DoD South East Regional Council
Training Event

April 3, 2017
Afternoon Session
Presenters

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Subcontracting Compliance – Post-Award Functions

- Introductions
- Subcontracting Plans and Related Reports (handout)
- Preparing and Reviewing ISRs (handout and exercise)
- Preparing and Reviewing SSRs under Individual Plan (handout and exercise)
- Preparing and Reviewing SSRs under Commercial Plan (handout and exercise)
- Assessing Contractor’s Subcontracting Performance (CPARS) (exercise)
Subcontracting Compliance – Post-Award Functions

Subcontracting Plans and Related Reports
- Review Handout
Subcontracting Compliance – Post-Award Functions

Preparing and Reviewing ISRs under Individual Subcontracting Plan

- Review Handout
- Exercise
List of Contracts for ISR and CPARS Exercises

1. Contract #: (complete ISR)
2. Contract #: DAAA0902D0007
   Contract #: DAAA0902G0016
3. Contract #: DAAD1300C0021
   Contract #: FA460014D0004
4. Contract #: W911NF15C0210
   Contract #: N6247013D6022
Subcontracting Compliance – Post-Award Functions

Preparing and Reviewing SSRs under Individual Subcontracting Plan

- Review Handout
- Exercise
Subcontracting Compliance –
Post-Award Functions

Preparing and Reviewing SSRs under Commercial Subcontracting Plan

- Review Handout
- Exercise
Preparing and Reviewing SSR under Commercial Subcontracting Plan

- Commercial Subcontracting Plan Goals (% and $) are based on ALL
  - Subcontracting under Government contracts
  - Subcontracting under Non-government contracts

AND
Preparing and Reviewing SSR under Commercial Subcontracting Plan

- SSR under Commercial Subcontracting Plan reports TOTAL dollars under
  - Government contracts

AND
- Non-government contracts
Preparing and Reviewing SSR under Commercial Subcontracting Plan

- SSR under Commercial Subcontracting Plan reports $ subcontracted to each Federal agency based on 
  % of TOTAL dollars
Resources

- OSBP is transitioning to new website
  - Old -- http://www.acq.osd.mil/osbp/
  - New -- (http://business.defense.gov/)
  - Acquisition tab / Subcontracting
    Subcontracting page is under construction

- Guidance for Contractor Performance Assessment Reporting System (CPARS)
  - https://www.cpars.gov/
Resources

- “DoD Checklist for Reviewing Subcontracting Plans” (Mar 2017)
- “DoD Subcontracting Program – Business Rules and Processes for Electronic Subcontracting Reporting System (eSRS) and Preparing and Reviewing Related Subcontract Reports” (Mar 2017)
- “The Basics of Subcontracting” (Mar 2017)
Resources

- “Guide to Preparing/Reviewing Summary Subcontract Report (SSR) for an Individual Subcontracting Plan” (Mar 2017)
- “Guide to Preparing and Reviewing the Summary Subcontract Report (SSR) for a Commercial Subcontracting Plan” (Mar 2017)
- “DoD Instruction 4205.01, DoD Small Business Programs (SBP)” (6/8/2016)
Resources

- FAR Case 2017-008, “Duties of Office of Small and Disadvantaged Business Utilization”:
  - Implements section 835, NDAA FY 17 (amends USC 644(k) to provide additional duties of OSDBU
Reporting Reminders

- Contract (CAR) must be coded properly in FPDS in order for the contractor to submit the ISR “Preference Programs and Other Data” -- Subcontract Plan:
  - Contracts awarded prior to May, 2015: choose from 5 options
    - Plan not required
    - Plan required Incentive Included / Not Included
    - Pre-2006
    - Other
Reporting Reminders

- (cont) CAR section “Preference Programs and Other Data” -- Subcontract Plan:
  - Contracts awarded *after* May, 2015:
    - Plan not required
    - Individual Subcontracting Plan
    - Commercial Subcontracting Plan
    - DoD Comprehensive Subcontracting Plan
Reminders

- SF 294s submitted in lieu of ISR
- Contracts not reported in FPDS (FAR 52.219-9, Alternate III)
  - Classified
  - Agencies with waiver from reporting contracts in FPDS (NGA, NSA, DIA)
  - Orders under BOAs and BPAs (DFARS 219.706 Class Deviation 2016-O0009)
CPARS Primary Objectives

- Ensure Current, Complete, and Accurate Information on Contractor Performance Available for Use in Source Selections
- Support Best Value Source Selection Decisions – Awards for Proven Performers
- Provide Up-To-Date Documentation of Contractor’s Ability to Provide Quality, On-Time Products and Services that Conform to Contractual Requirements
- Motivate Improved Performance
- Support Responsibility Determinations of Prospective Contractors
Evaluate Prime Contractor Performance Only

- Joint Venture- Single CPAR Prepared if Unique DUNS Number Assigned
- Do Not Evaluate Subcontractor Performance
- Privity of Contract Between Prime-Sub
- Guidance on evaluating Contract types (Section B, Para 2 (Single, Multiple Awards, UCAs, etc.)
6 Steps to Successful Subcontracting

1. Consider SB subcontracting in Acquisition Planning
2. Capture subcontracting strategy in solicitation
3. Evaluate SB Participation in Source Selection
4. Monitor Subcontracting Requirements (eSRS)
5. Evaluate and Document Performance
6. Report Contractor Performance in CPARS
FAR 42.1503
- Evaluation Ratings Definitions
- Evaluations Automatically Transmitted to Past Performance Information Retrieval System (PPIRS)
- Agencies Shall Use PPIRS Information in Source Selections
  - Within 3 Years of Contract/Order Completion
  - 6 Years for Architect-Engineer and Construction
- Past Performance Information Shall be Entered Into CPARS
FAR 15.304
- Past Performance Shall be Evaluated in All Source Selections for Negotiated Competitive Acquisitions Expected to Exceed Simplified Acquisition Threshold
Subcontracting (large businesses) is required on contract awards greater than $700,000.00.

- Who is responsible for monitoring the data after contract award?
- Who inputs the data after contract award?
- Who tracks what has been agreed to in the contract?
- Does any of the tracking and input overlap?

The responsibilities are outlined in the CPAR Guide.
Assessing Official Examples:
- “The Person Responsible for the Contracting or Execution of the Program, Project, Order”
- Contracting Officer
- Program Manager or Equivalent
- This is a Government Only role
- For Civilian Agencies, generally someone in Contracting
- For DoD, generally someone from Requirements Community
Past Performance Process Overview

Government Contracting & Program Officials

Government Source Selection Officials

CPARS

PPIRS

Contractor Representative

Contractor Senior Management
Requesting Focal Point Access

Be sure to provide a justification for your request. If you are replacing an existing Focal Point, include their name and email address.

Complete Access Request and click Agree and Submit Request.
## Table 1 – Business Sector, Dollar Threshold and Reviewing Official

<table>
<thead>
<tr>
<th>Business Sector</th>
<th>Dollar Threshold¹</th>
<th>Reviewing Official²</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Civilian Agencies (excludes DoD):</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Systems and Non-Systems</td>
<td>=&gt;Simplified Acquisition Threshold</td>
<td>One level above the Contracting Officer, as determined by Department or Agency policy</td>
</tr>
<tr>
<td>Architect-Engineer</td>
<td>=&gt;$35,000; All Terminations for Default</td>
<td>One level above the Contracting Officer, as determined by Department or Agency policy</td>
</tr>
<tr>
<td>Construction</td>
<td>=&gt;$700,000; All Terminations for Default</td>
<td>One level above the Contracting Officer, as determined by Department or Agency policy</td>
</tr>
<tr>
<td><strong>DoD Services and Agencies:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Systems (includes new development and major modifications)</td>
<td>=&gt;$5,000,000</td>
<td>One level above the PM³</td>
</tr>
<tr>
<td>Non-Systems</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operations Support</td>
<td>=&gt;$5,000,000⁴</td>
<td>One level above the AO</td>
</tr>
<tr>
<td>Services</td>
<td>=&gt;$1,000,000</td>
<td>One level above the AO</td>
</tr>
<tr>
<td>Information Technology</td>
<td>=&gt;$1,000,000</td>
<td>One level above the AO</td>
</tr>
<tr>
<td>Ship Repair and Overhaul</td>
<td>=&gt;$500,000</td>
<td>One level above the AO</td>
</tr>
<tr>
<td>Architect-Engineer</td>
<td>=&gt;$35,000; All Terminations for Default</td>
<td>One level above the AO</td>
</tr>
<tr>
<td>Construction</td>
<td>=&gt;$700,000; All Terminations for Default</td>
<td>One level above the AO</td>
</tr>
</tbody>
</table>
CPAR GUIDE

1. Within 30 Days of Contract Award
   → FP/AFP, AOR, or AO Registers Basic Contract Information

2. 335 Days After Contract Award
   → Evaluation Appears on AOR/AO To Do List

3. 365 – 485 Days After Contract Award
   → AOR/AO Enters Evaluation Ratings & Narratives

4. 365 – 485 Days After Contract Award
   → AO Sends Evaluation to CR

5. Days 1 – 14 After Eval Sent to CR
   → CR May Send Comments

   If CR Sends Comments and AO/RO Closes, Eval Sent to PPIRS
There are two more pages of steps in the CPAR Guide – this is just a sample through Step 7
Attachment 3 Instructions for Completing a CPAR

A3.24 Small Business Utilization. Answer the following questions:

• Does this contract include a subcontracting plan?

• Date of last Individual Subcontracting Report (ISR) / Summary Subcontracting Report (SSR)
<table>
<thead>
<tr>
<th>Contract/Schedule Number: N0001905C0008</th>
<th>Order Number: 0011</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Click on a tab below to view/enter the related information; fields identified with * are required)</td>
<td></td>
</tr>
<tr>
<td><strong>Contractor Name/Address</strong></td>
<td><strong>Contract Information</strong></td>
</tr>
<tr>
<td>* Does this contract include a subcontracting plan? (Select)</td>
<td>N/A</td>
</tr>
<tr>
<td>Is small business subcontracting under this contract included in a comprehensive small business subcontracting plan?</td>
<td>N/A</td>
</tr>
<tr>
<td>Is small business subcontracting under this contract included in a commercial small business subcontracting plan?</td>
<td>N/A</td>
</tr>
<tr>
<td>Date of last Individual Subcontracting Report (ISR) / Summary Subcontracting Report (SSR):</td>
<td>N/A</td>
</tr>
</tbody>
</table>

(Click on a tab below to view/enter the related information; fields identified with * are required)

<table>
<thead>
<tr>
<th><strong>Contractor Name/Address</strong></th>
<th><strong>Contract Information</strong></th>
<th><strong>Misc Information</strong></th>
<th><strong>Small Business Utilization</strong></th>
<th><strong>Assessor</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>18. Evaluate the following Areas: (rate or select N/A for all major areas, a - e)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Past Color: N/A</td>
<td>Color: (Select)</td>
<td>Trend: N/A</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20. Assessing Official Narrative (151.89 characters remaining for all Assessing Official Narrative fields)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Attachment 3 Instructions for Completing a CPAR
A3.31 Utilization of Small Business

• FAR Subpart 19.7 and 15 U.S.C.637 contains statutory requirements for complying with Small Business Subcontracting Program
• Access whether the contractor provided maximum practicable opportunity for Small Business including:
  • Alaska Native Corporations (ANCs) and Indian Tribes)
  • Women Owned, HUBZone, Veteran Owned, Service Disabled Veteran Owned Small Business, and Indian Tribes that are not Small Disadvantaged Businesses or Small Businesses
A3.31.1 Utilization of Small Business

• Assess compliance with ALL terms and conditions of the contract/order relating to Small Business participation (including FAR 52.219-8, Utilization of Small Businesses and FAR 52.219-9 Small Business Subcontracting Plan (when required) Small business participation goals which are stated separately in the contract/order. Assess achievement on each individual goal stated within the contract/order or subcontracting plan including good faith effort if the goal was not achieved.
Attachment 3 Instructions for Completing a CPAR

A3.31.2 Utilization of Small Business

• It may be necessary to seek input from the Small Business Professional (Specialist) or Contracting Officer in regards to the contractor’s compliance with these criteria. For DoD in cases where the contractor has a comprehensive subcontracting plan, request DCMA Comprehensive Subcontracting Plan Manager to provide input including any program specific performance information.
Attachment 3 Instructions for Completing a CPAR

A3.31.3 Utilization of Small Business

- For contracts/orders subject to a commercial subcontracting plan, the Utilization of Small Business factor should be rated “satisfactory” as long as an approved plan remains in place, unless liquidated damages have been assessed by the contracting officer who approved the commercial plan (see FAR 19.705-7(h)). In such case, the Utilization of Small Business area must be rated “unsatisfactory”.
Attachment 3 Instructions for Completing a CPAR

A3.31.4 Utilization of Small Business
• This area must be rated for all contracts and task orders that contain a small business subcontracting goal.

A3.31.5 Utilization of Small Business
• Ratings will be in accordance with definitions described in Attachment 2, "Evaluation Ratings Definitions For The Small Business Evaluation Factor when 52.219-9 is used."
## Ratings and Narratives

### Utilization of Small Business Rating Definitions (FAR 42.1503 Table 42-2)

<table>
<thead>
<tr>
<th>Rating</th>
<th>Subcontracting Plan</th>
<th>ISR/SSR</th>
<th>Benefits / Impacts</th>
</tr>
</thead>
<tbody>
<tr>
<td>Exceptional</td>
<td>Exceeded All Statutory Goals</td>
<td>Accurate &amp; Timely</td>
<td>Multiple Significant Events of Benefit</td>
</tr>
<tr>
<td>Very Good</td>
<td>Met All Statutory Goals</td>
<td>Accurate &amp; Timely</td>
<td>Significant Event of Benefit</td>
</tr>
<tr>
<td>Satisfactory</td>
<td>Good Faith Effort to Meet Goals</td>
<td>Accurate &amp; Timely</td>
<td>Minor Problems; Major Problems w/ Corrective Action</td>
</tr>
<tr>
<td>Marginal</td>
<td>Deficient in Meeting Key Plan Elements</td>
<td>Inaccurate; Untimely</td>
<td>Significant Event Contractor Had Trouble Overcoming</td>
</tr>
<tr>
<td>Unsatisfactory</td>
<td>Noncompliant; Uncooperative</td>
<td>Inaccurate; Untimely</td>
<td>Multiple Significant Problems; Liquidated Damages</td>
</tr>
</tbody>
</table>
A3.31.6 Utilization of Small Business

- Evaluations of the utilization of small business are required for contracts and orders placed against basic ordering agreement (BOA), blanket purchase agreement (BPA), or GWAC/MAC if a subcontracting plan is required. Evaluations of utilization of small business for single-agency task orders and delivery orders are required when the contracting officer determines, in accordance with FAR Subpart 42.1502(d), it is more appropriate to complete a CPAR on each task/delivery order rather than completing a consolidated CPAR for the indefinite delivery contract and each exercised option year period. Execution of any subcontracting plan may be addressed in the narrative section for the Assessing Official.
A3.31.6 Utilization of Small Business

- Although FAR 19.705-2(e) states a contract may have no more than one subcontracting plan, performance against small business utilization may be more appropriately managed through individual task orders to achieve overall contract small business subcontracting goals as indicated in preceding paragraph.
Attachment 3 Instructions for Completing a CPAR

A3.31.6 Utilization of Small Business

- Although paragraph 2.1.1 requires a CPAR to be completed for each order placed against multi-agency indefinite delivery vehicle (IDV), the subcontracting utilization assessment must be completed by the agency that awarded the contract unless the contract ordering instructions allow for separate small business subcontracting goals to be incorporated into each order. Multi-agency IDVs include federal Supply Schedules (FSS), Government Wide Acquisition Contracts (GWAC), and Multiple Agency Contracts (MAC).
List of Contracts for ISR and CPARS Exercises

1. Contract #: (actual ISR)
2. Contract #: DAAA0902D0007
   Contract #: DAAA0902G0016
3. Contract #: DAAD1300C0021
   Contract #: FA460014D0004
4. Contract #: W911NF15C0210
   Contract #: N6247013D6022
QUESTIONS?
RESOURCES

- Guidance for CPARS Document
  http://www.cpars.gov/refmatl.htm

- DoD OSBP Subcontracting POC
  Janice.L.Buffler.Civ@mail.mil

- DAU Small Business POC
  Jeanette.Robinson@dau.mil
  http://www.dau.mil
CPARS Customer Support & Website

• **Customer Support Desk**
  • Monday – Friday: 6:30 am – 6:00 pm ET
  • Commercial: 207-438-1690
  • Email: webptsmh@navy.mil

• **CPARS Website:** [https://www.cpars.gov](https://www.cpars.gov)
  • System Logon
  • Guidance for CPARS Document
  • User Manual
  • Training Information
  • Quality Checklist
  • FAQs