



Department of Defense Office of Small Business Programs

Tips for DoD Contractors Submitting Subcontracting Reports

(Not applicable to Small Businesses)

(Revised: March 2012)

I. General Info

1. Prime Contractor Responsibilities

- “Flows-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 individual subcontract plans
 - Prime contract number.
 - Prime contractor’s DUNS number.
 - POC information, including email address, of the prime’s person responsible for reviewing the next lower-tier contractors’ subcontracting plans and Individual Subcontract Reports (ISR) (SF 294s, if applicable).
- Requires its next lower-tier subcontractors with Individual Subcontract Plans to do the same for their next lower-tier subcontractors with subcontracting plans and reporting requirements
- Reviews its next lower-tier subcontractors’ Individual Subcontract Plans, ISRs in eSRS and SF 294s, if applicable.

2. Subcontractor Responsibilities

- “Flows down” applicable FAR/DFARS clauses for Individual Subcontract Plan to its next lower-tier subcontractors.
- Provides its next lower-tier subcontractors with Individual Subcontract Plans and the following information:
 - Prime contract number.
 - Its (contractor awarding the subcontract) DUNS number.
 - POC information, including email address, of the person (contractor awarding the subcontract) responsible for reviewing the next lower-tier contractors’ subcontracting plans and ISRs (SF 294s, if applicable).
- Requires its next lower-tier subcontractors with Individual Subcontract Plans to do the same for their next lower-tier subcontractors with subcontracting plans and reporting requirements
- Reviews its next lower-tier subcontractors’ Individual Subcontract Plans, ISRs in eSRS and SF 294s, if applicable.

3. 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, but under separate company names, the members of the Joint Venture are considered to be “subcontractors”.

II. Submitting Subcontracting Reports

1. ISRs (or SF 294s, if applicable¹)

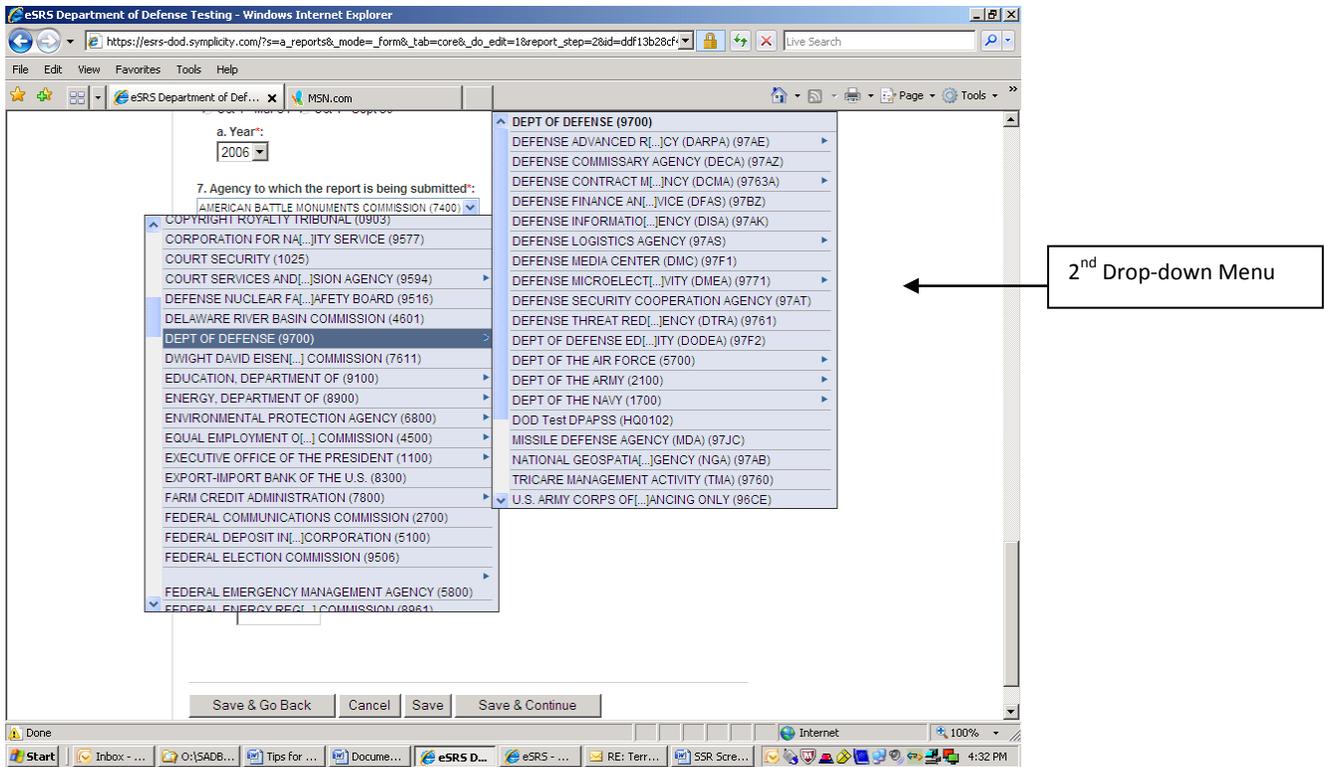
- Submitted semiannually for DoD during contract performance.
- Due 30 days after the end of each reporting period, March 31 and September 30 (April 30 and October 30).
- “Final” ISR (SF 294, if applicable) is required within 30 days of contract completion.
- When warranted, reporting subcontracting dollars on ISR, the dollars may be reported as a negative amount.
- Not required
 - From contractors with Commercial Subcontract Plans² or DoD Comprehensive Subcontract Plans³
 - Contracts for personal services or performed entirely outside the US and its territories or on contracts awarded to small businesses⁴
- Important Reminders Regarding Correct Data
 - In the section of the ISR entitled “Contractor’s Subcontracting Plan Administrator”, provide the contractor’s employee, **NOT** a government employee. Ensure that you provide the correct POC information for the person in **your** company who is responsible for the company’s subcontracting plan.
 - Ensure that you include your subcontracting dollars in the Small Business category when you report subcontracting dollars in the other socioeconomic categories. For example, if you report subcontracting dollars in the women-owned small business category, ensure that you also include them in the small business category.
 - Ensure that the subcontracting dollars you input into your ISR represent all subcontracting **from the inception of the contract to the reporting date**. This is not the same as the summary subcontract report (SSR), which is for a six-month or twelve-month reporting period.
 - Include the e-mail address of the procuring contracting officer and any other government contracting personnel with whom you are in regular contact.

2. Summary Subcontract Reports (SSR) under Individual Subcontract Plan

- The SSR includes all subcontracting dollars under prime contracts and subcontracts, regardless of dollar value⁵, which includes purchase orders; task orders; blanket purchase agreement (BPA) orders; basic ordering agreement (BOA) orders; direct and indirect subcontracts; classified and unclassified contracts and any subcontracting done in the United States and its territories.
- Can report under single DUNS # regardless of the multiple DUNS #s a company may have.
- Subcontracting dollars on SSR are to be reported in positive amounts or zero amounts only. **Do not report dollars in negative amounts.**
- Submit SSR semiannually for the six months ending March 31 and the twelve months ending September 30. Reports are due 30 days after the end of the reporting period (April 30 and October 30). **Most likely**, the subcontracting dollars reported September 30 would be more than those reported March 31.
- Submit the SSR to the DoD department or agency that administers the MAJORITY of contractor’s subcontracting plans⁶, with the following exceptions:

- For construction and maintenance-related and repair type contracts, submit separate SSR to each DoD department/agency (component) that awarded such contracts⁷, such as Department of Army or Department of the Navy; but not to the Army Corps of Engineers (USACOE) or the Naval Facilities Engineering Command (NAVFAC).
- A contractor with only subcontracts and no prime contracts must determine the DoD agency under which he is performing the majority of his subcontracts and submit the SSR to that DoD department/agency (component).
- When selecting the appropriate department/agency under “agency to which this report is submitted”, choose from the second drop-down menu of the DoD hierarchy. [i.e. Department of the Army (2100), Department of the Navy (1700), Department of the Air Force (5700), Defense Logistics Agency (DLA) (97AS), DCMA (9763)]. **Do not select from below the departments/agencies (component)⁸ listed beyond the second drop-down menu.** (See Figure 1)
- Include the email addresses of those who should receive a notification regarding the submission of the SSR

FIGURE 1: This is a screen-shot for a Contractor with an Individual Subcontract Plan showing a list of DoD departments/agencies or components from which to choose to submit a Summary Subcontract Report. The list is the same for both construction and non-construction type contracts. Choose only from the 2nd drop-down menu.



III. Summary Subcontract Reports (SSR) under Commercial Subcontract Plan

- The SSR required under a Commercial Subcontract 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 for **both federal government AND non-federal government business**; applies to the entire production of commercial items or services sold.
- Subcontracting dollars on SSR are to be reported in positive amounts 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 for both federal government **AND** non-federal government business.
- Identify “approver” of Commercial Subcontract Plan (See Figure 2)
 - If the “approver” is within DoD, the Contractor must “drill down” within the DoD hierarchy in eSRS to select the correct contracting office that approved Commercial Subcontract 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 drop-down menu in eSRS.
- Include the email 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 Subcontract Plan in effect during the reporting period.
 - The prime contractor with Commercial Subcontract Plan is not required to “flow-down” the requirement for a Subcontract Plan to its subcontractors⁹.
 - Submit one commercial SSR if you are both a prime contractor and a subcontractor.

Figure 2: This is a screen-shot for a contractor with a Commercial Subcontracting Plan showing a list federal agencies from which to choose to submit an SSR.

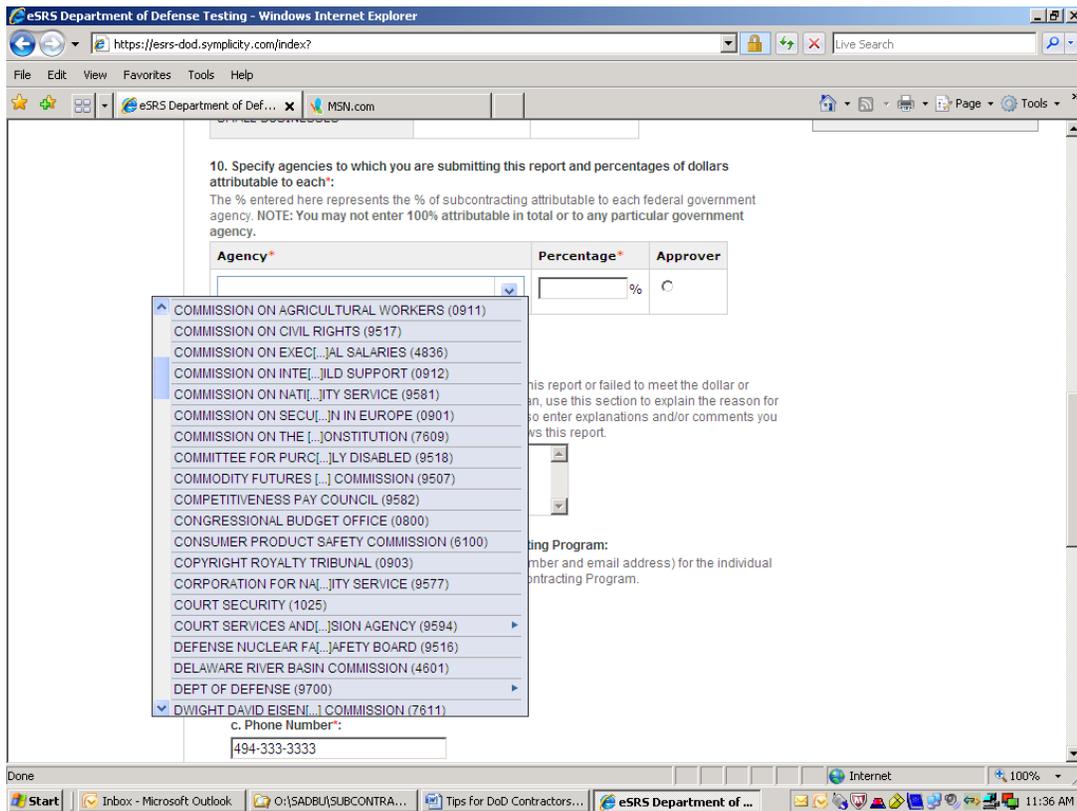
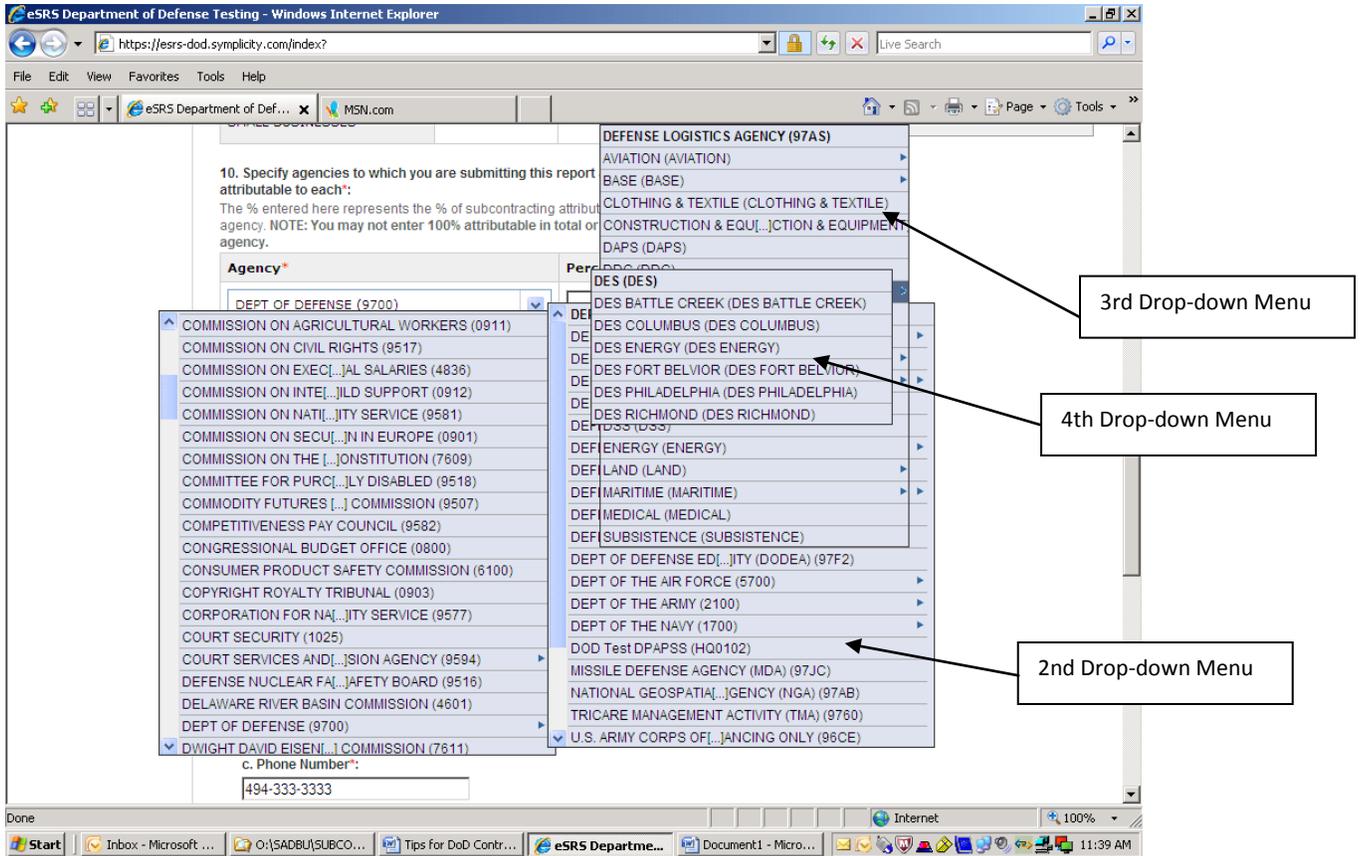


Figure 3: This is a screen-shot for a contractor with a Commercial Subcontracting Plan which is approved by a DoD contracting officer. This example shows the various contracting offices located under the Defense Logistics Agency.



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

- NOTE: Although this report is presently required when submitting the SSR, there is a proposal to amend the Federal Acquisition Regulation (FAR) to eliminate this report.¹⁰ However, this report will continue until a Final Rule is issued and the report eliminated from eSRS.
- All SSR reports submitted at the close of each fiscal year shall include a Year-End Supplementary Report for Small Disadvantaged Businesses (SDBs). The report shall include subcontract awards to SDB concerns by North American Industry Classification System (NAICS) Industry Subsector. If the data is not available when the year-end SSR is submitted, the prime Contractor and/or subcontractor shall submit the Year-End SDB Report within 90 days of submitting the year-end SSR. For a commercial plan, the Contractor may obtain from each of its subcontractors a predominant NAICS Industry Subsector and report all awards to that subcontractor under its predominant NAICS Industry Subsector.

- The total dollars contained in this report should be equivalent to the total SDB dollars contained in the accompanying SSR.

If you have questions regarding subcontracting policy, contact the DoD OSBP at OSBPInfo@osd.mil.

You will also find additional guidance posted on the eSRS website at <http://www.esrs.gov/>

¹ FAR 52.219-9 *Alternate III (July 2010)* for contracts not reported in FDPS, per FAR 4.606(c)(5); AND Class Deviation 2008-O0008, Electronic Subcontracting Reporting, Feb. 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.

² FAR 52.219-9(g)

³ DFARS 252.219-7004(d)

⁴ FAR 19.702(b)

⁵ FAR 52.219-9(l)(2)(i)(C)

⁶ DFARS 252.219-7003(h)(1)(ii) Vendors should determine the number of contracts with an Individual Subcontract Plan and the departments or agencies that administer the plans. Then the contractor should submit the SSR to the department or agency within DoD that administers the majority of the Individual Subcontract Plans

⁷ FAR 52.219-9(l)(2)(i)(C)

⁸ DoD Departments and Agencies, also considered Components, all report directly to OUSD (AT&L) – DPAP, OSBP. Those below the departments/agencies are considered to be commands or subcommands and do not report directly to OUSD (AT&L). SSRs submitted under an Individual Subcontract Plan should not be submitted to commands or subcommands.

⁹ Per FAR 52.244-6, Subcontracts for Commercial items, a prime contractor is not required to insert FAR 52.219-9, Subcontract 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 “flow-down” FAR 52.219-9, Subcontract Plan, to its subcontractors.

¹⁰ FAR Case 2009-016, Constitutionality of Federal Contracting Programs for Minority-Owned and Other Small Businesses, published in Federal Register Volume 76, Number 175 (Friday, September 9, 2011), Proposed rule, Comments due or before November 8, 2011, in order to be considered in the Final Rule.