

APPENDIX H

SMALL BUSINESS SUBCONTRACTING PLAN

(This template is provided for informational purposes only. The FY 2025 Small Business Subcontracting Plan is a required Contractor submission with the proposal; the DOE approved Plan will be appended to the contract after award.)

**Applicable to the Operations of
Fermi National Accelerator Laboratory**

INSTRUCTIONS FOR SMALL BUSINESS SUBCONTRACTING PLAN

FAR 19.708(b) prescribes the use of the Contract's Section I Clause entitled "FAR 52.219-9, Small Business Subcontracting Plan." The following is a suggested model for use when formulating such subcontracting plan. While this model plan has been designed to be consistent with FAR 52.219-9, other formats of a subcontracting plan may be acceptable. However, failure to include the essential information as exemplified in this model may cause a delay in plan review and approval. The use of this model is not intended to waive other requirements that may be applicable under the Contract's Section I Clause entitled "FAR 52.219-9, Small Business Subcontracting Plan." "Subcontract," as defined in the FAR 52.219-9 clause, "means any agreement (other than one involving an employer-employee relationship) entered into by a Federal Government prime Contractor or subcontractor calling for supplies or services required for performance of the contract or subcontract."

Identification Data

Contractor: _____

Address: _____

Solicitation or Contract Number: 89243123RSC000083

Item/Service: Basic Research, Management & Operation of Fermi National Accelerator Laboratory (FNAL)

Total Estimated Amount of Contract for the Performance Period: \$ 460.5M

Period of Contract Performance (MO, DAY, & YR): 01/01/2025 - 09/30/2025

1. Type of Plan (check one)

Individual Contract Plan - Individual Contract Plan means a subcontracting plan that covers the entire contract period (including option periods), applies to a specific contract, and has goals that are based on the Offeror's planned subcontracting in support of the specific contract, except that indirect costs incurred for common or joint purposes may be allocated on a prorated basis to the contract.

Master Plan - Master Plan means a subcontracting plan that contains all of the required elements of an individual contract plan, except goals, and may be incorporated into individual contract plans, provided the master plan has been approved.

___ Commercial Plan - Commercial Plan means a subcontracting plan (including goals) that covers the Offeror's fiscal year and that applies to the entire production of commercial items sold by either the entire company or a portion thereof (e.g., division, plant, or product line). The contractor must provide a copy of the approved plan. **NOTE: A commercial plan is the preferred type of subcontracting plan for contractors furnishing commercial items.**

2. Goals

State separate dollar and percentage goals for small business (including Alaska Native Corporations [ANCs] and Indian tribes), veteran-owned small business, service-disabled/veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns, as subcontractors, for the performance period January 1, 2025 through September 30, 2025.

- A. Total estimated dollar value of all planned subcontracting, i.e., with all types of concerns under this contract, is \$ _____.
- B. Total estimated dollar value and percent of planned subcontracting with small businesses (includes small business, veteran-owned small business, service-disabled/veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns): (% of "A"):
\$ _____ and _____%
- C. Total estimated dollar value and percent of planned subcontracting with service-disabled/veteran-owned small businesses (% of "A"):
\$ _____ and _____%
- D. Total estimated dollar value and percent of planned subcontracting with veteran-owned small business: (% of "A"):
\$ _____ and _____%
- E. Total estimated dollar value and percent of planned subcontracting with HUBZone small businesses (% of "A"):
\$ _____ and _____%
- F. Total estimated dollar value and percent of planned subcontracting with small disadvantaged business (% of "A"):
\$ _____ and _____%

- G. Total estimated dollar value and percent of planned subcontracting with women-owned small business (% of "A"):
 \$_____ and _____%
- H. Total estimated dollar value and percent of planned subcontracting with large business (% of "A"):
 \$_____ and _____%
- I. Use the chart below to provide a description of the principal types of supplies and services to be subcontracted under this contract, and indicate the types of business planned for supplying them {i.e., small business (including Alaska Native Corporations [ANCs] and Indian tribes), veteran/owned small business (VOB), service-disabled/veteran-owned small business (SDVOB), HUBZone small business (HUB), small disadvantaged business (SDB), women-owned small business (WOSB), and large business}.

Business Category or Size
 (check all that apply)

Supplies/Services	Large	Small	VOSB	SDVOB	HUBZone	SDB	WOSB

(Attach additional sheets if necessary.)

- J. Provide a description of the method used to develop the subcontracting goals for the small business categories described above in Section 2 entitled "Goals", item "I" and large business concerns (i.e., explain the method and state the quantitative basis (in dollars) used to establish the percentage goals, in addition, how the areas to be subcontracted to small business categories described above in Section 2 entitled "Goals", item "I" and large business concerns were determined --include any source lists used in the determination process:

- K. Indirect costs have been ___ have not been ___ included in establishing the dollar and percentage subcontracting goals stated above. (check one)
- L. If indirect costs have been included, describe the method used to determine the proportionate share of such costs to be incurred with the small business categories described above in Section 2 entitled "Goals", item "I" and large business concerns.

3. Program Administrator

Name, title, position within the corporate structure, and duties and responsibilities of the employee who will administer the contractor's subcontracting program.

Name: _____
Title/Position: _____
Address: _____
Telephone: _____
Email Address: _____

Duties: Has general overall responsibility for the contractor's subcontracting program, i.e., developing, preparing, and executing subcontracting plans and monitoring performance relative to the requirements of this particular plan. These duties include, but are not limited to, the following activities:

- A. Developing and promoting company-wide policy initiatives that demonstrate the company's support for awarding contracts and subcontracts to small business [categories described above in Section 2 entitled "Goals", item "I"], are included on the services they are capable of providing;
- B. Developing and maintaining bidder's lists of small business (including Alaska Native Corporations [ANCs] and Indian tribes), veteran-owned small business (VOB), service-disabled/veteran-owned small business (SDVOB), HUBZone small business (HUB), small disadvantaged business (SDB), and women-owned small business (WOSB) concerns from all possible sources;
- C. Ensuring that procurement solicitations are designed to permit the maximum possible participation of small business categories [described above in Section 2 entitled "Goals", item "I"] concerns within the applicable purchasing laws, regulations and DOE guidance;

- E. Make arrangements for the utilization of various sources for the identification of small business categories described above in Section 2 entitled “Goals”, item “I”;
- F. Overseeing the establishment and maintenance of contract and subcontract award records;
- G. Attending or arranging for the attendance of company counselors at Small Business Opportunity Workshops, Minority and Women Business Enterprise Seminars, Trade Fairs, Procurements Conferences, *etc.*;
- H. Ensure that small business categories [described above in Section 2 entitled “Goals”, item “I”], concerns are made aware of subcontracting opportunities and how to prepare responsive bids to the company;
- I. Conducting or arranging for the conduct of training for purchasing personnel regarding the intent and impact of Public Law 95-507 on purchasing procedures;
- J. Monitoring the company's performance and making any adjustments necessary to achieve the subcontract plan goals;
- K. Preparing, and submitting timely, required subcontract reports;
- L. Coordinating the company's activities during the conduct of compliance reviews by Federal agencies;
- M. Reviewing solicitations to remove statements, clauses, *etc.*, which may tend to restrict or prohibit small business [categories described above in Section 2 entitled “Goals”, item “I”], concerns participation, where possible.
- N. Ensuring that the bid proposal review board documents its reasons for not selecting low bids submitted by small business [categories described above in Section 2 entitled “Goals”, item “I”].
- O. Ensuring the establishment and maintenance of records of solicitations and subcontract award activity.
- P. Ensuring that historically Black colleges and universities and minority institutions shall be afforded maximum practicable opportunity (if applicable).
- Q. Other duties _____

4. Equitable Opportunity

The contractor agrees to ensure that small business [categories described above in Section 2 entitled “Goals”, item “I”] concerns, will have an equitable opportunity to compete for subcontracts. The various efforts include, but are not limited to, the following activities:

A. Describe Outreach efforts to obtain sources (examples listed below):

- (i) Contacting small business trade associations; identify the specific small business category if known. [categories described above in Section 2 entitled “Goals”, item “I”]

- (ii) Contacting small business development organizations; identify the specific small business development organization if known. [categories described above in Section 2 entitled “Goals”, item “I”]

- (iii) Attending small business [categories described above in Section 2 entitled “Goals”, item “I”] procurement conferences and trade fairs (to the extent known, identify specific procurement conferences and trade fairs and dates).

- (iv) Utilizing newspaper and/or magazine ads as well as electronic mediums to encourage new sources.

B. Describe Internal efforts to guide and encourage purchasing personnel (examples listed below):

- (i) Presenting workshops, seminars, and training programs;
- (ii) Establishing, maintaining, and using small business source lists, guides, and other data to assist in the solicitation process [categories described above in Section 2 entitled “Goals”, item “I”]; and

- (iii) Monitoring activities to evaluate compliance with the subcontracting plan.

C. Additional efforts: _____

5. Flow-Down Clause

The contractor agrees to include the provisions under FAR 52.219-8, "Utilization of Small Business Concerns, in all subcontracts that offer further subcontracting opportunities. The contractor will also require all subcontractors, except small business concerns, that receive subcontracts in excess of \$750,000 (\$1,500,000 for construction) to adopt a plan that complies with the requirements of the clause at FAR 52.219-9, "Small Business Subcontracting Plan".

Such plans will be reviewed by comparing them with the provisions of Public Law 95-507 and assuring that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentage goals shall be determined on a case-by-case basis depending on the supplies/services involved, the availability of potential small business (including Alaska Native Corporations [ANCs] and Indian tribes), veteran-owned small business (VOB), service-disabled/veteran-owned small business (SDVOB), HUBZone small business (HUB), small disadvantaged business (SDB), and women-owned small business (WOSB) and prior experience. Once approved and implemented, plans will be monitored through the submission of periodic reports, and/or, as time and availability of funds permit, periodic visits to subcontractors facilities to review applicable records and subcontracting program progress.

6. Reporting and Cooperation

The contractor gives assurance of (1) cooperation in any studies or surveys that may be required by the contracting agency or the Small Business Administration; (2) submission of periodic reports such as utilization reports, which show compliance with the subcontracting plan; (3) submit timely "Subcontracting Report for Individual Contracts," (ISR) and "Summary Subcontract Report," (SSR) in accordance with the instructions identified on the eSRS website (www.esrs.gov); and (4) ensure that large business subcontractors with subcontracting plans provide electronic input to the eSRS as required.

7. Record Keeping

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. List the names of guides and other electronic data systems identifying vendor sources;
- B. Organizations contacted in an attempt to locate small business sources; [categories described above in Section 2 entitled “Goals”, item “I”]; and
- C. On a contract-by-contract basis, records on all subcontract solicitations over the Simplified Acquisition Threshold which indicate for each solicitation (1) whether small business concerns were solicited, and if not, why not; (2) whether veteran-owned small businesses were solicited, and if not, why not; (3) whether service-disabled/veteran-owned businesses were solicited, and if not, why not; (4) whether HUBZone small businesses were solicited, and if not, why not; (5) whether small disadvantaged business concerns were solicited, and if not, why not; (6) whether women-owned small businesses were solicited, and if not, why not; and (7) reason for failure of solicited small business, veteran-owned small business, service-disabled/veteran-owned small business, small disadvantaged business, women-owned small business, or HUBZone small business concerns to receive the subcontract award;
- D. Records to support other outreach efforts, e.g., contacts with small disadvantaged business (minority), small business, veteran-owned small business, service-disabled/veteran-owned small business, women-owned small business, HUBZone small business trade associations, attendance at small business, small disadvantaged business (minority), service disabled and veteran-owned small business, women-owned small 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 of activities to evaluate compliance; and
- F. On a contract-by-contract basis, records to support subcontract award data including the name, address and business size of each subcontractor.
- G. Additional records: _____

8. Mentor-Protégé Program

The Contractor agrees to establish and implement an official DOE approved “Mentor-Protégé” in accordance with U.S. Department of Energy acquisition regulation (DEAR Part 19). The Small Business Program Manager is the individual designated to administer this program.

This subcontracting plan was submitted by:

Signature: _____

Typed Name: _____

Title: _____

Date Prepared: _____

Email Address: _____

Phone No.: _____

Approval: