



BUNDLING GUIDANCE

**DEPARTMENT OF DEFENSE,
OFFICE OF SMALL BUSINESS PROGRAMS**

May 2018

OVERVIEW OF DOCUMENT

This document has been prepared by the DoD Office of Small Business Programs (OSBP) to outline and describe bundling, consolidation, and the effect of these practices on small business participation and acquisition. This bundling guidance document serves to aid DoD Components in understanding and implementing practices and procedures required by the **Federal Acquisition Regulation (FAR)** and **Defense Federal Acquisition Regulation Supplement (DFARS)** relating to bundling and consolidation.

CHANGE CONTROL PROCESS

OSBP serves as the Change Control Board (CCB) and is ultimately responsible for maintaining and tracking all approved changes to the *DoD OSBP Bundling Guidance* Document. All proposed changes to this document must be approved by the CCB. However, OSBP depends on the DoD users to identify areas that need clarification or changes. Forward questions or requests for changes to OSBP at osd.business.defense@mail.mil.

VERSION CONTROL

Version	Approval Date	Author	Change Description
1.0	9/27/2017	OSBP	Original
2.0	11/3/2017	OSBP	Added version control page
3.0	5/2018	OSBP	Removed references to DFARS 207 due to https://www.federalregister.gov/documents/2018/04/13/2018-07732/defense-federal-acquisition-regulation-supplement-consolidation-of-contract-requirements-dfars-case

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INTRODUCTION

Combining two or more contract requirements into a single requirement can exclude potential contractors which can only perform or deliver smaller requirements. When small businesses are not capable of performing the larger, consolidated contracts, this is referred to as “bundling.” Congress has a special interest in tracking bundled contracts because of the potentially negative effects on small business. Each year, the Department of Defense (DoD), Office of Small Business Programs (OSBP) submits a report on all bundled contracts of the entire DoD. This report is submitted to Congress through the Small Business Administration (SBA). As DoD OSBP submits the report on behalf of the entire DoD, each DoD Component must understand the unique market research, monitoring, and documentation requirement of bundling.

When conducting acquisitions, the Federal Acquisition Regulation (FAR) and **15 USC 644(e)** requires all federal departments and agencies to include small business concerns as prime contractors, subcontractors, and suppliers, to the maximum extent practicable. The participation of these small businesses should be considered as early as possible in acquisition planning.¹

POLICY

FAR 7.102 requires acquisition planning and market research for all acquisitions. This policy ensures that the “Government meets its needs in the most effective, economical, and timely manner,” and is detailed in **FAR 7.104** and **FAR 7.105** (and any other supplemental guidance).

The first step in the acquisition process is acquisition planning. **FAR 7.103(u)** places responsibility on the agency head to require that acquisition planners “Structure contract requirements to facilitate competition by and among small business concerns,” and “Avoid unnecessary and unjustified consolidation or bundling.” According to **15 USC 631(j)**, in the spirit of open and fair competition, the Government should facilitate the participation of small business concerns as prime contractors, subcontractors, and suppliers in contracting opportunities by “taking all reasonable steps to eliminate obstacles to their participation...” The congressional

¹ 15 U.S.C 644(e)

intent regarding bundling is clear: “avoid unnecessary and unjustified bundling of contract requirements that precludes small business participation in procurements as prime contractors.”

CONSOLIDATION VERSUS BUNDLING

In short, contract **bundling** is a subset of contract **consolidation** which effectively precludes participation by small business because small businesses cannot perform the contract.

FAR 2.101 includes a definition of **consolidation** as follows:

“Consolidation or consolidated requirement”--

(1) Means a solicitation for a single contract, a multiple-award contract, a task order, or a delivery order to satisfy--

(i) Two or more requirements of the Federal agency for supplies or services that have been provided to or performed for the Federal agency under two or more separate contracts, each of which was lower in cost than the total cost of the contract for which offers are solicited; or

(ii) Requirements of the Federal agency for construction projects to be performed at two or more discrete sites.

(2) Separate contract as used in this definition, means a contract that has been performed by any business, including small and other than small business concerns.

Bundling refers to a subset of consolidation. **FAR 2.101** defines “bundling” as follows:

(1) Means a subset of consolidation that combines two or more requirements for supplies or services, previously provided or performed under separate smaller contracts (see paragraph (2) of this definition), into a solicitation for a single contract, a multiple-award contract, or a task or delivery order that is likely to be unsuitable for award to a small business concern (even if it is suitable for award to a small business with a Small Business Teaming Arrangement) due to--

(i) The diversity, size, or specialized nature of the elements of the performance specified;

(ii) The aggregate dollar value of the anticipated award;

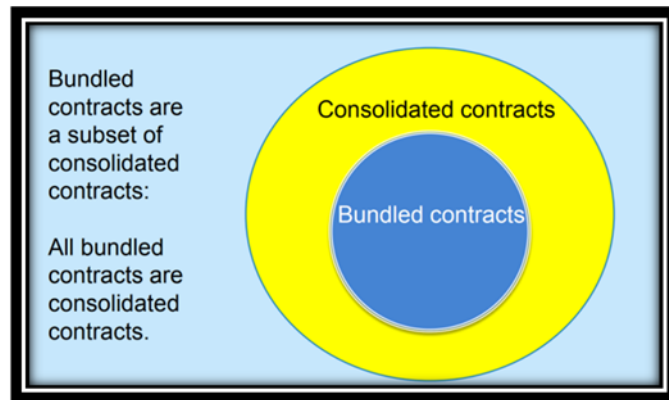
(iii) The geographical dispersion of the contract performance sites; or

(iv) Any combination of the factors described in paragraphs (1)(i), (ii), and (iii) of this definition.

(2) “Separate smaller contract” as used in this definition, means a contract that has been performed by one or more small business concerns or that was suitable for award to one or more small business concerns.

(3) This definition does not apply to a contract that will be awarded and performed entirely outside of the United States.

To reiterate, bundling is a specific type of consolidation that results in a requirement that is likely to be unsuitable for award to a small business as a prime contractor. A small business can participate in the contract, but is unlikely to be a prime contractor.



Substantial bundling, defined in **FAR 7.107-4**, is any bundling that results in a contract or order with an estimated value of \$8 million or more for the DoD. This threshold applies to the cumulative estimated dollar value of multiple award contracts, task or delivery orders issued against a GSA Schedule contract, or task or delivery orders issued against a task-order or delivery-order contract awarded by another agency.

In addition to addressing the requirements for bundling, when the proposed acquisition strategy involves substantial bundling, the agency shall document:

- (1) The specific benefits anticipated to be derived from substantial bundling;
- (2) An assessment of the specific impediments to participation by small business concerns as contractors that result from substantial bundling;
- (3) Actions designed to maximize small business participation as contractors, including provisions that encourage small business teaming;
- (4) Actions designed to maximize small business participation as subcontractors (including suppliers) at any tier under the contract, or order, that may be awarded to meet the requirements;
- (5) The determination that the anticipated benefits of the proposed bundled contract or order justify its use; and
- (6) Alternative strategies that would reduce or minimize the scope of the bundling, and the rationale for not choosing those alternatives.

SPECIAL NOTE FOR BUNDLING IN MULTIPLE-AWARD CONTRACTS

Consolidation and bundling in multiple award contracts presents special challenges, due to Federal Procurement Data System, Next Generation (FPDS-NG) reporting limitations. For example, consider a single solicitation for \$300 million which resulted in five, multiple-award contracts, each of which is subject to the aggregate ceiling value of \$300 million of the entire requirement.

A search of FPDS-NG for bundled contract actions will return each multiple-award contract as a separate, \$300 million bundled requirement. It is incorrect to interpret these five, multiple-award contracts as \$1.5 billion in bundled requirements (\$300 million multiplied by five). The five multiple-award contracts represent the same bundled requirement, which has an aggregate ceiling value of \$300 million. Therefore, the total dollar value of bundled contract requirements is \$300 million, not \$1.5 billion.

ACQUISITION PLANNING

Acquisition Planning

1. **Is there an identified Agency need? If Yes** → the planner should form a team consisting of those who will be responsible for significant aspects of the acquisition. Planner shall coordinate with and secure the concurrence of the contracting officer.
2. **Does the plan propose using other than full and open competition when awarding a contract? If Yes** → plan shall also be coordinated with the cognizant advocate for competition.
3. **Does the plan or strategy contemplate an acquisition meeting the threshold for substantial bundling? If Yes** → planner must meet with the cognizant small business specialist unless the contract/task order/delivery order is entirely reserved or set-aside for small business under FAR part 19. The Small Business Specialist will notify the agency's Office of Small Business Programs or OSDBU if there is bundling that is unnecessary or unjustified **OR** bundled/consolidated requirements are not identified as such by the agency.
4. **Is Consolidation or Bundling considered in the acquisition plan? If Yes** → a **written assessment/determination** must be included including the impact of the consolidation/bundling that might affect a small business's participation and whether the bundling is **necessary/justified**.
 - The Planner **MUST**:
 - Identify the incumbent contractors and contracts affected by the bundling.
 - Address the extent and results of the **market research** and indicate how their impact on the various elements of the plan would be measurably substantial in the **Written Determination**.

**** Market Research (FAR Part 10), During the Market Research Stage, Agency should consult with the small business specialist and the local Small Business Administration procurement center representative (PCR)**

FAR Part 7 contains guidance for **acquisition planning**:

“Acquisition planning should begin as soon as the agency need is identified, preferably well in advance of the fiscal year in which contract award or order placement is necessary. In developing the plan, the planner shall form a team consisting of all those who will be responsible for significant aspects of the acquisition, such as contracting, small business, fiscal, legal, and technical personnel.”²

“The planner shall coordinate with and secure the concurrence of the contracting officer in all acquisition planning. If the plan proposes using other than full and open competition when awarding a contract, the plan shall also be coordinated with the cognizant advocate for competition.”³

FAR 7.104(d) directly involves the DoD small business professional (SBP) in the acquisition planning:

“The planner shall coordinate the acquisition plan or strategy with the cognizant small business specialist when the strategy contemplates an acquisition meeting the thresholds in 7.107-4 for substantial bundling unless the contract or task order or delivery order is entirely reserved or set-aside for small business under Part 19. The small business specialist shall notify the agency Office of Small and Disadvantaged Business Utilization or the Office of Small Business Programs if the strategy involves:

- (1) Bundling that is unnecessary or unjustified; or
- (2) Bundled or consolidated requirements not identified as such by the agency (see FAR 7.107)”

When writing the acquisition plan, pursuant to **FAR 7.105**, if consolidation or bundling are considered, a written assessment must be included that considers the impact of the consolidation or bundling that might affect a small business’s participation. It is the responsibility of the planner that “when the proposed acquisition strategy involves bundling, [the planner must] identify the incumbent contractors and contracts affected by the bundling.”⁴ The written acquisition plans must also “address the extent and results of the market research and indicate their impact on the various elements of the plan (see [FAR] part 10).”⁵

The acquisition planner must conduct a cost-benefit analysis of the possible impact of bundling on small businesses. There are substantial benefits that can be provided to the Government from bundling, but these benefits must be demonstrated before bundling can be considered necessary and justified.⁶ The impact on small businesses must be analyzed, assessed, and compared to the substantial benefits to the Government within the cost-benefit analysis documentation. Before

² FAR 7.104(a)

³ FAR 7.104(c)

⁴ FAR 7.105(b)(1)(iv)

⁵ FAR 7.105(b)(1)(v).

⁶ FAR 7.107-3(a)

conducting an acquisition that involves bundling, a written determination needs to be drafted that deems the bundling to be “necessary and justified.”

Bundling is “necessary and justified” where the agency would obtain “measurably substantial benefits as compared to meeting its agency’s requirements through separate smaller contracts or orders.”⁷

The written determination needs to “quantify the specific benefits identified through the use of market research and other techniques to explain how their impact would be measurably substantial (see [FAR] 10.001(a)(2)(iv) and 10.001(a)(3)(vii)).”⁸

According to **FAR 7.107-3**:

“Such benefits may include, but are not limited to--

1. Cost savings;
2. Price reduction;
3. Quality improvements that will save time or improve or enhance performance or efficiency;
4. Reduction in acquisition cycle times; or
5. Better terms and conditions.”⁹

The benefits are considered “measurably substantial” if

“individually, in combination, or in the aggregate the anticipated financial benefits are equivalent to--

1. Ten percent of the estimated contract or order value (including options) if the value is \$94 million or less; or
2. Five percent of the estimated contract or order value (including options) or \$9.4 million, whichever is greater, if the value exceeds \$94 million.”¹⁰

Although a decrease in administrative or personnel costs can be one consideration when determining whether bundling is justified, it is not a sufficient justification for bundling unless “the cost savings are expected to be at least ten percent of the estimated contract or order value (including options) of the bundled requirements.”¹¹

The benefits of cost savings and price reduction are evaluated by the agency and the SBA by comparing the price of the work previously performed by the small business concerns. If previous prices charged are unavailable, an estimated price (established by market research) that

⁷ FAR 7.107-3(a) and (b)

⁸ FAR 7.107-3(b)

⁹ FAR 7.107-3(c)

¹⁰ FAR 7.107-3(d)

¹¹ FAR 7.107-3(e)

could have been or could be charged by a small business can be compared to prices for work previously performed by other than small businesses.¹²

The role of **market research** (see **FAR Part 10** for further details) is to aid in the benefit analysis for any agency considering consolidation or bundling. During the market research stage, the agency should consult with SBP and the local SBA procurement center representative (PCR).¹³ Additionally, the agency is required to notify the incumbent small business concerns who may be affected by the Government's intention to bundle and provide the contact information for the local SBA PCR for further details.¹⁴

Written Determination with Benefit Analysis and Market Research of Possible Impact of Bundling a Contract on a Small Business: Is the Bundling Necessary and Justified?

- Does the Agency Obtain Measurably Substantial Benefits as Compared to Meeting Its Agency's Requirements Through Separate Smaller Contracts or Orders?

- Are there Benefits?

- Benefits may include, but is not limited to:

- Cost Savings

- Price Reduction

- To determine whether cost savings and/or price reduction would be achieved through bundling, the agency and SBA shall:

- Compare the price that has been charged by small businesses for the work that they have performed; or

- Where previous prices are not available, compare the price, based on market research, that could have been or could be charged by small businesses for the work previously performed by other than a small business.

- Quality Improvements that will save time/improve/enhance performance or efficiency

- Reduction in acquisition cycle times; or

- Better terms and conditions

- Are they Measurably Substantial if Individually, in combination, or in aggregate the anticipated financial benefits are equivalent to:

- Ten percent of the estimated contract or order value (including options) if the value is \$94M or less; or

- Five Percent of the estimated contract or order value (including options) or \$9.4M, whichever is greater, if the value exceeds \$94M.

- If YES: Bundling is Necessary and Justified is Found in the Written Determination → the Contracting Officer shall include it in the acquisition strategy documentation and provide to to SBA on request.

Has the Approving Authority for DoD determined that the bundling does not meet the thresholds for substantial benefit, but is critical to the agency's mission success and the acquisition strategy provides for maximum practicable participation by small business concerns? If Yes → The bundling may still be found to be necessary/justified.

¹² FAR 7.107-3(g)

¹³ FAR 10.001(c)(1)

¹⁴ FAR 10.001(c)(2)

Where substantial bundling is being considered,¹⁵ according to **15 USC 644(e)(3)** and **FAR 7.107-4**, the agency must also document within in its acquisition strategy and publish a notice on a public website the following analysis:

“the specific benefits anticipated to be derived from substantial bundling, an assessment of the specific impediments to participation by small business concerns as contractors that result from substantial bundling, actions designed to maximize small business participation as contractors, including provisions that encourage small business teaming, actions designed to maximize small business participation as subcontractors (including suppliers) at any tier under the contract, or order, that may be awarded to meet the requirements; the determination that the anticipated benefits of the proposed bundled contract or order justify its use, and alternative strategies that would reduce or minimize the scope of the bundling, and the rationale for not choosing those alternatives.”¹⁶

PROCEDURES FOR SUBSTANTIAL BUNDLING

1. **Is Substantial Bundling Being Considered by the Acquisition Planner? If YES** → the planner must coordinate the acquisition plan/strategy with the cognizant small business specialist.
2. **Has the bundling in the benefit analysis in the written determination already been conducted? If YES**→ the Agency shall document in its strategy:
 - a. the specific benefits anticipated to be derived from substantial bundling,;
 - b. an assessment of the specific impediments to participation by small business concerns as contractors that result from substantial bundling;
 - c. actions designed to maximize small business participation as contractors, including provisions that encourage small business teaming,;
 - d. actions designed to maximize small business participation as subcontractors (including suppliers) at any tier under the contract, or order, that may be awarded to meet the requirements;
 - e. the determination that the anticipated benefits of the proposed bundled contract or order justify its use; and
 - f. alternative strategies that would reduce or minimize the scope of bundling, and the rationale for not choosing those alternatives.
3. **Has the Head of the Contracting Agency Determine that the Acquisition Plan for Procurement Involves Substantial bundling of Contract Requirement? IF YES** → **Head of Contracting Agency shall publish:**
 - a. A notice on a public website that such determination has been made not later than 7 days after making such determination. Any solicitation for procurement related to the acquisition plan may not be published earlier than 7 days after such notice is published.
 - b. The justification for the determination, along with the solicitation, which shall include:
 - i. The specific benefits anticipated to be derived from the bundling of contract requirements and a determination that such benefits justify the bundling
 - ii. An identification of any alternative contracting approaches that would involve a lesser degree of bundling of contract requirements, and
 - iii. An assessment of the specific impediments to participation by small business concerns as prime contractors that result from the bundling of contract requirements and the specific actions designed to maximize participation of small business concerns as subcontractors (including suppliers) at various tiers under the contract or contracts that are awarded to meet the requirements.

¹⁵ For the Department of Defense, the threshold for substantial bundling is \$8 million. FAR 7.107-4(a)(1)(i).

¹⁶ 15 USC 644(e)(3)

The approving authority for DoD, without power of delegation, is the senior procurement executive (SPE).¹⁷ When considering bundling, the SPE “...may determine that bundling is necessary and justified when the expected benefits do not meet the thresholds for a substantial benefit but are critical to the agency’s mission success and the acquisition strategy provides for maximum practicable participation by small business concerns.”¹⁸ If the bundling is determined to be necessary and justified, the contracting officer shall include it in the acquisition strategy documentation and provide it to SBA upon request.¹⁹

POST-DETERMINATION NOTIFICATIONS²⁰

Once the cost-benefit analysis determination is complete and included in the acquisition strategy, the agency must notify several different parties of its intent to bundle the requirement. These notifications include:

1. Notifications made to current small business contractors
2. Notification to the public of rationale for bundled requirement
3. Notification to SBA of followed-on bundled or consolidated requirements
4. Notification to the public of the agency’s general bundling policy
5. Notification of substantial bundling

Notifications made to current small business contractors²¹

“The contracting officer shall notify each small business performing a contract that it intends to bundle the requirement at least 30 days prior to the issuance of the solicitation for the bundled requirement.”

The notification must have the following:

- Name,
- Phone number, and

¹⁷ FAR 7.107-3(f)(2)

¹⁸ FAR 7.107-3(f)(1)(i) and (ii).

¹⁹ FAR 7.107-3(h)

²⁰ FAR 7.107-5

²¹ FAR 7.107-5(a)

- Address of the applicable SBA procurement center representative (PCR).²²

Notification to public of rationale for bundled requirement²³

“The agency shall publish on its website a list and rationale for any bundled requirement for which the agency solicited offers or issued an award. The notification shall be made within 30 days of the agency’s data certification regarding the validity and verification of data entered in the Federal Procurement Data System to the Office of Federal Procurement policy.” (see FAR 4.604).²⁴

The agency is encouraged to provide notification of the rationale for any bundled requirement to the GPE, before issuance of the solicitation (see FAR 5.201).

Notification to SBA of follow-on bundled or consolidated requirements²⁵

“For each follow-on bundled or consolidated requirement, the contracting officer shall the following from the requiring activity and notify the SBA PCR no later than 30 days prior to the issuance of the solicitation:

1. The amount of savings and benefits achieved under the prior consolidation or bundling;
2. Whether such savings and benefits will continue to be realized if the contract remains consolidated or bundled
3. Whether such savings and benefits would be greater if the procurement requirements were divided into separate solicitations suitable for aware to small business concerns.
4. List of requirements that have been added or deleted for the follow-on.”

Public Notification of bundling policy²⁶

“In accordance with **15 USC 644(q)(2)(A)(ii)**, agencies shall publish the Government wide policy regarding contract bundling, including regarding the solicitation of teaming and joint ventures, on their agency website.”

²² “If an SBA PCR is not assigned to the procuring activity, the SBA Office of Government Contracting Area Office serving the area in which the buying activity is located...The notification shall be documented in the contract file.”

FAR 7.107-5(a)(2)

²³ FAR 7.107-5(b)

²⁴ 15 USC Sec 644(q)(2)(B)

²⁵ FAR 7.107-5(c)

²⁶ FAR 7.107-5(d)

Notification Requirements

1. **Has the benefit analysis written determination been made and included in the acquisition strategy** → If YES → notifications of the agency's intention to bundle need to be made, depending on the acquisition, in the following realms:
 - a. **Notifications made to current small business contractors**
 - i. The CO shall notify each small business performing a contractor that it intends to bundle the requirement **at least 30 days prior to the issuance** of the solicitation for the bundled requirement.
 - ii. The notification must have the following and **must be documented in the contract file**:
 1. Name
 2. Phone Number
 3. Address of the applicable SBA Procurement center representative (PCR), or the SBA Office of Government Contracting Area Office serving the area in which the buying activity is located.
 - b. **Notification to the public of rationale for bundled requirement**
 - i. The agency shall publish on its website a list and rationale for any bundled requirement for which the agency solicited offers or issued an award.
 - ii. The notification shall be made within 30 days of the agency's data certification regarding the validity and verification of data entered in the Federal Procurement Data System to the Office of Federal Procurement Policy.
 - iii. Agency is encouraged to provide notification of the rationale for any bundled requirement to the GPE, before issuance of the solicitation
 - c. **Notification to SBA of followed on bundled or consolidated requirements**
 - i. For each follow-on bundled or consolidated requirement, the contracting officer shall obtain the following from the requiring activity and notify the SBA PCR no later than 30 days prior to issuance of the solicitation:
 1. The amount of savings and benefits achieved under the prior consolidation or bundling.
 2. Whether such savings and benefits will continue to be realized if the contract remains consolidated or bundled.
 3. Whether such savings and benefits would be greater if the procurement requirements were divided into separate solicitations suitable for award to small business concerns.
 4. List of requirements that have been added or deleted for the follow-on.
 - d. **Public Notification of Bundling Policy**
 - i. In accordance with **15 U.S.C. 644(q)(2)(A)(ii)**, agencies shall publish the Governmentwide policy regarding contract bundling, including regarding the solicitation of teaming and joint ventures, on their agency website.

Notification for Substantial Bundling

If the head of a contracting agency determines that an acquisition plan for a procurement involves a substantial bundling of contract requirements, the head of a contracting agency shall publish a notice on a public website that such determination has been made not later than 7 days after making such determination.

Any solicitation for a procurement related to the acquisition plan may not be published earlier than 7 days after such notice is published. Along with the publication of the solicitation, the head of a contracting agency shall publish a justification for the determination, which shall include the information found in **15 USC 644(e)(3)** and **FAR 7.107-4**.

SBA ANNUAL REPORTING

15 USC Sec 644(p)(4)(B) requires that the SBA submit an annual report on contract bundling to the House and Senate Committees on Small Business describing:

“(i) data on the number, arranged by industrial classification, of small business concerns displaced as prime contractors as a result of the award of bundled contracts by Federal agencies; and

- (ii) a description of the activities with respect to previously bundled contracts of each Federal agency during the preceding year, including—
 - (I) data on the number and total dollar amount of all contract requirements that were bundled; and
 - (II) with respect to each bundled contract, data or information on—
 - (aa) the justification for the bundling of contract requirements;
 - (bb) the cost savings realized by bundling the contract requirements over the life of the contract;
 - (cc) the extent to which maintaining the bundled status of contract requirements is projected to result in continued cost savings;
 - (dd) the extent to which the bundling of contract requirements complied with the contracting agency’s small business subcontracting plan, including the total dollar value awarded to small business concerns as subcontractors and the total dollar value previously awarded to small business concerns as prime contractors; and
 - (ee) the impact of the bundling of contract requirements on small business concerns unable to compete as prime contractors for the consolidated requirements and on the industries of such small business concerns, including a description of any changes to the proportion of any such industry that is composed of small business concerns.’’

Annual Reporting Requirements

15 USC Sec 644(p)(4)(B), requires that the SBA submit an **annual report** on contract bundling to the House and Senate Committees on Small Business describing:

- (i) data on the number, arranged by industrial classification, of small business concerns displaced as prime contractors as a result of the award of bundled contracts by Federal agencies; and
- (ii) a description of the activities with respect to previously bundled contracts of each Federal agency during the preceding year, including—
 - (I) data on the number and total dollar amount of all contract requirements that were bundled; and
 - (II) with respect to each bundled contract, data or information on—
 - (aa) the justification for the bundling of contract requirements;
 - (bb) the cost savings realized by bundling the contract requirements over the life of the contract;
 - (cc) the extent to which maintaining the bundled status of contract requirements is projected to result in continued cost savings;
 - (dd) the extent to which the bundling of contract requirements complied with the contracting agency’s small business subcontracting plan, including the total dollar value awarded to small business concerns as subcontractors and the total dollar value previously awarded to small business concerns as prime contractors; and
 - (ee) the impact of the bundling of contract requirements on small business concerns unable to compete as prime contractors for the consolidated requirements and on the industries of such small business concerns, including a description of any changes to the proportion of any such industry that is composed of small business concerns.