

**ATTACHMENT J.9
OFFICE OF THE CHIEF FINANCIAL OFFICER
SUBCONTRACTING PLAN
FAQs & Checklist**

This Checklist and FAQs are being provided to assist you in completing the Subcontracting Plan. You must submit the Subcontracting Plan for all construction and non-construction contracts for government-assisted projects. You must adhere to all District laws regarding the requirements of Subcontracting Plans and the instructions on the Subcontracting Plan (below).

FREQUENTLY ASKED QUESTIONS

- 1) **Who is required to complete a Subcontracting Plan?**
 - All respondents to Solicitation No. CFOPD-26-R-040 must submit a Subcontracting Plan.
- 2) **I am a CBE Prime Contractor doing 100% of the work under my contract, am I required to complete the Subcontracting Plan?**
 - Yes. See Section 1C below. If a CBE Prime is awarded the resultant contract of Solicitation No. CFOPD-26-R-040 and will perform 100% of the work, subcontracting is not required. If 100% of the work is performed by the CBE Prime, it shall attest in the plan below to completing 100% of the work.
- 3) **I am a CBE Prime Contractor that plans to subcontract to a non-CBE, am I required to complete the Subcontracting Plan?**
 - Yes.
 - If the CBE Prime subcontracts the resultant contract award of Solicitation No. CFOPD-26-R-040, the CBE Prime shall perform at least 50% of the contracting effort with its own organization and resources and 50% of the total amount subcontracted must be with a CBE. For example, if a CBE Prime receives the resultant contract award of Solicitation No. CFOPD-26-R-040, estimated at \$40,000,000, and plans to subcontract any portion, it must perform at least 50% of the contract (\$20,000,000) with its own organization and resources. For the subcontracted amount (\$20,000,000), the CBE Prime must subcontract at least 50% of the amount with a CBE. In this example, the CBE Prime needs a subcontracting plan for a total value of \$10,000,000 (50% of \$20,000,000). The CBE Prime must submit a Subcontracting Plan to show that they are retaining the minimum required amount of work with their own organization and resources (50%) and to show that they are subcontracting 50% of subcontracted amount with a CBE.
- 4) **Will DSLBD credit 100% of an SBE/CBE's subcontract towards my subcontracting goal?**
 - DSLBD will only provide credit towards your subcontracting goal for work whereby an SBE/CBE provides a commercially useful function. For example, if a Prime contractor awards a \$100,000 contract to an SBE/CBE subcontractor to procure software licenses at \$95,000, and the remaining \$5,000 is paid to the SBE/CBE for obtaining those software licenses, only the \$5,000 will be credited towards the subcontracting goal. Any pass-thru costs or other work where the SBE/CBE is not providing a commercially useful function--with its own organization and resources--will not be credited.
- 5) **Does my Subcontracting Plan have to cover all options periods of the contract or solely the current performance period?**
 - The Subcontracting Plan should only include information for the base year period of performance. Thus, the Subcontracting Plan should not represent anticipated option periods. A new subcontracting plan must be submitted and executed before the start of each period of performance.
- 6) **Can I utilize any CBE to meet my subcontracting requirements, or does it have to be an SBE specifically?**
 - If there are insufficient qualified SBEs to completely fulfill the subcontracting requirement, then the requirement may be satisfied by subcontracting with a CBE; provided that all reasonable efforts shall be made to ensure that qualified SBEs are significant participants in the overall subcontracting work.

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INSTRUCTIONS: Solicitation No. CFOPD-26-R-040, requires at least 50% of the total dollar volume of the contract be subcontracted to Small Business Enterprises (SBE), and if insufficient qualified SBEs to Certified Business Enterprises (CBE) (as defined in D.C. Code §§2-218.31-39a). The Subcontracting Plan must list all SBE and CBE subcontracts at every tier. Once the Subcontracting Plan is submitted for agency contracts, options, and extensions, it can only be amended by the Director of the Department of Small & Local Business Development.

EXEMPTION: If the **Prime Contractor** (Beneficiary) is a CBE certified as a small business enterprise, local business enterprise, or disadvantaged business enterprise and will perform the **ENTIRE** resultant contract of Solicitation No. CFOPD-26-R-040 with *its own organization and resources* and will **NOT** subcontract any portion of the services and goods, then the CBE Beneficiary is not required to subcontract to CBEs.

SECTION 1. BENEFICIARY AND SOLICITATION/CONTRACT INFORMATION

Section 1A. BENEFICIARY INFORMATION

Company: _____ Contact #: _____ Email address: _____
Street Address: _____ City/ State/ Zip Code: _____
Company Tax ID # (last four digits): _____
Company's point of contact for agency contract:
Point of Contact: _____ Title: _____
Contact #: _____ Email address: _____
Street Address: _____

Section 1B. SOLICITATION/CONTRACT INFORMATION

Solicitation /Contract No.: CFOPD-26-R-040
Agency: OCFO
Total Dollar Amount of Contract: \$40,000,000
Total Value of **ALL** CBE Subcontracts: _____
(Include all lower tiers)
Please select all the applicable subcontracting requirements for this solicitation:
☒ **50%** Subcontracting Requirement
☐ DSLBD approved an adjusted subcontracting requirement:
➤ Adjusted Subcontracting Requirement: _____%
I affirm that the value of all my CBE Subcontracts meets or exceeds the subcontracting requirement required under this solicitation or contract. Further, I understand that DSLBD will only provide credit towards my subcontracting requirement for work whereby a CBE provided a commercially useful function with its own organization and resources.
☐ I AGREE

Section 1C. CBE BENEFICIARY (ONLY COMPLETE IF THE BENEFICIARY IS A CERTIFIED BUSINESS ENTERPRISE)

If the Beneficiary is a Certified Business Enterprise, select all that apply and provide the following information:
☐ I am a CBE that **WILL** perform 100% of the contracting effort with my own organization and resources and will not subcontract any portion of the contract. Therefore, I am NOT required to submit a Subcontracting Plan that demonstrates subcontracting.
☐ I am a CBE that **WILL NOT** perform 100% of the contracting effort with my own organization and resources and will subcontract a portion of the contract. Therefore, I understand I am required to submit a Subcontracting Plan (located in Section on 2) that demonstrates that the required subcontracting amount, as indicated above, will go to qualified CBEs.
Please include the percentage of the contract the **CBE Prime** will perform under the contract or project.
➤ The CBE Prime will self-perform _____% of the contract's total dollar volume of the contract or project.
Please provide the **current CBE Certification Number** of the CBE Prime.
➤ CBE Certification No. _____

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BENEFICIARY ATTESTATION

I declare, certify, verify, attest, and state under penalty of perjury that the information provided above is true and correct to the best of my knowledge and belief. Pursuant to D.C. Official Code § 22-2402, I understand that a person convicted of perjury shall be fined not more than \$5,000 or imprisoned for not more than 10 years, or both. I understand that any false or fraudulent statement that I provide or assert may be grounds for revocation of my CBE registration pursuant to D.C. Official Code § 2-218.63. Further, a Beneficiary that fails to comply with the requirements of the Small and Certified Business Enterprise Development and Assistance Amendment Act of 2005, as amended, (D.C. Law 20-108) (the "Act"), shall be subject to penalties as outlined in the Act. The Beneficiary agrees to cooperate in any studies or surveys that may be required by the Contracting Officer, and to submit periodic reports as required by D.C. Code § 2-218.46, to allow the District to determine the extent of compliance by the Beneficiary with this Subcontracting Plan. The Beneficiary will maintain records to demonstrate procedures adopted to comply with the requirements set forth in this Subcontracting Plan, and the Beneficiary will make such records available for review upon the District's Request.

PRINT NAME: _____

SIGNATURE: _____

JOB TITLE: _____

DATE: _____

SECTION 2. SBE/CBE SUBCONTRACTORS (FOR EACH TIER):

CBE Subcontractor Company Name	Address	Certification No.	Price to be paid to the CBE Subcontractor	Description of subcontract scope of work to be performed that shall be for a commercially useful function by the CBE	
_____	_____	_____	_____	_____	
CBE Point of Contact:			CBE Subcontractor Self-Performance Indicator:		
Name: _____ Title: _____ Telephone Number: _____ Email Address: _____			<input type="checkbox"/> This CBE will perform the ENTIRE subcontract with its own organization and resources. <input type="checkbox"/> This CBE will subcontract a portion of the subcontract and will perform _____% of the subcontract's total dollar volume. NOTE: If the CBE will not self-perform 100% of the subcontract, it must list each lower-tier CBE subcontractor below.		
LOWER TIER CBE Subcontractor Name	Address	Certification No.	Price to be paid to the CBE Subcontractor	Description of subcontract scope of work to be performed that shall be for a commercially useful function by the CBE	Tier (e.g., 1 st , 2 nd , 3 rd , 4 th , etc.)
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

CBE Subcontractor Company Name	Address	Certification No.	Price to be paid to the CBE Subcontractor	Description of subcontract scope of work to be performed that shall be for a commercially useful function by the CBE	
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CBE Point of Contact:			CBE Subcontractor Self-Performance Indicator:		
Name: Title: Telephone Number: Email Address:			<input type="checkbox"/> This CBE will perform the ENTIRE subcontract with its own organization and resources. <input type="checkbox"/> This CBE will subcontract a portion of the subcontract and will perform % of the subcontract's total dollar volume. NOTE: If the CBE will not self-perform 100% of the subcontract, it must list each lower-tier CBE subcontractor below.		
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