



# Trinity Uptown:

## Federal Subcontracting Plan Requirements

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U.S. SBA - Office of Government Contracting

# Federal Contracts

- Federal contracts over the simplified acquisition threshold (\$100,000) must contain the clause FAR 52.219-8 “Utilization of Small Business Concerns”
- Requires maximum utilization of small businesses as subcontractors
- Applies to large and small business concerns



# Small Business Subcontracting Plans

A Federal contract awarded to a large business concern that exceeds \$500,000 (or \$1 million for construction) requires Small Business Subcontracting Plan.



Subcontracting plans are not  
required from small business  
concerns



# Mandatory Subcontracting Goals

- Small Business (SB)
- Small Disadvantaged Business (SDB)
- Women-Owned Small Business (WOSB)
- HUBZone Small Business (HUBZone SB)
- Veteran-Owned Small Business (VOSB)
- Service-disabled VOSB
  - NOTE: SDB and HUBZones must be SBA-certified



# Multi-year Contracts or Contracts Containing Options

- ☞ Separate dollar and percentage goals are required in the Subcontracting Plan for the base contract period and for each option.



# Elements of a Subcontracting Plan

- Set Forth Dollar and Percentage Goals
- Name of individual administering plan and his/her duties
- Description of the efforts the offeror will make to ensure that small businesses have an equitable opportunity to compete for subcontracts



# Elements of a Subcontracting Plan

- Assurances that the offeror will cooperate in studies or surveys , submit periodic reports
- A recitation of the types of records the offeror will maintain to demonstrate compliance with the procedures and goals in the plan
- Flow down FAR 52.219-8 “Maximum utilization of small business concerns” to all subcontractors when there is further subcontracting.



# Subcontracting Flow-Down

- A subcontracting plan must include a statement that the prime contractor will require all subcontractors (except small businesses) that receive subcontracts in excess of \$500,000 (\$1 million in construction) to adopt a subcontracting plan that complies with the requirements of FAR clause 52.219-9.



# Who approves the Subcontracting Plan?

## The Contracting Officer

(SBA and the agency Small Business Specialist provide comments to the Contracting Officer)



# What SBA Can and Cannot Do

## ☞ SBA Can:

- Conduct compliance reviews

## ☞ SBA Cannot:

- Prescribe the amount of subcontracting
- Require the prime contractor to use a particular small business



# Liquidated Damages

- ☞ When a contractor fails to make a good-faith effort to comply with a subcontracting plan, Federal law mandates that liquidated damages be paid to the Government.
- ☞ The amount of damages shall be equal to the actual dollar amount by which the contractor failed to achieve each goal.



# Reporting Requirements

- ☞ SF-294 - Subcontracting Report for Individual Contracts
  - semi-annual and upon contract completion
  - cumulative from inception of the contract
- ☞ SF-295 - Summary Subcontract Report
  - semi-annual
  - dollars are reported for only the current year



# Web-Based SF-294 & SF-295

- ☞ The web based system is called the Electronic Subcontract Reporting System, or “eSRS.”
- ☞ All civilian agencies contractors have been using it since 2005.
- ☞ We expect DoD to begin using the system in Fiscal Year 2007.



# SBLO Handbook

- Developed in 2003 by SBA's field staff.
- Covers laws, regulations, procedures, forms, and Frequently Asked Questions.
- Currently being updated and expanded.
- Can be distributed electronically or in hard copy.



# Resources to Help Large Businesses Identify Small Businesses



- ☞ The CCR
- ☞ SUB-Net: A web site for prime contractors to post subcontracting opportunities
- ☞ SBA's CMRs



# CCR

## Central Contractor Registration

Vendor Corner

Government Arena

Small Business

CCR

*Start New Registration*

*Finish Saved Registration  
Using Confirmation #*

*Update or Renew  
Registrations Using TPIN*

*Search CCR*

*Find my DUNS*

*Find my CAGE*

*Federal Agency  
Registration*

*Dynamic Small  
Business  
Search*


### Notice:

#### SBA migrating PRO-Net to CCR:

Starting 1/1/04, SBA's PRO-Net search capability will become the Dynamic Small Business Search function in CCR. For more information view: <http://pro-net.sba.gov>

#### View additional information about new data elements in CCR

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Federal Acquisition Circular (FAC)  
2001-16 amends the FAR to require  
contractor registration in CCR  
database ... 

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## U.S. Small Business Administration Subcontracting Network

[Hurricane Katrina Subcontracting Solicitations](#)

[Hurricane Subcontracting Information](#)

[Iraq Reconstruction RFP's](#)

The use of SUB-Net fulfills the function set forth in [Federal Acquisition Regulation \(FAR\) 5.206](#), Notice of Subcontracting Opportunities, for contractors and subcontractors to post notices and thereby increase competition for subcontracts.

Also see SBA's [Subcontracting Opportunities Directory](#)



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SUB - Net

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<a href="#">Phair Consultants, Inc.</a>	6/21/2006 12:00 AM	Please notify of interest in project Phair Consultants, Inc. is seeking sub contract opportunities in regards to the State of Georgia Temporary IT Services RFP: PT1-05112006.
<a href="#">B.L. Harbert International, LLC</a>	6/21/2006 11:00 AM	BL Harbert is accepting bids on the IDIQ Barracks Complex @ Ft Bliss, TX. The project consists of barracks. We wish to solicit participation from small & minority businesses. Call 205-802-2800 for information.
<a href="#">Caddell Construction Co., Inc.</a>	6/21/2006 12:00 PM	D/B IDIQ Barracks Bldg, Southwest Region - We are prime contractors seeking subcontractors/suppliers in the construction industry. We are interested in quoting work/materials for this project. Please contact us for additional information.



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## Display Solicitation Record

Prime's Name: B.L. Harbert International, LLC

Contact: Tim Buck

Address 1: 820 Shades Creek Prkwy, suite 3000

Address 2:

City: Birmingham State: AL

Zip: 35209 Zip+4:

Phone: 205-802-2800

Fax: 205-802-2850

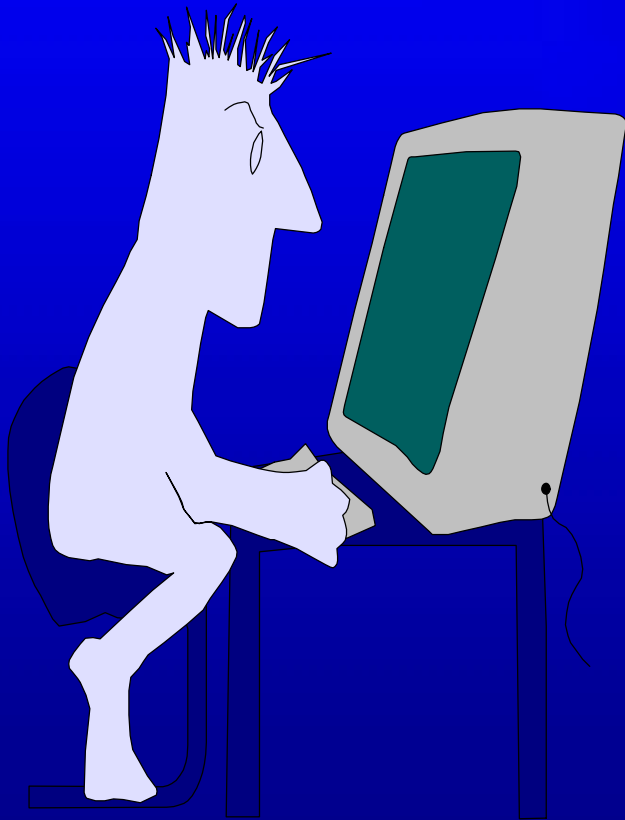
Email: [tbuck@bharbert.com](mailto:tbuck@bharbert.com)



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# SBA's Key Internet Addresses



- SBA's Home Page: [www.sba.gov](http://www.sba.gov)  
(includes a link to *SUB-Net*)
- Government Contracting:  
[www.sba.gov/GC](http://www.sba.gov/GC)
- SDB: [www.sba.gov/sdb](http://www.sba.gov/sdb)
- HUBZone: [www.sba.gov/hubzone](http://www.sba.gov/hubzone)
- Women: [www.womenbiz.gov](http://www.womenbiz.gov)  
– Also [www.women-21.gov](http://www.women-21.gov)
- Vets: [www.sba.gov/VETS/](http://www.sba.gov/VETS/)



# Contact

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