

University of California, San Francisco Individual Subcontracting Plan

**INDIVIDUAL SUBCONTRACTING PLAN FOR PUBLIC LAW 95-507, 103-355, 105-135, HISTORICALLY UNDERUTILIZED BUSINESS ZONE ACT OF 1997, AND THE VETERANS ENTREPRENEURSHIP AND SMALL BUSINESS DEVELOPMENT ACT OF 1999, P.L. 106-50 AS IMPLEMENTED BY THE FEDERAL ACQUISITION REGULATION, THE DEFENSE SUPPLEMENT THERETO, PUBLIC LAW 100-180 and 103-337.**

**Date:**

**Contract/Subcontractor #:**

**Contractor**

**Name/Address:**

The Regents of the University of California, San Francisco  
C/O Government and Business Contracts  
University of California, San Francisco  
1855 Folsom Street, Suite 304  
San Francisco, CA 94143

**Department:**

**Research Title:**

**Principal Investigator:**

The University will, to the maximum extent possible, consistent with sound business practices and with the efficient performance of the University's contract obligations and requirements, make a concerted effort to seek out and encourage the following types of business concerns to ensure equitable opportunity:

- Small business concerns
- Small disadvantaged businesses (SDB) - businesses owned and controlled by socially and economically disadvantaged individuals
- Women-owned small businesses (WOSB)
- Historically underutilized business zone businesses, (HUBZone)
- Historically Black Colleges and Universities/Minority Institutions (HBCU/MI)
- Veteran-owned small businesses (VOSB)
- Service-disabled veteran-owned small businesses (SDVOSB) and
- Alaska Native Corporations and Indian Tribes.

The University's intent, within its stated policy requirements, is also to:

- Give these business concerns fair and equitable opportunity to compete for businesses and
- Support these businesses in becoming suppliers to the University.

**1. Goals – FAR 19.704, 52.219-9(d)(1) & (2) –Percentage and Dollar Goals**

The attached Addendum A show the goals in in terms of a percentage of total subcontracting dollars and the actual dollar amount as apply to this plan.

The Addendum B shows products and/or services which will be subcontracted under this agreement with small business concerns, SDB, WOSB, HUBZone, VOSB, and SDVOSB enterprises. Good faith efforts were made to find small businesses which could meet the project's needs and demonstrate the project's good faith effort to spend with small and diverse businesses.

**2. Description of the Method Used to Develop the Subcontracting Goals – FAR 52.219-9 (d)(4)**

Project's past experience with specific small businesses, also see item 3 below.

**3. Description of the Method Used: to Identify Potential Sources for Solicitation Purposes – FAR 52.219-9 (d)(5)**

Sources used in making the determinations as follows: The UC systemwide diverse business search application which pulls from over 150 databases including SAM, NMSDC, and others.

The contractor understands that it may rely on the information contained in SAM as an accurate representation of a concern's size and ownership characteristics for the purposes of maintaining a Small, VOSB, SDVOSB, HUBZone, SDB, and WOSB source list. However, use of SAM as its source list does not relieve the firm of its responsibilities (e.g., outreach, assistance, counseling, or publicizing subcontracting opportunities).

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The University currently has an eProcurement system which flags small and diverse businesses, so that project teams can easily identify small and diverse businesses. We use SAM.gov and the sources noted above. We also have a strategic agreement with a minority business enterprise, supplier.io, which provides unlimited seating to its supplier locator through which we can search for diverse suppliers and create lists of suppliers for specific types of goods and services.

#### 4. Statement about Whether Indirect Costs are Included – FAR 52.219-9 (d)(6)

Indirect and overhead costs **have not been included** in the goals specified in item 1 above.

#### 5. Name of the Individual Employed by the University to Administer the Subcontracting Program – FAR 52.219 (d)(7)

The following employee administers the subcontracting program:

<b>Name:</b>	Roesia Gerstein
<b>Title:</b>	Supplier Diversity Program Manager
<b>Address:</b>	1608 4 <sup>th</sup> Street, 234-4, Berkeley, CA 94710
<b>Phone/Fax</b>	Phone: 510.642.3090 Fax: 510.642.8604

This individual's specific duties are as follows:

- General overall responsibility for the University's Supplier Diversity Program, to include the development, preparation, and execution of individual subcontracting plans, and for monitoring performance relative to contractual subcontracting requirements contained in this plan, and including, but not limited to:
- Developing and maintaining bidders' lists of SB, SDVOSB, VOSB, HUBZone SB, SDB, and WOSB concerns from all possible sources.
  - Ensuring that procurement packages are structured to permit SB, SDVOSB, VOSB, HUBZone SB, SDB, and WOSB concerns to participate to the maximum extent possible
  - Assuring inclusion of SB, SDVOSB, VOSB, HUBZone, SB, SDB and WOSB concerns in all solicitations for products or services which they are capable of providing.
  - Ensuring periodic rotation of potential subcontractors on bidders list and submitting required periodic subcontracting reports.
  - Coordinating with the Procurement team in regard to the University's activities in regard to compliance reviews by federal agencies.
  - Coordinating the conduct of University's activities involving its small and small disadvantaged business subcontracting program.

**Note:** The Supplier Diversity Program Manager coordinates the activities for supplier diversity. The Procurement Manager, Buyers, and the Sponsored Projects Office coordinate other activities as required by the Federal agencies.

#### 8. Description of the Efforts to be Made to Assure Equitable Opportunity – FAR 52.219-9 (d)(8)

The University will make the efforts included in section 2 and 3 above to ensure that small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns have an equitable opportunity to compete for subcontracts. It will also attend matchmaking events and reach out to other UC campuses to learn about the suppliers from which they are procuring. Also note efforts to be made in item 11 below.

The following internal efforts are made to guide and encourage utilization of small businesses:

- Campus Buyers have a checklist to ensure that they abide by all of the Federal Acquisition Regulation requirements.
- University Legal Counsel has updated the University Terms and Conditions to include current applicable FARS requirements and trains Buyers and Strategic Sourcing staff on the revisions.
- The Supplier Diversity Program Manager:
  - 1) Conducts workshops, seminars, and training programs
  - 2) Monitors procurement activities to evaluate compliance with this subcontracting plan.
  - 3) In cooperation with Strategic Sourcing group, interviews SB, SDB, WOSB, HBCU/MI, HUBZone, VOSB, and SDVOSB concerns for potential procurement and strategic agreements with the University.
  - 4) Also in cooperation with Strategic Sourcing, meets with strategically sourced small businesses to conduct quarterly reviews and provide support as needed.

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### **9. Inclusion of the Clause “Utilization of Small Business Concerns” – FAR 52.219-9 (d)(9)**

This clause will be included in all subcontracts that offer further subcontracting opportunities and the contractor will require that all subcontractors (except small business concerns) that receive subcontracts in excess of \$700,000 (\$1.5 million for construction of any public facility) with further subcontracting possibilities, adopt a subcontracting plan that complies with the requirements of this clause.

Description of the University’s Procedure for Review, Approval, and Monitoring of Compliance with Subcontractors’ Small Business Subcontracting Plans – FAR 52.219-8: The University will require that a subcontractor, receiving in excess of \$650,000 in funding, adopt a plan similar to the plan to which the University is agreeing.

The University’s procedures will be to:

- Work with the UC Berkeley Sponsored Projects Office (which processes Principal Investigator responses to bid opportunities) to ensure that the appropriate flow down clause is included in agreements with subcontractor institutions
- Contact the subcontractor to discuss and request a Small Business Subcontracting Plan and the budget for the project
- Assist the subcontractor in locating small businesses as needed
- Review the plan and communicate with the subcontractor if additions or changes are needed
- Notify the subcontractor when plan is accepted
- Provide the DUNS number and contact information for the person at UC Berkeley to whom the periodic Individual Subcontracting Report and Summary Subcontracting Report needs to be sent.
- Monitor subcontractor’s progress toward goals when reviewing the periodic Individual Subcontracting Report (ISR).
- Require that the subcontractor provide an explanation and course of action if no additional small business utilization occurs for any of the small business goals on the ISR
- Request an amended plan whenever funding increases and a new plan is required accept the plan when all elements are included
- Advise the subcontractor to file a final ISR within 30 days of the day when its agreement expires

### **10. Assurances- FAR 52.219-9 (d)(10):**

The University will:

- i. Cooperate in any studies or surveys as may be required;
- ii. Submit periodic reports so that the Government can determine the extent of compliance by the University with the subcontracting plan
- iii. Submit the Individual Subcontract Report (ISR) and/or the Summary Subcontract Report (SSR), in accordance with paragraph (I) of this clause using the Electronic Subcontracting Reporting System (eSRS) at <http://www.esrs.gov>. The reports shall provide information on subcontract awards to small business concerns, small disadvantaged business concerns (including ANCs and Indian tribes that have not been certified by the Small Business Administration as small disadvantaged businesses), women-owned small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, HUBZone small business concerns, and for NASA only, Historically Black Colleges and Universities and Minority Institutions. Reporting shall be in accordance with this clause, or as provided in agency regulations
- iv. Ensure that its subcontractors with subcontracting plans agree to submit the ISR and/or the SSR using eSRS
- v. Provide its prime contract number, its DUNS number, and the e-mail address of the University official responsible for acknowledging receipt of or rejecting the ISRs, to all first-tier subcontractors with subcontracting plans so they can enter this information into the eSRS when submitting their ISRs; and
- vi. Require that each subcontractor with a subcontracting plan provide the prime contract number, its own DUNS number, and the e-mail address of the subcontractor’s official responsible for acknowledging receipt of or rejecting the ISRs, to its subcontractors with subcontracting plans.

### **11. Description of the Types of Records to be Maintained in Regard to Procedures Adopted – FAR 52.219-9 (d)(11)**

The procedures (to be adopted to comply with the plan requirements and goals to locate small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns and award subcontracts to them) will include:

- (i) Source lists (e.g., SAM), guides, and other data that identify small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns. Small, SDVOSB, VOSB, HUBZone SB, SDB, and WOSB concern source lists, guides and other data identifying SB, SDVOSB, VOSB, HUBZone SB, SDB, and WOSB concerns will also be maintained and utilized by buyers in soliciting subcontracts.

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- (ii) Organizations contacted in an attempt to locate sources that are small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, or women-owned small business concerns.
- (iii) Records on each subcontract solicitation resulting in an award of more than \$150,000, indicating—
  - (A) Whether small business concerns were solicited and, if not, why not;
  - (B) Whether veteran-owned small business concerns were solicited and, if not, why not;
  - (C) Whether service-disabled veteran-owned small business concerns were solicited and, if not, why not;
  - (D) Whether HUBZone small business concerns were solicited and, if not, why not;
  - (E) Whether small disadvantaged business concerns were solicited and, if not, why not;
  - (F) Whether women-owned small business concerns were solicited and, if not, why not; and
  - (G) If applicable, the reason award was not made to a small business concern.
- (iv) Records of any outreach efforts to contact:
  - (A) Trade associations;
  - (B) Business development organizations;
  - (C) Conferences and trade fairs to locate small, HUBZone small, small disadvantaged, and women-owned small business sources; and
  - (D) Veterans service organizations.
- (v) Records of internal guidance and encouragement provided to buyers, faculty, and staff through:
  - (A) Workshops, seminars, training, etc.; and
  - (B) Monitoring performance and engaging with project teams to ensure they make progress toward goals
- (vi) On a contract-by-contract basis, records to support award data submitted by the University to the Government, including the name, address, and business size of each subcontractor. Contractors having commercial plans need not comply with this requirement.

### **12. Effective implementation of this plan - FAR 52.219-9 (e)**

In order to effectively implement this plan to the extent consistent with efficient contract performance, the University shall perform the following functions:

- (1) Assist small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns by arranging solicitations, time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns. Where the Contractor's lists of potential small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business subcontractors are excessively long, reasonable effort shall be made to give all such small business concerns an opportunity to compete over a period of time.
- (2) Provide adequate and timely consideration of the potentialities of small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns in all "make-or-buy" decisions.
- (3) Counsel and discuss subcontracting opportunities with representatives of small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business firms.
- (4) Confirm that a subcontractor representing itself as a HUBZone small business concern is identified as a certified HUBZone small business concern by accessing the SAM database or by contacting SBA.
- (5) Provide notice to subcontractors concerning penalties and remedies for misrepresentations of business status as small, veteran-owned small business, HUBZone small, small disadvantaged, or women-own small businesses for the purpose of obtaining a subcontract that is to be included as part or all of a goal contained in the Contractor's subcontracting plan.
- (6) For all competitive subcontracts over the simplified acquisition threshold in which a small business concern received a small business preference, upon determination of the successful subcontract offeror, the Contractor must inform each unsuccessful small business subcontract offeror in writing of the name and location of the apparent successful offeror prior to award of the contract.

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**SIGNATURES**

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**CONTRACTOR:**

Signature:

Date:

Typed Name: Roesia Gerstein

Title: Supplier Diversity Program Manager, University of California, Berkeley

**CONTRACTING OFFICER:**

Approved by: \_\_\_\_\_ (Contracting Agency or Prime Contractor Institution Name)