

NOTICE TO OFFERORS

Any offer expected to exceed a value of \$1,000,000 or more for construction work submitted by a **large business** requires a submittal of a subcontracting plan. Your attention is directed to the following provisions contained in the solicitation:

52.219-8, Utilization of Small, Small Disadvantaged and Women-Owned Business Concerns (Alternate I)

52.219-9, Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan (Alternate I)

52.219-16, Liquidated Damages - Small Business Subcontracting Plan

52.226-1, Utilization of Indian Organizations and Indian-Owned Economic Enterprises

For your information, the United Army Corps of Engineers considers the following goals reasonable and achievable for a fiscal year and during the performance of the resultant contract.

a. 61.4% of planned subcontracting dollars will be placed with all small business concerns.

b. 9.1% of planned subcontracting dollars will be placed with those small business concerns owned and controlled by socially and economically disadvantaged individuals.

c. 5% of planned subcontracting dollars will be placed with those small business concerns owned and controlled by women.

d. 2.5% of planned subcontracting dollars will be placed with those small business concerns owned and controlled by certified HubZone concerns.

e. 3% of planned subcontracting dollars will be placed with those small business concerns owned and controlled by service disable veterans.

f. 3% of planned subcontracting dollars will be placed with those small business concerns owned and controlled by veterans.

g. 11% of planned subcontracting dollars will be placed with those Historical Black Colleges and/or Minority Institutions. *

NOTICE TO OFFERORS

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SUBCONTRACTING PLAN

* Required for Non Construction Only

Goals included in any proposed subcontracting plan should be at least equal to those indicated above. If lesser goals are proposed, you must substantiate how the proposed plan represents the firm's best effort to comply with the terms and conditions of the solicitation. Offerors are highly encouraged to become familiar with the intent of the solicitation provisions and the elements of the subcontracting plan.

The subcontracting plan must contain, at a minimum, the elements set forth in solicitation provision 52.219-9. Proposed plans will be reviewed to ensure the plan represents the firm's best efforts to maximize subcontracting opportunities for small, small disadvantaged and women-owned businesses. Subcontracting plans require Contracting Officer approval prior to contract award.

Should the apparent low bidder fail to submit an acceptable subcontracting plan within the time limit prescribed by the Contracting Officer, the offer will be considered ineligible for award. The approved subcontracting plan (to include goals) will become a material part of the contract. An example of a format of a subcontracting plan is attached for your information. The attached ***subcontracting plan is an example only*** and should not be construed as an acceptable subcontracting plan. Any format will be acceptable provided the plan addresses each element as required by the Federal Acquisition Regulations and its supplements.

Should you have any questions or need assistance in developing your plan, please contact the assigned Contract Specialist or the District's Deputy for Small Business at 402-221-4110 or fax your inquiries to 402-221-4530.

SMALL, SMALL DISADVANTAGED AND WOMEN-OWNED
SMALL BUSINESS SUBCONTRACTING PLAN
EXAMPLE

DATE: _____

CONTRACTOR: _____

ADDRESS: _____

PHONE NO: _____

PROJECT TITLE: _____

SOLICITATION NO: _____

1. In accordance with the contract clauses at 52.219-8 and 52.219-9, (name of contractor) submits the following Subcontracting Plan for Small, Small Disadvantaged, and Women-owned Business Concerns.

2. Corresponding dollar values for percentages cited in para. 3:

a. Total contract amount is \$_____.

b. Total dollars planned to be subcontracted (to all types of businesses):
\$_____.

c. Total dollars planned to be subcontracted to small business concerns:
\$_____.

d. Total dollars planned to be subcontracted to small disadvantaged business concerns: \$_____.

e. Total dollars planned to be subcontracted to small woman-owned business concerns: \$_____.

f. Total dollars planned to be subcontracted to historical black colleges and minority institutions: \$_____.

3. The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars) are applicable to the contract awarded under the

solicitation cited above.

a. The total estimated percentage of all planned subcontracting to all types of business concerns under this contract is: _____%.

b. Small Business Concerns: _____% of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns including 3c. and 3d.

c. Small Disadvantaged Business Concerns: _____% of total planned subcontracting dollars under this contract will go to subcontractors who are small disadvantaged individuals. **NOTE: Women-owned** businesses are not considered a small disadvantaged business. Do not include subcontract awards to women-owned businesses in your calculations for paragraph 3c unless the firm meets the definition of a small disadvantaged business.

d. Woman-Owned Small Business Concerns: _____% of total planned subcontracting dollars under this contract will go to subcontractors who are woman-owned small businesses.

e. HubZone Concerns: _____% of total planned subcontracting dollars under this contract will go to subcontractors who are hubzones.

f. Service Disable Veterans: _____% of total planned subcontracting dollars under this contract will go to subcontractors who are service disable veterans.

g. Veterans: _____% of total planned subcontracting dollars under this contract will go to subcontractors who are veterans.

h. Historical Black Colleges and Minority Institutions: _____% of total planned subcontracting dollars under this contract will go to subcontractors who historical black colleges and/or minority institutions.

4. The principal items or areas we will subcontract under this contract are (NOTE: **Construction contractors remember to include materials/supplies** when developing plan. Also, list each subcontracted task by Division and Section number):

a. Of the items or areas stated in 4; the following are planned to be subcontracted to Small Businesses:

b. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Small Disadvantaged Businesses:

c. Of the items or areas stated in 4.a; the following are planned to be subcontracted to Small Women-Owned Businesses:

****NOTE: SEE LAST PAGE IF THIS SOLICITATION HAS OPITONS (DELETE THIS STATEMENT FROM YOUR PLAN) ****

5. Provide a description of the method your firm used to develop the subcontracting goals in paragraph 2:

6. Indirect costs were () were not () used in establishing subcontracting goals. **If indirect costs are included in your goals, furnish a description of the method used to determine the proportionate share of indirect costs to be incurred with (i) small business concerns (ii) small disadvantaged business concerns and (iii) women-owned.**

7. The following individual will administer this Subcontracting Plan on behalf of (name of contractor):

Name:

Title:

Address:

Telephone:

The aforementioned individual's specific duties will include, but is not limited to:

a. Developing and maintaining source lists of small, small disadvantaged and women-owned small business concerns. Sources used are the Small Business Administration's Procurement Automated Source System (PASS), the National Minority Purchasing Council Vendor Information Service, Minority Business Development Agency, US Department of Commerce, Local Minority Business Development Centers, Economic Development Centers, and National Center for American Indian Enterprise Development.

b. Assuring the inclusion of small, small disadvantaged, and women-owned small business concerns in all solicitations for products or services which they are capable of providing; and ensuring that all solicitations are structured to permit the maximum possible participation by small, small disadvantaged and women-owned small business concerns.

c. Establishing and maintaining records of all subcontract awards to ensure appropriate documentation of non-selection of bids submitted by a small, small disadvantaged business, or women-owned small business concerns.

d. Preparing and submitting the Subcontracting Report for Individual Contracts (SF 294) and the Summary Subcontract Report (SF 295) in accordance with instructions provided, and coordinating and preparing for all compliance reviews by Federal agencies.

e. Promoting activities necessary to further the intent of the subcontracting plan.

Activities include motivational training of purchasing personnel; attendance at workshops, seminars and trade fairs conducted by or on behalf of small business and/or small disadvantaged and/or women-owned small business concerns; and general cooperation with members of the small, small disadvantaged and women-owned small business concerns or their representatives.

8. The following steps will be taken to ensure that small, small disadvantaged, and women-owned small business concerns receive notice of and have an equitable opportunity to compete for intended awards of subcontracts and/or purchase orders for the products and/or services describe in paragraph 4 above:

a. Sources will be requested through SBA's PASS system, business development organizations, minority and small business trade associations and at small, minority and women-owned small business procurement conferences; sources will be contacted; and bidding materials will be provided to all responding parties expressing an interest.

b. The firm will conduct and maintain internal motivational training to guide and encourage purchasing personnel to maintain source lists and guides to small, small disadvantaged, and women-owned small business concerns. Purchasing activities will be monitored to ensure sufficient time is allowed for interested bidders to prepare bids and to ensure continuous compliance with the approved Subcontracting Plan.

9. [Name of contractor] agrees that the clause entitled "Utilization of Small, Small Disadvantaged and Women-Owned Business Concerns" will be included in all subcontracts that offer further subcontracting opportunities. All subcontractors, except small business concerns, who receive subcontracts in excess of \$500,000 (\$1,000,000 in the case of construction) will be required to adopt a plan similar to this one. Such plans will be reviewed to assure that all minimum requirements of an acceptable subcontracting plan have been satisfied.

The acceptability of proposed goals shall be determined on a cases-by-case basis depending on the supplies/services involved, the availability of potential small, small disadvantaged, and women-owned subcontractors, and prior experience. Once approved and implemented, plans will be monitored through the submission of periodic reports or, as time and availability of funds permit, periodic visits to subcontractors facilities to review applicable records and subcontracting program progress.

10. The Firm agrees to submit periodic reports and cooperate in any studies or surveys required by the Contracting Activity or Small Business Administration to determine the extent of the firm compliance with the subcontracting plan.

11. (Name of Contractor) agrees to maintain at least the following types of records to document compliance with the Subcontracting Plan:

a. The names of all organizations, agencies, and associations contacted for small, small disadvantaged, and women-owned small business sources, along with records of attendance at conference, seminars and trade fairs where additional sources were developed.

b. Source lists, guides, and other data identifying small business concerns, small disadvantaged business concerns and women-owned small business concerns.

c. Records of subcontracts award in excess of \$100,000 will demonstrate how small business concerns, small disadvantaged business concerns and women-owned business concerns were solicited or provide an explanation as to why these business concerns were not considered for subcontracting opportunities.

d. Records of subcontract award data to include subcontractor's name and address, to be kept on a contract-by-contract basis.

e. Minutes of internal motivational and training meetings held for the guidance and encouragement of purchasing personnel, and records of all monitoring activities performed for compliance evaluation.

f. Copies of SF 294 and SF 295 showing date and place of filing and copies of all other reports or results of reviews conducted by the contracting agency or other interested agencies of the Federal government to monitor our compliance with this Subcontracting Plan.

12. (Name of Contractor) will submit a SF 295, Summary Subcontract Report, on Corps of Engineers projects only. The SF 295 shall be completed and distributed in accordance with the Corps of engineers Supplemental Instructions. (Name of Contractor) will not report Corps of Engineers projects through any other Agency unless authorized by the Contracting Officer.

BY: _____

Signature and Title of CEO
Company Name

Date: _____

NOTE: If this solicitation has options, the plan must contain separate goals for ***each*** option. EXAMPLE:

	<u>Dollars</u>	<u>Percentage</u>
1. Option # _____ total:	\$ _____	_____
2.		
Total to be subcontracted to all businesses:	\$ _____	_____
a. Subcontracted to Small Business:	\$ _____	_____
b. Subcontracted to Small Disadvantaged Businesses:	\$ _____	_____
c. Subcontracted to Women-Owned Small Businesses:	\$ _____	_____
d. Subcontracted to Historical Black Colleges and Minority Institutions:	\$ _____	_____
