

**ADMINISTRATIVE CHANGE TO
BOP-003.0305, *Small Business Policy***

Locations of Changes:

Page	Paragraph	From	To
1	1.	Formally promulgate NNSA’s policies and approaches that provide America’s small businesses with the maximum practicable opportunity to participate in acquisitions that support NNSA’s program and mission objectives including small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns.	Formally state NNSA’s policies and approaches that provide America’s small businesses with the opportunity to participate in acquisitions that support program and mission objectives. This includes programs such as small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns.
1	2.	BOP-003.0305 Admin Change 1, <i>Small Business Policy</i> , dated 9-4-12.	BOP-003.0305 Admin Change 2, <i>Small Business Policy</i> , dated 8-30-15.
1	3.a	<p>a. This Policy Letter applies to all Federal organizations and elements of the Administration having contracting authority and to contract actions taken by NNSA Contracting Officers obligating NNSA or non-NNSA funds.</p> <p>b. For the purposes of this Policy Letter, the term “contract actions” includes actions relating to solicitations, contract awards, orders placed under Federal Supply Schedules, orders placed under Government-wide Acquisition Contracts, Blanket Purchase Agreements (and the orders placed thereunder), Blanket Ordering Agreements (and the orders placed thereunder), Interagency Agreements, letter contracts, bilateral modifications for new work, and other related procurement actions.</p>	<p>a. Federal. This Business Operating Procedure (BOP) applies to all federal elements having contracting authority and to contract actions taken by NNSA Contracting Officers obligating NNSA or non-NNSA funds.</p> <p>Note: For the purposes of this BOP, the term <i>contract actions</i> includes actions relating to solicitations, contract awards, orders placed under Federal Supply Schedules, orders placed under Government-wide Acquisition Contracts, Blanket Purchase Agreements (and the orders placed thereunder), Blanket Ordering Agreements (and the orders placed thereunder), Interagency Agreements, letter contracts, bilateral modifications for new work, and other related procurement actions.</p>

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1	3.b.	Added	b. Contractors. Does not apply to contractors.
1	3.c.	Added	c. Equivalency. In accordance with the responsibilities and authorities assigned by Executive Order 12344, codified at 50 United States Code sections 2406 and 2511, and to ensure consistency through the joint Navy/DOE Naval Nuclear Propulsion Program, the Deputy Administrator for Naval Reactors (Director) will implement and oversee requirements and practices pertaining to this Directive for activities under the Director's cognizance, as deemed appropriate.
1	4	Added	SUMMARY OF CHANGES a. Added Naval Reactors equivalency. b. Moved section 4 Policies to section 5 Requirements c. Added section 4 Summary of Changes d. Moved old section 5 Requirements to new section 6 Responsibilities e. Section 6 Exception deleted and made a note to Requirement b f. Section 7 Special Procedures moved to section 6 Responsibilities
2	5 a. – e. (new)	4. POLICIES a. The NNSA is committed to providing maximum practicable contracting opportunities to small businesses (as defined in the Federal Acquisition Regulation (FAR) Part 19.201) for goods and services needed to support program and mission accomplishment. b. All NNSA non-Management &	5. REQUIREMENTS a. NNSA must be committed to providing maximum practicable contracting opportunities for the small business socioeconomic contracting programs and to small businesses (as defined in the Federal Acquisition Regulation (FAR) Part 19.201) for goods and services needed to support program and mission

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		<p>Operating (M&O) contract actions shall first be considered for small businesses. Non-M&O contract awards to other than small businesses require an approved Small Business Waiver prior to making an award as defined in BOP-003.0701.</p>	<p>accomplishment. b. All NNSA non-Management & Operating (M&O) contract actions must first be considered for the small business socioeconomic contracting programs and to small businesses. Non-M&O contract awards to other than small businesses require an approved Department of Energy (DOE) small business review prior to making an award.</p>
1	5.b. note	<p>Moved from 6. EXCEPTION</p>	<p>Note: An exception may occur if there exists compelling programmatic reasons (subject to review and approval), e.g., unusual and compelling urgency not to place the requirement with small businesses.</p>
1	5.c.	<p>4.c. All small business subcontracting plans as identified in the FAR Part 19.7 and the Department of Energy Acquisition Regulation (DEAR) Part 970.19 shall include goals that will challenge contractors to expand small business use.</p>	<p>c. All small business subcontracting plans as identified in the FAR Part 19.7 must include goals that will challenge contractors to expand small business use and to make every effort to meet or exceed the statutory minimum goals.</p>
1	5.d.	<p>Old 5.a. Deputy or Associate Administrators, and the NNSA Heads of Contracting Activity (HCA) shall ensure that the Secretary's and NNSA Administrator's small business contracting objectives are supported to the maximum practical extent.</p>	<p>d. The Secretary's and Administrator's small business contracting objectives must be supported.</p>
1	5.e.	<p>From old 7 SPECIAL PROCEDURE M&O Subcontracting Plan or Annual Forecast modifications shall also be coordinated with the designated NNSA SBPM and the SPE prior to approval by the designated site official.</p>	<p>d. The M&O Subcontracting Plan or Annual Forecast modifications must be coordinated with the designated NNSA Small Business Program Manager (SBPM) prior to approval by the designated site official.</p>

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2	6. a – h	<p>5. REQUIREMENTS</p> <p>a. Deputy or Associate Administrators, and the NNSA Heads of the Contracting Activity (HCA) shall ensure that the Secretary's and NNSA Administrator's small business contracting objectives are supported to the maximum practical extent.</p> <p>b. Deputy or Associate Administrators shall provide an annual prime small and small disadvantaged business goaling forecast, coordinated through the Office of Acquisition and Project Management (NA-APM), which supports the Department of Energy's (DOE) planning processes as directed by DOE's Office of Small and Disadvantaged Business Utilization (OSDBU).</p> <p>c. NNSA Field Office Managers shall ensure that challenging subcontracting plan goals are negotiated within their M&O contracts in accordance with the contract terms and conditions in consultation with the designated NNSA Small Business Program Manager (SBPM) and concurrence of the NNSA Senior Procurement Executive (SPE).</p> <p>d. NNSA HCAs shall provide guidance to their warranted contracting officers to ensure that non-M&O contracts that require a small business subcontracting plan, include challenging goals reflecting proper participation by small businesses.</p>	<p>6. RESPONSIBILITIES</p> <p>a. The Administrator establishes small business strategic direction and policy to meet NNSA's commitments to the Secretary on small business contracting goals.</p> <p>b. Deputy or Associate Administrators provide an annual prime small business goaling forecast, coordinated through the Office of Acquisition and Project Management, which supports the DOE planning processes as directed by DOE's Office of Small and Disadvantaged Business Utilization (OSDBU).</p> <p>c. Deputy and Associate Administrators, Field Office Managers, and NNSA Heads of Contracting Activities (HCAs) ensure that this policy is implemented and plans are established to meet small business goals.</p> <p>d. NNSA Field Office Managers:</p> <p>(1) Ensure that challenging subcontracting plan goals are negotiated with M&O contractors in accordance with the contract terms and conditions in consultation with the designated NNSA SBPM and concurrence of the NNSA Senior Procurement Executive (SPE).</p> <p>(2) Coordinate M&O Subcontracting Plans with the designated NNSA SBPM and Annual Subcontracting Goal Forecasts with the designated NNSA SBPM and the SPE prior to approval by the designated site official.</p>

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			<p>e. NNSA HCAs provide guidance to contracting officers to ensure that non-M&O contracts that require a small business subcontracting plan include challenging goals reflecting proper participation by small businesses.</p> <p>f. NNSA Contracting Officers:</p> <ul style="list-style-type: none">(1) Conduct market research to locate businesses that are capable of fulfilling NNSA requirements with an emphasis on small business sources as prescribed in FAR Part 10, and 13 Code of Federal Regulations (CFR) 125.2.(2) Partner with Field Office Contracting Officers and M&O contractors to identify opportunities for strategic purchases from small business.(3) Facilitate and promote small business strategies that will increase opportunities for small business participation in NNSA's procurements and subcontracts.(4) Collaborate with Field Office Managers to encourage M&O contractors to seek every reasonable and realistic prospect to broaden and increase small business subcontracting opportunities. <p>g. Field Office Contracting Officers (in accordance with their delegation):</p> <ul style="list-style-type: none">(1) Approve contract modifications to subcontracting plans with the concurrence of an NNSA SBPM after award.

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			<p>(2) Conduct annual subcontracting goal negotiations, or as required.</p> <p>h. NNSA Small Business Program Managers, as designated by the SPE:</p> <p>(1) Participate in contract strategy planning and requirement reviews. Provide set-aside recommendations and concurrence on strategy. Retain copies as needed for small business files.</p> <p>(2) Manage the forecast of NNSA contracting and subcontracting opportunities.</p> <p>(3) Provide guidance to contracting staff and Contracting Officers on developing and processing DOE Small Business Reviews. Provide coordination and liaison with OSDBU to obtain review approval. Provide guidance, review, and concurrence on subcontracting plans prior to acceptance by the Contracting Officer.</p> <p>(4) Provide guidance, review, and administration of the overall electronic Subcontract Reporting System (eSRS) submittals and other external government reporting systems.</p> <p>(5) Ensure NNSA program offices and field offices are informed of and aligned with HQ's small business policy and procedural guidance.</p> <p>(6) Provide day-to-day operational management of NNSA's Small Business</p>

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			<p>Program nationwide, including NNSA HQ, federal field offices, and its major prime contractors.</p> <p>(7) Interface with assigned NNSA M&O contractors, providing assistance to site management for annual subcontracting goals.</p> <p>(8) Represent NNSA through interface with small businesses; other Federal Agencies; State and local governments; and small business professional organizations.</p> <p>(9) Provide OSDBU with access to subcontracting plans and goals, as appropriate.</p>
		<p>7. <u>SPECIAL PROCEDURE</u> Subcontracting Plans and Annual Subcontracting Goals - The Field Office Manager or designee shall coordinate M&O Subcontracting Plans and Annual Subcontracting Goal Forecasts with the designated NNSA SBPM and the SPE prior to approval by the designated site official. M&O Subcontracting Plan or Annual Forecast modifications shall also be coordinated with the designated NNSA SBPM and the SPE prior to approval by the designated site official. Approved plans shall be sent through the appropriate line organization for concurrence prior to transmission to OSDBU for review.</p>	<p>Moved and interspersed in RESPONSIBILITIES and REQUIREMENTS</p>
4	7.a. – d.	<p>8. <u>REFERENCES.</u> a. Federal Acquisition Regulation Part 10, <i>Market Research</i>, and Part 19, <i>Small Business Programs</i> b. Department of Energy Acquisition Regulation Part 919,</p>	<p>7. <u>REFERENCES.</u> a. U.S. Code of Federal Regulations Title 13, <i>Business Credit and Assistance</i> b. Federal Acquisition Regulation Part 10, <i>Market Research</i>, and Part 19, <i>Small Business</i></p>

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		<p><i>Small Business Programs</i></p> <p>c. Department of Energy Acquisition Guide, Chapter 19, <i>Small Business Programs</i></p> <p>d. Administrator Frank G. Klotz memorandum of September 5, 2014, <i>Supporting Small Businesses</i></p>	<p><i>Programs</i></p> <p>c. Department of Energy Acquisition Regulation Part 919, <i>Small Business Programs</i></p> <p>d. Department of Energy Acquisition Guide, Chapter 19, <i>Small Business Programs</i></p>
4	8	10. CONTACT. Headquarters Small Business Program Manager, Office of Acquisition and Project Management (NA-APM-1) 202 -586 -8304.	8. <u>CONTACT</u> . Headquarters Small Business Program Manager, Office of Acquisition and Project Management (NA-APM) 202-586-8304.

BUSINESS OPERATING PROCEDURE

BOP-003.0305

Approved: 6-5-07
Admin Change 3: 5-24-17

SMALL BUSINESS POLICY



NATIONAL NUCLEAR SECURITY ADMINISTRATION Office of Acquisition and Project Management

CONTROLLED DOCUMENT
AVAILABLE ON-LINE AT:

<https://nnsaportal.energy.gov/intranet/NA-MB/Active%20Policies/Forms/All%20Active.aspx>

OFFICE OF PRIMARY INTEREST (OPI):
Office of Acquisition Management

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SMALL BUSINESS POLICY

1. **PURPOSE.** To formally state NNSA's policies and approaches that provide America's small businesses with the opportunity to participate in acquisitions that support NNSA's program and mission objectives. This includes programs such as small business, veteran-owned small business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concerns.
2. **CANCELLATION.** BOP-003.0305 Admin Change 2, *Small Business Policy*, dated 8-30-15.
3. **APPLICABILITY.**
 - a. **Federal.** This Business Operating Procedure (BOP) applies to all federal elements having contracting authority and to contract actions taken by NNSA Contracting Officers obligating NNSA or non-NNSA funds.

Note: For the purposes of this BOP, the term *contract actions* includes actions relating to solicitations, contract awards, orders placed under Federal Supply Schedules, orders placed under Government-wide Acquisition Contracts, Blanket Purchase Agreements (and the orders placed thereunder), Blanket Ordering Agreements (and the orders placed thereunder), Interagency Agreements, letter contracts, bilateral modifications for new work, and other related procurement actions.
 - b. **Contractors.** Does not apply to contractors.
 - c. **Equivalency.** In accordance with the responsibilities and authorities assigned by Executive Order 12344, codified at 50 United States Code sections 2406 and 2511, and to ensure consistency through the joint Navy/DOE Naval Nuclear Propulsion Program, the Deputy Administrator for Naval Reactors (Director) will implement and oversee requirements and practices pertaining to this Directive for activities under the Director's cognizance, as deemed appropriate.
4. **SUMMARY OF CHANGES**
 - a. Added Naval Reactors equivalency.
 - b. Moved section 4 Policies to section 5 Requirements.
 - c. Added section 4 Summary of Changes.
 - d. Moved old section 5 Requirements to new section 6 Responsibilities.
 - e. Section 6 Exception deleted and made a note to Requirement b.
 - f. Section 7 Special Procedures moved to section 6 Responsibilities.

5. REQUIREMENTS.

- a. NNSA must be committed to providing maximum practicable contracting opportunities for the small business socioeconomic contracting programs and to small businesses (as defined in the Federal Acquisition Regulation (FAR) Part 19.201) for goods and services needed to support program and mission accomplishment.
- b. All NNSA non-Management & Operating (M&O) contract actions must first be considered for the small business socioeconomic contracting programs and to small businesses. Non-M&O contract awards to other than small businesses require an approved Department of Energy (DOE) small business review prior to making an award.

Note: An exception may occur if there exists compelling programmatic reasons (subject to review and approval), e.g., unusual and compelling urgency not to place the requirement with small businesses.

- c. All small business subcontracting plans, as identified in the FAR Part 19.7, must include goals that will challenge contractors to expand small business use and to make every effort to meet or exceed the statutory minimum goals.
- d. The Secretary's and Administrator's small business contracting objectives must be supported.
- e. The M&O Subcontracting Plan or Annual Forecast modifications must be coordinated with the designated NNSA Small Business Program Manager (SBPM) prior to approval by the designated site official.

6. RESPONSIBILITIES.

- a. The Administrator establishes small business strategic direction and policy to meet NNSA's commitments to the Secretary on small business contracting goals.
- b. Deputy or Associate Administrators provide an annual prime small business goaling forecast, coordinated through the Office of Acquisition and Project Management, which supports the DOE planning processes as directed by DOE's Office of Small and Disadvantaged Business Utilization (OSDBU).
- c. Deputy and Associate Administrators, Field Office Managers, and NNSA Heads of Contracting Activities (HCAs) ensure that this policy is implemented and plans are established to meet small business goals.
- d. NNSA Field Office Managers:
 - (1) Ensure that challenging subcontracting plan goals are negotiated with M&O contractors in accordance with the contract terms and

conditions in consultation with the designated NNSA SBPM and concurrence of the NNSA Senior Procurement Executive (SPE).

- (2) Coordinate M&O Subcontracting Plans with the designated NNSA SBPM and Annual Subcontracting Goal Forecasts with the designated NNSA SBPM and the SPE prior to approval by the designated site official.
- e. NNSA HCAs provide guidance to contracting officers to ensure that non-M&O contracts that require a small business subcontracting plan include challenging goals reflecting proper participation by small businesses.
- f. NNSA Contracting Officers:
- (1) Conduct market research to locate businesses that are capable of fulfilling NNSA requirements with an emphasis on small business sources as prescribed in FAR Part 10, and 13 Code of Federal Regulations (CFR) 125.2.
 - (2) Partner with Field Office Contracting Officers and M&O contractors to identify opportunities for strategic purchases from small business.
 - (3) Facilitate and promote small business strategies that will increase opportunities for small business participation in NNSA's procurements and subcontracts.
 - (4) Collaborate with Field Office Managers to encourage M&O contractors to seek every reasonable and realistic prospect to broaden and increase small business subcontracting opportunities.
- g. Field Office Contracting Officers (in accordance with their delegation):
- (1) Approve contract modifications to subcontracting plans with the concurrence of an NNSA SBPM after award.
 - (2) Conduct annual subcontracting goal negotiations, or as required.
- h. NNSA Small Business Program Managers, as designated by the SPE:
- (1) Participate in contract strategy planning and requirement reviews. Provide set-aside recommendations and concurrence on strategy. Retain copies as needed for small business files.
 - (2) Manage the forecast of NNSA contracting and subcontracting opportunities.
 - (3) Provide guidance to contracting staff and Contracting Officers on developing and processing DOE Small Business Reviews. Provide

coordination and liaison with OSDBU to obtain review approval. Provide guidance, review, and concurrence on subcontracting plans prior to acceptance by the Contracting Officer.

- (4) Provide guidance, review, and administration of the overall electronic Subcontract Reporting System (eSRS) submittals and other external government reporting systems.
- (5) Ensure NNSA program offices and field offices are informed of and aligned with HQ's small business policy and procedural guidance.
- (6) Provide day-to-day operational management of NNSA's Small Business Program nationwide, including NNSA HQ, federal field offices, and its major prime contractors.
- (7) Interface with assigned NNSA M&O contractors, providing assistance to site management for annual subcontracting goals.
- (8) Represent NNSA through interface with small businesses; other Federal Agencies; State and local governments; and small business professional organizations.
- (9) Provide OSDBU with access to subcontracting plans and goals, as appropriate.

7. REFERENCES.

- a. U.S. Code of Federal Regulations Title 13, *Business Credit and Assistance*
 - b. Federal Acquisition Regulation Part 10, *Market Research*, and Part 19, *Small Business Programs*
 - c. Department of Energy Acquisition Regulation Part 919, *Small Business Programs*
 - d. Department of Energy Acquisition Guide, Chapter 19, *Small Business Programs*
8. CONTACT. Headquarters Small Business Program Manager, Office of Acquisition and Project Management (NA-APM) 202-586-8304.

BY ORDER OF THE ADMINISTRATOR:



JOSEPH F. WADDELL
Senior Procurement Executive