

SECRETARY OF LABOR
WASHINGTON, D.C. 20210

JAN 30 2013

A. John Shoraka
Associate Administrator for
Government Contracting & Business Development
U.S. Small Business Administration
409 3rd Street, S.W. Suite 8000
Washington, DC 20416

Dear Mr. Shoraka:

Executive Order 13360 (Order) calls for an increase in federal contracting and subcontracting opportunities for service-disabled veteran businesses. The Office of Management and Budget, Office of Federal Procurement Policy subsequently issued a memorandum to all Federal agencies on the implementation of the Executive Order 13360. This memorandum provided guidance to assist agencies in preparing their strategies to implement the Order.

Executive Order 13360, among other things, directs agency heads to: 1) develop a strategy to significantly increase its contracting and subcontracting with small businesses owned and controlled by service-disabled veterans; 2) designate a senior official to be responsible for developing and implementing the agency's strategy; and 3) report its progress annually to the Small Business Administration (SBA). Pursuant to this order, and to more effectively implement section 15(g) of the Small Business Act (15 U.S.C. 644(g)), the Department of Labor (Department) has updated its strategy and designated T. Michael Kerr, Assistant Secretary for Administration and Management, who also serves as the Director of the Small and Disadvantaged Business Utilization Program, as the Department of Labor's senior official responsible for implementing Executive Order 13360.

Enclosed is the Department's revised *Strategy for Implementing the Service-Disabled Veterans Executive Order 13360: Providing Opportunities for Service-Disabled Veteran Business to Increase Their Federal Contracting and Subcontracting*.

If you have questions please contact T. Michael Kerr, Assistant Secretary for Administration and Management, at (202) 693-4040.

Sincerely,



SETH D. HARRIS
Acting Secretary of Labor

Enclosure

U.S. Department of Labor

Strategy for Implementing the Service-Disabled Veterans Executive Order 13360: Providing Opportunities for Service-Disabled Veteran Businesses to Increase Their Federal Contracting and Subcontracting (Updated)

U.S. Department of Labor

Designated Senior-level Official: The Department of Labor designates the Director of the Small and Disadvantaged Business Utilization Program as the senior official responsible for implementing the Department's revised *Strategy for Implementing the Service-Disabled Veterans Executive Order 13360: Providing Opportunities for Service-Disabled Veteran Business to Increase Their Federal Contracting and Subcontracting*.

T. Michael Kerr
Assistant Secretary for Administration and Management
Director of the Small and Disadvantaged Business Utilization Program
200 Constitution Avenue, NW, Suite S-2203
Washington, DC 20210
Telephone: (202) 693-4040
Email: kerr.michael@dol.gov

Agency Strategy:

Executive Order 13360 - Providing Opportunities for Service-Disabled Veteran Businesses to Increase Their Federal Contracting and Subcontracting (E.O. 13360) directs Federal agencies to strengthen opportunities in federal contracting for Service-Disabled Veteran-Owned small businesses (SDVOSB).

The Department's plan incorporates ten elements that carry out the implementation of E.O. 13360, which establishes a goal of not less than three percent for SDVOSB participation in Federal contracting. The Department will report annually to the Small Business Administration (SBA) on the Department's strategy to uphold E.O. 13360, and target to increase the Federal contracting and subcontracting opportunities for SDVOSB.

Element 1: *In accordance with Section 2 of E.O. 13360 paragraph (a), please describe the Department's strategy to increase federal contracting and subcontracting opportunities for SDVOSB's through the implementation of E.O. 13360. Please describe the Department's strategy to establish the government-wide goal for SDVOSB participation in at least 3 percent of the Department's total prime contract and subcontract awards, as required under Section 15 (g) of the Small Business Act (15 U.S.C. 644 (g)).*

- The Department will establish a minimum three percent SDVOSB goal for component agencies and describe the Department's actions that establish a minimum target of three percent SDVOSB participation in the Department's total prime contract and subcontract awards in accordance with E.O. 13360.

- The Department will monitor goal attainment via the Federal Procurement Data System-Next Generation (FPDS-NG) and provide progress reports to each component Agency Head on their agency's progress toward meeting the three percent SDVOSB goal.

Element 2: *In accordance with Section 2 of E.O. 13360 paragraph (b), please describe the Department's strategy to make publicly available, and to report annually to SBA, on its strategy to implement E.O. 13360.*

- The Department will make its strategy for implementing the SDVOSB E.O. 13360 available on the Department's external internet and intranet websites.
- The Department will report annually to SBA on its strategy for implementing the SDVOSB E.O. 13360.

Element 3: *In accordance with Section 2 of E.O. 13360 paragraph (d), please describe the strategy to include standards in performance plans for senior-level officials that support DOL's strategy to increase federal contracting and subcontracting for service-disabled veteran-owned small businesses.*

- The Department incorporates small business elements in performance plans for acquisition personnel and senior-level officials involved in the procurement process. Performance Plan elements will recognize acquisition personnel and senior-level officials for their efforts to achieve and exceed the minimum target of three percent participation of SDVOSB's in their procurement actions and implementation of agency's strategy to support E.O. 13360.
- The Department will evaluate acquisition personnel and senior-level officials involved in the procurement process in accordance with the small business utilization-rating standard in performance plans for each rating period.

Element 4: *In accordance with Section 2 of the E.O 13360, paragraph (e) (i)-(ii) please describe the Department's strategy to encourage and facilitate participation by SDVOSBs in competitions for award of agency contracts. Include any outreach efforts made by your Agency to enter into contracts with SDVOSBs.*

- The Department will require its component agencies, program offices and contracting officers to consider *all* procurement actions (including GSA Federal Supply schedules and other government-wide acquisition contracts) for performance by potential SDVOSB sources.
- The Department's acquisition personnel will submit all actions exceeding the simplified acquisition threshold for OSDBU review in accordance with the screening procedures required by the Department of Labor Manual Series (DLMS)-2, Chapter 1000, Small Business Utilization Program.

- The Department will set-aside procurements for SDVOSB's, if supported by market research, or the requirements in FAR Subpart 19.1406 - Sole source awards to service-disabled veteran-owned small business concerns have been met.
- The Department will feature the SDVOSB community at one of its sponsored Quarterly Vendor Outreach Session (VOS) each fiscal year.
- OSDDBU will link its web page to the Department of Veterans Affairs Center for Veterans' Enterprise (CVE).
- The Department will participate in conferences, trade shows, or expos sponsored or featuring SDVOSB's each year.

Element 5: In accordance with section 2 of E.O. 13360, paragraph (e) (iii), please describe the Department's strategy to encourage prime contractors to subcontract with SDVOSBs, actively monitor, and evaluate contractor's efforts. Please describe the Department's efforts to encourage prime contractors in achieving the 3 percent subcontracting goal for SDVOSBs.

- The Department will establish a minimum three percent SDVOSB subcontracting goal for all contract actions containing approved subcontracting plans and describe the Department's strategy to ensure all subcontracting plans are approved and include a minimum target of three percent SDVOSB participation in prime contracts awarded to other than small businesses in accordance with E.O. 13360.
- OSDDBU will monitor the Electronic Subcontracting Reporting System (eSRS) and provide reports to contracting activities on prime contractor's performance against their three percent SDVOSB subcontracting goals.

Element 6: In accordance with Section 2 of E.O. 13360 paragraph (e) (iv), please describe the training opportunities for Agency personnel, including contracting officers & program managers on applicable laws and policies relating to participation of SDVOSB in federal contracting.

- The Department will provide acquisition personnel and program managers with training and guidance on Public Law 108-183 and E.O.13360.
- OSDDBU will provide training and guidance to acquisition personnel and program managers on the screening procedures required by the DLMS-2, Chapter 1000, Small Business utilization Program; and adequate market research procedures supporting SDVOSB set-asides.
- OSDDBU will monitor goal attainment via the FPDS-NG and provide quarterly small business progress reports to each of the Department's component Agency Head on their agency's advancements toward meeting the three percent SDVOSB goal via the Department's intranet webpage. The small business progress reports are a tool used to gauge SDVOSB performance and to develop an action plan to improve SDVOSB utilization for component agencies not meeting the minimum three percent SDVOSB goal.

Element 7: *In accordance with section 2 of E.O. 13360, paragraph (v), please describe the Department's strategy to disseminate information to SDVOSB's that would assist these businesses in participating in awards of contracts. Please explain the Department's efforts to disseminate information to the SDVOSB community.*

- The Department will make its Annual Procurement Forecast available on the Department's external internet website.
- The Department will advertise vendor outreach events on the Federal Business Opportunities Website.
- The Department will make online resources available to SDVOSB's that will assist these businesses in participating in agency contract awards.
- OSDBU, Agency Program Officials and acquisition personnel will promote a "foot in the door" strategy that will extend SDVOSB's opportunities to market their capabilities directly to the Department's program buyers and acquisition personnel.
- The Department will participate in conferences, trade shows, and one-on-one matchmaking events to disseminate information on doing business with the Department.

Element 8: *Please describe the Department's "Best Practices" that have a positive impact on progress toward achieving the government-wide goal for SDVOSB participation in at least three percent of the Department's total prime contract and subcontract awards; please provide a brief clear summary of the result of your Agency's efforts (i.e. SDVOSB performance and statutory goal attainment). If applicable, please explain the reportable differences in the Department's SDVOSB performance from the previous fiscal year.*

- The Department will provide strategies or "best practices" that contribute toward the achievement of the minimum three percent target for SDVOSB participation in its procurement actions.
- The Department will report its performance against the minimum three percent target for SDVOSB participation in its procurement actions; and the Department will provide a comparison of its SDVOSB participation during the reporting period to the achievements of the previous fiscal year.

Element 9: *If the Department has not achieved, at a minimum, three percent SDVOSB participation in contract awards, please describe the Department's strategy and additional efforts to increase SDVOSB participation and contract awards for the subsequent fiscal year. Note: Please leave this section "blank" if the three percent goal for SDVOSB participation has been achieved.*

- If applicable, the Department will provide a corrective action plan that will identify additional efforts that will contribute to meeting or exceeding the three percent target for SDVOSB participation in its procurement actions in the upcoming fiscal year.

Element 10: *As specified in E.O. 13360, Section 7, the Secretary of Labor and Secretary of Veterans Affairs shall, respectively direct the Transition Assistance Program (TAP) and the Disability Transition Assistance Program to educate separating service members as to the benefits available to service disabled veteran owned small businesses and as to potential entrepreneurial opportunities.*

- The Department's Veterans' Employment and Training Service (VETS) will coordinate with the Department of Defense and Veterans Affairs as they incorporate entrepreneurship into the larger TAP program.
- VETS will highlight entrepreneurial tools on appropriate Departmental website pages.
- VETS will conduct Transition Assistance Program (TAP) employment workshops.
- VETS will maintain and update, as needed the Transition Assistance Program.