

19.701 Definitions.

As used in this subpart-

Alaska Native Corporation (ANC) means any Regional Corporation, Village Corporation, Urban Corporation, or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native *Claims Settlement Act*, as amended (43 U.S.C. 1601, et seq.) and which is considered a minority and economically disadvantaged *concern* under the criteria at 43 U.S.C. 1626(e)(1). This definition also includes ANC direct and indirect subsidiary corporations, joint ventures, and partnerships that meet the requirements of 43 U.S.C. 1626(e)(2).

Commercial plan means a subcontracting plan (including goals) that covers the *offeror's* fiscal year and that applies to the entire production of *commercial products* and performance of *commercial services* sold by either the entire company or a portion thereof (*e.g.*, division, plant, or product line).

Electronic Subcontracting Reporting System (eSRS) means the Governmentwide, electronic, web-based system for small business subcontracting program reporting.

Failure to make a good faith effort to comply with the subcontracting plan means willful or intentional failure to perform in accordance with the requirements of the subcontracting plan, or willful or intentional action to frustrate the plan.

Indian tribe means any Indian tribe, band, group, pueblo, or community, including native villages and native groups (including corporations organized by Kenai, Juneau, Sitka, and Kodiak) as defined in the Alaska Native *Claims Settlement Act* (43 U.S.C.A. 1601 et seq.), that is recognized by the Federal Government as eligible for services from the Bureau of Indian Affairs in accordance with 25 U.S.C. 1452(c). This definition also includes Indian-owned economic enterprises that meet the requirements of 25 U.S.C. 1452(e).

Individual subcontracting plan means a subcontracting plan that covers the entire contract period (including *option* periods), applies to a specific contract, and has goals that are based on the *offeror's* planned subcontracting in support of the specific contract, except that *indirect costs* incurred for common or joint purposes *may* be allocated on a prorated basis to the contract.

Master subcontracting plan means a subcontracting plan that contains all the required elements of an *individual subcontracting plan*, except goals, and *may* be incorporated into *individual subcontracting plans*, provided the *master subcontracting plan* has been approved.

Reduced Payment means a payment that is for less than the amount agreed upon in a *subcontract* in accordance with its terms and conditions, for *supplies* and services for which the Government has paid the prime contractor.

Subcontract means any agreement (other than one involving an employer-employee relationship) entered into by a Government prime contractor or subcontractor calling for *supplies* and/or services required for performance of the contract, *contract modification*, or *subcontract*.

Total contract dollars means the final anticipated dollar value, including the dollar value of all *options*.

Untimely Payment means a payment to a subcontractor that is more than 90 days past due under the terms and conditions of a *subcontract* for *supplies* and services for which the Government has paid

the prime contractor.

Parent topic: Subpart 19.7 - The Small Business Subcontracting Program