

## DoD SUBCONTRACTING PROGRAM

### *Guide to Preparing and Reviewing a Summary Subcontracting Report (SSR) for a Commercial Subcontract Plan (July 2024)*

#### Regulatory Requirements

<b>Authority:</b>	<ul style="list-style-type: none"> <li>Section 8(d) Small Business Act – 15 USC 637(d)</li> </ul>	<ul style="list-style-type: none"> <li>Specifies that small businesses will have maximum practicable opportunity to participate in contract performance consistent with efficient performance</li> <li>Requires the agency to collect data on the extent to which the contractor meets the goals of the subcontracting plan</li> </ul>
	<ul style="list-style-type: none"> <li>Section 15(g) Small Business Act – 15 USC 644(g)</li> </ul>	<ul style="list-style-type: none"> <li>Specifies government-wide goals for contracts and subcontracts awarded to small business concerns</li> <li>Includes reporting on subcontracting</li> </ul>
<b>Regulations:</b>	<ul style="list-style-type: none"> <li>FAR 19.7 / DFARS 219.7</li> <li>FAR 52.219-9, Small Business Subcontracting Plan</li> <li>DFARS 252.219-7003, Small Business Subcontracting Plan</li> <li>FAR 52.212-5 Contract Terms/Conditions Required to Implement Statutes or Executive Orders – Commercial Items (Jan 2017)</li> </ul>	<ul style="list-style-type: none"> <li>Subcontracting plan requirement</li> <li>Comply in good faith with subcontract plan requirements</li> <li>Contractors with government approved commercial subcontracting plan on a prime contract submit SSR in Federal Electronic Subcontracting Reporting System (eSRS)</li> <li>Authority to acknowledge receipt and approve / reject the report for resides with the Procuring Contracting Officer (PCO) who approved the commercial subcontracting plan</li> </ul>

#### Summary Subcontract Report (SSR) for a Commercial Subcontracting Plan

<b>Submit when?</b>	<ul style="list-style-type: none"> <li>Annually, submit one consolidated SSR within 30 days of the government's fiscal year end (Sep 30), by Oct 30</li> </ul>
<b>Submit where?</b>	<ul style="list-style-type: none"> <li>In eSRS at <a href="https://www.esrs.gov/">https://www.esrs.gov/</a></li> <li>To the contracting organization of the contracting official who approved the commercial subcontracting plan; the contractor must “drill down” within the DoD hierarchy to select the contracting organization</li> </ul>
<b>Includes what?</b>	<ul style="list-style-type: none"> <li>Report is based on total subcontract awards for both Federal <b>AND</b> non-Federal Government business, rather than solely Federal Government business</li> <li>Report includes all subcontract awards under all contracts covered by contractor's commercial plan in effect during the Government's fiscal year</li> <li>If performing work for more than one executive agency, Contractor must specify a percentage of total dollars attributable to each agency from which contracts were received; percentages should be small, as this is based on total subcontracting for both Federal <b>AND</b> non-Federal Government business and applies to entire production of commercial items or services sold</li> <li>Cannot show negative numbers</li> </ul>
<b>Correct how?</b>	<ul style="list-style-type: none"> <li>Contractor may make changes or corrections to previously submitted reports when reviewer either “Reopens” or “Rejects” the report</li> </ul>
<b>Who reviews? When?</b>	<ul style="list-style-type: none"> <li>PCO who approved the commercial subcontracting plan</li> <li>By Dec 15 of each year</li> </ul>
<b>Review how?</b>	<ul style="list-style-type: none"> <li>PCO must determine if “Total Dollars” reported represent subcontracting for both Federal Government <b>AND</b> non-Federal Government business</li> <li>PCO should ensure report is complete and correct; includes reasonable explanation for zero dollars and a plan for mitigating during next reporting cycle</li> </ul>

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Item	Section	Preparing SSR	Reviewing SSR
<b>A</b>	Type of Plan	Contractor selects “Commercial Plan” as the type of subcontracting plan that requires submission of this SSR.	No action required by reviewer, unless contractor selected incorrect type subcontract plan. <b>REJECT</b> the SSR if not correct type plan.
<b>B</b>	UEI number	Contractor inputs UEI number, which auto fills contractor’s physical and mailing addresses.	No action required by reviewer. <b>NOTE:</b> This UEI number may not match UEI number on contracts. Contractor may choose to provide “parent”, “corporate”, division UEI number.
<b>C</b>	Date Submitted	Contractor selects date from calendar.	No action required by reviewer.
<b>D</b>	Contact Information	Populated by eSRS based on contractor’s registration information.	No action required by reviewer.
<b>E</b>	Reporting Period	Contractor selects government Fiscal Year; eSRS populates period.	If incorrect: <b>REJECT</b> SSR and provide explanation so contractor knows what to correct.
<b>F</b>	Report Submitted As	Contractor selects “Prime Contractor,” “Subcontractor,” or “Both”.	If the contractor selects “Subcontractor”: <b>REJECT</b> the SSR and provide explanation so that contractor knows what to correct. <b>NOTE:</b> A contractor must have at least one prime contract in order to have a commercial subcontracting plan approved by a Contracting Official; a subcontractor (only) cannot have a commercial subcontracting plan; however, eSRS allows a contractor to select “Commercial Plan” and “Subcontractor” when submitting the SSR. <b>NOTE:</b> Construction contractors inadvertently select “Commercial Plan” because they are thinking it includes construction of commercial properties.
<b>G</b>	Contractor’s Major Products or Service Lines	Contractor provides at least one major product/service and the associated NAICS code.	If the contractor indicates construction and related maintenance repair or a NAICS code beginning with 23: <b>REJECT</b> the SSR and provide explanation so that contractor knows what to correct; most likely, the contractor inadvertently selected “Commercial Plan” when they should have selected “Individual Plan”. <b>NOTE:</b> Construction and related maintenance-repair-type work are not acceptable for commercial subcontracting plans (any NAICS code beginning with 23).

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<b>H</b>	Cumulative Fiscal Year Subcontract Awards	Contractor inputs whole dollars; system calculates percentages based on total dollars entered in Line Item 1(c) and validates that the dollars for any of the socioeconomic categories cannot be greater than the dollars for small business in Line Item 1(a).	<p>If totals represent subcontracting dollars spent exclusively on Government or DoD contracts:  <b>REJECT</b> the SSR and provide explanation so that contractor knows what to do.</p> <p><b>NOTE:</b> The dollars represent the total amount of subcontract awards spent (performed in the United States and its outlying areas) for the items/services under the approved commercial subcontracting plan. These totals represent subcontracting for both Federal Government AND non-Federal Government business, rather than solely to Federal Government contracts.</p> <p>If SSR contains negative numbers:  <b>REJECT</b> and provide an explanation so contractor knows what to do.</p> <p><b>NOTE:</b> Contractor should NOT input a negative number on the SSR.</p>
<b>I</b>	Specify Agencies to Which You are Submitting this Report and Percentages of Dollars Attributable to Each	Contractor selects the Federal agencies and/or contracting organizations which awarded prime contracts covered by the contractor's commercial subcontracting plan. For each identified agency/organization, the contractor enters a number which represents the percentage of the total subcontracting dollars attributable to each agency/organization.	<p>Contractor cannot have 100 percent for:</p> <ul style="list-style-type: none"> <li>Federal Government as a whole</li> <li>Any single Government agency</li> <li>Or any combination thereof</li> </ul> <p>If so, <b>REJECT</b> the SSR and provide explanation so that contractor knows what to correct.</p> <p><b>NOTE:</b> Any figure between 50 percent and 99 percent is suspect; one would think that the portion of subcontracting dollars for the Federal Government should be quite small in comparison to the overall subcontracting dollars (on the entire product line or service performed in the United States and its outlying areas) and even smaller to a specific Federal agency; however, this is just a good guideline to follow and is not set in stone; verify with the contractor.</p>
<b>J</b>	Approver	Contractor checks the contracting organization responsible for accepting and rejecting this report.	<p>If the contractor selects Dept of Defense (9700) or the top level of a DoD department/agency and not a contracting office organization:  <b>REJECT</b> SSR and provide explanation so that contractor knows what to correct.</p> <p><b>NOTE:</b> The CO who approved the contractor's commercial subcontract plan is responsible for reviewing and approving the related SSR.</p> <p><b>NOTE:</b> The CO who approved the commercial subcontracting plan should send an email to other agencies listed with percentages attributable, and request justifications to reject the report; otherwise Reviewer should move forward and approve or reject the report.</p> <p><b>NOTE:</b> In order to "see" the SSR in eSRS, the approver must be registered in eSRS at the contracting office level. The contractor must select the same contracting office level when identifying the office of the contracting official who approved the commercial subcontracting plan.</p> <p><b>NOTE:</b> DCMA does not approve commercial subcontracting plans.</p>

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<b>K</b>	Remarks	<p>Contractor provides explanation for zero dollars in any small business category or failed to meet the dollar or percentage goals in the commercial subcontracting plan. The contractor should explain why and provide a plan of action or comments that would be helpful to the person reviewing the report.</p> <p><b>NOTE:</b> There are no goals for large businesses, HBCU/MI, ANC or Indian Tribe businesses.</p> <p>Contractor includes the contract # of the one awarded contract subject to the plan (contract with latest completion date)</p>	<p>If no comment/explanation or plan of action is provided for categories where contractor entered zero dollars or did not meet goal:</p> <p><b>REJECT</b> SSR and provide explanation so that contractor knows what to correct.</p> <p><b>NOTE:</b> The contractor's explanation and mitigation plan should demonstrate its good faith effort in meeting the subcontracting goals. The contractor's effort or lack of effort should be assessed annually in CPARS.</p>
<b>L</b>	Contractor's Official Who Administers Subcontracting Program	Contractor provides name, title and phone number of company official who administers the contractor Small Business Subcontracting Program.	<p>This person is an employee of the contractor and not a Government person. If contractor does not provide correct person:</p> <p><b>REJECT</b> SSR and provide explanation so that contractor knows what to do.</p>
<b>M</b>	Certification	Contractor certifies that the data being submitted on the report is accurate and that the dollars and percentages reported do not include lower-tier subcontracts, except as set forth for ANC and Indian Tribes.	<p>If contractor does not certify:</p> <p><b>REJECT</b> the SSR and provide explanation so that contractor knows what to correct.</p>
<b>N</b>	Chief Executive Officer (CEO) and date certified	Contractor provides the full name and title of the CEO or the most senior executive for the company submitting the report; no delegation of authority is accepted. Contractor selects date from pull-down calendar.	No action required by reviewer, unless reviewer has information indicating that the information provided is inaccurate
<b>O</b>	CEO Approval	Contractor indicates whether or not the individual who is listed as the CEO on the report will sign a paper print-out of the report and keep it on file.	<p>If no one certifies:</p> <p><b>REJECT</b> SSR and provide explanation so that contractor knows what to correct.</p>
<b>P</b>	Email address of Government Employee(s) and/or Other Person(s) to be Notified that you Have Submitted this Report	Contractor provides e-mail address of Government employee(s) and/or other person(s) to be notified about the submitted SSR. eSRS will send a notification to listed parties advising that an SSR was submitted.	<p>No action required by reviewer.</p> <p><b>NOTE:</b> Reports should not be rejected because a contracting official's email address is not included in the report.</p> <p>This does not mean that those notified have the responsibility to review the report.</p>

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### **Other Issues**

1. Reviewing SSRs
  - a. Accomplishing the “acknowledge receipt” function is not considered acceptance of the reported information
  - b. If reviewer “acknowledges receipt” of the report and later determines the report is incorrect, the reviewer may then “Reopen” or “Reject” the report.
  - c. Reviewer must provide an explanation for the reopened or rejected report so that the contractor knows what to correct
2. For all reports submitted after the Apr and Oct reporting period end dates, the “acknowledge receipt/reject” functions should be completed within 30 days of a contractor’s submission

**NOTE:** Passwords for all registrations in eSRS must be changed every 90 days. If reset is required, contact the Federal Service Desk for assistance at: