U.S. Department of Energy

And

Brookhaven Science Associates, LLC

ATTACHMENT J.8

APPENDIX H

FY'08 – SMALL BUSINESS SUBCONTRACTING PLAN

Applicable to the Operation of

The Brookhaven National Laboratory

Contract No. DE-AC02-98CH10886
Modification No. M175

FY08 Small Business Subcontracting Plan

Identification Data

Contractor: **BROOKHAVEN SCIENCE ASSOCIATES, LLC**

Address: **BROOKHAVEN NATIONAL LABORATORY**
Upton, New York 11973-5000

Contract Number: **DE-AC02-98CH10886**

Item/Service: **BASIC RESEARCH**

Total Amount of the Contract for the Performance Period: $587,200,000.00

Period of Contract Performance: Oct. 1, 2007 through Sept. 30, 2008

1. Type of Plan

Individual Contract Plan - Individual Contract Plan that covers the entire contract period (including option periods), applies to a specific contract, and has goals that are based on the offeror's planned subcontracting in support of the specific contract, except that indirect costs incurred for common or joint purpose may be allocated on a prorated basis to the contract.

This plan is for FY08 as the small business goals are set for each fiscal year of the ongoing contract.

2. Goals

State separate dollar and percentage goals for Small Business, Woman-Owned Small Business, Small Disadvantaged Business, Veteran-Owned Small Business, Service-Disabled Veteran-Owned Small Business and HUB-Zone Small Business (hereafter referred to as the six small business categories), as subcontractors, for the basic and each option year, as specified in FAR 19.704

Individual goals are included in Appendix 1

Below is an estimate of the principle types of supplies and services to be subcontracted under this contract, and an indication of the types planned for subcontracting to the six categories of small business and large business.

Subcontracted Product/Service	SB	SDB	WOB	HUB	SDVOB	VOB	LB
A&E	X	--	X	--	--	X	X
CONSTRUCTION	X	X	X	X	X	X	X
R&D	X	X	X	--	--	--	X
SERVICE	X	X	X	X	X	X	X
MAT'L/SUPPLIES	X	X	X	X	X	X	X
ELECTRICAL	X	X	X	X	X	X	X
IT (Computer)	X	X	X	X	X	X	X
EQUIPMENT (MAJOR)	X	X	X	X	--	--	X

Note: The NAICS codes have not been included as the breadth of work subcontracted would require an extensive listing. The SBLO works directly with the procurement staff to ensure solicitations of small businesses to the maximum extent possible.

The six small business categories goals are based on consultations with the DOE and use BSA's current vendor base and directories including: DOD Central Contractor Registration (CCR), The DOE-OSDBU Small Business Contacts Database, Women's Chamber of Commerce, The Suffolk County Women's Business Enterprise Coalition, the Procurement Technical Assistance Center's Database, the SBA-SBDC's databases and sharing the Small Business databases from the other National Labs. The areas to be subcontracted to each target small business group are determined by historic references and current needs. Capabilities to provide goods and services are determined on an individual basis.

3. Indirect Costs

Indirect costs have ***NOT*** been included in the dollar and percentage subcontracting goals stated in Appendix 1.

4. Program Administrator

The contractor's subcontracting program administrator is:

Name: Jill Clough-Johnston
Title: Small Business Liaison Officer

Address: Brookhaven National Laboratory
Procurement & Property Management Division – Bldg. 355
Upton, NY 11973-5000

Telephone: 631 344-3173 Email: clough@bnl.gov FAX: 631 344-5878

Duties: Has general overall responsibility for the contractor's subcontracting program, i.e. developing, preparing, and executing subcontracting plans and monitoring performance relative to the requirements of this particular plan. These duties include, but are not limited to, the following activities:

A. Developing and promoting company-wide policy initiatives that demonstrate the company's support for awarding contracts and subcontracts to the six small business categories

B. Making arrangements for the utilization of various sources for the identification of the six small business categories through some of the following resources: DOD Central Contractor Registration (CCR), The DOE-OSDBU Small Business Contacts Database, Women's Chamber of Commerce, the Procurement Technical Assistance Center's (PTAC) Database, the SBA-SBDC databases, sharing the Small Business databases from the other National Labs, and the National Minority Business Directory, etc. This effort will be focused on identification of reliable, competitive suppliers in the areas where we are lagging in our goals.

C. Attending or arranging for the attendance of company counselors at various small business opportunity workshops; the six small business categories seminars, trade fairs, procurement conferences, etc.;

D. Ensuring the six small business categories are made aware of subcontracting opportunities and how to prepare responsive bids to the laboratory;

E. Conducting or arranging for the conduct of training for purchasing personnel regarding the intent and impact of Public Law 95-507 on purchasing procedures.

F. The SBLO will support the PPM Compliance and Policy Officer in randomly reviewing solicitations, evaluations and procurements to ensure they permit the maximum possible participation of the six small business categories.

G. Monitoring the over $550,000 ($1M for construction) subcontractors performance and making small business suggestions, where applicable, so

that any adjustments necessary to achieve the subcontracting plan goals can be made;

H. Preparing, inputting and submitting timely subcontracting reporting through the eSRS;

I. Coordinating BSA's activities during the conduct of compliance reviews by Federal agencies.

J. Assuring the integrity of supplier information in the Central Contractor Registration (CCR) through a series of controls that include a review of Representations and Certifications of new suppliers. Ensure that supplier NAICS codes and socioeconomic classifications are included in supplier descriptions.

5. **Equitable Opportunity**

The contractor agrees to ensure that all of the six small business categories will have an equitable opportunity to compete for subcontracts. The various efforts include, but are not limited to, the following activities:

A. Outreach efforts to obtain sources:

(i) The SBLO works with the Hauppauge Industrial Association (HIA), the Suffolk County Women's Business Enterprise Coalition (SCWBEC) and the MacArthur Business Alliance, and many other trade associations.

(ii) The SBLO also works with the: BNL/Stony Brook University/ Farmingdale College Small Business Development Centers (SBDC), the Long Island Development Corp – Procurement Technical Assistance Program (PTAP); Small Business Administration (SBA), and SATOP (Space Alliance Technology Outreach Program).

(iii) Potential sources will be obtained from DOD Central Contractor Registration (CCR) database and other electronic medium.

(iv) Utilization of the Internet to obtain new sources.

B. Internal efforts to guide and encourage purchasing personnel;

(i) Presenting workshops, seminars, and/or training programs, including training in the use of the CCR.

(ii) Establishing, maintaining, and using the six small business categories source lists, guides, and other data for soliciting subcontracts for giving leads to procurement staff.

(iii) Monitoring activities to evaluate compliance with the subcontracting plan.

(iv) Maintaining a list of trip reports and other documentation on the outreach activities attended, including new sources, along with recommendations to buyers to include these sources in the next appropriate solicitation.

C. Outreach Events:

(i) Develop an annual list of outreach events and activities to attend and participate in.

(ii) Obtain a list of outreach activities to attend from the DOE Small Business Program Manager.

D. Additional Efforts:

(i) Attend DOE annual small business conferences and other small business seminars and trade shows where it is expected that attendance will assist the identification of potential sources required to assist with reaching the small business goals.

(ii) Continue to work closely with both the on & off site SBDC's and our local SBA office.

(iii) Continue to network with other M&O contractor SBLOs,

(iv) Continue to work closely with BSA's CEGPA directorate on out-reach efforts,

(v) Continue to provide contacts for small disadvantaged, HUB-Zone small businesses to learn how to become SBA certified,

(vi) Maintain an internal Small Business Policy.

(vii) Continue to participate in DOE SBPM conference calls.

5. Flow-Down Clause

The contractor agrees to include the provisions under FAR 52.219-8, "Utilization of Small Business Concerns," in all subcontracts that offer further subcontracting

opportunities. All subcontractors, except small business concerns, that receive subcontracts in excess of $550,000 ($1,000,000 for construction) must adopt and comply with a plan similar to the plan required by FAR 52.219-9 "Small Business Subcontracting Plan." (FAR 19.704)(a)(4).

Such plans will be reviewed by comparing them with the provisions of Public Law 95-507, and assuring that all minimum requirements of an acceptable subcontracting plan have been satisfied. The acceptability of percentage goals shall be determined on a case-by-case basis depending on the supplies/services involved, the availability of the six small business categories as subcontractors, and prior experience. Once approved and implemented, plans will be monitored through the submission of periodic reports, and/or, as time and availability of funds permit, periodic visits to subcontractors facilities to review applicable records and subcontracting program progress.

6. Reporting and Cooperation

The contractor gives assurance of (1) cooperation in any studies or surveys that may be required by the contracting agency or the Small Business Administration; (2) submission of periodic reports such as utilization reports, which show compliance with the subcontracting plan; (3) submission of small business subcontracting achievement data as reported on the Individual Subcontract Report (ISR) and/or the Summary Subcontract Report (SSR), to the eSRS and (4) ensuring that large business subcontractors with subcontracting plans agree to input to the eSRS.

7. Document Retention

The following is a recitation of the types of documents the contractor will maintain to demonstrate the procedures adopted to comply with the requirements and goals in the subcontracting plan. These documents will include, but not be limited to, the following:

A. A list of sources, guides and other data used to identify suppliers and vendors.

B. Organizations contacted in an attempt to locate all categories of small business sources.

C. Documents to support internal guidance and encouragement, provided to buyers through:
   1. workshops, seminars, training programs
   2. monitoring of activities to evaluate compliance

D. The procurement file for all subcontract solicitations over $100,000 will contain AMS-Form-002 which indicates for each solicitation whether the six small business categories were solicited, and if not, why not: and the reason for failure of solicited the small business concerns to receive the subcontract award.

E. Representations and Certifications Information

1. Representations and certification for all new suppliers to substantiate their socio-economic status for reporting purposes, and as required, recertification of the socio-economic status of all suppliers.
2. Maintenance of SBA certification approval of Small Disadvantaged and 8(a) suppliers.
3. Maintenance of HUB-Zone certification approval through their CCR registration profile.

8. Mentor-Protégé Program

The Contractor agrees to establish and implement an official DOE approved "Mentor-Protégé" in accordance with DOE DEARS Part 19. The Small Business Program Manager is the individual designated to administer this program.

9. Description of Good Faith Effort

The Contractor intends to use all reasonable and good faith efforts (as described in this Plan) to award the stated percentages of the final actual subcontract base amount with small business, small disadvantaged business, women-owned small business, veteran-owned small business, service-disabled veteran-owned small business, and HUBZone small business concerns. The following steps shall be taken.

A. Issue and promulgate company-wide policy statements in support of the six small business categories effort. Develop written procedures and work instructions, and assign specific responsibilities regarding requirements of the applicable Public Law.
B. Review specific procurement actions for possible acquisition from the six eligible small business categories.
C. Demonstrate continuing management interest and involvement in support of this effort through such actions as regular reviews of progress.
D. Train and motivate BSA personnel regarding the need for the support of the six small business categories.
E. Assist the six small business categories by arranging solicitations, allowing time for the preparation of bids, quantities, specifications, and delivery schedules so as to facilitate the participation by such concerns to enable these firms to compete fairly.
F. Counsel and discuss subcontracting opportunities with the six small business categories.
G. Execute Service Agreements, Teaming Agreements, and Basic Ordering Agreements with small businesses from the qualified six small business categories, as required, in an attempt to ensure availability and usage of subcontractor personnel to support BSA work efforts when required.

H. Make available specifications, drawings, and other relevant data so that qualified, known small businesses, in the six small business categories have an equal opportunity in preparing bids.

I. Establish and maintain a categorized list of potential subcontractors with separate identification of the six small business categories.

This subcontracting plan was submitted by:

Signature: _____

Typed Name: Michael Bebon
Title: Deputy Director for Operations

Date Prepared: 12/4/07

Approval:

Signature: _____

Typed Name: Robert P. Gordon
Title: Contracting Officer

Date Prepared: 12-21-07

FY08 Subcontracting Plan – Appendix 1

Contractor: **BROOKHAVEN SCIENCE ASSOCIATES, LLC**

Address: **BROOKHAVEN NATIONAL LABORATORY**
Upton, New York 11973-5000

Contract Number: DE-AC02-98CH10886

1. Total estimated dollar value of all planned subcontracting (to all types of business concerns) under this contract is $**205,112,000.00**.

2. The following percentage goals (expressed in terms of a percentage of total planned subcontracting dollars) and associated dollars are applicable to the contract cited above and will be pursued on a best efforts basis consistent with good commercial practices and best value assessments:

   (i) **Small Business (SB) 41.30% or $84,711,256.00** of total planned subcontracting dollars under this contract will go to subcontractors who are small business.

   (ii) **8(a)/Small Disadvantaged Business (SB) 6.30% or $12,922,056.00** of total planned subcontracting dollars under this contract will go to subcontractors who are 8(a)/small disadvantaged businesses. This percentage is included in the percentage shown under (2) (i) above as a subset.

   (iii) **Woman-Owned Small Business (WOB): 5.80% or $11,896,496.00** of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns owned and controlled by a woman or women. This percentage is included in the percentage shown under (2) (i) above as a subset.

   (iv) **HUB Zone Small Businesses (HUB): 2.20% or $4,512,464.00** of total planned subcontracting dollars under this contract will go to subcontractors who have received HUBZone certification through the Small Business Administration. This percentage is included in the percentage shown under (2) (i) above as a subset.

   (v) **Veteran-Owned Businesses (VOB): 5.00% or $10,255,600.00** of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns owned and controlled by a veteran. This percentage is included in the percentage shown under (2) (i) above as a subset.

   (vi) **Service-Disabled Veteran-Owned Businesses (SDVOB): 1.30% or $2,666,456.00** of total planned subcontracting dollars under this contract will go to subcontractors who are small business concerns owned and controlled by a service-disabled veteran. This percentage is included in the percentage shown under (2) (i) above as a subset.