

United States Department of Agriculture September 12, 2002

BCD-23 DDOD-127 EOD-114

Farm and Foreign Agricultural Services

NOTICE TO THE TRADE

Farm Service Agency

Kansas City Commodity Office P.O. Box 419205 Kansas City, Missouri 64141-6205 TO: ALL LARGE BUSINESS CONTRACTORS

SUBJECT: ANNUAL SUBCONTRACTING PLAN AND REPORT

Subcontracting Plans and Reports are required of all large businesses that are awarded or anticipate to be awarded contracts with a value of \$500,000 or more.

Your Annual Subcontracting Plan for Fiscal Year 2003 should be prepared to identify the small business, small disadvantaged business, women-owned small business, HUBZone ("historically underutilized business zone") small business, service disabled veteran small business, and veteran-owned small business subcontracting goals directed exclusively to Federal contracts made with the FARM SERVICE AGENCY (FSA), COMMODITY CREDIT CORPORATION (CCC), KANSAS CITY COMMODITY OFFICE (KCCO). Your Annual Subcontracting Plan will be effective for the period of October 1, 2002, through September 30, 2003, after approval by the contracting officer. Any future modifications to the Annual Subcontracting Plan will not be effective until approved in writing by the contracting officer.

In addition, the contractor is required to submit a Summary Subcontracting Report (SF-295) annually. Your Annual Summary Subcontracting Report (covering the period of October 1, 2001, through September 30, 2002) should be prepared to report your actual performance in regard to small business, small disadvantaged business, women-owned small business, HUBZone small business, service disabled veteran small business, and veteran-owned small business subcontracting attributable to FSA, CCC, KCCO. Also, the contractor is required to submit an SF-295 annually from each other-than-small business subcontractor who received a subcontract over \$500,000. If subcontracts over \$500,000 "have not" been awarded to any other-than-small businesses, the contractor should annotate this in the remarks portion of item 16 on the SF-295 (i.e., that "no subcontracts over \$500,000 have been awarded to any other-than-small business"). The following documents are enclosed for your use in completing your plan and reports, if applicable, which are due no later than October 30, 2002:

- ATTACHMENT A, ANNUAL SUBCONTRACTING PLAN FOR COMMERCIAL PRODUCTS for the period October 1, 2002, through September 30, 2003. Any large business that is awarded or anticipates being awarded at least one contract valued over \$500,000 during this period of one year is required to submit a subcontracting plan. Firms having several corporate divisions, which contract individually with FSA, CCC, KCCO, may submit one company-wide plan or an individual plan for each division and must so indicate on Item 1.A.
- ATTACHMENT B, SUMMARY SUBCONTRACT REPORT (SF-295) for the period October 1, 2001,

through September 30, 2002, <u>directed exclusively</u> to Federal contracts with USDA. Subcontracting may be of a "direct" nature (ingredients, transportation, packaging, wharfage, unloading, handling, and stevedoring) or "indirect" nature (administrative, construction, financial, sanitation, utilities, janitorial, and maintenance).

- ATTACHMENT C, Additional Instructions for the Completion of SF-295
- ATTACHMENT D, Supplement to SF-295. Contractors who complete block 11 of the SF-295 report must report supplemental data in addition to SF-295 report.

An acceptable plan for Fiscal Year 2003 must meet the requirements of FAR 19.704, FAR 52.219-8. (The USDA goal for each large business contractor is <u>5 percent for small disadvantaged business</u>, <u>5 percent for women-owned business</u>, <u>3 percent for HUBZone small business</u>, <u>3 percent for veteran-owned small business</u>, <u>3 percent for disabled-veteran owned</u>.) If you cannot meet these goals, we ask that you submit your reasons why the goals are not attainable, and set forth what efforts will be made to achieve these goals. Any report or plan which is submitted without all of the proper information requested or required will be considered incomplete and returned to the submitting company or individual for proper completion</u> (i.e., all items numbered 1 through 18 on Form 295 must be completed). All reports are due in KCCO by October 30, 2002, without exception.

Mail your completed plans and reports to:

Kansas City Commodity Office Director's Office Mail Stop 8698 P. O. Box 419205 Kansas City, Missouri 64141-6205

Submitted reports and plans will be reviewed by this office and the Small Business Administration, and your firm will be notified in writing if the results are unacceptable. Any questions may be directed to the applicable contracting officer or Khristy Baughman, (816-926-1200) KCCO Small and Disadvantaged Business Utilization Coordinator.

/s/ Leorge W. Aldaya

George W. Aldaya Director

Enclosures: Attachment A, ANNUAL SUBCONTRACTING PLAN FOR COMMERCIAL PRODUCTS

Attachment B, SUMMARY SUBCONTRACT REPORT

Attachment C, SF-295 Additional Instructions

Attachment D. Supplement to SF-295}

U.S. DEPARTMENT OF AGRICULTURE Farm Service Agency

ANNUAL SUBCONTRACTING PLAN FOR COMMERCIAL PRODUCTS

CONTRACTOR:		DATE:	
ADDRESS:			
PERIOD COVERED:	ANNUAL SUBCONTRACTING PLAN FISCAL YEAR 2003 OCTOBER 1, 2002 - SEPTEMBER 30, 2003		
PRODUCTS:			

The following, together with any attachments, is hereby submitted as an "Annual Subcontracting Plan for Commercial Products" to satisfy the applicable requirements of Public Law 95-507, as implemented by OFPP Policy Letter 80-2 and Articles 28 and 45 of USDA-1, Revision No. 2, as amended, and the Federal Acquisition Regular (FAR) Subpart 19.7.

GOALS. The following goals are expressed in <u>dollars</u> and a <u>percentage</u> of the total planned subcontracting dollars.
 These goals are applicable to all Federal contracts made with the United States Department of Agriculture (USDA),
 Farm Service Agency (FSA), Commodity Credit Corporation (CCC), Kansas City Commodity Office (KCCO), which are awarded during the term of this plan.

DESCRIPTION	DOLLARS (In Millions) FY 2003	PERCENTAGE FY 2003
A. Total planned subcontracting for ALL COMPANY or DIVISION products under any USDA, FSA, CCC, KCCO contract.		100%
B. Planned Subcontracting to SMALL Businesses (EXCLUDES Small Disadvantaged, Women-Owned Small, HUBZone Small, Service Disabled Veteran Small, and Veteran Owned Small Businesses.) % = B ÷ A		
 C. Planned Subcontracting to Small DISADVANTAGED Businesses ("Woman-Owned Small" does NOT qualify as "Disadvantaged" UNLESS qualified by SBA). 		
 D. Planned Subcontracting to WOMEN-OWNED Small Businesses. % = D ÷ A 		
E. HUBZone (Historically Underutilized Business Zone) Small Business.% = E ÷ A		
F. Planned Subcontracting to Service Disabled Veteran Small Business. $\%$ = F \div A		
g. Planned Subcontracting to Veteran Owned Small Business. $\%$ = G \div A		
H. Total Planned Subcontracting to SMALL, SMALL DISADVANTAGED, WOMEN-OWNED SMALL, HUBZone SMALL, SERVICE DISABLED VETERAN SMALL BUSINESS AND VETERAN OWNED SMALL BUSINESS. % = B + C + D + E + F + G ÷ A		
 Planned Subcontracting to OTHER than Small Businesses (Para A - H = I). % = I ÷ A 		

The following	g individual will administer the subcontracting program:
NAME:	
TITLE:	
ADDRESS:	
TELEPHONE:	

This individual's specified duties, as they relate to the firm's subcontracting program, are as follows:

General overall responsibility for this company's small business (SB) program, the development, preparation, and execution of individual subcontracting plans, and for monitoring performance relative to contractual subcontracting requirements contained in this plan, as required by the FAR, including but not limited to:

- A. Developing and maintaining bidders' lists of SB, small disadvantaged business (SDB), women-owned small business (WOSB), HUBZone small business (HUBZ), service disabled veteran small (SDVS), veteran owned small business (VOSB), and concerns from all possible sources.
- B. Ensuring procurement packages are structured to permit SB, SDB, WOSB, HUBZ, SDVS, and VOSB concerns to participate to the maximum extent possible.
- C. Ensuring inclusion of SB, SDB, WOSB, HUBZ, SDVS, and VOSB concerns in all solicitations for products or services which they are capable of providing.
- D. Reviewing solicitations to remove statements, clauses, etc., which may tend to restrict or prohibit SB, SDB, WOSB, HUBZ, SDVS, and VOSB participation.
- E. Ensuring periodic rotation of potential subcontractors on bidders' lists.
- F. Ensuring that the bid proposal review board documents its reasons for not selecting low bids submitted by SB, SDB, WOSB, HUBZ, SDVS, and VOSB concerns. (Required only for awards of more than \$100,000.)
- G. Ensuring the establishment and maintenance of records of solicitations and subcontract award activity.
- H. Attending or arranging for attendance of company counselors at business opportunity workshops, minority business enterprise seminars, women-owned business seminars, and trade fairs, etc.
- Conducting or arranging for conduct of motivational training for purchasing personnel pursuant to the intent of Public Law 95-507.
- J. Monitoring attainment of proposed goals.
- K. Preparing and submitting required periodic subcontracting reports.
- L. Coordinating contractor's activities during the conduct of compliance review by Federal agencies.
- M. Coordinating the conduct of contractor's activities involving its SB, SDB, WOSB, HUBZ, SDVS, and VOSB subcontracting program.

14.	Additions or deviations to the duties previously specified are as follows: ¹
Th	e following efforts will be taken to ensure that SB, SDB, WOSB, HUBZ, SDVS, and VOSB concerns will have an uitable opportunity to compete for subcontracts:
A.	Outreach efforts will be made as follows:
	(1) Contact minority, women-owned small business, and small business trade associations.
	(2) Contact business development organizations.
	(3) Attend small, minority, women-owned small business procurement conferences and trade fairs.
	(4) Use the Procurement Marketing and Access Network (PRO-Net). PRO-Net is a procurement related Internet based electronic search engine for locating SB, SDB, WOSB, HUBZ, SDVS, VOSB sources. The PRO-Net Internet address (URL) is http://pro-net.sba.gov . Companies that do not have access to the Internet may registe for PRO-Net through your local SBA Office. PRO-Net is a free electronic gateway to Federal Business Opportunities, government agency home pages, and other sources of procurement opportunities.
В.	Internal efforts will be made to guide and encourage buyers:
	(1) Conduct workshops, seminars, and training programs.
	(2) Monitor activities to evaluate compliance with this subcontracting plan.
C.	SB, SDB, WOSB, HUBZ, SDVS, and VOSB concerns source lists, guides, and other data identifying SB, SDB, WOSB, HUBZ, SDVS, and VOSB concerns will be maintained and utilized by buyers in soliciting subcontracts.
D.	Other efforts in addition to those previously listed: 1
	2
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and sub of \$ coo	clause entitled "Utilization of Small, Small Disadvantaged, Women-Owned, HUBZone, Service Disabled Veteran Veteran Owned Small Business Concerns" (FAR 52.219-8) will be included in all subcontracts that offer further contracting opportunities, and all subcontractors (except small business concerns) who receive subcontracts in exce \$500,000 will adopt a plan similar to the plan required by FAR 52.219-9. Periodic reports will be submitted, and peration will be given in any studies or surveys as may be required to determine the extent of compliance with this contracting plan. "Summary Subcontract Report" (SF-295) will be completed and submitted by this company and i

¹ Any deletions should have an appropriate explanation.

- 5. The contractor agrees to submit such periodic reports and cooperate in any studies or surveys as may be required by the contracting agency or the SBA in order to determine the extend of compliance by the contractor with the subcontracting plan and with the clause entitled "Utilization of Small, Small Disadvantaged, Women-Owned, HUBZone, Service Disabled Veteran, and Veteran Owned Small Business Concerns," contained in the contract. The contractor further agrees to annually submit a "Summary Subcontract Report" (SF-295), in accordance with the instructions on the back of the form.
- 6. The following types of records for all Federal contracts will be maintained to document compliance with this subcontracting plan, in accordance with FAR 52.219-9.
 - A. SB, SDB, WOSB, HUBZ, SDVS, and VOSB concerns source lists, guides, and other data identifying SB, SDB, WOSB, HUBZ, SDVS, and VOSB concern vendors.
 - B. Organizations contacted for SB, SDB, WOSB, HUBZ, SDVS, and VOSB concerns.
 - C. Records on all subcontract solicitations over \$100,000, indicating on each solicitation (1) whether SB concerns were solicited, and if not, why; (2) whether SDB concerns were solicited, and if not, why; (3) whether WOSB concerns were solicited, and if not, why; (4) whether HUBZ concerns were solicited, and if not, why, (5) whether SDVS concerns were solicited, and if not, why; (6) whether VOSB concerns were solicited, and if not, why; and (7) reasons for the failure of solicited SB, SDB, WOSB, HUBZ, SDVS, or VOSB concerns to receive the subcontract award.
 - D. Records to support other outreach efforts: (1) contacts with minority and SB trade associations, etc.; and (2) attendance at small, minority, women-owned small business procurement conferences, and trade fairs.
 - E. Records to support internal activities to guide and encourage buyers: (1) workshops, seminars, training programs, etc.; and (2) monitoring activities to evaluate compliance.
 - F. Records to support subcontract award data to include names and addresses of subcontractors.

G. A	Additions or deviations to the records previously listed are as follows:									
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TITLE:										
DATE:	1									
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		(CONTRACTING	OFFICER)							
DATE:										

SUMMARY SUBCONTRACT REPORT (See instructions on reverse)

OMB No.: 9000-0007 Expires: 09/30/2003

Public reporting burden for this collection of information is estimated to average 15.9 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the FAR Secretariat (MVP), Acquisition Policy Division, GSA, Washington, DC 20405.

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10b.									T				
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AUTHORIZED FOR LOCAL REPRODUCTION Previous edition is not usable

STANDARD FORM 295 (REV. 9-2001) Prescribed by GSA - FAR (48 CFR) 53.219(b)

GENERAL INSTRUCTIONS

- 1. This report is not required from small businesses.
- 2. This form collects subcontract award data from prime contractors/subcontractors that: (a) hold one or more contracts over \$500,000 (over \$1,000,000 for construction of a public facility); and (b) are required to report subcontracts awarded to Small Business (SBI), Small Disadvantaged Business (SDB), Women-Owned Small Business (WOSB), Vertran-Owned Small Business (VOSB), Service-Disabled Veteran-Owned Small Business, and HUBZone Small Business (HUBZone SB) concerns under a subcontracting plan. For the Department of Defense (DOD), the National Aeronautics and Space Administration (NASA), and the Coast Guard, this form also collects subcontract award data for Historically Black Colleges and Universities (HBCUs) and Minority Institutions (Mis).
- 3. This report must be submitted semi-annually (for the six months ended March 31st and the twelve months ended September 30th) for contracts with the Department of Defense (DOD) and annually (for the twelve months ended September 30th) for contracts with civilian agencies, except for contracts covered by an approved Commercial Plan (see special instructions in right-hand column). Reports are due 30 days after the close of each reporting period.
- 4. This report may be submitted on a corporate, company, or subdivision (e.g., plant or division operating on a separate profit center) basis, unless otherwise directed by the agency awarding the contract.
- 5. If a prime contractor/subcontractor is performing work for more than one Faderal agency, a separate report shall be submitted to each agency covering only that agency's contracts, provided at least one of that agency's contracts is over \$5.00.000 (over \$1,000,000 for construction of a public facility) and contains a subcontracting plan. (Note that DOD is considered to be a single agency; see next instruction.)
- For DOD, a consolidated report should be submitted for all contracts awarded by military departments/agencies and/or subcontracts awarded by DOD prime contractors. However, DOD contractors involved in construction and related maintenance and repair must submit a separate report for each DOD component.
- 7. Only subcontracts involving performance in the U.S. or its outlying areas should be included in this report.
- 8. Purchases from a corporation, company, or subdivision that is an affiliate of the prime/subcontractor are <u>not</u> included in this report.
- Subcontract award data reported on this form by prime contractors/subcontractors shall be limited to awards made to their immediate subcontractors. Credit cannot be taken for awards made to lower tier subcontractors.
- 10. See special instructions in right-hand column for Commercial Plans.

SPECIFIC INSTRUCTIONS

- BLOCK 2: For the Contractor Identification Number, enter the nine-digit Data Universal Numbering System (DUNS) number that identifies the specific contractor establishment. If there is no DUNS number available that identifies the exact name and address entered in Block 1, contact Dun and Bradstreet Information Services at 1-800-333-0505 to get one free of charge over the telephone. Be prepared to provide the following information: (1) Company name; (2) Company address; (3) Company telephone number; (4) Line of business; (5) Chief executive officer/key manager; (6) Date the company was started; (7) Number of people employed by the company; and (8) Company affiliation.
- BLOCK 4: Check only one. Note that March 31 represents the six months from October 1st and that September 30th represents the twelve months from October 1st. Enter the year of the reporting period.
- BLOCK 5: Check whether this report is a "Regular," "Final," and/or "Revised" report. A "Final" report should be checked only if the contractor has completed all the contracts containing subcontracting plans awarded by the agency to which it is reporting. A "Revised" report is a change to a report previously submitted for the same period.
- BLOCK 6: Identify the department or agency administering the majority of subcontracting plans.
- BLOCK 7: This report encompasses all contracts with the Federal Government for the agency to which it is submitted, including subcontracts received from other large businesses that have contracts with the same agency. Indicate in this block whether the contractor is a prime contractor, subcontractor, or both (check only one).
- BLOCK 8: Check only one. Check "Commercial Plan" only if this report is under an approved Commercial Plan. For a Commercial Plan, the contractor must specify the percentage of dollars in Blocks 10a through 15b attributable to the agency to which this report is being submitted.
- BLOCK 9: Identify the major product or service lines of the reporting organization.
- BLOCKS 10a through 16: These entries must include all subcontract awards resulting from contracts or subcontracts, regardless of dollar amount, received from the agency to which this report is submitted. If reporting as a subcontractor, report all subcontracts awarded under prime contracts. Amounts must include both direct awards and an appropriate prorated portion of indirect awards. (The indirect portion is based on the percentage of work being performed

for the organization to which thereport is being submitted in relation to other work being performed by the prime contractor/subcontractor.) Do not include awards made in support of commercial business unless "Commercial" is checked in Block & (see Special Instructions for Commercial Plans in right hand column). Report only those dollars subcontracted this fiscal year for the period indicated in Block 4.

BLOCK 10a: Report all subcontracts awarded to SBs including subcontracts to SBs, WOSBs, VOSBs, Service-Disabled VOSBs, and HUBZone SBs. For DOD, NASA, and Coast Guard contracts, include subcontracting awards to HBCUs and MIs.

BLOCK 10b: Report all subcontracts awarded to large businesses (LBs).

BLOCK 10c: Report on this line the grand total of all subcontracts (the sum of lines 10a and 10b).

BLOCKS 11 through 16: Each of these items is a subcategory of Block 10a. Note that in some cases the same dollars may be reported in more than one block (e.g., SDBs owned by women); likewise subcontracts to HBCUs or MIs should be reported on both Block 11 and 13.

- BLOCK 11: Report all subcontracts awarded to SDBs (including women-owned, veteran-owned, service-disabled VOSBs, and HUBZone SB SDBs). For DOD, NASA, and Coast Guard contracts, include subcontract awards to HBCUs and MIs.
- BLOCK 12: Report all subcontracts awarded to WOSB firms (including SDBs, VOSBs, service-disabled VOSBs, and HUBZone SBs owned by women).
- BLOCK 13: (For contracts with DOD, NASA, and Coast Guard): Enter the dollar value of all subcontracts with HBCUs/Mls.
- BLOCK 14: Report all subcontracts awarded to HUBZone SBs (including women-owned, veteran-owned, service-disabled VOSBs, and SDB HUBZone SBs).
- BLOCK15: Report all subcontracts awarded to VOSBs (Including women-owned, SDB, and HUBZone SB VOSBs).
- BLOCK 16: Report all subcontracts awarded to service disabled VOSBs (including Service-Disabled Veteran Owned Small Business Concerns that are SDBs, WOSBs, and HUBZone SBs). These subcontracts should also be reported in Block 15.

SPECIAL INSTRUCTIONS FOR COMMERCIAL PLANS

- This report is due on October 30th each year for the previous fiscal year ended September 30th.
- The annual report submitted by reporting organizations that have an approved company-wide annual subcontracting plan for commercial items shall include all subcontracting activity under commercial plans in effect during the year and shall be submitted in addition to the required reports for other-than-commercial items, if any.
- 3. Enter in Blocks 10a through 15b the total of all subcontract awards under the contractor's Commercial Plan. Show in Block 8 the percentage of this total that is attributable to the agency to which this report is being submitted. This report must be submitted to each agency from which contracts for commercial items covered by an approved Commercial Plan were received.

DEFINITIONS

- Direct Subcontract Awards are those that are identified with the performance of one or more specific Government contract(s).
- Indirect Subcontract Awards are those which, because of incurrence for common or joint purposes, are not identified with specific Government contracts; these awards are related to Government contract performance but remain for allocation after direct awards have been determined and identified to specific Government contracts.

SUBMITTAL ADDRESSES FOR ORIGINAL REPORT

For DOD Contractors, send reports to the cognizant contract administration office as stated in the contract.

For Civilian Agency Contractors, send reports to awarding agency:

- NASA: Forward reports to NASA, Office of Procurement (HS), Washington, DC 20546
- OTHER FEDERAL DEPARTMENTS OR AGENCIES: Forward report to the OSDBU Director unless otherwise provided for in instructions by the Department or Agency.

FOR ALL CONTRACTORS:

SMALL BUSINESS ADMINISTRATION (SBA): Send "info copy" to the aggrizant Commercial Market Representative (CMR) at the address provided by SBA. Call SBA Headquarters in Washington, DC at (202) 205-8475 for correct address if

SF-295 ADDITIONAL INSTRUCTIONS

Block # 11 (Small Disadvantaged Business Concerns), SF-295

Contractors must use small business subcontractors that are certified by the U.S. Small Business Administration as small disadvantaged business (SDB) concerns in order to receive credit for dollars reflected in block 11.

Block # 14 (HUBZone Small Business Concerns,), SF-295

Contractors must use small business subcontractors that are certified by the U.S. Small Business Administration as HUBZone small business concerns in order to receive credit for dollars reflected in block 14.

Supplemental to SF-295 ATTACHMENT D (accompanies SF-295 Report)

Contractors who complete block 11 of the SF-295 report <u>must report</u> supplemental data in addition to SF-295 report.

Contractors who are awarded contracts at the subcontracting dollar threshold (\$500,000 or greater) solicitations issued on or after January 1, 1999, must provide a breakout of subcontract dollars to small disadvantaged business (SDB) concerns with their SF-295 reports. For FY 2002, the breakout of subcontract dollars to SDB concerns must be reported by 3-digit NAICS code.

Supplement to SF-295

(accompanies SF-295 Report)

NOTE: This sheet is completed when data is reflected in block 11 of SF-295.

1. ADMINISTERING ACTIVITY (Federal Agency)	2. REPORTING PERIOD (FISCAL YEAR) (12-month reporting period)									
3. TYPE OF PLAN A - Individual C - Commercial	4. CONTRACTOR IDENTIFICATION NUMBER (Dun & Bradstreet Number)									
5. Breakout of SDB Participation b	y 3-Digit NAICS Code.									
3-Digit A. INAICS Code	B. SUBCONTRACT AWARDS (Whole Dollars)									
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