

NIB Mentor–Protégé Program Guidelines

Document Control

Owner	Program Manager, Service Projects (Ryan Gold)
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Applies To	NIB Mentor–Protégé Program (NPAs, Mentors, NIB Staff)

1. Purpose & Scope

NIB’s Mentor-Protégé Program (M-P Program) expands employment opportunities for people who are blind by pairing NIB-associated nonprofit agencies employing people who are blind (NPAs) with experienced contractors (Mentors) to help NPAs expand into new business lines in the AbilityOne Program.

These guidelines define how NPAs, Mentors, and NIB collaborate to develop NPA capabilities in new lines of business, transition eligible products and services to the AbilityOne Program, and create new employment opportunities for people who are blind while meeting the federal customer’s requirements.

2. AbilityOne Commission Authorization

The U.S. AbilityOne Commission (Commission) has authorized NIB to establish this M-P Program within the AbilityOne Program. The Commission’s authorization is subject to the following parameters:

- Each M-P Program project (M-P Project) proposed for addition to the federal Procurement List shall be presented to the Commission as a complex project pursuant to [Commission Policy 51.301](#), unless an exception is requested and approved by the Commission. Exceptions will only be granted if time is of the essence and the benefits to the AbilityOne Program have been clearly articulated.
- Consistent with the Commission’s focus on upward mobility, NIB will prioritize Mentor-Protégé Agreements that create career advancement opportunities for individuals who are blind, particularly agreements with AbilityOne participating NPAs and non-NPA commercial partners.
- In support of the Commission’s commitment to job growth, innovation, and compliance with domestic sourcing laws, NIB should prioritize Mentor-Protégé Agreements that expand opportunities in new lines of business across product and service offerings.
- Mentor subcontractors approved under the M-P Program shall not include a workshare in excess of 49% based on labor and/or dollar value once an M-P Project reaches steady-state performance, *i.e.*, after the completion of any phase-in plan approved by the Commission. The Commission recognizes that it may be necessary for a Mentor subcontractor to assume a greater percentage of the work at the outset, for example, when an NPA protégé is starting in a new line of business. A phase-in plan must be requested in these circumstances and should include both a path to achieving a satisfactory project-level direct labor hour ratio and milestones for the NPA protégé to perform at least 51% of the work.

3. Eligibility & Entry

To participate, an NPA must:

- Be in good standing pursuant to NIB's Good Standing Policy. If an NPA has been suspended or is subject to other enforcement action by the Commission, the NPA may participate if permitted by the Commission.
- Agree to comply with the terms of the Commission's authorization and the requirements of these Guidelines.

To participate, a Mentor company must:

- Be eligible to work on federal contracts and not be on a list of debarred or suspended federal contractors.
- Possess relevant technical experience or past performance, preferably on previous federal contracts, and the willingness and capability to leverage such experience or past performance to enhance the capabilities of an NPA.
- Possess the financial capacity and other resources necessary to fulfill its developmental commitments to an NPA (*e.g.*, providing training, financial assistance, or other agreed upon assistance).
- Agree to comply with the terms of the Commission's authorization and the requirements of these Guidelines.

4. Mentor Selection and Conflict Resolution

The goal of this section is to create a fair and equitable partnership process for NPAs seeking Mentors in the same NAICS codes/business lines. The following process shall apply:

- The NPA is responsible for identifying potential mentors in the targeted NAICS codes.
- If the NPA requires support from NIB in identifying potential mentors, the NPA must submit the Mentor-Protégé Application attached hereto as Appendix A, providing a statement of existing capabilities, an assessment of developmental needs and desired assistance, and targeted growth areas in new and innovative lines of business and the associated NAICS code(s). NIB will work to offer potential mentors within NAICS identified in the NPA's M-P Application.
- In general, each NPA can only work with one Mentor per NAICS, and each Mentor can only work with one NPA per NAICS. Provided that an additional relationship will not adversely affect any other mentor-protégé relationship, NIB may grant an exception to this limit for either a Mentor or an NPA in order to advance employment and career development opportunities for individuals who are blind.
- If two or more NPAs are targeting the same primary NAICS code and identify the same potential Mentor, it is within the discretion of the Mentor to determine whether and with which NPA it wishes to enter into a Mentor-Protégé Agreement. To ensure fairness and transparency in this circumstance, NIB will:
 - Document the date on which NIB receives each proposed Mentor-Protégé Agreement for review;
 - Review proposed Mentor-Protégé Agreements for compliance with the requirements of the NIB M-P Program in the order they are received;
 - Approve the first-received Mentor-Protégé Agreement that meets the requirements of the NIB M-P Program; and
 - Not approve subsequent Mentor-Protégé Agreements for the same Mentor in the same primary NAICS code unless an exception is granted.

5. Mentor-Protege Agreement

The Mentor and NPA shall enter into a Mentor-Protégé Agreement (M-P Agreement) based on the template attached hereto as Appendix B defining their roles and responsibilities. No provision of the M-P Agreement may conflict with these Guidelines, the terms of the Commission's authorization, or any statute or regulation. Among other things, each M-P Agreement must include:

- The primary and, if applicable, secondary NAICS code(s) under which the Mentor and NPA anticipate pursuing a proposed M-P Project;
- A commitment by the Mentor and NPA to work together to identify a proposed M-P Project and agreed upon developmental assistance and to document the same in a Mentor-Protégé Project Plan using the template attached hereto as Appendix C;
- A commitment by the Mentor to provide the developmental assistance identified in the M-P Project Plan;
- A commitment by the Mentor and NPA to cooperate with NIB to support the Procurement List addition process for the M-P Project identified in the M-P Project Plan;
- A commitment by the Mentor and the NPA to comply with these Guidelines and applicable law during the term of the M-P Agreement;
- A commitment by the NPA to provide the quarterly and annual reports required by these Guidelines and a commitment by the Mentor to cooperate with the NPA in the preparation of such reports;
- A provision that either the Mentor or the NPA may terminate the M-P Agreement for convenience by providing ninety (90) days advance written notice to the other party; and
- A provision that all amendments or modifications to the M-P Agreement, including amendments or modifications to the M-P Project Plan incorporated into the M-P Agreement, must be in writing and that a copy must be furnished to NIB.

Prior to execution, the Mentor and NPA must submit the proposed M-P Agreement for review and approval by NIB.

6. Mentor-Protégé Project Plan

Once the Mentor and Protégé have executed an approved M-P Agreement and identified an M-P Project and agreed upon developmental assistance, they shall complete the M-P Project Plan template attached hereto as Appendix C. The purpose of the M-P Project Plan is to enable NIB to evaluate the suitability of the M-P Project prior to commencing the Procurement List addition process and to ensure expectations are documented, the M-P Project will grow employment opportunities for people who are blind, and the Commission will be likely to approve the M-P Project. The M-P Project Plan must:

- Identify a potential product or service project (M-P Project) that the Mentor and NPA believe would be suitable for addition to the Procurement List.
- Explain how the proposed M-P Project will create employment opportunities for people who are blind and meet the goals and requirements of the NIB M-P Program and the AbilityOne Program.
- Provide an assessment of the NPA's capability gaps and developmental needs and a detailed description and timeline for the delivery of the assistance the Mentor commits to provide to address those needs and support the NPA's growth into a new line of business and successful execution of the M-P Project.
- Document the anticipated roles and responsibilities of the NPA and Mentor once the M-P

Project is added to the Procurement List, including the anticipated work share of the Mentor as a subcontractor to the NPA and any ongoing technical or other assistance the Mentor will provide to ensure successful fulfillment of the Procurement List requirement and compensate the Mentor for the developmental assistance provided to the NPA.

7. Review and Approval by NIB

In accordance with its Policy on Assignment, the terms of the Commission's authorization, and the requirements of these Guidelines, NIB will evaluate the proposed M-P Project Plan submitted for each proposed M-P Project. NIB will evaluate and prioritize proposed M-P Projects for Procurement List addition under the following criteria:

- The quality and quantity of employment opportunities for people who are blind;
- The type of service or product at issue;
- Compliance with the terms of the Commission's authorization and other AbilityOne Program requirements;
- Whether the assistance to be provided by the Mentor is sufficient to promote real developmental gains and capability growth for the NPA;
- The capabilities of both the NPA and the Mentor to maintain a successful partnership and meet the goals and requirements of the M-P Program;
- The suitability of the project for addition to the Procurement List;
- The likelihood of the project being added to the Procurement List; and
- Ensuring the equitable distribution of assignments among NPAs.

If NIB identifies deficiencies or non-compliance in a proposed M-P Project Plan, NIB will notify the NPA and Mentor in writing and provide an opportunity for the parties to address the identified deficiencies or non-compliance.

8. Procurement List Addition

Once an M-P Project Plan has been reviewed and approved by NIB, NIB will commence the Procurement List addition process for the M-P Project. For clarity, identification of a potential commercial contracting opportunity is not, by itself, a Procurement List addition.

The NPA and Mentor must timely prepare and submit all information and documentation requested by NIB in support of the Procurement List addition process and must engage in price negotiations with the sponsoring contracting activity to establish a recommended Fair Market Price (FMP).

The Commission has the sole statutory authority to add a product or service to the Procurement List and establish its fair market price. Once the M-P Project is added to the Procurement List, the NPA shall serve as the prime contractor, and the Mentor shall serve as a subcontractor to the NPA. Unless the Commission has approved a phase-in plan, a majority of the work for the M-P Project shall be performed by the NPA. The M-P Project must comply with the requirements of the M-P Program, the AbilityOne Program, and any other applicable state, federal, or local laws.

9. Reporting

Quarterly Reporting

Once an M-P Project has been added to the Procurement List, the NPA shall submit quarterly reports to NIB as follows: within thirty (30) calendar days after the conclusion of each quarter ending in December, March, June, and September, the NPA shall submit a report to NIB listing the total overall direct labor hours performed on the M-P Project during the quarter, and the breakdown of those hours between the NPA, the Mentor, and any other subcontractor providing direct labor on the M-P Project.

Annual Reporting

Once a Mentor-Protege Agreement is executed, the NPA shall submit an annual report to NIB as follows: within forty-five (45) calendar days after the conclusion of the federal fiscal year ending September 30, the NPA shall submit a Mentor-Protégé Annual Report using the template attached hereto as Appendix D to NIB detailing:

- The developmental assistance provided by the Mentor to the NPA during the federal fiscal year;
- A narrative describing the success such assistance has had in addressing the developmental needs of the NPA and addressing any problems encountered;
- All loans or other financial assistance provided by the Mentor to the NPA;
- Whether any NPA employees who are blind were hired by the Mentor during the federal fiscal year;
- Whether any NPA employees who are blind working on the M-P Project were promoted during the federal fiscal year;
- The overall performance of the project or service during the federal fiscal year, including customer satisfaction, quality complaints or compliments, delivery performance (as appropriate), and any entries by the customer in the Contractor Performance Assessment Reporting System (CPARS); and
- Any other successes or challenges associated with the M-P Project.

10. Compliance Monitoring and NIB Oversight

NIB will monitor the NPA's and the Mentor's contract performance and compliance with NIB M-P Program and AbilityOne Program requirements. Early detection and notification to NIB of potential problems associated with the M-P Project can lead to prompt resolution and mitigation.

If NIB determines that a Mentor or NPA is not complying with any requirement of the NIB M-P Program, the AbilityOne Program, or applicable law, including the terms and conditions of its M-P Agreement, NIB will notify such party of its determination in writing and afford the party an opportunity to respond.

NIB reserves the right to take any appropriate action to ensure that the requirements of the NIB M-P Program, the AbilityOne Program, and applicable law are met. These actions may include, but are not limited to, re-assigning the M-P Project to another NPA, recommending to the Commission that the M-P Project not be added to the Procurement List or that the M-P Project be deleted from the Procurement List, or determining that an NPA or Mentor is ineligible to participate in the NIB M-P Program.

11. Transfer/Assignment of Mentor-Protege Agreement

By NPA:

If an NPA cannot fulfil its role as a Protégé under an executed M-P Agreement, the NPA shall notify the Mentor and NIB in writing giving pertinent details. Subject to NIB's Policy on Assignment, when applicable, NIB will work with the Mentor to transfer the relationship and assign the M-P Agreement to another NPA, provided that the Mentor consents in writing to such transfer and assignment.

By Mentor:

A Mentor may assign an M-P Agreement to another business concern, provided that: (i) it provides at least thirty (30) calendar days' advance written notice to NIB and the NPA giving pertinent details of the proposed assignment; (ii) the proposed assignee commits to honoring the obligations under the M-P Agreement and agrees to comply with the requirements of the NIB M-P Program; (iii) the NPA consents to the proposed assignment in writing; and (iv) NIB determines that the proposed assignee is capable of furnishing the agreed upon developmental assistance and meets the other requirements of the NIB M-P Program. Any attempted assignment not in accordance with the foregoing sentence shall be null and void, and shall entitle the NPA to terminate the M-P Agreement immediately.

12. Appendices

- Appendix A: Mentor-Protégé Application Template
- Appendix B: Mentor-Protégé Agreement Template
- Appendix C: Mentor-Protégé Project Plan Template
- Appendix D: Mentor-Protégé Annual Report Template