

**December 29, 2000**

The Honorable Jacob J. Lew, Director  
Office of Management and Budget  
Executive Office of the President  
Washington, DC 20503

Dear Mr. Lew:

In accordance with your November 16, 2000, memorandum, I am enclosing the Nuclear Regulatory Commission's (NRC) long-term plan for implementing Section 2(a) of Executive Order 13170, "Increasing Opportunities and Access for Disadvantaged Businesses". The plan identifies actions that the NRC will take over the next three years to accomplish the procurement preference goals. The plan includes specific steps to increase participation of disadvantaged businesses in contracts for federal advertising and information technology. Information regarding our designated senior official was provided to your office under correspondence dated November 30, 2000. Please feel free to call me at (301) 415-7380, if you have questions.

Sincerely,

**/RA/**

Irene P. Little, Director  
Office of Small Business and Civil Rights

Enclosure: As stated

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Sincerely,  
**Original signed by**  
**Irene Little**  
Irene P. Little, Director  
Office of Small Business and Civil Rights

Enclosure: As stated

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**Executive Order 13170**  
**Increasing Opportunities and Access for Disadvantaged Businesses**  
**Long Term Plan**

**INTRODUCTION**

The U.S. Nuclear Regulatory Commission (NRC) is a Federal Agency responsible for licensing and regulating commercial nuclear facilities and materials and for conducting research in support of its licensing and regulatory processes. These responsibilities include protection of the public health and safety with regard to nuclear materials and the operation of commercial nuclear power reactors. The NRC is a relatively small agency, with approximately 2,800 employees, nationwide.

Federal statute requires all Federal agencies to establish a Small Business office to assist and support the interests of small businesses. The Office of Small Business and Civil Rights (SBCR) was established in the NRC and is charged with that responsibility. The Small Business Program Manager of the SBCR staff works very closely with the NRC Procurement office to provide maximum opportunity for small, minority, and women-owned businesses to participate in NRC's procurement process. The projected total estimated dollars for procurement of products and services is \$55 million, for Fiscal Year 2001. Generally, the NRC meets or exceeds its small business goals.

In accordance with Section 2(b)(i) of Executive Order 13170, "Increasing Opportunities and Access for Disadvantaged Businesses", the NRC has developed a Long Term Plan that identifies actions the Agency intends to take over the next three years to satisfy requirements outlined in the Executive Order, for increasing procurement opportunities with disadvantaged businesses. Also included in the Plan are steps to increase participation of disadvantaged businesses in contracts for federal advertising and information technology.

Dated: 1/05/01

Task	Milestone	Milestone Date
<p><b><u>Task No. 1</u></b></p> <p>Section 2(a)(i) - Aggressively seek to ensure that 8(a)s, SDBs, and MBEs are aware of future prime contracting opportunities through wide dissemination of contract announcements, including sources likely to reach 8(a)s, SDBs, other small businesses, and MBEs. Each department and agency shall use all available forms of communication to implement this provision, including the Internet, specialty press, and trade press.</p>	<p><b><u>Response</u></b></p> <ol style="list-style-type: none"> <li>1. The NRC maintains a Small Business website that is accessible to all businesses. This website contains general information regarding "Doing Business with the NRC", the agency's Forecast of Procurement/Contract Opportunities which provides descriptions of the agency's procurement requirements and associated National American Industrial Classification System Codes (NAIC). With this information businesses can easily and quickly identify projects that are suitable to match their specific expertise and performance capabilities. The website is updated on a quarterly basis.</li> <li>2. NRC has established a Small Business Hotline for 24 hour access by businesses, to obtain the Forecast and answers to commonly and frequently asked questions.</li> <li>3. All procurements will be advertised on the General Services Administration (GSA) FedBizOpps website.</li> <li>4. Proposed procurement opportunities are advertised in the <u>Commerce Business Daily</u>. The Procurement office intends to continue advertising procurement opportunities as required under Federal Acquisition Regulation (FAR).</li> <li>5. Copies of the Forecast will be provided to the U.S. Small Business Administration's (SBA) headquarters office when it becomes available.</li> <li>6. An assessment of the small business accomplishments will be conducted following each Fiscal Year.</li> </ol>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>

Task	Milestone	Milestone Date
<p><b><u>Task No. 2</u></b></p> <p>Section 2(a)(ii) - Work with the Small Business Administration (SBA) to ensure that information regarding sole source contracts awarded through the section 8(a) program receives the widest dissemination possible to 8(a)s.</p>	<p><b><u>Response</u></b></p> <ol style="list-style-type: none"> <li>1. Procurement set-asides are identified on the Agency's Forecast of Procurement Opportunities.</li> <li>2. Forecast is accessible to all contractors, including 8(a) businesses, through the Agency's website.</li> <li>3. The Procurement office will continue to notify SBA of all 8(a) contract awards.</li> <li>4. The Procurement office will continue to utilize the SBA's PRONET website to identify potential 8(a) sources.</li> </ol>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>
<p><b><u>Task No. 3</u></b></p> <p>Section 2(a)(iii) - Ensure that the price evaluation preference programs authorized by the Federal Acquisition Streamlining Act of 1994 are used to the maximum extent permitted by law in areas of economic activity in which SDBs have historically been underused.</p>	<p><b><u>Response</u></b></p> <ol style="list-style-type: none"> <li>1. The Procurement office will continue to include in solicitations appropriate FAR provisions, relative to the price evaluation preference programs.</li> <li>2. The Procurement office will develop internal guidelines regarding SDB initiatives, as an ongoing desk reference for use by staff. The guidelines will address the price evaluation preference programs.</li> <li>3. On-site training will be conducted by Procurement Policy Analysts to keep staff abreast of current requirements.</li> </ol>	<p>Ongoing</p> <p>March 2001</p> <p>First Session by April 2001; thereafter as needed</p>

Task	Milestone	Milestone Date
<p><b>Task No. 4</b></p> <p>Section 2(a)(iv) - Aggressively use the firms in the section 8(a) program, particularly in the developmental stage of the program, so that these firms have an opportunity to overcome artificial barriers to Federal contracting and gain access to the Federal procurement arena.</p>	<p><b>Response</b></p> <ol style="list-style-type: none"> <li>1. The Small Business Program Manager and the Procurement office will conduct Advance Procurement Plan (APP) meetings with the program offices to discuss all planned procurement opportunities and identify requirements that can and should be set-aside for Small Businesses including 8(a) and SDB firms.</li> <li>2. Requests for Procurement Actions (RFPA) exceeding \$100,000 will be reviewed by the Small Business Program Manager for possible 8(a) and SDB awards recommendations.</li> <li>3. The Procurement office will routinely use PRONET to ascertain any 8(a) and SDB firms that may be capable of performing a requirement.</li> <li>4. The Small Business office will implement an award program that will recognize Agency program and procurement personnel/offices that are making strides in effectively using small disadvantaged businesses.</li> </ol>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>October 2002</p>

Task	Milestone	Milestone Date
<p><b><u>Task No. 5</u></b></p> <p>Section 2(a)(v) - Ensure that the department and agency heads take all reasonable steps so that prime contractors meet or exceed Federal subcontracting goals, and enforce subcontracting commitments as required by the Small Business Act (15 U. S. C. 637(d)) and other related laws. In particular, they shall ensure that prime contractors actively solicit bids for subcontracting opportunities from 8(a)s and SDBs, and fulfill their SDB and section 8(a) subcontracting obligations. Enforcement of SDB subcontracting plan commitments shall include assessment of liquidated damages, where appropriate, pursuant to applicable contract clauses.</p>	<p><b><u>Response</u></b></p> <ol style="list-style-type: none"> <li>1. The Small Business office will continue to review the subcontracting plans of successful offerors to ensure the goals for using 8(a) and SDB firms are acceptable.</li> <li>2. The Small Business office will conduct semi-annual reviews of the subcontracting data (Standard Form 294 and 295) reported by large prime contractors to ensure small business goals are met. Personal contact will be used to follow-up with contractors who are not meeting goals or who have not provided SF 294 and 295 reports.</li> <li>3. The Procurement office will include a note to large businesses in FedBizOpps postings that a) reminds them of the requirement to submit a subcontracting plan; b) discusses teaming arrangements; and c) mentions the posting of a Teaming Opportunities list with the solicitation. Major contractors will be encouraged to establish mentor-protége relationships with small businesses.</li> </ol>	<p>Ongoing</p> <p>Ongoing</p> <p>February 2001</p>
<p><b><u>Task No. 6</u></b></p> <p>Section 2(a)(vi) - Encourage the establishment of business-to-business mentoring and teaming relationships, including the implementation of Mentor-Protege programs, to foster the development of technical and managerial capabilities of 8(a)s and SDBs and to facilitate long-term business relationships.</p>	<p><b><u>Response</u></b></p> <ol style="list-style-type: none"> <li>1. The Small Business Program Manager will continue to host quarterly Forums that include Procurement office, Program office and small business representation. The Forum provides an opportunity to small businesses to make a presentation of its capabilities to Agency personnel.</li> <li>2. The Procurement office will include a note to large businesses in FedBizOpps postings that a) reminds them of the requirement to submit a subcontracting plan; b) discusses teaming arrangements; and c) mentions the posting of a Teaming Opportunities list with the solicitation.</li> </ol>	<p>Ongoing</p> <p>February 2001</p>

Task	Milestone	Milestone Date
<p><b><u>Task No. 7</u></b></p> <p>Section 2(a)(vii) - Offer information, training, and technical assistance programs for 8(a)s and SDBs including, where appropriate, Government acquisition forecasts in order to assist 8(a)s and SDBs in developing their products, skills, business planning practices, and marketing techniques.</p>	<p><b><u>Response</u></b></p> <ol style="list-style-type: none"> <li>1. The Forecast will be used to assist firms in developing their business planning practices, and marketing techniques.</li> <li>2. The Small Business office will maintain updated procurement information provided to 8(a) and SDB firms through the Agency's website and the Small Business Hotline.</li> <li>3. The Small Business Program Manager will continue to meet with 8(a) and SDB contractors to provide guidance on Agency procurement practices and opportunities.</li> <li>4. The Small Business Program Manger will continue to host quarterly Forums where 8(a) and SDB firms can demonstrate their capabilities to Agency personnel.</li> </ol>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>
<p><b><u>Task No. 8</u></b></p> <p>Section 2(a)(viii) - Train program and procurement officials regarding the policy of including 8(a)s and SDBs in Federal procurement. This includes prescribing procedures to ensure that acquisition planners, to the maximum extent practicable, structure acquisitions to facilitate competition by SDBs and 8(a)s, including their participation in the competition of multiple award requirements.</p>	<p><b><u>Response</u></b></p> <p>The Procurement office will develop Procurement Guidelines and conduct a training session for the Procurement and Program offices to review 8(a) and SDB initiatives as follows:</p> <ol style="list-style-type: none"> <li>1. Price evaluation preference programs authorized by the FAR.</li> <li>2. Federal advertising requirements.</li> <li>3. Including SDBs in competitive acquisitions.</li> <li>4. Use of PRONET by the Procurement Staff to identify 8(a) and SDB firms for requirements.</li> <li>5. Review of Request for Procurement Actions by the Small Business Program Manager.</li> <li>6. 8(a) and SDB participation in procurements for and related to information technology.</li> <li>7. Contract bundling.</li> <li>8. Using 8(a)'s and SDB's on GSA Schedules.</li> </ol>	<p>October 2001</p>

Task	Milestone	Milestone Date
<p><b><u>Task No. 9</u></b></p> <p>Section 2(a)(ix) - Provide the information required by the Department of Commerce when it requests data to develop the benchmarks used in the price evaluation preference programs authorized by the Federal Acquisition Streamlining Act of 1994.</p>	<p><b><u>Response</u></b></p> <p>The Small Business office will, working with the Procurement office, retrieve and provide data on prime contracting activity with 8(a) and SDB firms, including number of contract actions and total contracting dollars awarded to 8(a) and SDB firms for a given Fiscal Year; and the status of meeting 8(a) and SDB goals for current Fiscal Year.</p>	<p>Ongoing</p>
<p><b><u>Task No. 10</u></b></p> <p>Section 2(a)(x) - Ensure that Directors of Offices of Small and Disadvantaged Business Utilization carry out their responsibilities to maximize the participation of 8(a)s and SDBs in Federal procurement and, in particular, ensure that the Directors report directly to the head of each department or agency as required by law.</p>	<p><b><u>Response</u></b></p> <ol style="list-style-type: none"> <li>1. The Director of the Small Business office will work closely with Agency Senior Managers to make them aware of these new initiatives and seek their continued commitment to the Small Business programs (specifically 8(a) and SDB).</li> <li>2. The Director of the Small Business office will continue to lead efforts to keep small businesses informed of the Agency's procurement opportunities through visible support for the quarterly Forums and other information sharing initiatives.</li> <li>3. Under Section 2.(b) of President's Reorganization Plan No. 1 of 1980, as amended, the NRC's Executive Director for Operations is the head of the agency for purposes of reporting on small business matters under the Small Business Act. The Director of the Small Business office reports to the Deputy Executive Director for Management who reports to the Executive Director for Operations. The Director of the Small Business office also meets periodically with the Chairman of the Agency to discuss pertinent aspects of the Agency's Small Business programs.</li> </ol>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>

Task	Milestone	Milestone Date
<p><b><u>Task No. 11</u></b></p> <p>Section 2(a)(xi) - As required by law, establish with the Small Business Administration small business goals to ensure that the government-wide goal for participation of small business concerns is not less than 23 percent of Federal prime contracts. Where feasible and consistent with the effective and efficient performance of its mission, each agency shall establish a goal of achieving a participation rate for SDBs of not less than 5 percent of the total value of prime contract awards for each fiscal year and of not less than 5 percent of the total value of subcontract awards for each year. Each agency shall also establish a goal for awards made to 8(a) firms pursuant to section 8(a) of the Small Business Act. These goals shall be considered the minimum goals and every effort shall be taken to exceed these goals wherever feasible.</p>	<p><b><u>Response</u></b></p> <p>1. Historically, the Agency has worked with SBA to establish aggressive goals for the Small Business Preference Programs and generally, the Agency has met or exceeded these goals.</p> <p>2. The Small Business Program Manager will continue to work with SBA and will continue to monitor contract and subcontract activity through the Procurement office contract tracking system. Early action will be considered for indications that the Agency may not be meeting its goals.</p>	<p>Ongoing</p> <p>Ongoing</p>

Task	Milestone	Milestone Date
<p><b><u>Task No. 12</u></b></p> <p>Section 4. <u>Federal Advertising</u>. Each department or agency that contracts with businesses to develop advertising for the department or agency or to broadcast Federal advertising shall take an aggressive role in ensuring substantial minority-owned entities' participation, including 8(a), SDB, and MBE, in Federal advertising-related procurements. Each department and agency shall ensure that all creation, placement, and transmission of Federal advertising is fully reflective of the Nation's diversity. To achieve this diversity, special attention shall be given to ensure placement in publications and television and radio stations that reach specific ethnic and racial audiences. Each department and agency shall ensure that payment for Federal advertising is commensurate with fair market rates in the relevant market. Each department and agency shall structure advertising contracts as commercial acquisitions consistent with part 12 of the Federal Acquisition Regulation processes and paperwork to enhance participation by 8(a)s, SDBs, and MBEs.</p>	<p><b><u>Response</u></b></p> <p>1. Use of SDB as advertising contractors:</p> <p><b>a.</b> The Small Business office will continue to encourage Human Resources to consider 8(a) and SDB firms as part of the source list for advertising opportunities.</p> <p><b>b.</b> The Procurement office will use PRONET and references from the Small Business office to obtain 8(a) and SDB sources.</p> <p>2. Advertising procurement opportunities in ethnic arenas:</p> <p><b>a.</b> The Small Business office will continue to host quarterly Forums to spotlight 8(a) and SDB firms' capabilities to the Program offices.</p> <p><b>b.</b> The Small Business Program Manager will continue to work with the Procurement office to advertise the Agency's Forecast on the website and the Small Business Hotline.</p>	<p>Ongoing</p> <p>Ongoing</p>

Task	Milestone	Milestone Date
<p><b><u>Task No. 13</u></b></p> <p>Section 5. <u>Information Technology</u>. Each department and agency shall aggressively seek to ensure substantial 8(a), SDB, and MBE participation in procurements for and related to information technology, including procurements in the telecommunications industry. In so doing, the Chief Information Officer in each department and agency shall coordinate with procurement officials to implement this section.</p>	<p><b><u>Response</u></b></p> <p>1. The Director of the Office of Small Business and Civil Rights will issue a memorandum to NRC's Chief Information Officer (CIO) explaining these requirements.</p> <p>2. The Small Business office and the Procurement office will continue to work collaboratively with CIO staff providing input to the Agency's new IT initiatives, Comprehensive Information Systems Support Services (CISSCO II) and Infrastructure Services and Support Contract (ISSC); and will continue to encourage the use of 8(a) and SDB firms.</p>	<p>October 2001</p> <p>Ongoing</p>

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