

SUBCONTRACTING PLAN REQUIREMENTS

I. GENERAL

- A. By submitting an offer or bid in response to this solicitation, the offeror (unless it is a small business concern) acknowledges that it is aware of the requirements in this provision to submit (if the proposed work offers subcontracting possibilities) a subcontracting plan to include the elements set forth in the provision below entitled "Small, Small Disadvantaged, and Women-Owned Small Business Subcontracting Plan" consistent with the terms and value of the subcontract to be awarded, if any.
- B. The offeror further acknowledges that it is aware that failure of the selected offeror to comply in good faith with any small, small disadvantaged, and women-owned small business subcontracting plan required to be submitted for any resultant subcontract, shall be a material breach of the subcontract.

II. REQUIREMENTS FOR PROPOSALS

Offerors/bidders which are not small business are to provide preliminary subcontracting plans with proposals over \$500,000 (\$1,000,000 for construction work), unless there are no subcontracting opportunities.

III. REQUIREMENTS FOR A COMPREHENSIVE SUBCONTRACT PLAN

Within the time specified by the JPL Subcontracts Manager, the selected Subcontractor(s) shall submit to the JPL Subcontracts Manager a comprehensive subcontracting plan in accordance with the provision below entitled "Small, Small Disadvantaged, and Women-Owned Small Business Subcontracting Plan."

SMALL, SMALL DISADVANTAGED, AND WOMEN-OWNED SMALL BUSINESS SUBCONTRACTING PLAN

(ref.: FAR 52.219-9, Jan 2002)

- (a) *This provision does not apply to small business concerns.*
- (b) The offeror, upon request by the JPL Subcontracts Manager, shall submit and negotiate a subcontracting plan, where applicable, which separately addresses subcontracting with small business concerns, with small disadvantaged business concerns, and with women-owned small business concerns. A subcontract plan must also have a separate part for the basic subcontract and separate parts for each option (if any). The plan shall be deemed to be included as a part of any resultant subcontract. The subcontracting plan shall be negotiated within the time specified by the JPL Subcontracts Manager.

- (c) The offeror's plan shall include the subcontracting plan requirements set forth in FAR 52.219-9 (Jan 2002), except as stated here.
- (d) Consistent with efficient subcontract performance, the Subcontractor shall provide adequate and timely consideration of the potential inclusion of small, small disadvantaged, women-owned small, HBCU, OMU and MI concerns in its "make or buy" decisions.
- (e) Prior compliance of the offeror with other such subcontracting plans under previous subcontracts may be considered by the JPL Subcontracts Manager in determining the responsibility of the offeror for award of the subcontract.
- (f) The failure of the Subcontractor to comply in good faith with (i) the Article of the JPL General Provisions entitled "Utilization of Small Business Concerns," or (ii) an approved plan required by this Provision and the Article of the JPL General Provisions entitled "Small, Small Disadvantaged, and Women-Owned Small Business First-Tier Subcontracting Plan (S/SDB/WOSB Plan)" shall be a material breach of the subcontract.