

Date: 3/25/2020

TITLE:

Credit for Lower Tier Small Business Subcontracting

RIN:

3245-AG71

LEGAL AUTHORITY:

NDAA 2014, Sec. 1614

CFR CITATION: 13 CFR Parts 121 and 125

ABSTRACT:

The Small Business Administration (SBA) is proposing to amend its regulations to implement Sec. 1614 of the National Defense Authorization Act for Fiscal Year 2014. The proposed amendments authorized by this statute would allow another than small prime contractor that has an individual subcontracting plan for a contract to receive credit towards its small business subcontracting plan goals for subcontract awards made to small business concerns at any tier. The prime contractor shall incorporate the lower tier subcontracting performance into its subcontracting plan goals. Currently, other than small business prime contractors establish small business subcontracting goals for first tier level, and receive credit toward their subcontracting plan goal performance at the first-tier level. This also proposes to implement that statutory requirements related to the subcontracting plans of all subcontractors that are required to maintain such plans, including the requirement to monitor subcontractors' performance and compliance towards reaching the goals set out in those plans as well as their compliance with subcontracting reporting requirements. SBA is also proposing to clarify that the size standard for a particular subcontract must appear in the solicitation for the subcontract.

TIMETABLE:

ACTION	DATE	FR CITE*
NPRM	10/6/2015	80 FR 60300
NPRM Comment End Period	12/7/2015	
NFRM (Final Rule)	12/23/2016	81 FR 94246
Effective Date	1/23/2017	

ADDITIONAL INFORMATION:

To access the Reginfo.gov website please go to: <http://www.reginfo.gov/public/>

<https://www.govinfo.gov/content/pkg/FR-2016-12-23/pdf/2016-30874.pdf>

FAR CASE NUMBER: 2018-003 — FAR Case on hold pending update to SBA's regulations based on NDAA FY2020.

For Information on the FAR case status please go to:

<https://www.acq.osd.mil/dpap/dars/opencases/farcasenum/far.pdf>

**Small Business Administration
Office of Policy, Planning and Liaison**

URL FOR MORE INFO: Click here to enter text.

RELATED RIN: Click here to enter text.

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ACRONYMS

RIN: Regulatory Identifier Number

CFR: Code of Federal regulations

FAR: Federal Acquisition Regulation

The FAR is available at the GSA website or the Hill Air Force Base website, as follows:

[GSA](#) or [Hill AFB](#)

ANPRM: Advance Notice of Proposed Rule Making

NPRM: Notice of Proposed Rule Making

*Please use the Additional Information field when the space in the Timetable is insufficient.

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