

# The Small Business Insider

From the Office of Small Business Utilization (OSBU)

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Welcome to The Small Business Insider! This newsletter is brought to you by OSBU with news regarding policy changes that will impact small business procurements.

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**LIMITED OVERVIEW OF SOME OF THE 18 CONTRACTING PROVISIONS OF THE SMALL BUSINESS JOBS ACT OF 2010 (PUBLIC LAW 111-240)**

- Leadership and Oversight (SBJA Section 1312) and Consolidation of Contract Requirements (SBJA Section 1313)
  - SBA published a direct final rule containing various amendments to include reporting on contract bundling. This direct final rule has amended 13 CFR 125.2, Prime Contractor Assistance, to implement sections of the Small Business Jobs Act requiring agencies to publish a list and rationale for any bundled contract for which the agency has solicited bids or has awarded. This rule was effective on November 28, 2011 and without further action, unless significant adverse comment was received.
  - GSA has reissued the GSA Form 2689, retitled Small Business Analysis Record, which requires contracting officers to provide market research, and a written determination when bundling is required. As the Rule is finalized, we will modify the GSA Form 2689. This Form currently must be approved by our Small Business Technical Advisors as well as the local SBA Procurement Center Representative.
- Small Business Subcontracting Improvements ((RIN 3245-AG22)(SBJA Section1322))
  - SBA has circulated a draft proposed rule to agencies on subcontracting issues. No comments were necessary for the last, fourth, version of the Proposed Rule. (RIN 3245-AG22). SBA's proposed rule was issued on October 5, 2011 with 60 day comment period.
- Reservation of Prime Contract Awards for Small Business (Also known as set-aside on MAC)(SBJA Section 1331)
  - For additional information, see article below entitled "Federal Acquisition Regulation (FAR) Interim Rule - Small Business Set-Asides for Task and Delivery Orders Against Multiple Award Schedules."
  - Interim FAR ruling dated November 2, 2011 and effective same date to implement Section 1331 addressing discretionary set-asides of task and delivery orders under multiple award contracts, partial set-asides of multiple award contracts and reserving of one or more multiple award contracts that are awarded using full and open competition. Interested parties should submit written comments to the Regulatory Secretariat on or before January 3, 2012 to be considered in the formation of a final rule.
  - Federal agencies may, at their discretion—
    1. set aside part or parts of a multiple award contract for small business concerns, including the subcategories of small business concerns identified in subsection (g)(2);
    2. notwithstanding the fair opportunity requirements under section 2304c(b) of title 10, United States Code, and section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b)), set aside orders placed against multiple award contracts for small business concerns, including the subcategories of small business concerns identified in subsection (g)(2); and
    3. reserve one or more contract awards for small business concerns under full and open multiple award procurements, including the subcategories of small business concerns identified in subsection (g)(2).
  - Completion of preparatory work on SBA's proposed final rule draft was accomplished by

the GSA SBJA team on December 7, 2011, prior to the Dec. 20, 2011 meeting with SBA, OMB, FAR Council and GSA Team. Full discussion of GSA's comments were heard by OMB and SBA and will be taken into consideration when the final draft is to be presented to OIRA. If further review is required of GSA, it will be through the formal commentary

- Policy and Presumptions (SBJA 1341) and Annual Certification (SBJA Section 1342)
  - Small businesses will be required to certify their size annually on the Online Representations and Certifications Application, <https://orca.bpn.gov>, database. This annual certification will not have an effect on existing contract vehicles.
  - GSA has reviewed the SBA Proposed Rule (RIN 3245-AG23). No comments were necessary.
  - SBA proposed rule previously issued on 10/7/11 was re-opened on 11/8/11 for additional comment period for an additional 30 days. This extension is due to significant interest by small business.
  - Appears some of the contents of this provision were included in the overall Provision 1331 proposed final rule that GSA provided comments on December 7, 2011.
- Study and Report on the Mentor-Protégé Program (MPP) (SBJA Section 1345)
  - The revised 8(a) regulations and MPP for other socio-economic categories are two separate but related matters. The SBJA authorized the SBA to stand up MPPs "modeled on the 8(a) MPP" This is how the new MPPs MAY operate, but SBA advised they are still drafting the proposed rule.
  - GSA has not received the revised proposed rule at this time. Based on SBA priority listing dated October 4, 2011, SBA proposed rule is in development and public comment period is anticipated during spring 2012.
  - GSA's Mentor-Protégé Program has been in existence for over a year and recently met with the participants for an award ceremony recognizing the Mentor-Protégé of the Year, and to hear feedback on Program improvements. There have been many positive outcomes from the Program: contracts awarded, jobs created, and small businesses' opportunities expanded. GSA intends to build on the initial success of the Program and share its lessons learned with SBA as it develops its new mentor-protégé programs. See <http://insite.gsa.gov/mentorprotege> for information on GSA's Mentor-Protégé Program, and <http://www.gsa.gov/portal/content/260001> for a recap of GSA's Mentor-Protégé award ceremony.

#### **FEDERAL ACQUISITION REGULATION (FAR) INTERIM RULE SMALL BUSINESS SET ASIDES FOR TASK AND DELIVERY ORDERS AGAINST MULTIPLE AWARDS SCHEDULES**

- Effective Date November 2, 2011, and published now in FAR.
- Rule applies to set-asides of task/delivery orders under multiple-award contracts, partial set-asides under multiple-award contracts, and the reserving of one or more multiple-award contracts that are awarded using full and open competition. Types of multiple-award contracts are Multiple Award Schedules (MAS) and other indefinite-delivery, indefinite-quantity (IDIQ) contracts.
- Contracting Officers are encouraged to modify, on a bilateral basis, existing multiple-award contracts in accordance with FAR 1.108(d)(3), if the remaining period of performance extends at least six months after the effective date, and the amount of work or number of orders expected under the remaining performance period is substantial.
- The interim rule amends:
  - FAR Subpart 8.4 to make clear that order set-asides may be used in connection with the placement of orders and blanket purchase agreements (BPAs) under MAS;

- FAR Subpart 12.2 to acknowledge that discretionary set-asides may be used if placing an order under a multiple-award contract;
  - FAR Subpart 16.5 to acknowledge that set-asides may be used in connection with the placement of orders under multiple-award contracts, notwithstanding the requirement to provide each contract holder a fair opportunity to be considered;
  - FAR Subpart 19 to add a new section authorizing agencies to (1) use set-asides under multiple-award contracts – including set-asides for small businesses participating in the small business programs identified in FAR 19.000(a)(3); and, (2) reserve one or more contract awards under multiple-award contracts for small businesses, including any of the socio-economic groups; and
  - FAR Subpart 38.1 to add a reference to FAR 8.405-5 to make clear that order set-asides may be used in connection with the placement of orders and BPAs under MAS.
  - Also amends existing solicitation provisions and contract clauses, including FAR 52.219-6 to provide notice of total set-asides and partial set-asides under multiple-award contracts, and revises existing contract clauses to address limitations on subcontracting for small businesses under multiple-award contracts.
- These amendments to the FAR are aimed at implementing section 1331 of the Small Business Jobs Act of 2010 (Public Law 111-240), which provides agencies with the legal authority to set-aside or reserve multiple-award contracts and orders. The FAR Council is coordinating with Small Business Administration (SBA) to develop a SBA-proposed rule that will provide greater detail regarding implementation of section 1331 authorities.
  - For further information see :
    - Federal Register, Volume 76, No. 212, Wednesday, November 2, 2011, Rules and Regulations, page 68032 (RIN 9000-AM12)  
<http://www.gpo.gov/fdsys/pkg/FR-2011-11-02/html/2011-27786.htm>
  - FAR Council Implements Interim Rule Authorizing Federal Agencies to Set Aside Task and Delivery Orders Under Multiple Award Contracts for Small Business Concerns  
<http://www.mckennalong.com/news-advisories-2697.html>
  - OAP, OSBU, and PBS are currently in discussions to issue guidance regarding how to implement the above in other GSA contracts. A GSA inter-agency SBJA working group comprised of OAP, OSBU, PBS, FAS, and OGC has been established. This working group reviews SBJA proposed rules, offers comments, and will provide guidance regarding how to implement issued regulations on an as needed basis.
  - FAS has updated their website to include guidance on this subject, visit:  
<http://interact.gsa.gov/blog/set-aside-orders-small-business> and  
<http://www.gsa.gov/schedulesandsbgoals>

#### **SMALL DISADVANTAGED BUSINESS PROGRAM SELF-CERTIFICATION (FAR CASE 2009-019)**

- This final rule of interim rule adopts, without change, implementation of revisions made by SBA in its Small Disadvantaged Business (SDB) regulations. Federal Acquisition Circular 2005-47 dated December 13, 2010 amended FAR Subparts 2, 19, and 52 per the Interim Rule. Federal Acquisition Circular 2005-54 dated November 2, 2011 changed the interim to a final rule with no further changes to the FAR.  
[https://www.acquisition.gov/far/fac/Looseleaf\\_%20FAC%202005-54.pdf](https://www.acquisition.gov/far/fac/Looseleaf_%20FAC%202005-54.pdf)  
[https://www.acquisition.gov/far/fac/Looseleaf\\_FAC%202005-47.pdf](https://www.acquisition.gov/far/fac/Looseleaf_FAC%202005-47.pdf)

- This allows SDBs to self-represent their SDB status to prime contractors in good faith when seeking Federal subcontracting opportunities.
- This revision to the FAR has removed the administrative burdens of SDB subcontractors obtaining SBA certification, as well as prime contractors who were required to confirm that SDB subcontractors had obtained SBA certification.
- For further information see:  
<http://www.gpo.gov/fdsys/pkg/FR-2011-11-02/html/2011-27782.htm>

#### ADMINISTRATION SEEKS TO ACCELERATE PAYMENTS TO SMALL BUSINESSES

- An announcement was made by President Obama during his address to a joint session of Congress that the federal government needs to pay businesses faster.
- A recent Office of Management and Budget (OMB) Memo (M-11-32), Accelerating Payments to Small Businesses for Goods and Services, directs agencies to cut in half the time it takes to pay small businesses after receiving a valid invoice from 30 to 15 days. OMB says the acceleration improves cash flow for small businesses and provides them with a more predictable stream of resources. You can view this Memorandum at:  
<http://www.whitehouse.gov/sites/default/files/omb/memoranda/2011/m11-32.pdf>.
- GSA issued Acquisition Alert (AA) AA-2012-07 on February 23, 2012 in response to the OMB Memorandum that places a 15-day payment period on small business invoices; that 15-day period begins with the receipt of a proper invoice, and any documentation on inspection/acceptance, by Finance. The Acquisition Alert can be found in the GSA Acquisition Library at: [http://insite.gsa.gov/graphics/ogp/OCAO\\_Library.htm](http://insite.gsa.gov/graphics/ogp/OCAO_Library.htm)

#### UPDATE ON HISTORICALLY UNDERUTILIZED BUSINESS ZONE (HUBZONES) PROGRAM

- Effective October 1, 2011, a number of areas previously designated as HUBZones no longer qualify for HUBZone designation.
- SBA has provided the below list of frequently asked questions to help agencies navigate these changes more effectively.
  - *What happens to existing contracts my agency has with a HUBZone prime contract that has been proposed decertification or has been decertified as a result of the 2010 decennial census? Will we continue to receive HUBZone credit for goaling purposes with these contracts?*
    - If the award was made prior to October 1, 2010, and at the time of award the apparent successful offeror was a certified HUBZone small business, the contract will be considered an award to a HUBZone small business. Therefore, agencies may continue to issue orders against or exercise options on the contract, and the dollars obligated will continue to count towards your agency's HUBZone and small business federal prime contracting goals for the life of the contract. There is one exception to this general rule: if the contract extends beyond five years or there has been a merger or acquisition, then the business must re-certify its small business size status. If it is other than small at the time of re-certification, then the agency can no longer count the options or orders issued pursuant to the contract, from that point forward, towards its small business or its HUBZone.
  - *If a HUBZone firm was certified at the time of offer, but prior to award was proposed for*

*decertification because of 2010 census data, can they be eligible for the award?*

- A HUBZone firm must be certified at the time of offer and the time of award. The SBA has proposed a number of certified HUBZone small businesses for decertification as a result of the change in HUBZone status of many areas. These small businesses are still certified HUBZone small businesses and will remain as such until they are decertified from the program. However, these small businesses are required to notify the SBA and the contracting officer if, for example, its principal office is no longer in a HUBZone or if it no longer meets the 35% HUBZone residency requirement pursuant to FAR clause 52.219-3, “Notice of Total HUBZone Set-Aside or Sole Source Award” and 52.219-4, “Notice of Price Evaluation for HUBZone Small Business Concerns”. If the contracting officer receives this notification on a solicitation that had been set-aside for HUBZone small businesses or where the contracting officer applied the HUBZone price evaluation preference, he or she would be required to file a HUBZone status protest on the apparent successful offeror.
- If the business has been decertified prior to award of the contract, the contracting officer may not make an award of a HUBZone contract (i.e., HUBZone set-aside or where the contracting officer applied the HUBZone price evaluation preference) to that business concern and may not count any award to that business as an award to a HUBZone small business concern.
- *How does the 2010 data from the Census Bureau and the proposed decertifications impact future contracts my agency will enter into with a HUBZone firm?*
  - Going forward, contracting officers need to ensure that only currently certified HUBZone firms are awarded HUBZone set-aside contracts or are given the price evaluation preference. SBA is taking steps to ensure only eligible firms remain in the program. Contracting officer (<http://web.sba.gov/dsbs/>) to verify the status of any HUBZone firm.
- For further information visit <http://www.sba.gov> and review the latest HUBZone developments under “Contracting.”

#### OIG RECOMMENDS SBA IMPROVE GUIDANCE ON SMALL BUSINESS CONTRACTING GOALS

- In an advisory memorandum released December 6, 2011, the Small Business Administration (SBA) Office of Inspector General (OIG) recommended that SBA improve its guidance on annual small business contracting goals, including its rationale for excluding certain types of contracts from the small business baseline. When establishing annual small business goals, SBA calculates the baseline based on the total dollars obligated on all prime contracts awarded each fiscal year (FY) using appropriated funds and subject to the Federal Acquisition Regulation (FAR). SBA excludes from the baseline all contracts:
  - Not covered by the FAR
  - Awarded with nonappropriated funds
  - Awarded to mandatory and directed sources
  - Awarded and performed abroad
  - Performed entirely abroad
  - Made by credit card and less than \$2,500
  - Made by agencies on behalf of foreign governments or international organizations
- SBA provides guidance—including information on exclusions from the baseline—in its goaling

guidelines for the small business preference programs. However, OIG found that SBA had not updated the guidelines to reflect the Office of General Counsel's (OGC's) opinions on whether to exclude certain types of contracts from the baseline. At the request of SBA officials, OGC had prepared two memoranda on this topic. In the first, OGC suggested that it was reasonable to include contracts awarded and/or performed overseas in the small business goaling baseline. However, SBA officials did not revise their guidelines to this effect. In the second memorandum, OGC discussed other excluded procurements that could or should be included in the baseline. Since the memorandum was in draft form and not finalized, SBA officials did not revise the goaling guidelines. As a result, the goaling baseline may not accurately measure small business procurements, OIG warned. OIG recommends that SBA:

- Revise the goaling guidelines to include contracts awarded and/or performed overseas in the baseline beginning with FY2011
  - Ask OGC to finalize the draft memorandum
  - Based on OGC's final opinion in the second memorandum, revise the goaling guidelines as appropriate
  - Notify the General Services Administration of any necessary updates to the Federal Procurement Data System resulting from changes to goaling guidance on contract exclusions
  - Issue the revised guidelines in the Federal Register to notify participating agencies of any changes to goaling guidance on contract exclusions
- For further information see: Report 12-04: Small Business Administration's Rationale for Excluding Certain Types of Contracts from the Annual Small Business Procurement Calculations Needs to be Documented (Small Business Administration Office of Inspector General)  
<http://www.sba.gov/office-of-inspector-general/872/34621>

#### HOUSE PANEL EXAMINES SMALL BUSINESS SUBCONTRACTING

- On October 6, 2011 the House Small Business Committee's Subcommittee on Contracting and Workforce held a hearing to examine challenges for small businesses contractors. Joseph Jordan, the Small Business Administration's (SBA's) Associate Administrator of Government Contracting and Business Development, outlined a recent proposed rule to implement provisions of the Small Business Jobs Act of 2010 (Public Law 111-240) pertaining to small business subcontracting. "SBA is proposing to amend our regulations to make it clear that contracting officers (or administrative contracting officers if applicable) are responsible for monitoring and evaluating the prime contractor's small business subcontracting plan compliance," testified Jordan. SBA also is proposing to permit contracting officers to require firms to report on updated subcontracting plans in certain instances, including when an option is exercised. Jordan went on to note that the proposed rule:
  - Would require a contractor to explain in writing to the contracting officer whenever it references a small business as its subcontractor in its bid or proposal but does not use that small business in actual performance
  - Would require prime contractors to notify a contracting officer whenever they reduce a payment or are more than 90 days delinquent paying a small business subcontractor
  - To further improve oversight of the small business contracting process, Jordan told lawmakers SBA works with agencies to ensure prime contractors honor their subcontracting plans during contract performance, and is coordinating training sessions for contractors and agencies on how to properly review and track subcontracting data. In addition, SBA:
    - Conducts periodic reviews of contracting activities to recommend further opportunities for

small businesses and ensure contracting officers are in compliance with small business policies and regulations

- Works with agencies to ensure they have the tools and training to ensure small business primes meet the limitations on subcontracting on contracts set-aside for small business; takes action against firms that violate the limitations; and has tightened the rules for the 8(a) program by requiring participants to report on how joint ventures meet the limitations on subcontracting in connection with specific contracts
- Has implemented a comprehensive three-pronged strategy—effective certification, continued surveillance, and robust enforcement—to identify, prevent, and pursue noncompliance or fraud across its contracting programs
- The rule covers any contract for which a small business subcontracting plan is required, currently defined as a contract valued above \$1.5 million for construction and \$650,000 for all other contracts.
- Due to the significant level of interest generated by the proposed rule, SBA had extended the comment period from December 5, 2011, to January 6, 2012.
- Reporting will be done on an order-by-order basis allowing funding agencies to receive credit for small business subcontracting on the SBA Scorecard.
- Per the jointly signed memorandum for Heads of Contracting Activities, dated December 28, 2011, Contracting Officers are reminded they are responsible under FAR 19.705-6(h) to accept/reject Individual Subcontract Reports (ISR5) and Summary Subcontract Reports (SSRs) in the Electronic Subcontracting System (eSRS). Contractors are required to submit these reports in eSRS to ensure that prime contractors are maximizing opportunities for small businesses outlined in their approved Subcontracting Plan. See referenced memorandum at: <http://insite.gsa.gov/graphics/ogp/AA-2012-07.pdf>
- Source Articles:
  - Testimony of Joseph Jordan, Associate Administrator, Government Contracting and Business Development, Small Business Administration, Regarding Small Business Subcontracting (House Small Business Committee, 10/5/2011)  
[http://smbiz.house.gov/UploadedFiles/Jordan\\_Testimony.pdf](http://smbiz.house.gov/UploadedFiles/Jordan_Testimony.pdf)
  - Panel told of abuse in small-business set-asides (Washington Post, 10/6/2011)  
[http://www.washingtonpost.com/business/economy/panel-told-of-abuse-in-small-business-set-asides/2011/10/06/gIQAhtqCRL\\_story.html](http://www.washingtonpost.com/business/economy/panel-told-of-abuse-in-small-business-set-asides/2011/10/06/gIQAhtqCRL_story.html)

#### **HOUSE PANEL EXAMINES FRAUD AND MISREPRESENTATION IN SMALL BUSINESS CONTRACTING PROGRAMS**

- On November 8, 2011, the House Small Business Committee's Subcommittee on Investigations, Oversight, and Regulations held a hearing to examine the level of fraud and misrepresentation in small business contracting programs and how agencies can improve compliance.
- The Small Business Administration (SBA) Inspector General stated procurement fraud involved either a contractor falsely claiming to meet eligibility requirements, or an eligible business being used as a pass-through so an ineligible firm can perform the work and receive most of the money.

- SBA OIG has drafted a legislative proposal that would, among other things:
  - Provide that, in the case of a criminal or civil fraud prosecution arising under an SBA preferential contracting program, the amount of loss to the government equals the amount paid on the contract.
  - Provide that companies that submit invoices on preferential contracts be deemed to certify that they are performing the required percentage of work on the contracts, and that false certifications would result in criminal penalties.
  - Require the Department of Veterans Affairs or Department of Defense to certify that a person claiming to be a service-disabled veteran is in fact one.
- "In the case of fraudulent certifications of eligibility, economic loss should be defined as the full value of the contract to encourage prosecution and provide a more effective deterrent," Brian Miller stated, adding that SBA has issued a proposed rule that would accomplish this
- For further information see:
  - Testimony of Peggy Gustafson, Inspector General, Small Business Administration, Regarding Fraud and Misrepresentation in Small Business Contracting Programs (House Small Business Committee, 10/27/2011)  
[http://smbiz.house.gov/UploadedFiles/Gustafson\\_Testimony.pdf](http://smbiz.house.gov/UploadedFiles/Gustafson_Testimony.pdf)
  - Testimony of Brian Miller, Inspector General, General Services Administration, Regarding Fraud and Misrepresentation in Small Business Contracting Programs (House Small Business Committee, 10/27/2011)  
[http://smbiz.house.gov/UploadedFiles/Miller\\_Testimony.pdf](http://smbiz.house.gov/UploadedFiles/Miller_Testimony.pdf)
  - Fraud continues in small business preference programs (Government Executive, 10/27/2011)  
<http://www.govexec.com/federal-news/2011/10/fraud-continues-in-small-business-preference-programs/35254/>
  - Coffman Examines Ways to Crack Down on Government Contracting Fraud (House Small Business Committee, 10-27-11)  
<http://www.smallbusiness.house.gov/News/DocumentSingle.aspx?DocumentID=266515>
  - SBA proposes tougher penalties for companies that misrepresent their size (Washington Post, 10-23-2011)  
[http://www.washingtonpost.com/business/capitalbusiness/sba-proposes-tougher-penalties-for-companies-that-misrepresent-their-size/2011/10/19/gIQApVAAAM\\_story.html](http://www.washingtonpost.com/business/capitalbusiness/sba-proposes-tougher-penalties-for-companies-that-misrepresent-their-size/2011/10/19/gIQApVAAAM_story.html)

#### **OFPP ISSUES GUIDANCE ON INCREASING PURCHASE CARD SPENDING WITH SMALL BUSINESSES**

- Office of Federal Procurement Policy (OFPP) administrator Daniel Gordon and Office of Management and Budget (OMB) controller Daniel Werfel have issued a memorandum to chief acquisition and financial officers on increasing opportunities for small businesses on micro-purchases made with government purchase cards. "Although these low-dollar purchases are not subject to small business set-aside requirements, this memorandum serves as a reminder that agency purchase card holders should consider small businesses, to the maximum extent practicable, when making micro-purchases," Gordon and Werfel write.

- To help increase small business participation in these types of purchases, agencies are directed to update their purchase card holder training within six months to include appropriate consideration of small businesses. Attached to the OFPP/OMB memo are guidelines and reporting tools provided under the GSA SmartPay program, including two strategies for achieving small business participation in micro-purchases using the SmartPay purchase card:
  - **Training.** Agencies should ensure their purchase card holder training programs emphasize consideration of small business concerns when making micro-purchases. GSA provides on-line purchase card holder training through the [SmartPay Web site](#).
  - **Guidance.** Agencies should include consideration of small business sources in their purchase card policies and procedures. GSA *Advantage!* and the Department of Defense e-Mall electronic shopping sites both include capabilities to search for small businesses, and provide information on small business sources available under federal strategic sourcing initiatives, such as those for office supplies.
- The SmartPay program also offers management tools to measure small business participation. Agency card managers can identify small business spend through their servicing bank's electronic access system (EAS) and brand tools, provided these tools were included in the agency's task order placed under the GSA SmartPay master contract and agency policy grants access. Additional information also can be obtained from government on-line shopping sites, when the purchase card is used to acquire products through these sites. The memorandum provides links to available GSA SmartPay and government-managed on-line shopping site resources, as well as tips for using bank and brand tool reports to analyze small business spending.
- For further information see: Increasing Opportunities for Small Businesses in Purchase Card Micro-Purchases (Office of Procurement Policy, 12-19-11)  
<http://www.whitehouse.gov/sites/default/files/omb/procurement/memo/increasing-opportunities-for-small-businesses-in-purchase-card-micro-purchases.pdf>

#### SECTOR 54: SBA'S FINAL RULE INCREASES SIZE STANDARDS EXPANDS ELIGIBILITY FOR SMALL BUSINESS PROGRAMS

- On February 10, 2012 SBA published the final rule in the Federal Register for Sector 54: Professional, Scientific and Technical Services and Other Services.
- The final rule increased 37 of the revenue-based size standards in 34 industries and three sub-industries in the "Professional, Scientific and Technical Services" sector and increase one size standard in the "Other Services" sector.
- Reviewing size standards is a part of our continued implementation of the Small Business Jobs Act provision that requires a detailed review of not less than 1/3 of the established size standards for small businesses every 18 months; ensuring that each standard is updated at least every 5 years.
- See below the Federal Register announcement. <http://www.gpo.gov/fdsys/pkg/FR-2012-02-10/pdf/2012-2659.pdf>

#### DID YOU KNOW?

Did you know that SBA offers monthly webinars on small business topics? Each webinar is one-hour

(usually at 10:30 ET) and is usually held on the first Wednesday of the month. Past webinar topics have SBA Size Standards, Small Business Market Research, HubZone Contracting, and 8(a) Contracting.

If you are interested in the SBA webinars, contact Dwight Johnson of the SBA at [dwight.johnson@sba.gov](mailto:dwight.johnson@sba.gov) and he will include you in his e-mail listing notifying of upcoming topics.

#### **CONTACT INFORMATION**

We welcome your feedback and suggestions you may have on future newsletter topics. You can contact the Office of Small Business Utilization at [small.business@gsa.gov](mailto:small.business@gsa.gov). You can also locate your Regional OSBU at [www.gsa.gov/smallbizsupport](http://www.gsa.gov/smallbizsupport).