US Army Corps of Engineers

Construction Bulletin

No. 96-3 Issuing Office: CEMP-CP Issue Date: 2/15/96 Exp. Date: 31 DEC 98

CEMP-C

Subject: Small Business Programs

Applicability: INFORMATION

1. **REFERENCE:** Federal Acquisition Circular (FAC) 90-32 dated 18 September 1995.

2. **PURPOSE.** This Construction Bulletin (CB) outlines the recent changes to the Small Business Programs with which construction field personnel should be familiar.

3. **a.** Changes issued by referenced publication revised the Small Business Programs to provide Women-Owned Small Businesses (WOSB) with the maximum opportunity to participate in contracts let by Federal agencies. For example, FAR clauses 52.219-8 and 52.219-9 now have been titled "Utilization of Small, Small Disadvantaged and Women-Owned Small Business Concerns" and "Small, Small Disadvantaged and Women-Owned Small Business Subcontracting Plan" respectively. The subcontracting plan has been revised to include goals for total dollars planned to be subcontracted to WOSB concerns.

b. Standard Form (SF) 294 "Subcontracting Report for Individual Contracts" and SF 295 "Summary Subcontract Report" have been completely revised. The changes to the SF 294: (1) add WOSB subcontract awards data; (2) require reporting of only cumulative dollars from the beginning of the contract; (3) require the signature of the individual administering the subcontracting plan only; and (4) instruct contractors to send copies of SF 294s to the Defense Logistics Agency (DLA) (only when DLA is administering the contract). The changes to SF 295: (1) extend contractor reporting of all subcontracts for all contracts with USACE from quarterly to semiannually; (2) eliminate the requirement for reporting the dollars for the same period last year; (3) eliminate reporting of subcontract goal achievement; and (4) instruct contractors to send a copy of the SF 295 to the Small Business Administration. The revised SF 295 gives no instructions for reporting of subcontracts at lower tiers (except for sending the reports to the cognizant contract administration office as stated in the contract).

Prepared in accordance with AR 25-30 by HQUSACE Directorate of Military Programs, 20 Mass. Ave., N.W., Washington, DC 20314-1000

4. The effective date for the use of the new forms was 1 October 1995. The end of the first reporting period (using the new forms) is 31 March 1996 with reports due 30 days after the end of the reporting period. CB No. 96-4, dated 2/15/96 describes the procedures that should be followed, reporting requirements (including reporting procedures for lower tier subcontracts) and responsibilities of the ACOs.

5. This CB has been coordinated with the following HQUSACE organizations: Office of the Chief Counsel (CECC-C); Office of the Principal Assistant Responsible for Contracting (CEPR-P); Office of the Small and Small Disadvantaged Business Utilization (CEDB); and Operations, Construction and Readiness Division (CECW-O).

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