Tips for DoD Contractors Submitting Subcontracting Reports in the Electronic Subcontracting Reporting System (eSRS)

Not Required of Small Business Contractors

August 2015

DoD Office of Small Business Programs (OSBP)

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1 General Information

1.1 Types of Subcontracting Plans and Their Reporting Requirements

1.1.1 Individual Subcontracting Plan[1]

- Applicable to a specific contract
- Contains 11 mandatory elements
- Requires Subcontracting Reports (includes all subcontracting performed in the United States and its outlying areas)
    - Individual Subcontract Report (ISR) required semiannually (or SF 294, if applicable)
    - Requires consolidated Summary Subcontract Report (SSR) to be submitted annually within 30 days (by October 30) after the Government fiscal year ends (covers October 1 to September 30)
- Goals (% and $) support planned subcontracting and cover the entire period of performance of the contract

1.1.2 Commercial Subcontracting Plan[2]

- Annual plan (applies to all Federal Government contracts in effect during that period)
- Preferred for contractors furnishing commercial items (not for commercial construction or real estate)
- Applies to entire production of commercial items sold by either entire company or a portion thereof (division, plant or product line)
- Based on contractor's fiscal year (FY)
- Contains 11 mandatory elements
- Requires SSR to be submitted annually within 30 days (by October 30) after the end of the Government fiscal year (September 30); includes all subcontracting performed in the United States and its outlying areas

1.1.3 DoD Comprehensive Subcontracting Plan (CSP)[3]

- DoD Test Program for Negotiation of Comprehensive Small Business (SB) Subcontracting Plans (CSP) authorized through December 31, 2017
- Similar to Commercial Subcontracting Plan
    - May be on plant / division / corporate basis
    - Annual plan (applies to DoD contracts in effect during period)
- Only the Defense Contract Management Agency – CSP Division is delegated authority to negotiate plan and perform surveillance review functions (with input from Military Deputies/Defense Agencies)

- Requires SSR to be submitted semiannually; includes all subcontracting performed in the United States and its outlying areas for prime contracts and subcontracts under the DoD CSP; may also indicate subcontracting dollars by departments/agencies and programs

1.2 Prime Contractor Responsibilities

- "Flow down" applicable Federal Acquisition Regulation (FAR)/Defense FAR Supplement (DFARS) clauses to its next-lower-tier subcontractors
- Provides the following information to its next-lower-tier subcontractors with ISRs
    - Prime contract number
    - Prime contractor's DUNS number
    - POC information, including e-mail address of the prime's person responsible for reviewing the next-lower-tier contractors' subcontracting plans, ISRs, (or SF 294s, if applicable)
- Requires its next-lower-tier subcontractors with ISRs to do the same for their next-lower-tier subcontractors with subcontracting plans and reporting requirements
- Reviews its next-lower-tier subcontractors' Individual Subcontracting Plans, ISRs in eSRS (or SF 294s, if applicable)

1.3 Subcontractor Responsibilities

- Flows down applicable FAR/DFARS clauses to its next-lower-tier subcontractors
- Provides the following information to its next-lower-tier subcontractors with ISRs
    - Prime contract number
    - DUNS number of contractor awarding the subcontract
    - POC information, including e-mail address of the prime contractor's person responsible for reviewing the next-lower-tier contractors' subcontracting plans, and ISRs (or SF 294s, if applicable)
- Requires its next-lower-tier subcontractors with ISRs to do the same for their next-lower-tier subcontractors with subcontracting plans and reporting requirements
- Reviews its next-lower-tier subcontractors' ISRs in eSRS (or SF 294s, if applicable)

1.4 Prime Contractor/Subcontractor Definitions in Joint Venture/Team Arrangement

If the Government awards a contract to a joint venture legal entity, then the joint venture is the "prime contractor." If the members of the joint venture team perform work in the joint venture, the members of the joint venture are considered to be "subcontractors" to the joint venture.

2 Submitting Subcontracting Reports

2.1 ISRs (or SF 294s, if applicable[4])

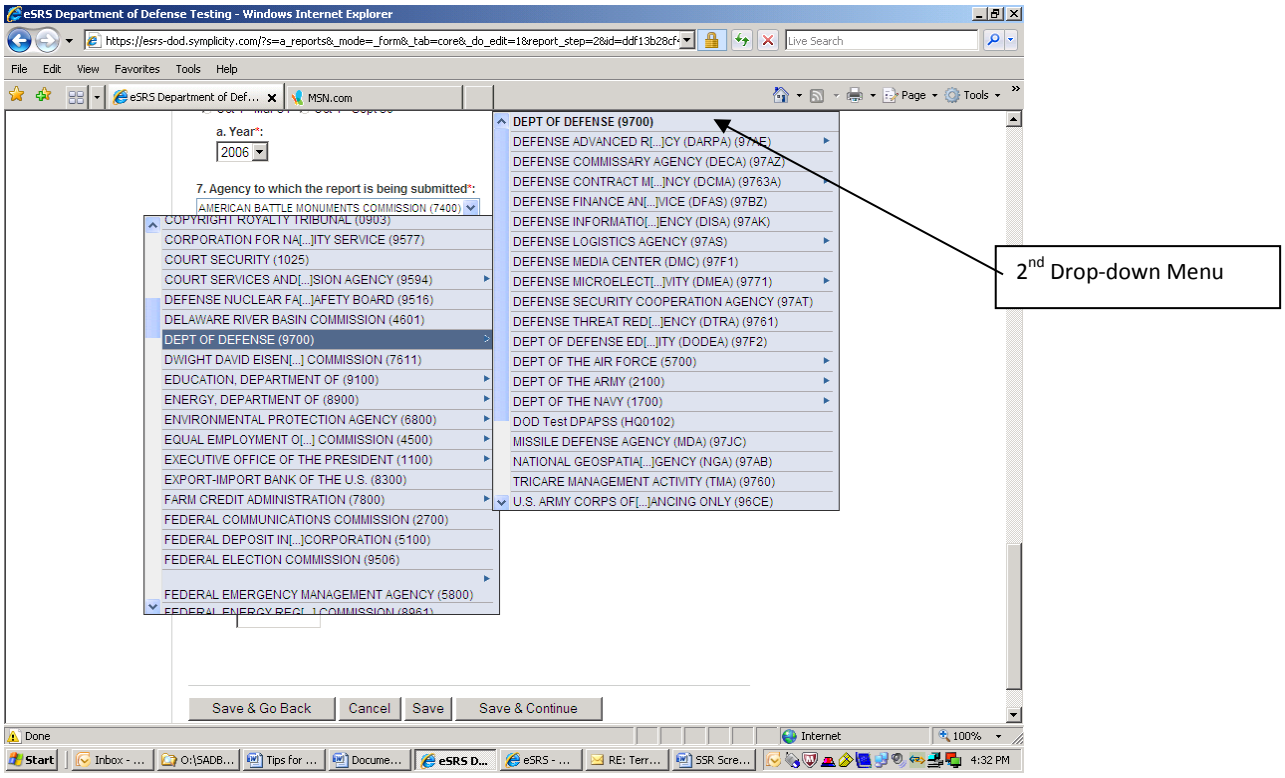
- Submitted semiannually for DoD during contract performance
- Due 30 days after the end of each reporting period, March 31 and September 30 (April 30 and October 30, respectively)
- "Final" ISR (or SF 294, if applicable) is required within 30 days of contractor's completion of subcontract obligations
- If warranted, when reporting subcontracting dollars on the ISR, the dollars may be reported as a negative amount
- Not required
    - From contractors with Commercial Subcontracting Plans[5] or DoD Comprehensive Subcontracting Plans[6]
    - On contracts for personal services or performed entirely outside the United States and its outlying areas or on contracts awarded to small businesses[7]
    - Grants, cooperative agreements or other transactions[8]
- Important reminders regarding correct data
    - In the section of the ISR titled "Contractor's Subcontracting Plan Administrator," provide the name of the contractor's employee, **NOT** that of a Government employee; ensure to provide the correct POC information for the person in the company who is responsible for the company's subcontracting plan and review of its subcontractors' subcontracting plans and reports
    - Ensure to also include subcontracting dollars in the Small Business category when reporting subcontracting dollars in the other socioeconomic categories; for example, if reporting subcontracting dollars in the women-owned small business category, ensure to also include them in the small business category
    - Ensure that the subcontracting dollars claimed in the ISR represent all subcontracting (performed in the United States or its outlying areas) **from the inception of the contract to the reporting date**
    - Include the e-mail address of the procuring contracting officer and any other Government contracting personnel with whom you are in regular contact; however, this is not required
    - When applicable, ensure to select the correct contracting agency when the agency that administers the contract is different from the agency that awarded the contract

2.2 SSR under Individual Subcontracting Plan[9]

- The SSR includes all subcontracted dollars (performed in the United States or its outlying areas) under prime contracts and subcontracts, regardless of dollar value; this includes orders under Basic Ordering Agreements (BOAs) and Blanket Purchase Agreements (BPAs); task orders; direct and indirect subcontracts; and classified and unclassified contracts
- Depending on the organization of a company, the company can report subcontracted dollars at the corporate level with a unique DUNS number which includes multiple DUNS numbers representing separate divisions, sectors, or locations of the company

- Report subcontracting dollars on SSR in positive or zero amounts only; **do not report dollars in negative amounts**
- Submit SSR annually for the 12 months ending September 30; reports are due 30 days after the end of the reporting period (October 30)
- Submit separate SSRs to each Federal agency that awarded contracts
- To select the "agency to which this report is submitted," (question number 7), select the "Dept of Defense (9700)" from the list of all Federal agencies in the first drop-down menu, then again at the top of the list in the second drop-down menu (see Figure 1)
- Include the e-mail addresses of those who should receive a notification regarding the submission of the SSR

FIGURE 1: This screenshot shows a list of DoD departments/agencies (Components) from which to choose to submit an SSR. The list is the same for both construction and non-construction contracts. **<u>Choose only DoD 9700.</u>**



2.3 SSR under Commercial Subcontracting Plan[10]

- The SSR required under a Commercial Subcontracting Plan applies to contractors furnishing commercial products and/or services; **it does not apply to construction and maintenance of commercial buildings/properties**
- The SSR "Total Dollars" represent subcontracting (performed in the United States or its outlying areas) for **both Federal Government AND non-Federal Government;** applies to the entire production of commercial items or services sold

- Report subcontracting dollars on the SSR in positive or zero amounts only; **do not report dollars in negative amounts**
- If subcontracting with multiple Government agencies
    - Identify the agencies
    - Determine percentage of "Total Dollars" attributable to each
        - The percentage should be rather small, since this is based on the total subcontracting (performed in the United States and its outlying areas) for both Federal Government AND non-Federal Government
- Identify the "approver" of the Commercial Subcontracting Plan (see Figure 2)
    - If the "approver" is within DoD, the contractor must "drill down" within the DoD subordinate departments and agencies (in the drop-down menus) to select the correct contracting office that approved the Commercial Subcontracting Plan; this may require the contractor to drill down through several drop-down menus in eSRS (see Figure 3.); if unsure of the office, contact the Government contracting official for assistance
    - If the approver is another Federal agency, then select the appropriate agency from the first drop-down menu
- Include the e-mail addresses of those who should receive a notification regarding the submission of the SSR
- Submit annually within 30 days after the end of the Government's fiscal year (by October 30)
- The SSR is **not required** from vendors who are **ONLY SUBCONTRACTORS**, and have no prime contracts
    - The vendor must have at least **ONE** prime contract with an approved Commercial Subcontracting Plan in effect during the reporting period
    - The prime contractor with a Commercial Subcontracting Plan is not required to flowdown the requirement for a Subcontracting Plan to its subcontractors[11]
    - A prime contractor who is also the subcontractor should submit one commercial SSR

Figure 2: This screenshot shows a list of Federal agencies (in the first drop-down menu) from which to choose to submit an SSR.

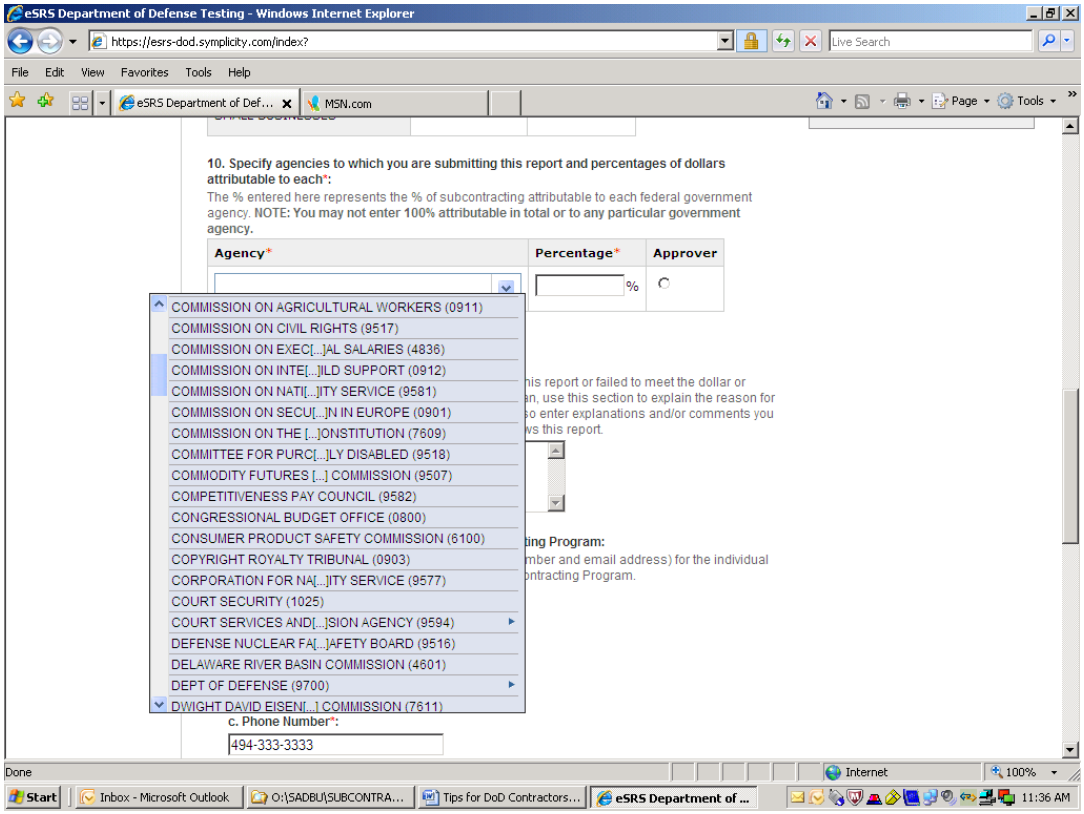
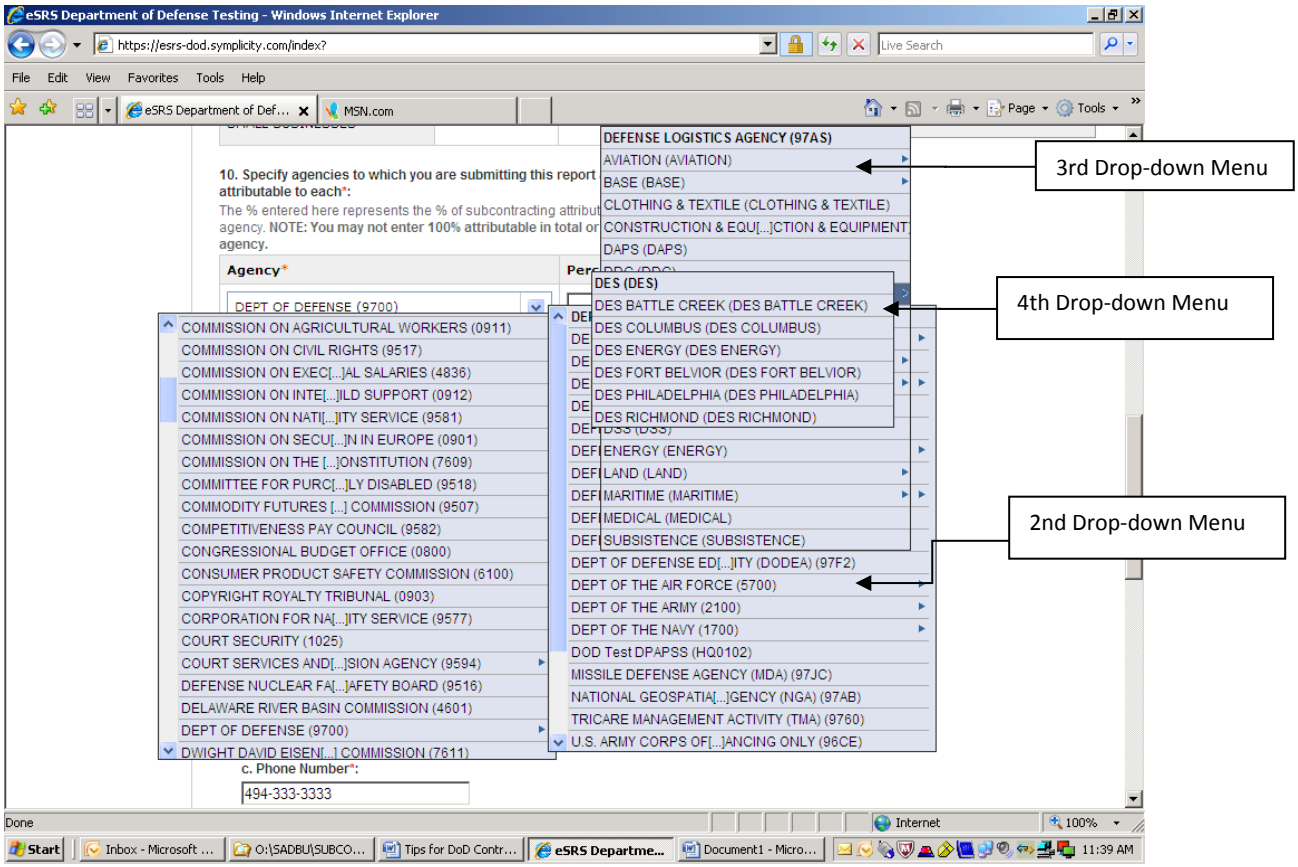


Figure 3: This screenshot shows multiple drop-down menus from which to choose the DoD contracting office that approved the Commercial Subcontracting Plan. This example shows the various contracting offices located under the Defense Logistics Agency.



2.4 Year-End Supplementary Report for Small Disadvantaged Business (Year-End SDB)

- NOTE: This report is no longer required[12]

2.5 Small Disadvantaged Business Participation (SDB Participation)

- NOTE: This report is no longer required[12]

3 Assistance

For answers to questions regarding subcontracting policy, contact the DoD OSBP at OSBPInfo@osd.mil.

Additional guidance is available on the eSRS website at http://www.esrs.gov/

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[1] FAR 52.219-9
[2] FAR 52.219-9
[3] DFARS 252.219.7003 and 7004
[4] FAR 52.219-9 *Alternate III (July 2010)* for contracts not reported in FPDS, per FAR 4.606(c)(5); AND Class Deviation 2008-O0008, Electronic Subcontracting Reporting, February, 12, 2009, Modified May 6, 2009, for each order placed against a Basic Ordering Agreement (BOA) or a Blanket Purchase Agreement (BPA), as orders are not supported by eSRS.
[5] FAR 52.219-9(g)
[6] DFARS 252.219-7004(d)
[7] FAR 19.702(b)
[8] Falls under DoD 3210.6-R, "Department of Defense Grant and Agreement Regulations, April 13, 1998" (Does not include FAR/DFARS Part 19/219
[9] FAR 52.219-9(l)(2)(i)(C)
[10]FAR 52.219.9(l)(2)(ii)(C)
[11] Per FAR 52.244-6, Subcontracts for commercial items, a prime contractor is not required to insert FAR 52.219-9, Subcontracting Plans, in its subcontracts for commercial items. In addition, FAR 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders, Commercial Items, section (e) does not require the prime contractor to flowdown FAR 52.219-9, Subcontracting Plan, to its subcontractors.
[12]SSR Class Deviation number 2013-O0014 dated September 9, 2013 and 10 USC 2323 has expired.