

UNIVERSITY OF MARYLAND, COLLEGE PARK

MASTER SUBCONTRACTING PLAN

When awarded federal contract funds, the University of Maryland has the opportunity to provide new and innovative answers to scientific questions or to develop unique solutions to problems of government agencies. We also have the opportunity to develop and encourage relationships with businesses that have not always had access to government contracts. Small, disadvantaged, women-owned, as well as veteran owned or service disabled veteran owned firms, have demonstrated time and again the ability to foster new and innovative ideas and products. It is to everyone's benefit when we encourage small business of all types to fully participate in the process of spending University and Federal dollars. To accomplish this, the University strongly encourages Principal Investigators to consider small businesses first when buying the goods and services needed for their federally funded projects. The following Master Subcontracting Plan is the principle method the University of Maryland(UMD) uses to focus attention on this goal, a goal which is fully supported by the University's administration.

The following, together with any attachments, is submitted as a Subcontracting Plan to satisfy the applicable requirements of Public Law 95-507, 103-355 and 105-135 as implemented by the Federal Acquisition Regulations, the Defense Supplement thereto, Public Law 100-180 and 103-337. The goals are required for the basic quantity (base period) and each option quantity (period) of the contract, if applicable.

1. GOALS

Individual goals will be developed for each subcontracting plan as described by Exhibit I and this Master Plan. The Assistant Vice President (AVP) of Procurement and Strategic Sourcing is responsible for the administration of the Small Business Program. Working with the Principal Investigator designated on Exhibit I, the AVP will determine appropriate small business subcontracting goals, considering the subcontracting opportunities for that project.

2. METHOD USED TO DEVELOP GOALS

The following method is used to develop subcontracting goals. The Director of Procurement and Strategic Sourcing or their designee will consult with the Principal Investigator, Office of Research Administration (ORA), to determine the goods and services that will be subcontracted and will search source lists of small, disadvantaged, women-owned, HUB-Zone, and veteran owned or service disabled veteran owned firms that can provide these goods and services. Procurement staff will investigate the firms' capabilities and consider our own experience and the experience of references with these firms to determine if they are qualified to provide what is needed. If there are qualified small, disadvantaged, women-owned, HUB zone, and veteran owned or service disabled veteran owned firms that offer the needed goods or services, they will be used whenever possible. Reasonable goals are set after considering the value of the needed subcontracts and the pool of qualified firms.

3. SOURCES

Source lists utilized in making the determinations in paragraph 2 above are as follows:

- http://web.sba.gov/pro-net/search/dsp_dsbs.cfm the SBA on-line database of small Business
- Local Office of Small Business Administration
- State of Maryland Minority Business Enterprise Directory
- UMD Bidder lists comprised of several thousand vendors which code all vendors as either small business or large business and further breaks these two groups into six minority groups as required by State of Maryland Law. Efforts are now underway to also classify our vendors using the Federal definitions of small, small disadvantaged, small women-owned, HUB-Zone, and veteran owned or service disabled veteran owned small business concerns.
- eMarylandMarketplaceAdvantage (eMMA)

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- Thomas Register
4. OVERHEAD
Indirect and overhead costs are not included in the University's goals.
5. SUBCONTRACT PROGRAM ADMINISTRATION
The following employee will administer the Small Business Subcontracting Program:
Name: Kimberly Watson
Title: Assistant Vice President
Address: University of Maryland
Dept. of Procurement and Strategic Sourcing
Room 2113R Chesapeake Building
College Park, MD 20742
Telephone No: 301-405-5837
Fax No: 301-314-9565
This individual's specific duties, as they relate to the UMD (University of Maryland College Park) subcontracting program for non-delegated expenditures, are as follows:

Overall responsibility for the UMD Small Business Program. To assign an individual or work directly with the Principal Investigator to develop, prepare, and execute individual subcontracting plans, and for monitoring performance relative to contractual subcontracting requirements contained in each plan, and including, but not limited to:

- Develop and maintain bidders lists of SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns from all possible sources, working in concert with the Administrator for Small and Minority Business Programs.
 - Ensure that procurement packages are structured to permit SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns participation to the maximum extent possible.
 - Assure inclusion of SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns in all solicitations for products or services which they are capable of providing.
 - If a formal bid or request for proposal is done, all such qualified firms will receive a copy of the solicitation.
 - Review solicitations to remove statements, clauses, etc., which may tend to restrict or prohibit SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns participation.
 - Ensure that the buyer documents the reason for not selecting lowest priced bids or proposals submitted by SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns.
 - Ensure the establishment and maintenance of records of solicitations and subcontract award activity.
 - Cooperate with the Business Diversity Coordinator in arranging for attendance of buyers at Business Opportunity Workshops, Minority Business Enterprise Seminars, Trade Fairs, etc.
 - Conduct or arrange for conduct of motivational training for purchasing personnel pursuant to the intent of P.L. 95-507.
 - Monitor attainment of proposed goals.
 - Prepare and submit required periodic subcontracting reports.
 - Coordinate with ORAA activities during the conduct of compliance reviews by Federal agencies.
 - Coordinate the conduct of UMD's activities involving its small and small disadvantaged business subcontracting program.
6. EFFORTS TO ASSURE SMALL BUSINESS CONCERNS OPPORTUNITY TO COMPETE

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The following efforts will be taken to assure that SB, HUBZone SB, SDB, to include HBCU/MIs, WOSB and veteran owned or service disabled veteran owned concerns will have an equitable opportunity to compete for subcontracts.

- Outreach efforts will include:

Contacts with minority and small business trade associations.

Contacts with business development organizations.

Attendance at small and minority business procurement conferences and trade fairs.

- Sources will be identified from the SBA PRO-Net System (www.sba.gov), the State of Maryland lists of Small Business and of certified Minority Business Enterprises (MBE), as well as current bidder lists. Small, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concern source lists, guides and other data identifying SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns will be maintained and utilized by buyers in soliciting subcontracts.
- The following internal efforts will be made to guide and encourage buyers:

Workshops, seminars, and training programs will be conducted. UMD has an established practice of supporting and promoting professional development of its purchasing staff and affords multiple opportunities for the staff to attend and participate in the various programs offered by the professional associations NIGP: Institute for Public Procurement, National Association of Educational Procurement (NAEP), and the Institute for Supply Management (ISM).

Activities will be monitored to evaluate compliance with this subcontracting plan. UMD has a Business Diversity Coordinator on the staff of our Procurement and Strategic Sourcing Department. One of this individual's primary duties is to review monthly reports of purchasing activity with emphasis on setting and achieving individual buyer goals for purchases from minority vendors, in concert with the State's Code of Maryland Regulations (COMAR) based upon existing State of Maryland laws. Monthly meetings are held with our purchasing staff in which socioeconomic and other objectives are discussed and promoted.

Interviews will be arranged with SB/HUBZone, SB/SDB/WOSB concerns, HBCU/MIs and veteran owned or service disabled veteran owned. At UMD, Procurement staff assist vendors who request information, guidance or direction in the spectrum of soliciting business, bidding, award administration, through the process of receiving payment for goods and services rendered, introducing them to buyers assigned commodity and service purchases in which these vendors may have a mutual or potential concern. UMD welcomes small and minority business as another means of achieving competitive procurement in alignment with the public trust, consistent with applicable laws and regulations.

- To ensure participation of the HBCU/Mis community, any subcontract to a HBCU/MI, desired by the Principal Investigator will be issued without competition.

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7. ASSURANCES TO FLOW FLOW-DOWN CLAUSES

UMD agrees that Federal Acquisition Regulation clause 52.219-8 ,entitled Utilization of Small Business Concerns, will be included in all subcontracts which offer further subcontracting opportunities, and all subcontractors, except SB concerns, who receive subcontracts in excess of \$750,000 for goods and services (\$1,500,000 for construction), will be required to adopt and comply with a subcontracting plan similar to the plan required by Federal Acquisition Regulation 52.219-9, entitled Small Business Subcontracting Plan. Such plans will be reviewed by comparing them with the provisions of PL. 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 potential small, HUBZone small, small disadvantaged, women-owned, and veteran owned or service disabled veteran owned small business 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 subcontracting program participants.

UMD will provide the Contracting Officer with a written explanation if the Contractor fails to acquire articles, equipment, supplies, services or materials or obtain the performance of construction work as described in (d)(12) of FAR clause 52.219-9. This written explanation must be submitted to the Contracting Officer within 30 days of contract completion.

UMD will make a good faith effort to acquire articles, equipment, supplies, services, or materials, or obtain the performance of construction work from the small business concerns that it 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.

UMD will not prohibit a subcontractor from discussing with the Contracting Officer any material matter pertaining to the payment to or utilization of a subcontractor; and

UMD assures that the offeror will pay its small business subcontractors on time and in accordance with the terms and conditions of the subcontract, and notify the contracting officer if [Company Name] pays a reduced or an untimely payment to a small business subcontractor (see 52.242-5).

UMD will, after November 30, 2017, include subcontracting data for each order when reporting subcontracting achievements for indefinite-delivery, indefinite-quantity contracts with individual subcontracting plans where the contract is intended for use by multiple agencies

8. REPORTS AND STUDIES

UMD shall cooperate in any studies or surveys as may be required.

UMD shall submit periodic reports so that the Government and Contractor can determine the extent of compliance with the subcontracting plan. Regardless of the effective date of this contract, the report shall be submitted for the entire life of the contract within thirty (30) days after the close of each reporting period. When possible, UMD shall submit the reports electronically through www.eSRS.gov. The Individual Subcontracting Report (ISR or SF294) will be completed on a semi-annual basis and upon contract completion in accordance with the schedule below:

October 1 through March 31 Due by April 30

April 1 through September 30 Due by October 31

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UMD shall submit the Summary Subcontracting Report (SSR or SF295) on an annual basis and upon contract completion. Annual reports are due on October 31 and cover the period from subcontract inception through the end of the current fiscal year..

If the federal agency or contractor has not enabled eSRS filing, UMD agrees to submit the original and copy of Subcontracting Report for Individual Contracts, standard form (SF) 294, in accordance with the instructions on the report as referenced in PL 95-507, Section 211. For contracts that include options and goals for each option, reports shall address the base period goals and achievements.

UMD shall submit the Summary Subcontract Report, SF 295, in accordance with the instructions on the report as referenced in PL 95-507, Section 211.

9. RECORD KEEPING

UMD agrees that it will maintain at least the following types of records to document compliance with each subcontracting plan:

- o Source list, guides, and other data identifying SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns.
- o Organizations contacted to locate SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns.
- o On a contract-by-contract basis, records on all subcontract solicitations over \$100,000, indicating for each solicitation (1) whether SB concerns were solicited, and if not, why not; (2) whether HUBZone SB concerns were solicited, and if not, why not; (3) whether SDB concerns were solicited, and if not, why not; (4) whether WOSB concerns were solicited, and if not, why not, (5) whether veteran owned or service disabled veteran concerns were solicited and if not, why not; and (6) reasons for the failure of solicited SB, HUBZone SB, SDB, WOSB and veteran owned or service disabled veteran owned concerns to receive the subcontract award.

Signed: Kimberly Watson

Date: 11/23/2021

Kimberly C Watson
Assistant Vice President

Approved by: _____

Date _____

Administrative Contracting Officer
Office of Naval Research
Boston Regional Office