

APPENDIX C: PROPOSAL FORMS FOR ALL PROPOSALS

FORM C-1: PROPOSER INFORMATION & ACKNOWLEDGEMENTS

PROPOSER INFORMATION

Business Organization

Name of Proposer (exactly as it would appear on an agreement):

Doing-Business-As Name of Proposer:

Principal Office Address:

Telephone Number:

Fax Number:

Form of Business Entity [check one ("X")]

- Corporation _____
- Partnership _____
- Individual _____
- Joint Venture _____
- Other (describe): _____

Corporation Statement

If a corporation, answer the following:

Date of incorporation:

Location of incorporation:

The corporation is held:

Publicly ___ Privately ___

Names and titles of corporate officers:

Partnership Statement

If a partnership, answer the following:

Date of organization: _____

Location of organization: _____

The partnership is: General ___ Limited ___

Name, address, and ownership share of each general partner owning more than five percent (5%) of the partnership:

Joint Venture Statement

If a Joint Venture, answer the following:

Date of organization: _____

Location of organization: _____

JV Agreement recorded? Yes ___ No ___

Name, address of each Joint Venturer and percent of ownership of each:

SWDA EMPLOYEE, MEMBER OF HOUSEHOLD OR BUSINESS ASSOCIATE

Code of Ala. 1975§36-25-11 requires that contracts entered into with a public official, a public employee, a member of the household of the public official or public employee, or a business with which a public official or public employee associates be filed with the Alabama Ethic Commission. If you are awarded the contract, and if you are a SWDA employee, or if a member of your household is a SWDA employee or public official, or if your business associates with a SWDA employee or public official, you must comply with the provisions of Code al Ala. 1975§36-25-11.

SWDA Employee Yes _____ No _____
If "Yes," Department _____

Member of Household SWDA Employee Yes _____ No _____
If "Yes," Name (s) _____

Anyone associated with your

company a SWDA Employee

Yes _____ No _____

If "Yes," Name (s)

CONTRACTOR E-VERIFY – NOTICE

The Beason-Hammon Alabama Taxpayer and Citizen Protection Act, Act No. 2011-535, Code of Alabama (1975) § 31-13-1 through 31-13-30 (also known as and hereinafter referred to as "the Alabama Immigration Act") as amended by Act No. 2012-491 on May 16, 2012 is applicable to all contracts with the SWDA. As a condition for the award of a contract and as a term and condition of the contract with the SWDA, in accordance with § 31-13-9 (a) of the Alabama Immigration Act, as amended, any business entity or employer that employs one or more employees shall not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama.

During the performance of the contract, such business entity or employer shall participate in the E-Verify program and shall verify every employee that is required to be verified according to the applicable federal rules and regulations. The business entity or employer shall assure that these requirements are included in each subcontract in accordance with §31-13-9(c). Failure to comply with these requirements may result in breach of contract, termination of the contract or subcontract, and possibly suspension or revocation of business licenses and permits in accordance with §31-13-9 (e) (1) & (2).

Code of Alabama (1975) § 31-13-9 (k) requires that the following clause be included in all SWDA contracts and is hereby made a part of this contract:

"By signing this contract the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the agreement and shall be responsible for all damages resulting therefrom."

ACKNOWLEDGEMENTS

I hereby certify that I have read and understand the SWDA General Terms and Conditions. I hereby certify that I agree to comply with all of the General Terms and Conditions of this RFP. I also understand that the General Terms & Conditions are standard and that any contradicting requirements of the RFP supercede.

I affirm that I have not been in any agreement or collusion among Proposers or prospective Proposers in restraint of freedom of competition.

In accordance with Alabama Act 2016-312 as adopted and approved on May 5, 2016, on behalf of the firm named below I do hereby certify and represent that this business is not currently engaged in, and will not engage in, the boycott of a person or an entity based in or doing business with a jurisdiction with which this state can enjoy open trade.

Upon award of this proposal, I will not substitute any item on this proposal under any circumstances.

Signature of Proposer

Legal Name of Firm

Print or Type Name of Proposer

Mailing Address

Date

City State Zip Code

Phone

Fax

Email Address

Website Address

FORM C-2: PROPOSER EXPERIENCE INFORMATION

SECTION I EXPERIENCE QUESTIONNAIRE

1. Provide three (3) references of similar projects your organization has provided service in the last three (3) years.

Contract Name	Type of Work and Contract Amount	Contact Address	Contact Name & Phone Number

2. What similar projects or services are now in process by your organization?

3. Have you ever failed to complete any work awarded to your company? _____ If so, where and why?

SECTION II PLAN AND EQUIPMENT QUESTIONNAIRE

1. Explain your plan and timeline for performing proposed work. (Examples could include a narrative of when you could begin work, completed the project, number of workers, etc. and any other information which you believe would be useful for the Proposal.)

I hereby certify that, to the best of my knowledge and belief, the above tabulations are true and complete and that my/our latest financial statement on file with the Commission continues to represent fairly and substantially my/our financial position as of this date.

_____ (PROPOSER)

_____ (SUB-
CONTRACTOR)

Date

By _____
Signature

Title

FORM C-3: ACKNOWLEDGMENT OF ADDENDA FORM

Addenda

Proposer's Acknowledgment of Receipt

Addendum 1

Addendum 2 (if applicable)

Addendum 3 (if applicable)

Addendum 4 (if applicable)

Addendum 5 (if applicable)

FORM C-4: AFFIRMATIVE ACTION REQUIREMENTS FORM

If your company has less than 50 employees then you do not need to maintain a written affirmative action plan regardless of federal contracting status. If your company has less than 50 employees, please fill out top of form with name of company, address, city, zip code, email address, phone #, and fax #; Item #3 – Current number of employees; and sign the form at the bottom.

NAME OF COMPANY _____

ADDRESS _____ CITY, ZIP CODE _____

E-MAIL ADDRESS _____ PHONE # _____

FAX # _____

Identify by title and name the highest official within the facility who has the overall responsibility for the implementation of the Equal Employment Opportunity and Affirmative Action Program.

Name: (please print) Title:

Date: Signature:

1. Does your firm have a written Affirmative Action Program? Yes No
- A. If so, and it contains answers to the questions asked in this program, attach a copy and sign the Written Statement of Company Policy.
- B. If not, do you accept the following program in meeting the requirements of the SWDA? Yes
No

PLEASE KEEP IN MIND THAT FAILURE TO COMPLETE ALL SECTIONS OF THIS DOCUMENT WILL RESULT IN YOUR PROGRAM BEING REJECTED.

2. Will your firm make every effort to increase employment of minorities at all levels of its workforce with particular emphasis to categories where few, if any, minority people are employed?
Yes No
3. Current number of employees _____
Number of employees in August, 2019 _____
4. If total minority employment is less than 20% give reasons why. (Do not include Females when you figure minority employment percentages.)

5. List minority recruitment sources below:

Agency	Contact Person	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. Does this company anticipate an increase in employment this year? ___ Yes ___ No

Approximately how many? _____

7. What specific goals can you achieve for the employment of minorities in the following labor classifications during 2019:

- A. Officials and Managers _____%
- B. Professionals _____%
- C. Technicians _____%
- D. Sales _____%
- E. Office and Clerical _____%
- F. Skilled Craftsman _____%
- G. Other _____%

8. WRITTEN STATEMENT OF COMPANY POLICY

It is the policy of _____ that Equal Employment Opportunity be afforded to all qualified persons without regard to race, sex, religion, color, national origin, disability, age or veteran status.

In support of this policy, _____ will not discriminate against any employee or applicant for employment because of race, religion, sex, national origin, sex, age, disability or veteran status.

_____ will take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their race, religion, color, sex, national origin, disability, age or veteran status. Such action will include but not be limited to: Recruitment, advertising or solicitation for employment hiring, placement, upgrading transfer or demotion, selection for training including apprenticeship rates of pay or other forms of compensation, layoffs or termination.

Name of Company or Firm

Date

Signature of Highest Company Official

Name and Title of Signer

APPENDIX D: PROPOSAL FORMS FOR COLLECTION PROPOSAL

FORM D-1: COLLECTION PROPOSAL CHECKLIST

All items must be checked off, signed at the bottom, and included with the Proposal pricing form. If you are not proposing on a section, please mark Not Applicable "NA" in that section.

Single-Stream Recyclables Collection Proposal

- 1. Proposer Financial Statement/Annual Report
- 2. Business plan including management experience of all principal owners with 10% or more interest.
- 3. References of Company
- 4. Proposed Vehicle information (make, model, year, capacity, # of vehicles used, # of households serviced per vehicle, # of spare vehicles available)
- 5. Proposal Security
- 6. Acknowledgment of Addenda Form

Proposer Name: _____

Name of Representative Submitting Proposal: _____

Signature of Representative: _____

FORM D-2: COLLECTION PROPOSAL PRICING FORM

***** All Proposal pricing must be stated in numbers followed by words.

1. Proposed Base Residential Single-Stream Recycling Collection Fee

Qualifying Units Price - \$ _____ per unit per month

(_____ dollars and _____ cents)

OPTION: Optional Residential Single-Stream Recycling Collection Fee, if Collection Vehicles purchased by SWDA and leased to Contractor:

Qualifying Units Price - \$ _____ per unit per month

(_____ dollars and _____ cents)

Number of Vehicles required to lease from SWDA - _____(Quantity)

Authorized Signature

Title

Date

FORM D-3: COLLECTION ROUTE PROPOSAL

Please describe proposed collection routes within the SWDA Service Area and days of service.

FORM D-4: On-going (after initial program delivery) Recycle Cart Delivery and Maintenance Services Price Form

Prices proposed are to be firm for the term of the collection contract and be all inclusive; therefore, include all labor, material, tools, equipment, transportation, fuel, supervision, disposal fees, incidentals and any other items required for provision of the complete scope of services. Parts will be purchased by SWDA.

Service	Unit	Price
Delivery of New Cart to Qualifying Units	Each cart	
Refurbishing and washing of carts retrieved from Residents and returned to inventory	Each cart	
Disposal/recycling of unrepairable carts	Each cart	
Wheel Replacement	Each cart	
Lid Replacement	Each cart	

APPENDIX E: PROPOSAL FORMS FOR PROCESSING PROPOSAL

FORM E-1: PROCESSING PROPOSAL CHECKLIST

All items must be checked off, signed at the bottom, and included with the Proposal pricing form. If you are not proposing on a section, please mark Not Applicable "NA" in that section.

Recyclables Processing Proposal

- ___ 1. Proposer Financial Statement/Annual Report
- ___ 2. Business plan including management experience of all principal owners with 10% or more interest.
- ___ 3. References of Company
- ___ 4. Name/Location of Materials Recovery Facility
- ___ 5. Proposal Security
- ___ 6. Acknowledgment of Addenda Form
- ___ 7. List of additional materials to consider for processing
- ___ 8. Technical Description of Proposer's Existing Materials Recovery Facility Form

Proposer Name: _____

Name of Representative Submitting Proposal: _____

Signature of Representative: _____

FORM E-2: PROCESSING PROPOSAL PRICING FORM

***** All Proposal pricing must be stated in numbers followed by words. **NOTE:** If proposed MRF is located within ten (10) miles of the Huntsville WTE facility, the Single Stream Recyclable Transfer Fee will not be applicable.

Proposed Base Single Stream Recyclable Processing Fee (SSRPF)

(a) Two-Year Contract Term with five (5) 1-year options (unilateral) – Single-Stream Recyclables

Proposed SSRPF - \$ _____ per Ton
(_____ dollars and _____ cents)

Proposed Single Stream Recyclable Transfer Fee (SRTF) - Cost per ton for transferring Single-Stream Recyclables from Huntsville WTE Transload Facility to Proposer's Processing Facility

Proposed SSRTF - \$ _____ per Ton
(_____ dollars and _____ cents)

(b) Ten-Year Contract Term – Proposed Optional Single Stream Recyclable Processing Fee (SSRPF)

Optional Proposed SSRPF - \$ _____ per Ton
(_____ dollars and _____ cents)

Optional Single Stream Recyclable Transfer Fee (SRTF) - Cost per ton for transferring Single-Stream Recyclables from Huntsville WTE Transload Facility to Proposer's Processing Facility

Optional SSRTF - \$ _____ per Ton
(_____ dollars and _____ cents)

ONE HUNDRED YARD WALKING FLOOR OPTION: Price if 100-yard walking floor trailers purchased by SWDA and leased to Contractor:

Transportation Price - \$ _____ per Ton
(_____ dollars and _____ cents)

Number of Trailers required to lease from SWDA - _____(Quantity)

Authorized Signature

Title

Date

**FORM E-3: TECHNICAL DESCRIPTION OF PROPOSER'S EXISTING
MATERIALS RECOVERY FACILITY FORM**

THIS FORM SHALL BE EXECUTED AND MADE A PART OF THE PROPOSER.

Name and Location of MRF _____

Days and Hours of MRF Operations _____

Additional materials accepted at MRF that is not on SWDA list

Total Site Acreage _____ acres

Total Building Floor Area _____ ft²

Total Tipping Floor Area _____ ft²

Number of Available Tipping Positions _____

Authorized Signature

Title Date

FORM E-4: PROPOSAL SCHEDULE FOR RECYCLABLES PROCESSING FORM

Proposer understands that the extended amount for each item is a result of multiplying the estimated quantity by the MRF Fee. Any multiplication errors shall be resolved in favor of the unit prices. Should there be any discrepancy between the written and numerical amount, the written prevails.

Proposer shall enter the percentage of the Average Market Value (AMV) less proposed MRF Fee (adjusted annually) that it will pay the SWDA for each Ton of inbound Program Recyclables delivered by the SWDA or its agents to the Materials Recovery Facility, as determined by the Materials Recovery Facility scales. If proposed MRF is located in excess of ten (10) miles of the Huntsville WTE facility, Tons will be compared with the outbound tonnages from the WTE designated transloading area.

The payment per Ton shall be calculated as follows:

Each month, the Contractor shall calculate the AMV of the SWDA's Recyclables, defined as the sum of the Southeast USA regional average commodity prices (U.S. Dollars per Ton) first posted in the month for which payment is being made in RecyclingMarkets.net multiplied by the composition percentages of the SWDA's Program Recyclables, as defined in the table below, which calculates the AMV for March 2019.

Calculation of the March 2019 Average Market Value

Calculation of the March 2019 Average Market Value				
Material	Index Description (RecyclingMarkets.net)	Market Value (\$/Ton)	Material %	Avg Market Value (\$/Ton)
Newspaper	PS8 baled, FOB, seller's dock	\$ 27.50	12.6%	\$ 3.47
Corrugated Containers	PS11 baled, FOB, seller's dock	\$ 60.00	11.5%	\$ 6.90
Mixed paper	PS 1 baled, FOB, seller's dock	\$ (2.50)	27.4%	\$ (0.69)
Steel cans	\$/ton, sorted, baled and delivered	\$ 122.50	1.6%	\$ 1.96
Aluminum cans	CONVERTED TO cents/LB, sorted, baled and delivered	\$ 0.55	1.3%	\$ 0.01
Plastics #3-#7	Commingled (#3-7, CONVERTED TO \$/TON, baled and picked up)	\$ (0.02)	1.6%	\$ -
PET	CONVERTED TO cents/LB,, baled and picked up	\$ 0.16	4.1%	\$ 0.01
Natural HDPE	CONVERTED TO cents/LB,, baled and picked up	\$ 0.35	0.7%	\$ -
Colored HDPE	CONVERTED TO cents/LB,, baled and picked up	\$ 0.16	1.4%	\$ -
Glass (3 Mix)	\$/ton, delivered	\$ -	11.5%	\$ -
Bulk Rigid Plastics	N/A	\$ -	1.8%	\$ -
Mixed Metals	N/A	\$ -	2.4%	\$ -
Contamination/ residue	N/A	\$ -	22.1%	\$ -
		March 2019	100.0%	\$ 11.66

Note: 1 – The index values for March 2019 are used for estimation purposes only, and are subject to fluctuation as determined by Secondary Fibers and Material Pricing found on RecyclingMarkets.net. Prices to be used are the first published Regional Average prices for the Southeast USA in the month for which payment is being made.

2 – As described in the Recycling Processing RFP (Appendix B), upon approval by the SWDA, after the first six (6) months, Processor may adjust the composition percentages based on a composition study by the Processor using the categories listed in this table.

The Proposed MRF Fee shall be deducted from the AMV. The MRF Fee shall be adjusted as specified in this RFP.

The Contractor shall pay the SWDA a percentage, as proposed below, of the remaining amount (AMV less MRF Fee) for each Ton of inbound Single Stream Recyclables delivered during that month.

Proposer shall enter in the blank lines, below, the percentage amount that it will pay the SWDA for inbound Program Recyclables.

The AMV is intended to be used as a market index and does not necessarily reflect the commodity revenue received by the Contractor; therefore, the Proposer should determine the Proposal Percentage accordingly. Any and all costs associated with processing, marketing, and transporting Single Stream Recyclables, including costs for rejects and residue disposal, are the responsibility of the Contractor.

Single Stream Recyclables Revenue Proposal*

$$\begin{array}{r} (\$11.66 - \$ \underline{\hspace{2cm}}) \times \underline{\hspace{2cm}} \% = \$ \underline{\hspace{4cm}} \\ \text{(March 2019 AMV less Contractor MRF Fee)} \times \text{Proposal Percentage} \quad \text{Corresponding revenue per ton based} \\ \hspace{25em} \text{on AMV and Proposal Percentage} \end{array}$$

*\$/ton based on March 2019 AMV for estimation purposes only, and is subject to monthly market fluctuation, as specified herein.

MRF FEE = Single Stream Recyclable Process Fee (SSRPF) plus Single Stream Recyclable Transfer Fee (SRTF), if applicable.

Written out Proposal
Percentage: _____

Company Name: _____

Proposer's Name: _____

Title: _____

Signature: _____

Date: _____

APPENDIX G: SPECIAL TERMS & CONDITIONS

SUBCONTRACTING PLAN TEMPLATE

This plan follows the format for addressing the fifteen elements as shown at Federal Acquisition Regulation (FAR) 52.219-9(d) (JAN 2017). Failure to provide an acceptable plan as prescribed by subcontracting officer will render the offeror ineligible for subcontract award.

Subcontract or Solicitation Number:
 Subcontractor Name:
 Subcontractor Address:
 Approximate Value of Subcontract
 (include all priced options):
 Subcontract Period of Performance
 (include option periods if applicable):

() Individual Subcontracting Plan () Master Subcontracting Plan () Commercial Plan

(1) GOALS

State goals as a percentage of total planned subcontracting dollars (required) and as a percentage of total subcontract dollars (optional, per the subcontracting officer) that will go to all Small Business (SB) concerns, Small Disadvantaged Business (SDB) concerns, Woman-Owned SB (WOSB) concerns, Historically Underutilized Business Zone (HUBZone) SB concerns, Veteran-Owned SB (VOSB) concerns, and Service-Disabled Veteran-Owned SB (SDVOSB) concerns. **Stated subcontracting plan goals must meet or exceed those goals negotiated by SWDA with DoD.** Subcontracts awarded to an Alaska Native Corporation (ANC) or Indian tribe must be counted towards the subcontracting goals for SB and SDB concerns, regardless of the size or Small Business Administration (SBA) certification status of the ANC or Indian tribe.)

_____ Subcontractor Name _____ Negotiated Subcontracting Goals for the period of this contract in accordance with Solid Waste Disposal Authority of the City of Huntsville Contract No.

Small Business Categories (%)	FY 2019
Small Business (%)	6.0%
Small Disadvantaged Business (%)	1.7%
Women-Owned Small Business (%)	1.1%
HUBZone Small Business (%)	0.9%
Veteran-Owned Small Business (%)	0.3%
Service-Disabled Veteran-Owned Small Business (%)	0.2%

Goal Table (modify for the appropriate number of years/terms)

Base Subcontract Period:

Approximate Subcontract Period Value: \$ <insert value>

Total Value of all planned subcontracting: \$ <insert value>

Base Subcontract Period	(%) Total Planned Subcontracting dollars	(%) Total Subcontract Dollars <i>(If required by SP)</i>	Notes
a. SB:	%	%	(Includes HUBZone SB, SDB, WOSB, VOSB, SDVOSB, ANCs, and Indian tribes when applicable.)
b. SDB:	%	%	(Includes ANCs and Indian tribes when applicable.)
c. WOSB:	%	%	
d. HUBZone:	%	%	
e. VOSB:	%	%	
f. SDVOSB:	%	%	

(2) STATEMENT OF DOLLARS

The following dollar values correspond to the percentage goals in (1).

Base Subcontract Period (Dollar value):

- Total planned subcontracting dollars: \$
- a. Dollars planned to be subcontracted to SB (includes HUBZone SB, SDB, WOSB, VOSB, SDVOSB,): \$
- b. Dollars planned to be subcontracted to SDB (includes ANCs and Indian tribes): \$
- c. Dollars planned to be subcontracted to WOSB: \$
- d. Dollars planned to be subcontracted to HUBZone SB: \$
- e. Dollars planned to be subcontracted to VOSB: \$
- f. Dollars planned to be subcontracted to SDVOSB: \$

(3) DESCRIPTION OF PRINCIPAL TYPES OF SUPPLIES AND SERVICES TO BE SUBCONTRACTED AND TYPES OF BUSINESSES SUPPLYING THEM [FAR 52-219-9(d)(3)] (Check all that apply)

PRINCIPAL SUPPLY/SERVICE	SB	SDB	WOSB	HUBZone	VOSB	SDVOSB

(4) METHOD USED TO DEVELOP GOALS [FAR 52-219-9(d)(4)]

Explain how you arrived at your percentage goals and dollars for subcontracting to SB, SDB, WOSB, HUBZone SB, VOSB, and SDVOSB:

(5) METHOD USED TO IDENTIFY POTENTIAL SUBCONTRACTING SOURCES [FAR 52-219-9(d)(5)] (Check all that apply)

- Company Source Lists
- System for Award Management (SAM) database
- SBA’s Dynamic Small Business Search (DSBS)
- Veteran Service Organizations
- National Minority Purchasing Council Vendor Information Service
- U.S. Department of Commerce Minority Business Development Agency’s Research and Information Division
- SB, HUBZone SB, SDB, and WOSB Trade Associations
- SBA’s Lists of Certified SDB and HSB Concerns

___ SB and Minority Business trade fairs or conferences

___ Other: Explain –

(6) INDIRECT COSTS [FAR 52-219-9(d)(6)] (Check which applies.)

___ Indirect costs **have not** been included in establishing subcontracting goals.

___ Indirect costs **have** been included in establishing subcontracting goals.

If included, describe how you determine the proportionate share of indirect costs incurred with:

SB (Including ANCs and Indian tribes):

SDB (Including ANCs and Indian tribes):

WOSB:

HUBZone SB:

VOSB:

SDVOSB:

(7) ADMINISTRATION OF SUBCONTRACTING PROGRAM [FAR 52-219-9(d)(7)]

The following individuals employed by the offeror will administer this subcontracting plan:

Primary Point of Contact:

Name:
Email Address:
Telephone:
Title:
Description of Duties:

Secondary Point of Contact (Manager/Lead):

Name:
Email Address:
Telephone:
Title:
Description of Duties:

The above individuals have the responsibility for _(insert subcontractor’s name)_ subcontracting program, including developing, preparing, and executing subcontracting plans and monitoring performance relative to this particular plan. Program Administrator duties:

- Complying with Small Business Act (Public Law 99-661, Section 1207 and Public Law 100-180)
- Conducting market research to identify and qualify small businesses
- Providing opportunities for small business concerns to compete for subcontracts.

- Ensuring FAR 52.219-8 is included in subcontracts to large businesses
- Reviewing first-tier subcontractor small business plan goals versus performance
- Providing the following for Small; HUBZone; Small Disadvantaged; Woman-Owned; Veteran-Owned; and Service-Disabled, Veteran-Owned Small Business concerns:
 - Developing and promoting our company’s policy statements that demonstrate support for awarding contracts and subcontracts to them
 - Developing and maintaining bidders’ lists
 - Assuring that they are included on the bidders’ list for every subcontract solicitation for products and services they are capable of providing
 - Ensuring that subcontract procurement packages are designed to permit their maximum possible participation
 - Reviewing subcontract solicitations to remove statements, clauses, etc., that might restrict or prohibit their participation
 - Ensuring that the subcontract bid selection process documents reasons for not selecting any low bids submitted by them
 - Directly or indirectly counseling them on subcontracting opportunities and how to prepare bids to *(insert company name)*
 - Providing notice to subcontractors concerning penalties for misrepresenting their business status to obtain a subcontract that is to be included as part or all of goal contained in the contractor’s subcontracting plan.
- Ensuring periodic rotation of potential subcontractors on bidder’s lists
- Overseeing the establishment and maintenance of contract and subcontract award records
- Attending or arranging for the attendance of Administrators at business opportunity workshops, minority business enterprise seminars, trade fairs, etc.
- Verifying the status of small business concerns in the SAM
- Conducting or arranging training for purchasing personnel regarding the intent and impact of Section 8(d) of the Small Business Act on purchasing procedures
- Developing and maintaining an incentive program for buyers that support the subcontracting program
- Monitoring the company’s performance and making any adjustments necessary to achieve the subcontract plan goals
- Coordinating the company’s activities during compliance reviews
- Preparing and submitting timely reports in accordance with FAR 52.219-9(d)(10)
- Retaining records in accordance with FAR 52.219-9(d)(11).

(8) EQUITABLE OPPORTUNITY TO COMPETE

Describe your efforts to ensure that SB, SDB, WOSB, HUBZone SB, VOSB, and SDVOSB will have an equitable opportunity to compete for subcontracts. Examples of these efforts include, but are not limited to, the following activities:

Outreach Efforts to Obtain Sources:

- *Contacting minority and small business service and trade associations*
- *Contacting business development organizations*
- *Attending small and minority business procurement conferences and trade fairs*
- *Using SAM database to research sources*
- *Other: Explain -*

Internal Efforts to Guide and Encourage Purchasing Personnel:

- *Presenting workshops, seminars, and training programs*
- *Establishing, maintaining, and using SB, VOSB, SDVOSB, HUBZone SB, SDB, and WOSB source lists, guides, and other data for soliciting subcontracts*
- *Other: Explain -*

(9) INCLUSION OF FAR CLAUSE 52.219-8, "UTILIZATION OF SMALL BUSINESS CONCERNS," IN SUBCONTRACTS

Place a check by each statement as assurance that the following will be done (Proposed subcontracting plans with unchecked boxes are considered unacceptable):

- I agree to include clause at FAR 52.219-8, "Utilization of Small Business Concerns," in all subcontracts that offer further subcontracting opportunities.
- I will require all subcontractors (except SB concerns) that receive subcontracts in excess of \$700,000 (\$1.5 million for construction) to adopt a subcontracting plan that complies with the clause at FAR 52.219-9, Small Business Subcontracting Plan.

(10) REQUIREMENT TO COOPERATE IN STUDIES AND SUBMISSION OF REPORTS

Place a check by each statement as assurance that the following will be done (**Proposed subcontracting plans with unchecked boxes are considered unacceptable**):

- (i) I agree to cooperate in any studies or surveys as may be required.
- (ii) I agree to submit periodic reports so the government can determine the extent of compliance with the subcontracting plan.
- (iii) I agree, after November 30, 2017, to include subcontracting data for each order when reporting subcontracting achievements for indefinite-delivery, indefinite-quantity subcontracts intended for use by multiple agencies.
- (iv) I agree to:
- a. Submit the Individual Subcontract Report (ISR) and the Summary Subcontract Report (SSR), in accordance with paragraph I of the clause at FAR 52.219-9 using the Electronic Subcontracting Reporting System (eSRS) at esrs.gov. The reports shall provide information on subcontract awards to SB concerns (including ANCs and Indian tribes that are not SBs), SDB concerns (including ANCs and Indian tribes that have not been certified by SBA as SDBs), WOSB concerns, HUBZone SB concerns, VOSB concerns, SDVOSB concerns, HICUs, and MIs. Reporting will be in accordance with the clause at FAR 52.219-9, or as provided in agency regulations.
 - b. **Submit the ISR semi-annually** during subcontract performance for the periods ending March 31 and September 30, and to submit a report within 30 days of subcontract completion. I shall submit the reports within 30 days after the close of each reporting period, unless otherwise directed by the subcontracting officer. Reports are required when due, regardless of whether there has been any subcontracting activity since the inception of the subcontract or the previous reporting period. When the subcontracting officer rejects an ISR, I agree to submit a revised ISR within 30 days of receiving the notice of the ISR rejection.
 - c. **Submit the SSR annually** by October 30 for the twelve-month period ending September 30. When an SSR is rejected, I agree to submit a revised SSR within 30 days of receiving the notice of SSR rejection.
- (v) I agree to ensure that my subcontractors with subcontracting plans agree to submit the ISR and/or the SSR using eSRS.

_____ (vi) I agree to provide this prime contract number, its DUNS number, and the email address of our company 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.

_____ (vii) I agree to require that each subcontractor with a subcontracting plan provide the prime contract number, its own DUNS number, and the email address of the subcontractor's official responsible for acknowledging receipt of or rejecting the ISRs, to its subcontractors with subcontracting plans.

(11) DESCRIPTION OF TYPES OF RECORDS TO BE MAINTAINED (Check if in agreement. **Proposed subcontracting plans with unchecked boxes are considered unacceptable**):

_____ I agree to maintain the following records to show compliance with this subcontracting plan:

- a. Source lists, guides, and other data that identify SB, SDB, WOSB, HUBZone SB, VOSB, and SDVOSB concerns.
- b. Records on organizations contacted to locate SB, SDB, WOSB, HUBZone SB, VOSB, and SDVOSB sources.
- c. Records on each subcontract solicitation resulting in an award of more than \$150,000, indicating:
 - (1) Whether SB concerns were solicited and, if not, why not
 - (2) Whether SDB concerns were solicited and, if not, why not
 - (3) Whether WOSB concerns were solicited and, if not, why not
 - (4) Whether HUBZone SB concerns were solicited and, if not, why not
 - (5) Whether VOSB concerns were solicited and, if not, why not
 - (6) Whether SDVOSB concerns were solicited and, if not, why not
 - (7) If applicable, the reason award was not made to a SB, SDB, WOSB, HUBZone SB, VOSB, and SDVOSB concerns
- d. Records of outreach efforts to contact:
 - (1) Trade associations
 - (2) Business development organizations
 - (3) Conferences and trade fairs to locate SB, SDB, WOSB, HUBZone SB, VOSB, and SDVOSB sources
- e. Records of internal guidance and encouragement provided to buyers through:
 - (1) Workshops, seminars, training, etc.
 - (2) Monitoring performance to evaluate compliance with the program's requirements.
- f. On a subcontract-by-subcontract basis, records to support award data submitted to the government, including the name, address, and business size of each subcontractor (does not apply to commercial plans).

Describe other types of records that will be maintained as part of the subcontracting program/plan requirements and goals, if applicable:

(12-15) Other Assurances

_____ (12) I agree to make a good faith effort [FAR 52-219-9(d)(12)] to acquire articles, equipment, supplies, services, or materials, or obtain the performance of construction work from the small business concerns that I used in preparing the bid or proposal, in the same or greater scope, amount, and quality used in preparing and submitting the bid or proposal. The small business concerns used in preparing the bid or proposal include —

- a. Any small business concern identified as a subcontractor in the bid or proposal or associated

small business subcontracting plan, to furnish certain supplies or perform a portion of the subcontract; or

- b. Any small business concerns whose pricing or cost information or technical expertise was used in preparing the bid or proposal, where there is written evidence of an intent or understanding that the small business concern will be awarded a subcontract for the related work if I am awarded the subcontract.

____ (13) I agree to provide the subcontracting officer with a written explanation if I fail to acquire articles, equipment, supplies, services or materials or obtain the performance of construction work as described in the preceding statement of this section. I will submit this explanation to the subcontracting officer within 30 days of subcontract completion. [FAR 52-219-9(d)(13)]

____ (14) I agree to not prohibit a subcontractor from discussing with the subcontracting officer any material matter pertaining to payment to or utilization of a subcontractor. [FAR 52-219-9(d)(14)]

____ (15) I agree to pay my small business subcontractors on time and in accordance with the terms and conditions of the subcontract, and to notify the subcontracting officer if I pay a reduced or an untimely payment to a small business subcontractor. [FAR 52-219-9(d)(15)]

This subcontracting plan was prepared by:

Signature: _____

Printed Name:

Title:

Phone Number:

Email Address:

Date Prepared:

DEFINITIONS:

FAR: Subpart 19.7 – The Small Business Subcontracting Program: 19.701 Definitions:

“Alaska Native Corporation (ANC)” means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Settlement Act, as amended (43 U.S.C. 1601, et seq.) and which is considered a minority and economically disadvantaged concern under the criteria at 43 U.S.C. 1626(e)(1). This definition also includes ANC direct and indirect subsidiary corporations, joint ventures, and partnerships that meet the requirements of 43 U.S.C. 1626(e)(2).

“Electronic Subcontracting Reporting System (eSRS)” means the Governmentwide, electronic, web-based system for small business subcontracting program reporting.

“Indian tribe” means any Indian tribe, band, group, pueblo, or community, including native villages and native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native Claims Settlement Act (43 U.S.C.A. 1601 et seq.), that is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs in accordance with 25 U.S.C. 1452(c). This definition also includes Indian-owned economic enterprises that meet the requirements of 25 U.S.C. 1452(e).

“Individual subcontracting plan” means a subcontracting 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 purposes may be allocated on a prorated basis to the contract.

“Master subcontracting plan” means a subcontracting plan that contains all the required elements of an individual subcontracting plan, except goals, and may be incorporated into individual subcontracting plans, provided the master subcontracting plan has been approved.

“Reduced payment” means a payment that is for less than the amount agreed upon in a subcontract in accordance with its terms and conditions, for supplies and services for which the Government has paid the prime contractor.

“Subcontract” means any agreement (other than one involving an employer-employee relationship) entered into by a Government prime contractor or subcontractor calling for supplies and/or services required for performance of the contract, contract modification, or subcontract.

“Total contract dollars” means the final anticipated dollar value, including the dollar value of all options.

“Untimely payment” means a payment to a subcontractor that is more than 90 days past due under the terms and conditions of a subcontract for supplies and services for which the Government has paid the prime contractor.