUBCONTRACTING PLAN TO GSA**

[**INSERT COMPANY NAME**]

SMALL BUSINESS SUBCONTRACTING PLAN (MODEL)

I. IDENTIFICATION DATA:

Address: _____

Date Prepared: _____

Description of Supplies/Services: _____

Request for Lease Proposal Number: _____

Lease Number: _____

Insert dates below for the lease duration, if known (or insert N/A if the lease does not include specified option period).

Firm Term Period:

Firm Term: _____

Non-Firm Term: _____

Option: _____

Total Estimated Lease Value - \$ _____

(Provide separate estimate for firm term, non-firm term and any option:

Firm Term \$ _____

Non-Firm Term: \$ _____

Option Period : \$ _____

Place of Performance: _____

DUNS Number: *(under the lease awarded or pending award)*

II. TYPE OF PLAN – FAR 19.701 (For definitions, see Cover Page and FAR clause 52.219-9):

_____ **Commercial Plan (not applicable for leases)**

Individual Plan

_____ **Master Plan (not applicable for leases)**

III. GOALS:

FAR 52.219-9(d) states that the subcontracting plan shall include:

(1) goals, expressed in terms of percentages of total planned subcontracting dollars, for the use of small business concerns as subcontractors

(2) A statement of total dollars planned to be subcontracted for an individual contract plan.

(3) FAR 19.704(a)(1) requires separate percentage goals for using small business (including Alaskan Native Corporations (ANCs) and Indian tribes), veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business (including ANCs and Indian tribes) and women-owned small business concerns as subcontractors; and (3) A statement of the total dollars planned to be subcontracted and a statement of the total dollars planned to be subcontracted to small business (including ANCs and Indian tribes), veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business (including ANCs and Indian tribes) and women-owned small business concerns.

Individual plans will reflect contract-specific goals and shall contain separate statements and goals for the firm term and separately for the non-firm term. Note that dollars and percentages to large and total small businesses (all inclusive) must equal the total subcontracted to all categories in both dollars and percentages.

EACH CONTRACTOR IS EXPECTED TO OFFER THE MAXIMUM PRACTICABLE OPPORTUNITIES TO EACH TYPE OF SMALL BUSINESS CONCERN CONSISTENT WITH THEIR GOOD FAITH EFFORTS AND SUPPORTED BY THEIR REPORTS AND RECORDS.

COMPLETE FORMAT BELOW:

Note that a separate part is required for the firm term and non-firm term, if any, and total, if both.

[Company Name] provides the following separate dollar and percentage goals, which are a percentage of the total subcontracting dollars for each business category:

Firm Term (expressed in dollars and percentages of the total dollars planned to be subcontracted) Years X - X		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted (2 + 3 = 1) large and all small businesses must equal total amount to be subcontracted (both \$ and %)		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB)²		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANCs & Indian tribes)		
8. Women-Owned Small Businesses (WOSB)		

² Items 4 through 8 stand on their own. They do not equate to the small business total. Refer to “How to do the math” tips.

If applicable:

Non-Firm Term (expressed in dollars and percentages of total dollars planned to be subcontracted) Years X – X		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted (2 + 3 = 1) large and all small businesses must equal total amount to be subcontracted (both \$ and %)		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB)		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANCs & Indian tribes)		
8. Women-Owned Small Businesses (WOSB)		

If applicable (for each option):

Option (expressed in dollars and percentages of total dollars planned to be subcontracted)		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted (2 + 3 = 1) large and all small businesses must equal total amount to be subcontracted (both \$ and %)		100%
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB)		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANCs & Indian tribes)		
8. Women-Owned Small Businesses (WOSB)		

Total (Firm term + Non-firm Term + Option(s)):

TOTAL LEASE GOALS (expressed in dollars and percentages of total dollars planned to be subcontracted)		
PLANNED SUBCONTRACTING TO:	DOLLARS	PERCENT
1. Total Dollars to be Subcontracted (2 + 3 = 1) large and all small businesses must equal total amount to be subcontracted (both \$ and %)		<u>100%</u>
2. Large Businesses (Other than Small)		
3. All Small Businesses (including ANCs & Indian tribes)		
4. Veteran-Owned Small Businesses (VOSB)		
5. Service-Disabled Veteran-Owned Small Businesses (SDVOSB)		
6. HUBZone Small Business (HUBZone)		
7. Small Disadvantaged Businesses (SDB) (including ANCs & Indian tribes)		

8. Women-Owned Small Businesses (WOSB)		
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*B. FAR 19.704(a)(3) and the clause at 52.219-9(d)(3) requires a description of the principal types of supplies and services to be subcontracted and an identification of types planned for subcontracting to SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns. **Check all that apply below, ensuring that at least one item is indicated for each column.***

If assistance is needed to locate small business sources, contact your local Small Business Administration Commercial Market Representative via www.sba.gov/localresources, or access the Dynamic Small Business Search database at http://dsbs.sba.gov/dsbs/search/dsp_dsbs.cfm. You may also post solicitations for small business opportunities on SBA's SUB-Net at <https://eweb1.sba.gov/subnet/search/index.cfm>.

The principal types of supplies and/or services that **[Company Name]** anticipates to be subcontracted and the identification of the type of business concern planned are as follows:

Business Category or Size
Construction

Supplies/Services [Insert individual trades as appropriate (e.g. Plumbing, Drywall, etc.)]	Large	Small	VOSB	SDVOSB	HUBZone	SDB	WOSB

Business Category or Size
Recurring Services

Supplies/Services [Insert as appropriate (e.g. Janitorial, Landscaping, etc.)]	Large	Small	VOSB	SDVOSB	HUBZone	SDB	WOSB

Business Category or Size
Other Subcontracted Supplies and/or Services

Supplies/Services	Large	Small	VOSB	SDVOSB	HUBZone	SDB	WOSB

ATTACH ADDITIONAL SHEETS IF NECESSARY (OR REMOVE LINES IF NOT NEEDED)

C. FAR 19.704(a)(4) and the clause at 52.219-9(d)(4) require a description of the method used to develop the subcontracting goals. Explain or state the basis for establishing your proposed goals (i.e. based on historical data and experience, market research, etc.); and provide justification for any low goal(s).

[Company Name] used the following method to develop the subcontracting goals:

*D. FAR 19.704(a)(5) and clause 52.219-9(d)(5) require a description of the method used to identify potential sources for solicitation purposes (e.g., existing company source lists, the System for Award Management (SAM), veterans service organizations, 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, HUBZone, small disadvantaged, and women-owned small business trade associations). A firm may rely on the information contained in SAM as an accurate representation of a concern's size and ownership characteristics for the purposes of maintaining SB, VOSB, SDVOSB, HUBZone, SDB, and WOSB source list. **Use of SAM as its source list does not relieve a firm of its responsibilities (e.g., outreach, assistance, counseling, or publicizing subcontracting opportunities) in this clause.***

[Company Name] identifies potential subcontractors using the following source lists and organizations:

E. FAR 19.704(a)(6) and clause 52.219-9(d)(6) require a statement as to whether or not the offeror included indirect costs in establishing subcontracting goals, and a description of the method used to determine the proportionate share of indirect costs to be incurred with SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns.

NOTE: indirect costs represent the expenses of doing business that are NOT easily identified with a specific project (i.e. contract or grant) but are generally recognized as ordinary and necessary for the general operation of the contractor's organization and the conduct of activities it performs. Types of indirect costs include overhead (e.g. facility/utility & supplies cost), general and administrative (G&A), and fringe benefits (e.g. services or benefits provided to employees such as health insurance, payroll taxes, pension contribution, etc).

Indirect costs _____ HAVE BEEN (or) _____ HAVE NOT BEEN included in the dollar and percentage subcontracting goals stated above.

If indirect costs HAVE been included, the method used to determine the proportionate share of indirect costs to be incurred with small business concerns was as follows:

IV. PROGRAM ADMINISTRATOR:

FAR 19.704(a)(7) and clause 52.219-9(d)(7) require the name of an individual employed by the offeror who will administer the offeror's subcontracting program, and a description of the duties of the individual. Please add the contact information for this person (telephone number, fax number and/or email address), in case of questions and provide an alternate point of contact if applicable.

Name:

Title/Position:

Address:

City/State/Zip Code:

Telephone number:

Fax number:

Email Address:

Alternate POC with contact information:

Duties: In accordance with clause 52.219-9(d)(11)(e), in order to effectively implement this plan to the extent consistent with efficient contract performance, the contractor shall perform the following functions:

1. Assist SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns. Where the Contractor's lists of potential SB, VOSB, SDVOSB, HUBZone, SDB and WOSB subcontractors are excessively long, reasonable effort shall be made to give all such small business concerns an opportunity to compete over a period of time.
2. Provide adequate and timely consideration of the potentialities of SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns in all "make-or-buy" decisions.
3. Counsel and discuss subcontracting opportunities with representatives of SB, VOSB, SDVOSB, HUBZone, SDB and WOSB firms.
4. Confirm that a subcontractor representing itself as a HUBZone small business concern is identified as a certified HUBZone small business concern by accessing the System For Award Management (SAM) database or by contacting SBA.
5. Provide notice to subcontractors concerning penalties and remedies for misrepresentations of business status as SB, VOSB, SDVOSB, HUBZone, SDB and WOSB for the purpose of obtaining a subcontract that is to be included as part or all of a goal contained in the Contractor's subcontracting plan.
6. Develop and promote company/division policy statements that demonstrate the company's/division's support for awarding contracts and subcontracts to SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns.
7. Develop and maintain bidders' lists of SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns from all possible sources.
8. Ensure periodic rotation of potential subcontractors on bidders' lists.
9. Ensure that SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns are included on the bidders' list for every subcontract solicitation for products and services they are capable of providing.
10. Ensure that subcontract procurement "packages" are designed to permit the maximum possible participation of SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns

11. Review subcontract solicitations to remove statements, clauses, etc., which might tend to restrict or prohibit SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns.
12. Ensure that the subcontract bid proposal review board documents its reasons for not selecting any low bids submitted by SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns.
13. Oversee the establishment and maintenance of contract and subcontract award records.
14. Attend or arrange for the attendance of company counselors at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.
15. Directly or indirectly counsel SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns on subcontracting opportunities and how to prepare bids to the company.
16. Conduct or arrange training for purchasing personnel regarding the intent and impact of Section 8(d) of the Small Business Act on purchasing procedures.
17. Develop and maintain an incentive program for buyers that support the subcontracting program.
18. Monitor the company's performance and make any adjustments necessary to achieve the subcontract plan goals.
19. Prepare and submit timely reports as outlined in Section VII.
20. Coordinate the company's activities during compliance reviews by Federal agencies.

IF YOUR PROGRAM ADMINISTRATOR WILL PERFORM ADDITIONAL SUBCONTRACTING DUTIES NOT SHOWN ABOVE, PLEASE IDENTIFY THEM HERE:

21. Additional Duties:

V. EQUITABLE OPPORTUNITY:

FAR 19.704(a)(8) and clause 52.219-9(d)(8) require a description of the efforts the offeror will make to assure that SB, VOSB, SDVOSB, HUBZone, SDB and WOSB concerns have an equitable opportunity to compete for subcontracts.

[Company Name] will make every effort to ensure that all small business concerns have an equitable opportunity to compete for subcontracts. These efforts may include

one or more of the following activities: *(please indicate which of the following apply or adapt list to fit your company's efforts)*

A. Outreach efforts to obtain sources:

- Contacting minority and small business trade associations
- Contacting business development organizations
- Requesting sources from the Dynamic Small Business Search, which integrated data from the SBA PRO-Net database
- Attending small and minority business trade fairs and procurement conferences

B. Internal efforts to guide and encourage purchasing personnel:

- Presenting workshops, seminars and training programs
- Establishing, maintaining and using small, hubzone small, small disadvantaged, women-owned small, veteran-owned small, and service-disabled veteran-owned small business source lists, guides, and other data for soliciting subcontracts
- Monitoring activities to evaluate compliance with the subcontracting plan

C. Other Additional efforts: *(Please describe below.)*

VI. ASSURANCES OF CLAUSE INCLUSION AND FLOW DOWN:

FAR 19.704(a)(9) and clause 52.219-9(d)(9) require assurances that the offeror will include the clause at 52.219-8, Utilization of Small Business Concerns (see 19.708(a)), in all subcontracts that offer further subcontracting opportunities, and that the offeror will require all subcontractors (except small business concerns) that receive subcontracts in excess of \$700,000 (\$1,500,000 for construction) to adopt a plan that complies with the requirements of this clause (see 19.708(b)).

[Company Name] agrees to include the FAR Clause 52.219-8, "Utilization of Small Business Concerns" in all subcontracts that offer further subcontracting opportunities, and will require all subcontractors (*except small business concerns*) that receive subcontracts in excess of \$700,000 (\$1,500,000 for construction) to adopt a plan that complies with the requirements of the clause at [52.219-9](#), Small Business Subcontracting Plan.

VII. ASSIGNMENT OF SIZE STANDARDS TO SUBCONTRACTS³

³ As required by the FAR per Federal Acquisition Circular (FAC) 2005-89.

[Company Name] agrees to assign North American Industry Classification System (NAICS) codes to subcontracts.

[Company Name] agrees to provide the socio-economic status of the successful subcontractor in the notification to the unsuccessful offerors for the subcontracts.

VIII. REPORTING AND COOPERATION:

FAR 19.704(a)(10) and clause 52.219-9(d)(10) require assurances that the offeror will do the following:

[Company Name] agrees to:

- (10)(i) Cooperate in any studies or surveys as may be required;
- (ii) Submit periodic reports so that the Government can determine the extent of compliance by the offeror with the subcontracting plan;
- (iii) Submit the SF 294 (Individual Subcontract Report)** to the LCO, and the Summary Subcontract Report (SSR) ** using the Electronic Subcontracting Reporting System (eSRS) (<http://www.esrs.gov>), following the instructions in the eSRS;
- (iv) Ensure that its subcontractors with subcontracting plans agree to submit the SF 294 to the LCO and/or the SSR** using the eSRS;
- (v) Provide its prime contract number and its DUNS number and the e-mail address of the Government or Contractor official responsible for acknowledging or rejecting the reports, to all first-tier subcontractors with subcontracting plans so they can enter this information into the eSRS when submitting their reports; and
- (vi) Require that each subcontractor with a subcontracting plan provide the prime contract number and its own DUNS number, and the e-mail address of the Government or Contractor official responsible for acknowledging or rejecting the reports, to its subcontractors with subcontracting plans.

Reports are to be submitted within 30 days after the close of each calendar period as indicated in the following chart:

<u>Calendar Period</u>	<u>Report Due</u>	<u>Date Due</u>	<u>Submit Report to:</u>
10/01--03/31	SF294	04/30	LCO
04/01--09/30	SF294	10/30	LCO
10/01--09/30	SSR	10/30	eSRS

*****THE SF 294s are submitted until further notice in lieu of the ISRs. File the SSRs in the government-wide eSRS required in FAR clause 52.219-9.***

IX. RECORDKEEPING:

FAR 19.704(a)(11) and clause 52.219-9(d)(11) require a description of the types of records that will be maintained concerning procedures that have been adopted to comply with the requirements and goals in

the plan, including establishing source lists; and a description of the efforts to locate SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns and award subcontracts to them.

[Company Name] will maintain records concerning procedures that have been adopted to comply with the requirements and goals in the plan, including establishing source lists; and a description of efforts to locate SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns and award subcontracts to them. The records shall include at least the following (on a plant-wide or company-wide basis, unless otherwise indicated):

1. Source lists (e.g., SAM), guides, and other data that identify SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns.
2. Organizations contacted in an attempt to locate sources that are SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns.
3. Records on each subcontract solicitation resulting in an award of more than \$150,000, 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 award was not made to a small business concern.
4. Records of any outreach efforts to contact
 - (A) Trade associations;
 - (B) Business development organizations;
 - (C) Conferences and trade fairs to locate small, HUBZone small, small disadvantaged, and women-owned small business sources; and
 - (D) Veterans service organizations.

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.
6. On a contract-by-contract basis, records to support award data submitted by the offeror to the Government, including the name, address, and business size of each subcontractor. **Contractors having commercial plans need not comply with this requirement.**
7. Other records to support your compliance with the subcontracting plan: *(Please describe below.)*

X. STATUTORY REQUIREMENTS (Found at FAR 19.702)

- Any contractor receiving a contract for more than the simplified acquisition threshold must agree in the contract that SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns will have the maximum practicable opportunity to participate in contract performance consistent with its efficient performance.
- It is further the policy of the United States that its prime contractors establish procedures to ensure the timely payment of amounts due pursuant to the terms of their subcontracts with SB (including ANCs and Indian tribes), VOSB, SDVOSB, HUBZone, SDB (including ANCs and Indian tribes), and WOSB concerns.
- See 19.702(a)(1) for requirements that are imposed in negotiated acquisitions, and (a)(2) for requirements that are imposed in sealed bidding acquisitions.
- As stated in 15 U.S.C. 637(d)(8), any contractor or subcontractor failing to comply in good faith with the requirements of the subcontracting plan is in **material breach of its contract**. Further, 15 U.S.C. 637(d)(4)(F) directs that a contractor's **failure to make a good faith effort** to comply with the requirements of the subcontracting plan shall result in the imposition of liquidated damages (see 19.702(c) and 19.705-7).

XI. ADDITIONAL ASSURANCES⁴:

1. **[Company Name]** will make a good faith effort to acquire articles, equipment, supplies, services, or materials, or obtain the performance of construction work from the small business concerns that it used in preparing the bid or proposal, in the same or

⁴ Effective November 1, 2016 by FAC 2005-89

greater scope, amount, and quality used in preparing and submitting the bid or proposal.⁵

2. **[Company Name]** will provide the Lease Contracting Officer with a written explanation if the lessor fails to acquire articles, equipment, supplies, services or materials or obtain the performance of construction work as described in (d)(12) of FAR clause 52.219-9. This written explanation must be submitted to the Lease Contracting Officer within 30 days of contract completion.

3. **[Company Name]** will not prohibit a subcontractor from discussing with the Lease Contracting Officer any material matter pertaining to the payment to or utilization of a subcontractor.

XII. DESCRIPTION OF GOOD FAITH EFFORT (Also refer to 13 CFR 125.3(d), Determination of Good Faith Effort)

In order to demonstrate your compliance with a good faith effort to achieve the small business subcontracting goals, outline the steps below that your company plans to take.

[Company Name] will take the following steps to demonstrate compliance with a good faith effort in achieving small business subcontracting goals:

The above requirements will be negotiated with the Lease Contracting Officer prior to approval. The Lease Contracting Officer must ensure per FAR 19.705-5(a)(5) that an acceptable plan is incorporated into and made a material part of the contract.

SIGNATURE REQUIRED: *Plan must be signed and dated by a company official.*

⁵ Responding to a request for a quote does not constitute use in preparing a bid or proposal. The Offeror used a small business concern in preparing the bid or proposal if—

(i) The Offeror identifies the small business concern as a subcontractor in the bid or proposal or associated small business subcontract plan, to furnish certain supplies or perform a portion of the subcontract; or

(ii) The Offeror used the small business concern's pricing or cost information or technical expertise in preparing the bid or proposal, where there is written evidence of an intent or understanding that the small business concern will be awarded a subcontract for the related work if the Offeror is awarded the contract.

This subcontracting plan was SUBMITTED by:

Signature:

Typed Name:

Company Title:

Date Signed:

Government Lease Contracting Officer APPROVAL:

Signature:

Printed Name:

Agency: _____

Date Signed:
