

**OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION
SMALL BUSINESS SUBCONTRACTING PLAN**

*The following outline meets the minimum requirements of section 8(d) of the Small Business Act, as amended, and implemented by the Federal Acquisition Regulations (FAR) Subpart 19.7. The U.S. Department of Health and Human Services (HHS), Office of Small and Disadvantaged Business Utilization (OSDBU) recommend offerors use the following format to submit proposed Individual Subcontracting Plans, including modifications. It is not intended to replace any existing Corporate/Commercial Plan that is more extensive. A subcontracting Plan is required if the estimated cost of the contract **may exceed \$650,000 (\$1,500,000 for construction)** Small businesses are excluded. Questions should be forwarded to the Contracting Officer or Operating Division (OPDIV) Small Business Specialist.*

HHS Operating Division (OPDIV): _____

SOLICITATION OR CONTRACT NUMBER: _____

DATE OF PLAN: _____

CONTRACTOR: _____

ADDRESS: _____

STATE/ZIP CODE _____

DUNN & BRADSTREET NUMBER: **00-441-3456**

ITEM/SERVICE (Description): _____

NEW/INITIAL CONTRACT

PERIOD OF CONTRACT PERFORMANCE (MM/DD/YYYY – MM/DD/YYYY): _____

Base	\$ _____	Performance Period/Quantity _____
Option 1:	\$ _____	Performance Period/Quantity _____
Option 2:	\$ _____	Performance Period/Quantity _____
Option 3:	\$ _____	Performance Period/Quantity _____
Option 4:	\$ _____	Performance Period/Quantity _____
	\$ _____	Total Contract Cost

CONTRACT MODIFICATION (if applicable)

NEW PERIOD OF CONTRACT PERFORMANCE (MM/DD/YYYY – MM/DD/YYYY): _____

Original/Base	\$ _____	Performance Period/Quantity _____
Modification	\$ _____	Performance Period/Quantity _____
Task Order	\$ _____	Performance Period/Quantity _____
	\$ _____	Modified Total Contract Cost

Note: Failure to include the essential information of FAR Subpart 19.7 may be cause for either a delay in acceptance or the rejection of a bid or offer when a subcontracting plan is required. "SUBCONTRACT," as used in this clause, means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime contractor or subcontractor requesting supplies or services required for performance of the contract or subcontract.

If assistance is needed to locate small business sources, contact the Small Business Specialist (SBS) supporting the OPDIV. SBS contact information is located on the OSDBU website (<http://www.hhs.gov/about/smallbusiness/osdbustaff.html>) or you may contact the OSDBU headquarters at (202) 690-7300.

HHS current subcontracting goal is **28.0%** for small business (hereafter referred to as SB), **5.00%** for Small Disadvantaged Business, including 8(a) Program Participants, Alaska Native Corporations (ANC) and Indian Tribes (hereafter referred to as SDB), **5.00%** for women-owned business and economically disadvantaged women-owned business (hereafter referred to as WOSB), **3.00%** HubZone business (hereafter referred to as HUBZone), **3.00%** Veteran Owned Small Business (hereafter referred to as VOSB) and **3.00%** service disabled veteran-owned small business (hereafter referred to as SDVOSB) concerns for Fiscal Year (FY) **2011**. For this procurement, HHS expects all proposed subcontracting plans to contain at a minimum the aforementioned percentages.

These percentages shall be expressed as percentages of the total estimated subcontracting dollars.

1. Type of Plan (check one)

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 standardized and approved by a lead agency Federal Official; must be renewed every three years and contractor must provide copy of lead agency approval.

Commercial products/service plan (goals are negotiated with the initial agency on a company-wide basis rather than for individual contracts) this plan applies to the entire production of commercial service or items or a portion thereof. The contractor sells commercial products and services customarily used for non-government purposes. The plan is effective during the offeror's fiscal year (attach a copy). **The Summary Subcontracting Report (SSR) must include a breakout of subcontracting prorated for HHS and other Federal agencies.**

2. Goals

Below indicate the dollar and percentage goals for Small Business, Small Disadvantaged (SDB) including Alaska Native Corporations and Indian Tribes, Woman-owned and Economically Disadvantaged Women-Owned (WOSB), Historically Underutilized Business Zone (HUBZone), Service-Disabled Veteran-owned (SDVOSB) small businesses and "Other than small business" (Other) as subcontractors. Indicate the base year and each option year, as specified in FAR 19.704 or project annual subcontracting base and goals under commercial plans. If any contract has more four options, please attach additional sheets which illustrate dollar amounts and percentages.

a. **Total estimated dollar value of ALL planned subcontracting, i.e., with ALL types of concerns** under this contract is _____ (Base Period - if options apply).

FY ___1 st Option	FY ___2 nd Option	FY ___3 rd Option	FY ___4 th Option
\$ _____	\$ _____	\$ _____	\$ _____

b. **Total estimated dollar value and percent of planned subcontracting with SMALL BUSINESSES** (including SDB, WOSB, HUBz, VOSB and SDVOSB): (% of "a") \$ _____ and _____% (Base Year)

FY ___1 st Option	FY ___2 nd Option	FY ___3 rd Option	FY ___4 th Option
\$ _____	\$ _____	\$ _____	\$ _____

c. **Total estimated dollar value and percent of planned subcontracting with SMALL DISADVANTAGED BUSINESSES:** (% of "a") \$ _____ and _____% (Base Year).

FY ___1 st Option	FY ___2 nd Option	FY ___3 rd Option	FY ___4 th Option
\$ _____	\$ _____	\$ _____	\$ _____

d. **Total estimated dollar value and percent of planned subcontracting with WOMAN-OWNED SMALL BUSINESSES:** (% of "a") \$ _____ and _____% (Base Year)

FY ___1 st Option	FY ___2 nd Option	FY ___3 rd Option	FY ___4 th Option
\$ _____	\$ _____	\$ _____	\$ _____

e. Total estimated dollar and percent of planned subcontracting with **HUBZone SMALL BUSINESSES**:
 (% of "a") \$ _____ and _____% (Base Year)

FY ___1 st Option	FY ___2 nd Option	FY ___3 rd Option	FY ___4 th Option
\$ _____	\$ _____	\$ _____	\$ _____

f. Total estimated dollar and percent of planned subcontracting with **Veteran-Owned SMALL BUSINESSES**: (% of "a") \$ _____ and _____% (Base Period - if options apply)

FY ___1 st Option	FY ___2 nd Option	FY ___3 rd Option	FY ___4 th Option
\$ _____	\$ _____	\$ _____	\$ _____

g. Total estimated dollar and percent of planned subcontracting with **SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESSES**: (% of "a") \$ _____ and _____% (Base Year)

FY ___1 st Option	FY ___2 nd Option	FY ___3 rd Option	FY ___4 th Option
\$ _____	\$ _____	\$ _____	\$ _____

h. Total estimated dollar and percent of planned subcontracting with **"OTHER THAN SMALL BUSINESSES"** (As defined by the Small Business Administration as "any entity that is not classified as a small business. This includes large businesses, state and local governments, non-profit organizations, public utilities, educational institutions and foreign-owned firms.) (% of "a") \$ _____ and _____% (Base Year)

FY ___1 st Option	FY ___2 nd Option	FY ___3 rd Option	FY ___4 th Option
\$ _____	\$ _____	\$ _____	\$ _____

Note: Federal prime contract percentage goals may serve as objectives for subcontracting goal development:

- Total Small Business (SB) 19.50%
- 8(a) Program Participants 5.00%
- Small Disadvantaged Business (SDB) 5.00%
- Woman Owned Small Business (WOSB) 5.00%
- Historically Underutilized Business Zone (HUBZone) 3.00%
- Service Disabled Veteran Owned Small Business (SDVOSB) 3.00%

- i. Provide a description of ALL the products and/or services to be subcontracted under this contract, and indicate the size and type of business supplying them (check all that apply):

Products and/or Services	Other	Small Business	SDB	WOSB	Hubz	SDVOSB
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

- j. Provide a description of the method used to develop the subcontracting goals for SB, SDB, WOSB, HUBZone and SDVOSB concerns. Address efforts made to ensure that maximum practicable subcontracting opportunities have been made available for those concerns and explain the method used to identify potential sources for solicitation purposes. Explain the method and state the quantitative basis (in dollars) used to establish the percentage goals. Also, explain how the areas to be subcontracted to SB, WOSB, HUBZone, VOSB and SDVOSB concerns were determined, how the capabilities of these concerns were considered contract opportunities and how such data comports with the cost proposal. Identify any source lists or other resources used in the determination process. (Attach additional sheets, if necessary.)

_____ **See Attachment A** _____

- k. Indirect costs have ____ have not X been included in the dollar and percentage subcontracting goals above (check one).
- l. If indirect costs have been included, explain the method used to determine the proportionate share of such costs to be allocated as subcontracts to SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns:

3. Program Administrator:

NAME: _____

TITLE: _____

ADDRESS: _____

TELEPHONE: _____

E-MAIL: _____

Duties: Does the individual named above have general overall responsibility for the company's subcontracting program, i.e., developing, preparing, and executing subcontracting plans and monitoring performance relative to the requirements of those subcontracting plans and perform the following duties? (If NO is checked, please who in the company performs those duties, or indicate why the duties are not performed in your company on a separate sheet of paper and submit with the proposed subcontracting plan.)

- a. Developing and promoting company wide policy initiatives that demonstrate the company's support for awarding contracts and subcontracts to SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns; and for assuring that these concerns are included on the source lists for solicitations for products and services they are capable of providing; ___yes no: **Contract Management and/or Sponsored Programs and/or Office of Contract and Research Administration and/or Procurement Services**
- b. Developing and maintaining bidder source lists of SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns from all possible sources; ___yes no - **Procurement Services**
- c. Ensuring periodic rotation of potential subcontractors on bidder's lists; ___ yes no - **Procurement Services**
- d. Assuring that SB, SDB, WOSB, HUBZone, VOSB and SDVOSB businesses are included on the bidders' list for every subcontract solicitation for products and services that they are capable of providing. yes ___ no - **Program Administrator along with Procurement Services are responsible for subcontracting plan only as it is related to this solicitation**

- e. Ensuring that Requests for Proposals (RFPs) are designed to permit the maximum practicable participation of SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns. ___ yes no - **Procurement Services**
- f. Reviewing subcontract solicitations to remove statements, clauses, etc., which might tend to restrict or prohibit small, 8(a), SDB, WOSB, HUBZone, VOSB and SDVOSB small business participation. yes ___ no - **Program Administrator along with Procurement Services are responsible for subcontracting plan only as it is related to this solicitation**

- g. Accessing various sources for the identification of SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns to include the Central Contractor Registration (<http://www.ccr.gov/>), local

small business and minority associations, local chambers of commerce and Federal agencies' Small Business Offices; ___ yes no - **Procurement Services**

- h. Establishing and maintaining contract and subcontract award records; ___ yes no - **Contract Management and/or Sponsored Programs and/or Office of Contract and Research Administration**
- i. Participating in Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, Procurement Conferences, etc; ___ yes no - **Procurement Services**
- j. Ensuring that SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns are made aware of subcontracting opportunities and assisting concerns in preparing responsive bids to the company; yes ___ no - **Contract Management and/or Sponsored Programs and/or Office of Contract and Research Administration**
- k. Conducting or arranging for the conduct of training for purchasing personnel regarding the intent and impact of Section 8(d) of the Small Business Act, as amended; ___ yes no - **Procurement Services**
- l. Monitoring the company's subcontracting program performance and making any adjustments necessary to achieve the subcontract plan goals; yes ___ no
- m. Preparing and submitting timely, required subcontract reports; ___ yes no - **Department of Finance and/or Contract Management and/or Sponsored Programs and/or Office of Contract and Research Administration**
- n. Conducting or arranging training for purchasing personnel regarding the intent and impact of 8(d) of the Small Business Act on purchasing procedures; ___ yes no - **Procurement Services**
- o. Coordinating the company's activities during the conduct of compliance reviews by Federal agencies; and yes ___ no - **along with Contract Management and/or Sponsored Programs and/or Office of Contract and Research Administration and/or Procurement Services**
- p. Other duties: _____

4. Equitable Opportunity

Describe efforts the offeror will undertake to ensure that SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns will have an equitable opportunity to compete for subcontracts. These efforts include, but are not limited to, the following activities:

Outreach efforts to obtain sources:

Contact minority and small business trade associations; 2) contact business development organizations and local chambers of commerce; 3) attend SB, SDB, WOSB, HUBZone, VOSB and SDVOSB procurement conferences and trade fairs; 4) review sources from the Central Contractor Registration (<http://www.ccr.gov/>); 5) review sources from the Small Business Administration (SBA), Central Contractor Registration (CCR); 6) Consider using

other sources such as the National Institutes of Health (NIH) e-Portals in Commerce, (e-PIC), (<http://epic.od.nih.gov/>). The NIH e-PIC is not a mandatory source; however, it may be used at the offeror's discretion; and 7) Utilize newspaper and magazine ads to encourage new sources.

b. Internal efforts to guide and encourage purchasing personnel:

Conduct workshops, seminars and training programs;

Establish, maintain, and utilize SB, SDB, WOSB, HUBZone, VOSB and SDVOSB source lists, guides, and other data for soliciting subcontractors; and

Monitor activities to evaluate compliance with the subcontracting plan.

Additional efforts: _____ **See Attachment A** _____

5. Flow Down Clause

The contractor agrees to include the provisions under FAR 52.219-8, "Utilization of Small Business Concerns," in all acquisitions exceeding the simplified acquisition threshold that offers further subcontracting opportunities. All subcontractors, except small business concerns, that receive subcontracts in excess of \$650,000 (\$1,500,000 for construction) must adopt and comply with a plan similar to the plan required by FAR 52.219-9, "Small Business Subcontracting Plan." Note: In accordance with FAR 52.212-5(e) and 52.244-6(c) the contractor is not required to include flow-down clause FAR 52.219-9 if it is subcontracting commercial items.

6. Reporting and Cooperation

The contractor gives assurance of 1) cooperation in any studies or surveys that may be required; 2) submission of periodic reports which illustrate compliance with the subcontracting plan; 3) submission of its Individual Subcontracting Report (ISR) and Summary Subcontract Report (SSR); and 4) subcontractors submission of ISRs and SSRs. **ISRs and SSRs shall be submitted via the Electronic Subcontracting Reporting System (eSRS) website** <https://esrs.symlicity.com/index?tab=signin&cck=1>

Reporting Period	Report Due	Due Date
Oct 1 - Mar 31	ISR	4/30
Apr 1 - Sept 30	ISR	10/30
Oct 1 - Sept 30	SSR	10/30
Contract Completion	Year End SDB Report	30 days after completion

Please refer to FAR Part 19.7 for instruction concerning the submission of a Commercial Plan: SSR is due on 10/30 each year for the previous fiscal year ending 9/30.

- a. Submit ISR (bi-annually) for the awarding Contracting Officer's review and acceptance via the eSRS website.

- b. Currently, SSR (annually) must be submitted for the HHS eSRS Agency Coordinator review and acceptance via the eSRS website. (**Note:** Log onto the OSDBU website to view the HHS Agency Coordinator contact information (<http://www.hhs.gov/osdbu/staff.html>).

Note: The Request for Proposal (RFP) will indicate whether a subcontracting plan is required. Due to the nature and complexity of many HHS contracts, particularly the Centers for Medicare and Medicaid (CMS), the contractor may not be required to submit its subcontracting reports through the eSRS. The Contracting Officer will confirm reporting requirements prior to the issuance of an award. For more information, contact the Agency Coordinator-eSRS.

7. Record keeping

FAR 19.704(a) (11) requires a list of the types of records your company will maintain to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan. The following is a recitation of the types of records the contractor will maintain to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan. These records will include, but not be limited to, the following:

- a. SB, SDB, WOSB, HUBZone, VOSB and SDVOSB source lists, guides and other data identifying such vendors;
- b. Organizations contacted in an attempt to locate SB, SDB, WOSB, HUBZone, VOSB and SDVOSB sources;
- c. On a contract-by-contract basis, records on all subcontract solicitations over \$100,000, which indicate for each solicitation (1) whether SB, SDB, WOSB, HUBZone, VOSB and/or SDVOSB concerns were solicited, if not, why not and the reasons solicited concerns did not receive subcontract awards;
- d. Records to support other outreach efforts, e.g., contacts with minority and small business trade associations, attendance at small and minority business procurement conferences and trade fairs;
- e. Records to support internal guidance and encouragement provided to buyers through (1) workshops, seminars, training programs, incentive awards; and (2) monitoring performance to evaluate compliance with the program and requirements; and
- f. On a contract-by-contract basis, records to support subcontract award data including the name, address, and business type and size of each subcontractor. (This is not required on a contract-by-contract basis for commercial plans.)
- g. Other records to support your compliance with the subcontracting plan: (Please describe)

See Attachment A

8. Timely Payments to Subcontractors

FAR 19.702 requires your company to establish and use procedures to ensure the timely payment of amounts due pursuant to the terms of your subcontracts with SB concerns, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns.

Your company has established and used such procedures: yes no

9. Description of Good Faith Effort

Maximum practicable utilization of SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns as subcontractors in Government contracts is a matter of national interest with both social and economic benefits. When a contractor fails to make a good faith effort to comply with a subcontracting plan, these objectives are not achieved, and 15 U.S.C. 637(d) (4) (F) directs that liquidated damages shall be paid by the contractor. In order to demonstrate your compliance with a good faith effort to achieve the SB, SDB, WOSB, HUBZone, VOSB and SDVOSB small business subcontracting goals, outline the steps your company plans to take. These steps will be negotiated with the contracting official prior to approval of the plan.

SIGNATURE PAGE

Signatures Required:

This subcontracting plan was submitted by: Program Administrator

Signature: _____

Typed Name: _____

Title: _____

Date: _____

This plan was reviewed by: Procurement Services

Signature: _____

Typed Name: _____

Title: _____

Date: _____

This plan was reviewed by:

Signature: _____

Typed Name: _____

Title: _____

Date: _____

This plan was reviewed by:

Signature: _____

Typed Name: _____

Title: _____

Date: _____

Is Approved By:

OPDIV: _____

Typed Name: _____

Title: Contracting Officer

Date: _____

Attachment A

Individual goals will be developed for each subcontracting plan submitted. Procurement Services is responsible for the administration of the Supplier Diversity Program. Working in collaboration with the Principal Investigator, Department Administrative officials, Sponsored Programs officials, Procurement Services will assist in determining appropriate small business subcontracting goals for each individual plan, considering the subcontracting opportunities for the project.

Method Used to Develop Goals:

The following method is used to develop subcontracting goals: Procurement Services will consult with the Principal Investigator, Office of Grants and Contracts Management or Sponsored Research to determine the products and services that will be subcontracted and will assist in identifying qualified, diversity or small business enterprises that can provide the required products or services. As a part of this supplier selection process, we investigate the businesses' capabilities to determine if they are qualified considering both our own experience and the experience of reference businesses. If they are qualified small, disadvantaged, women-owned, veteran-owned and HUB-Zone business enterprises for the needed product/service categories, they will be recommended for use. Reasonable goals are set after considering the dollars available under the subcontracts and the pool of qualified business enterprises.

Efforts to Assure Small Business Opportunity to Compete:

The following efforts will be taken to assure that SB, SDB, WOSB, HUBZone, VOSB and SDVOSB concerns will have an equitable opportunity to compete for subcontracts:

- Vanderbilt University has a formal diversity and small business policy that encourages the entire university to conduct business with qualified diversity and small businesses
- Established accelerated payment terms for diversity and small business suppliers
- Membership with diversity and small business trade associations and business development organizations
- Established a list of qualified, SBA registered small business suppliers already available to the research departments
- Established a dedicated Supplier website with information on how to conduct business with Vanderbilt University including policies and procedures, the Supplier Diversity and Small Business Program and the online Supplier Application Form
- Vanderbilt has an established practice of supporting and promoting professional development of its procurement staff and affords multiple opportunities for the staff to attend and participate in the programs offered by various professional associations. Support for the Diversity and Small Business Program is a performance factor in each Purchasing Agent's Annual Review
- Procurement Services provides support to any diversity or small business enterprise who requests information on conducting business with Vanderbilt University. Sourcing Officers and Purchasing Agents are required to contact all diversity and small business suppliers who submit a business profile using our online Supplier Application Form and respond to their business questions
- Standard RFP procedures include specific criteria for including and assessing diversity and small business suppliers as part of the selection and contract award process
- Procurement Services hosts an annual Diversity Business Fair that provides an opportunity for diversity and small business suppliers to showcase their services and products to the Vanderbilt community