

SUPPLEMENTAL DIRECTIVE

NNSA SD 547.1

Approved: 12-17-20

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SMALL BUSINESS POLICY



NATIONAL NUCLEAR SECURITY ADMINISTRATION Office of Acquisition and Project Management

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SMALL BUSINESS POLICY

1. PURPOSE. To provide the National Nuclear Security Administration's (NNSA) policies and procedures that offer America's small businesses with the opportunity to participate in acquisitions in support of NNSA's program and mission objectives. This effort includes programs defined in Federal Acquisition Regulation (FAR) Part 19.201(a).
2. AUTHORITY. Department of Energy (DOE) Policy 547.1A, *Small Business First Policy*, issued 03-30-18.
3. CANCELLATION. Business Operating Procedure 547.1, *Small Business Policy*, issued 05-24-17.
4. APPLICABILITY.
 - a. Federal. This Supplemental Directive (SD) 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 SD, 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. Equivalencies/Exemptions.
 - (1) 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 throughout 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.
 - (2) Exemption. None.
5. SUMMARY OF CHANGES.
 - a. Added section 2, Authority.
 - b. Moved section 4, Policies to section 6, Requirements.
 - c. Added section 5, Summary of Changes.

- d. Moved old section 5, Requirements, to new section 7, Responsibilities.
- e. Section 6, Exception deleted and made a note to Requirement 6.b.
- g. Removed DOE-specific small business review approval in section 6.b.
- h. Section 7, Special Procedures, moved to section 7, Responsibilities.
- i. Identified Senior Procurement Executive designation of NNSA Small Business Program Managers (SBPM) in new subsection 7.d.
- j. Transferred SBPM filing requirement under subsection 7.i.(1) to NNSA Contracting Officers, section 7.g.(5).
- k. Removed SBPM forecast management under section 7.i.(2).

6. REQUIREMENTS.

- a. NNSA must provide maximum, practicable contracting opportunities for small business socio-economic contracting programs and to small business concerns (as defined in the FAR Part 19.201(a)) for goods and services needed to support program and mission accomplishment.
- b. All NNSA non-Management and Operating (M&O) contract actions must first be considered for small business socio-economic contracting programs and to small business concerns. Non-M&O contract awards to other than small business concerns require a 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 business concerns.

- c. All small business subcontracting plans, as identified in the FAR Part 19.7, must include goals that reflect maximum opportunity for small businesses and make a reasonable effort to support the statutory minimum goals.
- d. The Secretary of Energy's and the NNSA Administrator's small business contracting objectives must be supported.
- e. The M&O Subcontracting Plan or M&O annual subcontracting plan goal modifications (DOE Acquisition Regulation Subpart 970.1907-4) must be coordinated with the designated NNSA SBPM prior to approval by the designated site official.

7. RESPONSIBILITIES.

a. Administrator.

Establishes small business strategic direction and policy to meet NNSA's commitments to the Secretary on small business contracting goals.

b. Deputy Administrators and Associate Administrators.

- (1) Ensure that this policy is implemented and plans are established to meet small business goals.
- (2) 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), if requested.

c. Senior Procurement Executive.

Designates NNSA SBPMs.

d. Field Office Managers.

- (1) Ensure that this policy is implemented and plans are established to meet small business goals.
- (2) Ensure that all small business subcontracting plan goals are negotiated with M&O contractors in accordance with the contract terms and conditions in consultation with the designated NNSA SBPM.
- (3) Coordinate M&O Subcontracting Plans and annual subcontracting plan goal modifications with the designated NNSA SBPM prior to approval by the designated site official.

e. NNSA Heads of Contracting Activities (HCAs)

- (1) Ensure that this policy is implemented and plans are established to meet small business goals.
- (2) Provide guidance to contracting officers to ensure that M&O and non-M&O contracts requiring a small business subcontracting plan include goals reflecting proper participation by small business concerns.

f. 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 concerns.
- (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 increase small business subcontracting opportunities.
- (5) Retain copies of any pre-award socio-economic acquisition strategy considerations or determinations in the contract file.

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 M&O subcontracting plan goal negotiations as required.

h. Small Business Program Managers.


- (1) Participate in acquisition strategy planning and requirement reviews. Provide set-aside recommendations and concurrence on strategy.
- (2) Provide guidance to contracting staff and Contracting Officers on developing and processing DOE Small Business Review actions. 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.
- (3) Provide guidance, review, and administration of the overall electronic Subcontract Reporting System (eSRS) submittals and other external government reporting systems.
- (4) Ensure NNSA program offices and field offices are informed of, and aligned with, NNSA HQ's small business policy and procedural guidance.
- (5) Provide day-to-day operational management of NNSA's Small Business Program nationwide, including NNSA HQ, federal field offices, and its major prime contractors.
- (6) Interface with assigned NNSA M&O contractors, providing assistance to site management for annual subcontracting plan goal negotiations.
- (7) Represent NNSA with business concerns, other federal agencies, state and local governments, and small business professional organizations.

- (8) Provide OSDBU with access to subcontracting plans and goals, as appropriate.

8. 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. DOE Acquisition Regulation Part 919, *Small Business Programs*, and Part 970, *DOE Management and Operating Contracts*.
 - d. DOE Acquisition Guide, Chapter 19, *Small Business Programs*.
9. CONTACT. Headquarters Small Business Program Manager, Office of Acquisition and Project Management (NA-APM) 202-586-8304.

BY ORDER OF THE ADMINISTRATOR:


William A. Bookless
Acting Administrator