

# OPENING

small business opportunities



federal government contracting

U.S. Small Business Administration



Welcome:

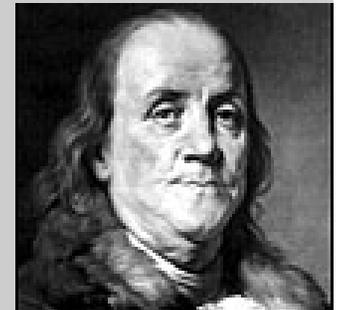
“SBA First Wednesday 1102 CLP  
Training Series”

*“An investment in knowledge pays the best interest.”*

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## SBA District Office contacts

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## Procurement Technical Assistance Centers

<http://www.dla.mil/db/procurem.htm>

## SBA First Wednesday Continuous Learning Points (CLPS)

- Your name and email is automatically in place for us to email you a certificate for one CLP when you log onto Ready Talk system.
- If listening in groups, email participant names and email addresses in **Excel** for CLP credit **within a week** of training to [Dwight.Johnson@sba.gov](mailto:Dwight.Johnson@sba.gov) or [Michael.Foutch@sba.gov](mailto:Michael.Foutch@sba.gov)
- We email copies of the PowerPoint upon request. Email [Dwight.johnson@sba.gov](mailto:Dwight.johnson@sba.gov) or [Michael.Foutch@sba.gov](mailto:Michael.Foutch@sba.gov)
- Ten First Wednesday programs per year – skipping August and September.

Lost link to past programs:

[http://archive.sba.gov/localresources/district/ne/NE\\_GOVERNMENT-CONTRACTING.html](http://archive.sba.gov/localresources/district/ne/NE_GOVERNMENT-CONTRACTING.html)

Here we go.....

- Do not minimize the screen. You will be shut out of the system.
  - Questions: Ask at any time through “chat”.
  - Questions: To ask a question, hit \*7 to unmute.
- ✓ Roll call: What state are you from? Start now.





- 1. Small Business Jobs Act of 2010 – September 27, 2010***
- 2. HUBZone changes - January 13, 2011***
- 3. Women-owned small business program - Final rule  
February 4, 2011***
- 4. 8(a) changes - March 14, 2011***
- 5. Joint Ventures (March - 14, 2011)***
- 6. Parity rule - March 16, 2011***

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**Small Business Jobs Act of 2010**

On Sept. 27, 2010, President Obama signed into law the Small Business Jobs Act, the most significant piece of small business legislation in over a decade. The new law is providing critical resources to help small businesses continue to drive economic recovery and create jobs. The new law extended the successful SBA enhanced loan provisions while offering billions more in lending support, tax cuts, and other opportunities for entrepreneurs and small business owners.

**New Law Puts More Capital in the Hands of Entrepreneurs and Small Business Owners**

- SBA Enhanced Loan Provisions – more than \$12 billion in lending support
  - SBA loan provisions, with the 90% guarantee and reduced fees, were extended through 2010. The \$505 million in subsidy for Jobs Act loans supported more than \$12 billion in overall small business lending.
  - According to self-reported data, a significant share of Jobs Act loans went to rural (22%), minority-owned (21%), women-owned (16%) and veteran-owned (7%) businesses.
- Higher Loan Limits – increased maximum loan sizes in top loan programs
  - The law permanently increased 7(a) and 504 limits from \$2 million to \$5 million (for manufacturers in 504 loan program, up to \$5.5 million).
  - The law permanently increased microloan limits from \$35,000 to \$50,000, helping more entrepreneurs with start-up costs and small business owners in underserved communities.
  - The law temporarily increased the maximum amount of quick-turnaround SBA Express loans from \$350,000 to \$1 million (expires 9/27/2011).

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The answers you need start here.

**My Interests:**

- Initial Steps
- Business Plan
- Business Law
- Finding a Mentor

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**Most Visited Articles In:**  
SBA.gov

- SBA, Minority Business RoundTable Renew Partnership
- SBA To Honor the Nation's

<http://www.sba.gov/content/small-business-jobs-act-2010>

**19 key changes**

- Temporarily Allow for Commercial Real Estate Refinancing
  - businesses to refinance into the 504 loan program (expires 9/27/2012).
- Dealer Floor Plan (DFP) Pilot Program
  - Building on the agency's previous DFP pilot program, the new pilot will expand financing opportunities for small businesses that sell cars, RVs, boats, other titleable inventory (target rollout first quarter of 2011, effective through 2013).

Trade Opportunities for America's Small Businesses

- Statement from Administrator Mills on Continuing Support for Small Businesses through SBA Recovery Programs

## 1. Parity

Section 1347 – Amendment to Small Business Act

- Result: delete “shall” in FAR Part 19.1305(a) to establish parity between HZ, SDVOSB, and 8(a);
- Replace with “may” for contract actions that have a reasonable expectation that two or more HUBZone small business concerns will submit offers (“the rule of two”).

Anticipated FAR change Spring 2011

## 2. Repeal of the Comp Demo Program

FAC 2005-48, issued 12/30/2010

- FAR Part 19.10 is deleted in its entirety.
- The Act eliminated unrestricted competition in designated industry groups ( FAR Part 19.1005) and the enhanced small business participation in 10 agency targeted industry groups.

### 3. Set Asides for Multiple Award Schedules

- 15 U.S.C. 644 under Section 15 as amended requires that FAR be changed to establish guidance under which agencies “may, at their discretion”
  - (i) set aside part or parts of a multiple award contract for small business;
  - (ii) set aside orders placed against multiple award contracts for small businesses; and
  - (iii) reserve one or more contract award(s) for small businesses under full and open competition multiple award procurements.

- GSA Schedules**
- Overview
- FAQ
- Welcome to GSA Schedules
- Schedules News & Resources
- For Federal Agency Customers
- Schedules Flexibilities
- Blanket Purchase Agreements
- Contractor Team Arrangements
- ▶ **Small Business Utilization**
- Schedules and the Recovery Act
- State and Local Government Customers
- For Vendors
- Contacts and Resources

# Small Business Utilization

The Small Business Administration (SBA) strongly supports the participation of small business concerns in the [GSA Schedules program](#). Learn more at GSA's [Office of Small Business Utilization](#). Orders placed against Schedule contracts may be reported as accomplishments and credited toward ordering activities' small business goals (See [FAR 8.405-5\(a\)](#)).

GSA, through the Multiple Award Schedules (MAS) program, is committed to increasing contracting opportunities for small business and assisting ordering activities in achieving or exceeding their socio-economic goals. For detailed information see [GSA Schedules and the Utilization of Small Business](#). Also see the Office of Management and Budget's memorandum for Chief Acquisition Officers, [Increasing Small Business Participation in Federal Contracting](#).

While ordering activities cannot set-aside a task order, they may consider socioeconomic status when identifying contractors for consideration. GSA encourages agencies to leverage GSA Schedules for identifying small business, veteran-owned small business, service disabled veteran-owned small business, HUBZone small business, women-owned small business or small disadvantaged business Schedule contractors.

To support this effort, ordering activities may, in their best value determination, consider the Schedule contractor's socioeconomic status when:

- The order is estimated to exceed the micro purchase threshold, ordering activities seeking to use the Multiple Award Schedules (MAS) program to achieve their agency small businesses goals, may make socioeconomic status a primary evaluation factor when making a best value determination (see FAR 8.405-1 (c), 8.405-2 (d), and 8.405-5 (b)).
- A Request For Quote (RFQ) is issued it shall reflect that one of the primary evaluation factors is achieving the agency's socio-economic goals. See [Sample RFQ Language](#) [PDF, 47K] for more information.
- Accepting work from a requiring activity, the ordering activity must ask and receive confirmation in writing that the requiring activity desires to achieve one of its socio-economic goals and specify which goal; and
- Place a copy of the requirements document with the applicable confirmation in the contract or order file. The Acquisition Plan should indicate which socio-economic objective is to be achieved through the respective acquisition.

Schedule contractors' catalogs and pricelists, listed on [GSA Advantage!®](#) and [GSA eLibrary](#), contain information on a broad array of supplies and services offered by small businesses. Ordering activities may use this information to meet or exceed established socioeconomic

<http://www.gsa.gov/portal/content/202261>

For a step-by-step approach on utilizing small businesses under the Schedules program, view this [process map](#).

To learn more about set-aside Special Item Numbers (SINs) and to obtain the latest information

**CONTACTS**

**MAS Helpdesk (National Customer Service Center)**  
(800) 488-3111

- [mashelpdesk@gsa.gov](mailto:mashelpdesk@gsa.gov)
- [View Contact Details](#)

**Vendor Support Center**  
(877) 495-4849

- [vendor.support@gsa.gov](mailto:vendor.support@gsa.gov)
- [View Contact Details](#)

**PURCHASING PROGRAMS**

- [Assisted Acquisition Overview](#)
- [GSA SmartPay®](#)

**E-TOOLS**

- [GSA Advantage!®](#)
- [eBuy](#)
- [GSA eLibrary](#)
- [eOffer/eMod](#)
- [Vendor Support Center](#)
- [Schedule Sales Query](#)

**ADDITIONAL RESOURCES ON GSA.GOV**

- [GSA Schedule Solicitations](#)
- [Recovery](#)

**GOVERNMENT LINKS**

- [FAR 8.4](#)
- [iAM 538](#)
- [Department of Veterans Affairs Schedules](#)
- [Included Parties List](#)
- [Past Performance Information Retrieval System \(PIIRS\)](#)
- [Small Business Administration](#)

GSA small business utilization:

<http://www.gsa.gov/portal/content/202261>

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- A Request For Quote (RFQ) is issued it shall reflect that one of the primary evaluation factors is achieving the agency's socio-economic goals. See sample RFQ language [PDF, 47K] for more information.

#### 4. Presumption of Loss (under False Claims Act) for Size Misrepresentation

Government may recoup the costs for the total amount expended when a concern that is other than small willfully sought and received a contract intended for small business.

Looking for deliberate misrepresentation, withholding information and repeat offenders.

Misrepresentation includes:

- Submitting a proposal or bid intended for or encouraging to be classified as a small business set-aside.
- CCR or ORCA registration

## 5. Requires Annual Certifications of Size Status

- Current Regs: In contracts lasting up to 5 years, the bidder or offeror certifies it's size at the time of submission of proposal or bid. In long term contracts, the contractor has to recertify its size on the 5<sup>th</sup> year of the performance period and every option year, thereafter.
- The Act requires certifications of Size Status to be performed annually using the Online Reps & Certs Application (ORCA) database .

6. Section 1343 - Establish Government-Wide Policy for Prosecution of Size and Status Fraud

- No later than 1 year after the date of enactment, the SBA Administrator in consultation with the DOJ Attorney General will issue the policy for prosecution of size and status fraud.

## 7. Section 1314 - Establishes SB Teams Pilot Program

- Issue grants for up to \$5 million to organizations that will consult with small business concerns and help establish teaming and joint ventures.
- The eligible organizations will recommend contracting opportunities for teaming arrangements and joint ventures for small business concerns.
- Program expires in 5 years

8. Section 1347 – Establish Mentor Protégé Programs in HUBZone, SDVOSB, and WOSB
  - The Administrator may expand and establish official programs for small business set-aside programs in HUBZone, SDVOSB, and WOSB modeled on the SBA's existing 8(a) Mentor Protégé Program.

9. Section 1321 - Subcontracting Misrepresentations
  - Requires that, by September 27, 2011, the FAR be amended to establish a policy on subcontracting compliance relating to small businesses, including assignment of compliance responsibilities between contracting offices, small business offices, and program offices and periodic oversight and review activities.

10. Section 1322 - Holding Large Prime Contractors Accountable to Subcontracting Plans

- To the extent the prime contractor is unable to make a good faith effort to utilize its small business subcontractors, the contractor must explain in writing to the Contracting Officer reasons why it is unable to do so.

## 11. Section 1334 – Payment to subcontractors

- Prime contractor shall notify the Contracting Officer in writing when:
  - Subcontractor payments are less than the agreed to price
  - Timeliness of payments – prime cannot pay within 90 days
  
- Contracting Officer is to consider unjustified payment as a factor in rating performance

## 12. Section 1313 – Limitation on the Use of Acquisitions Involving Consolidation

- The act provides that before agency bundles contract requirements with a total value of more than \$2 million:
  - Conduct Market Research and
  - Identify alternative contract approach involving less consolidation
  - Make written determine if consolidation is necessary
  - Certify steps will be taken to include small business concerns in the acquisition plan/strategy

### 13. Section 1312 - Bundling Accountability Measures & Oversight

- Teaming requirements – Solicit MAS proposals (above substantial bundling threshold) from any responsible source, including small business concerns and teams or joint ventures of small business concerns.
- By September 27, 2011, amend the FAR to establish government-wide policy on contract bundling.
- Reduction of contract bundling through publication -
  - agencies required to post a list of rationale of any bundled contracts the agency has solicited or awarded.

#### 14. ePCR – 3 Year Pilot Program

- Within 1 year of enactment, implement a 3-year pilot program for the PCR.
- This will allow the PCR to cover more contracting activities and procurement reviews.

## 15. Update Size Standards Cycle

- Act provides every 18 months, the SBA must conduct a rolling review of at least 1/3 of the existing size standards, and the SBA must conduct a complete review of all size standards at least every 5 years.
- These reviews allow proper adjustment of industry sectors for more participation in small business set-asides.

## 16. Establishes an Official HUBZone Subcontracting Goal

- Amends the calculation of the government-wide procurement goal of 3% participation by HUBZone small businesses to cover subcontracts
- The previous goal of “3 percent of the total value of all prime contracts” now reads “3 percent of the total value of all prime contracts and subcontracts”).

## 17. Micro-Purchase Guidelines

- No later than 1 year after enactment, OMB & GSA Administrator to create guidelines for analysis of purchase card expenditures to identify opportunities for achieving and accurately measuring fair participation of small businesses in purchases not exceeding micro-purchase thresholds.
- This effort will help measure SB Participation in ways to increase small business goals.

## 18. Section 1333 - Agency Accountability

- Agency goal communications at all levels - Senior Procurement Executives, senior Program Managers, and OSDDBU Directors shall communicate to the subordinates the importance of achieving small business goals.

## 19. SB Contracting Training

- FAI in consultation with OFPP, DAU and the SBA shall develop courses for acquisition personnel (1102s, requirements personnel, and management) concerning proper classification of business concerns and small business size and status for purposes of Federal contract vehicles.

1. *Small Business Jobs Act of 2010 – September 27, 2010*
2. *HUBZone changes - January 13, 2011*
3. *Women-owned small business program - Final rule  
February 4, 2011*
4. *8(a) changes - March 14, 2011*
5. *Joint Ventures - (March 14, 2011)*
6. *Parity rule - March 16, 2011*

**Contracting**

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For Contracting Officials

• Size Standards

> HUBZone

HUBZone

- Non-Manufacturer Waivers
- Report Fraud, Waste & Abuse
- Protests
- Federal Office of Small and Disadvantaged Business Utilization (OSDBU)
- Small Business Goaling
- Federal Acquisition Regulations (FAR)
- Procurement Center Representatives
- Government Contracting Field Staff Directory

**HUBZone**

As a contracting officer, it is important for you to understand the HUBZone Program to help small businesses that qualify.

To refresh on the basics, visit the following links:

- [List of HUBZone Small Business Concerns](#)
- [Understanding the HUBZone Program](#)
- [Applying for the HUBZone Program](#)
- [Maintaining the HUBZone Program](#)
- [The HUBZone Maps](#)
- [HUBZone: Latest News and Articles](#)

**Types of HUBZone Contracts**

As the contracting officer, you will be responsible for determining what type of HUBZone contract is awarded.

- A **competitive** HUBZone contract can be awarded if the contracting officer has a reasonable expectation that at least two qualified HUBZone small businesses will submit offers and that the contract can be awarded at a fair market price.
- A **sole source** HUBZone contract can be awarded if the contracting officer does not have a reasonable expectation that two or more qualified HUBZone small businesses will submit offers, determines that the qualified HUBZone small business is responsible, and determines that the contract can be awarded at a fair price. The government estimate cannot exceed \$5 million for manufacturing requirements or \$3 million for all other requirements.
- A **full and open competition** contract can be awarded with a price evaluation preference. The offer of the HUBZone small business will be considered lower than the offer of a non-HUBZone/non-small business-providing that the offer of the HUBZone small business is not more than 10 percent higher.

**HUBZone Regulations**

You can reference the HUBZone regulations in the Title 13 CFR, [here](#).

<http://www.sba.gov/content/hubzone-0>

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Contracting

- [Getting a D-U-N-S Number](#)
- [Identifying Industry Codes](#)
- [Contracting of Manufacturing](#)
- [Size Protests, Size Determinations, and Appeals](#)

**Relevant Media In:**

Contracting

- [Strategies for Growth: Federal Contracting](#)
- [SBA: The Recovery Act and Government Contracting](#)

## **FAR 2.101 Definitions.**

“HUBZone” means a historically underutilized business zone that is an area located within one or more qualified census tracts, qualified nonmetropolitan counties, lands within the external boundaries of an Indian reservation, qualified base closure areas, or redesignated areas, as defined in 13 CFR 126.103.

## FAR 2.101 Definitions.

- “HUBZone contract” means a contract awarded to a “HUBZone small business” concern through any of the following procurement methods:
  - (1) A sole source award to a HUBZone small business concern.
  - (2) Set-aside awards based on competition restricted to HUBZone small business concerns.
  - (3) Awards to HUBZone small business concerns through full and open competition after a price evaluation preference in favor of HUBZone small business concerns.
- “HUBZone small business concern” means a small business concern that appears on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration (13 CFR 126.103).

### 19.1303 Status as a HUBZone small business concern.

- (a) Status as a HUBZone small business concern is determined by the Small Business Administration (SBA) in accordance with 13 CFR Part 126.
- (b) If the SBA determines that a concern is a HUBZone small business concern, it will issue a certification to that effect and will add the concern to the List of Qualified HUBZone Small Business Concerns at [http://dsbs.sba.gov/dsbs/search/dsp\\_searchhubzone.cfm](http://dsbs.sba.gov/dsbs/search/dsp_searchhubzone.cfm).

Only firms on the list are HUBZone small business concerns, eligible for HUBZone preferences. HUBZone preferences apply without regard to the place of performance.

Information on HUBZone small business concerns can also be obtained at [www.sba.gov/hubzone](http://www.sba.gov/hubzone) or by writing to the Director for the HUBZone Program (Director/HUB) at U.S. Small Business Administration, 409 3rd Street, SW., Washington, DC 20416 or at [hubzone@sba.gov](mailto:hubzone@sba.gov).

### 19.1303 Status as a HUBZone small business concern.

- (c) A joint venture may be considered a HUBZone small business concern if it meets the criteria in the explanation of affiliates (see [19.101](#)).
- (d) To be eligible for a HUBZone contract under this section, a HUBZone small business concern must be a HUBZone small business concern both at the time of its initial offer and at the time of contract award.

### **19.1303 Status as a HUBZone small business concern.**

- (e) A HUBZone small business concern may submit an offer for supplies as a nonmanufacturer if it meets the requirements of the nonmanufacturer rule set forth at 13 CFR 121.406(b)(1) and if the small business manufacturer providing the end item is also a HUBZone small business concern.
- (1) There are no waivers to the nonmanufacturer rule for HUBZone contracts.
  - (2) For HUBZone contracts at or below \$25,000 in total value, a HUBZone small business concern may supply the end item of any manufacturer, including a large business, so long as the product acquired is manufactured or produced in the United States.

## Limitations on subcontracting - FAR clause 52.219-14

|   |   |
|---|---|
| <p><b>Services</b><br/>                 Provide 50% of personnel costs</p>  | <p><b>Supplies</b><br/>                 Provide 50% of cost of manufacturing, excluding materials</p>                                 |
| <p><b>General Construction</b><br/>                 Perform 15% of cost of contract with own employees, excluding materials</p> | <p><b>Special Trade Construction</b><br/>                 Perform 25% of cost of contract with own employees, excluding materials</p> |

SBA Certificate of Competency: 13 CFR125.6

or FAR 19.6

**19.1308 Performance of work requirements (limitations on subcontracting) for general construction or construction by special trade contractors.**

- (a) Before issuing a solicitation for general construction or construction by special trade contractors, the contracting officer shall determine if at least two HUBZone small business concerns can spend at least 50 percent of the cost of contract performance to be incurred for personnel on their own employees or subcontract employees of other HUBZone small business concerns.

**HUBZone eligibility: Limitations on subcontracting -13  
 CFR 126.700 - FAR 52.219-3 or 52.219.4**

|   |   |
|---|---|
| <p><b>Services</b><br/>                 Provide 50% of personnel costs</p>  | <p><b>Supplies</b><br/>                 Provide 50% of cost of manufacturing, excluding materials</p>   |
| <p><b>General Construction</b><br/>                 Perform at least 15% of cost of contract with own employees, excluding materials <b>but 50% with a HUBZone firm</b></p> | <p><b>Special Trade Construction</b><br/>                 Perform at least 25% of cost of contract with own employees, excluding materials <b>but 50% with a HUBZone firm</b></p> |

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**Contracting**

Getting Started

Working with the Government  
 > Small Business Certifications & Audiences

- HUBZone Certification
- 8(a) Business Development
- Small Business Certification

**Women-Owned Small Business Federal Contract Program**

- Veteran & Service-Disabled Veteran Owned
- Native Americans
- Alaskan Owned Corporations
- Native Hawaiian Owned Corporations
- Small Business Innovation Research
- Contracting Support
- Contracting Rulebook
- Service Contract Inventory

Contracting Opportunities

For Contracting Officials

## Women-Owned Small Business Federal Contract Program

Latest News Release: February 1, 2011 – SBA Expands Access to Federal Contracting Opportunities for Women-Owned Small Businesses

### Memo from the Administrator

On October 7, 2010, the U.S. Small Business Administration published a final rule effective **February 4, 2011**, aimed at expanding federal contracting opportunities for women-owned small businesses (WOSBs). The Women-Owned Small Business (WOSB) Federal Contract program authorizes contracting officers to **set aside certain federal contracts** for eligible:

- Women-owned small businesses (WOSBs) or
- Economically disadvantaged women-owned small businesses (EDWOSBs)

### WOSB Program Information

- WOSB Program Fact Sheet
- WOSB Program Frequently Asked Questions or FAQs
- WOSB Program Applicable NAICS Codes
- Compliance Guide for the WOSB Program
- Contracting Officer's Guide for the WOSB Program

### Eligibility Requirements

To be eligible, a firm must be at least 51% owned and controlled by one or more women, and primarily managed by one or more women. The women must be U.S. citizens. The firm must be "small" in its primary industry in accordance with SBA's size standards for that industry. In order for a WOSB to be deemed "economically disadvantaged," its owners must demonstrate economic disadvantage in accordance with the requirements set forth in the final rule.

### WOSB Program Certification

There are two ways to certify for the WOSB program:

- Self certification with supporting documents, or

[www.sba.gov/wosb](http://www.sba.gov/wosb)

### 5 Steps to participate in the WOSB program:

1. Read the WOSB Federal Contract program regulations in the Federal Register

## SBADirect

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### SBA Success Story

### Small Business Owner

# Requirements for WOSB and EDWOSB Set Asides

Contracting officers may set aside contracts for WOSBs and EDWOSBs if they meet the following requirements:

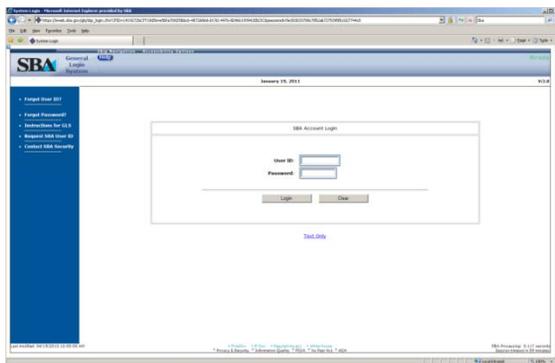
|             | WOSB Set Aside  | EDWOSB Set Aside  |
|-------------|---|---|
| Industries  | <ul style="list-style-type: none"> <li>• NAICS code assigned to solicitation, IFB or quote is in an industry in which WOSBs are <b>substantially underrepresented</b> (38 4-digit NAICS designated)</li> </ul>  | <ul style="list-style-type: none"> <li>• NAICS code assigned to solicitation, IFB or quote is in an industry in which WOSBs are <b>underrepresented</b> (45 4-digit NAICS designated)</li> </ul>        |
| Rule of two | <ul style="list-style-type: none"> <li>• Contracting officer has reasonable expectation that <b>2 or more WOSBs will submit an offer</b></li> <li>* <i>Note: All EDWOSBs are WOSBs</i></li> </ul>   | <ul style="list-style-type: none"> <li>• Contracting officer has reasonable expectation that <b>2 or more EDWOSBs will submit an offer</b></li> <li>* <i>Note: Not all WOSBs are EDWOSBs</i></li> </ul> |
| Award price | <ul style="list-style-type: none"> <li>• Anticipated award price <u>including options</u> does not exceed the statutory thresholds of <b>\$5M for manufacturing or \$3M for other contracts</b></li> <li>• Contract can be awarded at <b>fair market price</b></li> </ul> |   |

A complete list of applicable NAICS codes can be found at [www.sba.gov/wosb](http://www.sba.gov/wosb)

# To set-aside a contract for a WOSB/EDWOSB, contracting officers must have a GLS account and access to the WOSB program repository

## ***SBA's General Login System (GLS)***

- If you already have an account, log into your account at: <https://eweb.sba.gov/gls>
- If you do not have an account:
  - Go to the same web address above
  - Click on “Instructions for GLS” for information on how to request an account
  - Go to “Request SBA User ID” to create an account



## ***WOSB program repository***

- Once you are logged into GLS, click on the “Access” button on the top of the screen
- Under “Women Owned Small Business Program Repository”, check the “Federal Agency Contract Officer” box and press submit
- The SBA will approve your access; after you have been approved, the repository will be listed as one of your “Currently Available Applications”

To award a WOSB/EDWOSB set-aside, a contracting officer must make sure the apparent successful offeror submitted all required documents to the repository

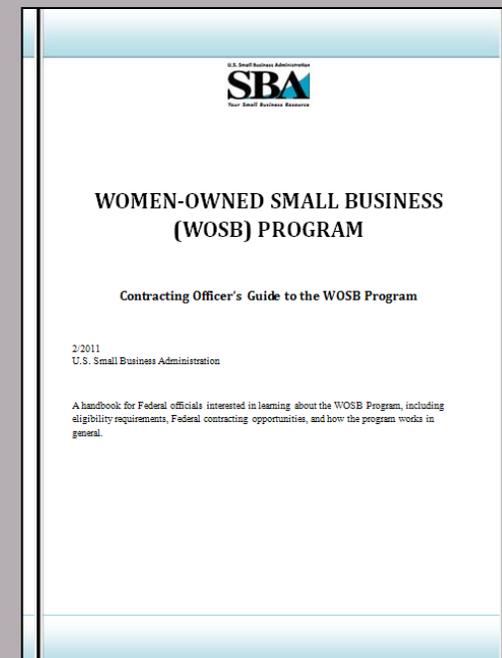
- In the WOSB program repository, contracting officers can search for a business through the “Business view” or “Solicitation View”

*\*Note: Contracting officers only have access to view documents of businesses that have granted them access*

- Verify the business submitted all required documents

*\*Note: There is a checklist of documents to look for in the Contracting Officer’s Guide*

A Contracting Officer’s Guide for the WOSB program is available at [www.sba.gov/wosb](http://www.sba.gov/wosb)



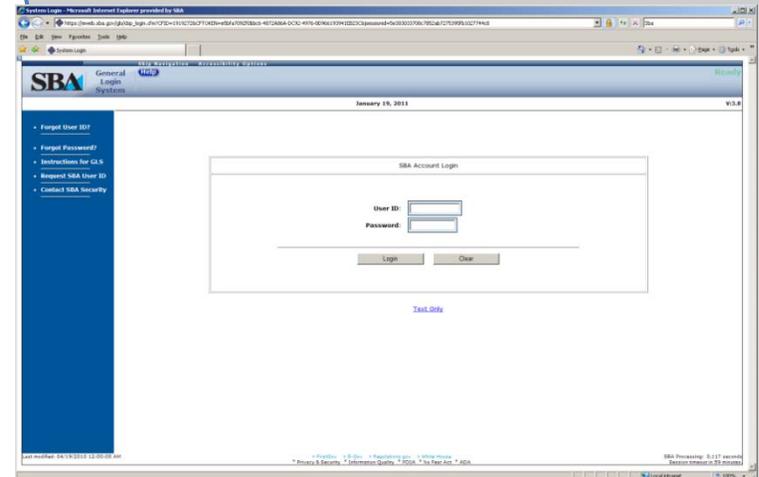
## Self-Certification: Required Documents to upload

- Copies of birth certificates, Naturalization papers, or unexpired passports for owners who are women;
- Copy of the joint venture agreement, if applicable;
- For limited liability companies:
  - Articles of organization (also referred to as certificate of organization or articles of formation) and any amendments; and
  - Operating agreement, and any amendments;
- For corporations:
  - Articles of incorporation and any amendments;
  - By-laws and any amendments;
  - All issued stock certificates, including the front and back copies, signed in accord with the by-laws;
  - Stock ledger; and
  - Voting agreements, if any;
- For partnerships, the partnership agreement and any amendments;
- The assumed/fictitious name (doing business as) certificate(s); and
- A copy of the WOSB Program Certification – WOSBs only.
- For EDWOSBs, in addition to the above, SBA Form 413, Personal Financial Statement, available to the public at <http://www.sba.gov/tools/Forms/index.html>, for each woman claiming economic disadvantage and a copy of the WOSB Program Certification – EDWOSBs instead of the WOSB Program Certification –WOSBs.

## Log onto SBA's General Login System (GLS)

To participate in the WOSB program, you must have a GLS account:

- If you already have an account, log into your account at:  
<https://eweb.sba.gov/gls>
- If you do not have an account:
  - Go to the same web address above
  - Click on “Instructions for GLS” for information on how to request an account
  - Go to “Request SBA User ID” to create an account
  - Then log into your GLS account



Available now!

General Login System Web Address: <https://eweb.sba.gov/gls/>

If you do not have a GLS account, click here for instructions on how to get an account

Enter your Information and hit "Login"

## In GLS, You Must Request Access to WOSB Repository



Skip Navigation Accessibility Options

**SBA** General Login System

Exit Help  
Profile Access Choose Function Change Pa

Welcome Brad Silver. Location **Not Selected Yet.**

General Login System - Choose Function

Currently Available Applications

- [SBA's Online Phone Directory](#)

Do you wish to [Update Profile?](#)

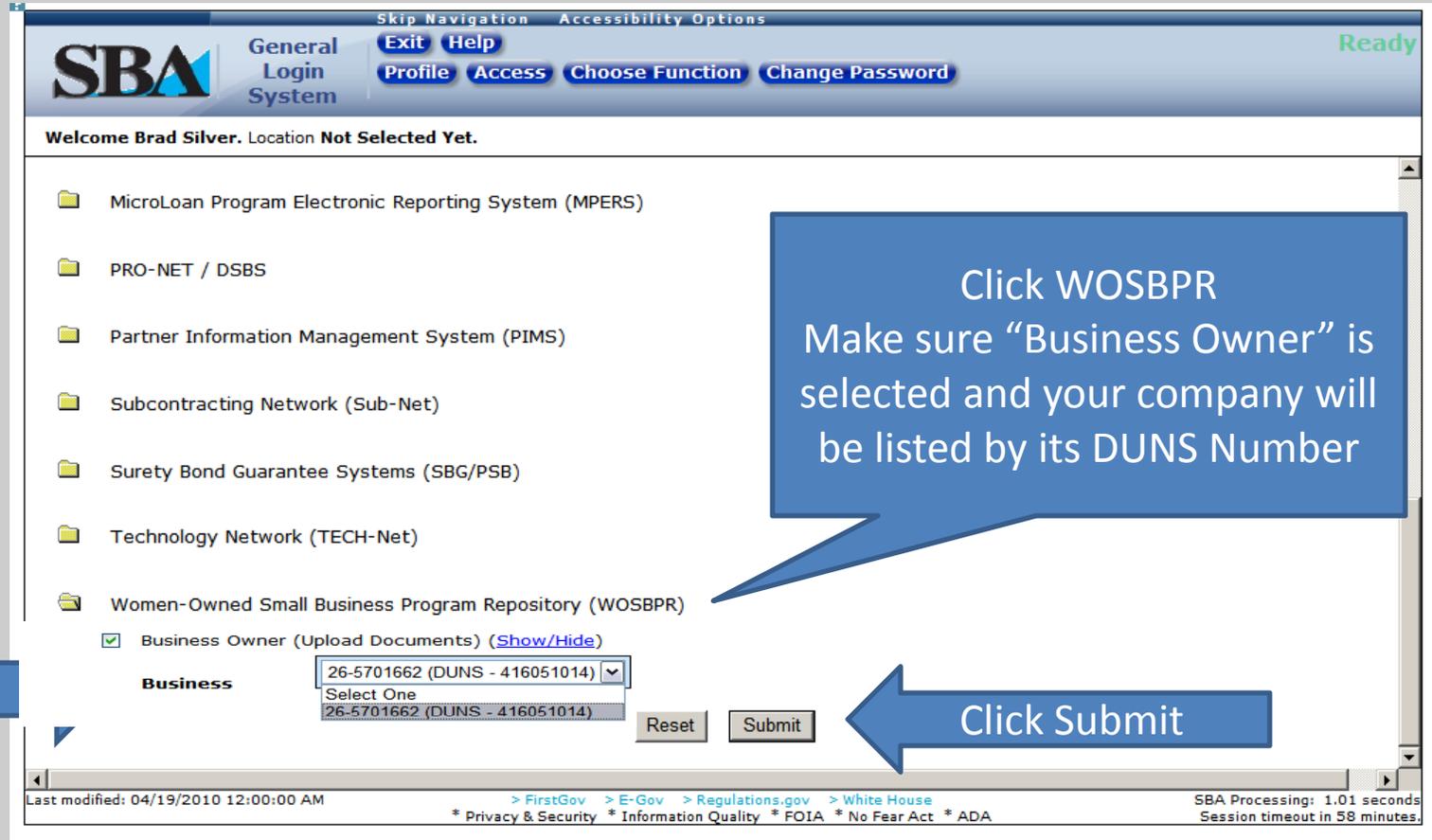
Last modified: 06/05/2009 12:00:00 AM

> [FirstGov](#) > [E-Gov](#) > [Regulations.gov](#) > [White House](#)  
\* [Privacy & Security](#) \* [Information Quality](#) \* [FOIA](#) \* [No Fear Act](#) \* [ADA](#)

SBA Processing: 0.182 seconds  
Session timeout in 59 minutes.

Click Access to gain entry to WOSB Repository

## Requesting Access to the WOSB Repository (cont'd)



The screenshot shows the SBA General Login System interface. At the top, there are navigation links: "Skip Navigation", "Accessibility Options", "Exit", "Help", "Profile", "Access", "Choose Function", and "Change Password". The user is logged in as "Brad Silver" and the location is "Not Selected Yet". A list of systems is displayed, including MicroLoan Program Electronic Reporting System (MPERS), PRO-NET / DSBS, Partner Information Management System (PIMS), Subcontracting Network (Sub-Net), Surety Bond Guarantee Systems (SBG/PSB), Technology Network (TECH-Net), and Women-Owned Small Business Program Repository (WOSBPR). Under WOSBPR, the "Business Owner (Upload Documents)" option is checked. A dropdown menu is open, showing "26-5701662 (DUNS - 416051014)" and "Select One". Below the dropdown are "Reset" and "Submit" buttons. A blue callout box points to the WOSBPR section with the text: "Click WOSBPR. Make sure 'Business Owner' is selected and your company will be listed by its DUNS Number". Another blue callout box points to the "Submit" button with the text: "Click Submit".

Click WOSBPR  
Make sure "Business Owner" is selected and your company will be listed by its DUNS Number

Click Submit

## How to Authorize Access to a Contracting Officer

The screenshot shows a web form titled "Authorize Federal Contracting Officer/Specialist" on the WOSBPR website. The form includes a navigation bar with links like "Home", "Business View", "Solicitation View", "Upload", "Categorize", and "Authorize". The form fields are: "Federal Agency" (dropdown menu), "Contracting Officer/Specialist" (dropdown menu), "Solicitation #" (text input), and "Expiration Date" (text input). A callout box points to the "Authorize" button in the navigation bar, and another callout box points to the form fields, stating: "Fill in blue boxes in order to authorize a contracting officer to view your uploaded documents, then click 'Authorize'". A third callout box at the bottom left notes: "Note that if you do not see your contracting officer, inform them that they must register".

Note that if you do not see your contracting officer, inform them that they must register

Click "Authorize" button

Fill in blue boxes in order to authorize a contracting officer to view your uploaded documents, then click "Authorize"

1. *Small Business Jobs Act of 2010 – September 27, 2010*
2. *HUBZone changes - January 13, 2011*
3. *Women-owned small business program - Final rule  
February 4, 2011*
4. *8(a) changes - March 14, 2011*
5. *Joint Ventures - (March 14, 2011)*
6. *Parity rule - March 16, 2011*



## About SBA

[What We Do](#)[Our People](#)[Our Offices](#)[Our History](#)[SBA Programs](#)[Open Government](#)[Join Our Team](#)[Newsroom](#)[Our Blog](#)

## Revised 8(a) Regulations Issued

The U.S. Small Business Administration has published a package of final rules that will revise regulations to strengthen its 8(a) Business Development program to better ensure that the benefits flow to the intended recipients and help prevent waste, fraud and abuse.

The rules were published on February 11, 2011 in the Federal Register and will become effective in 30 days on March 14, 2011.

The revisions are the first comprehensive overhaul of the 8(a) program in more than 10 years. The regulations incorporate technical changes and substantive changes that mirror existing or new legislation enacted since the last revision in June 1998.

- [Press Release](#)
- [Fact Sheet: Revised 8\(a\) Business Development Program Regulations](#)

## SBA Newsroom

- ▶ [SBA Proposes Increase in Size Standards To Expand Eligibility for Small Business Programs](#)
- ▶ [SBA Salutes Small Businesses that Drive America's Economy At National Small Business Week May 18 -20](#)
- ▶ [SBA Announces Grants Available for](#)

NEW

SBA 8(a) program change link:

<http://www.sba.gov/content/revised-8a-regulations>

Took effect for all 8(a) procurement requirements accepted by SBA on or after March 14, 2011

- ▶ [Strategic Plan, FY2011-2016](#)
- ▶ [Inspector General Audits and](#)

**NEW**

## 8(a) Bona fide place of business for construction contracts

### 13 CFR 124.3 Definitions

Bona fide place of business, for purposes of 8(a) construction procurements, means a location where a Participant regularly maintains an office which employs at least one full-time individual within the appropriate geographical boundary. The term does not include construction trailers or other temporary construction sites.

§ 124.503 How does SBA accept a procurement for award through the 8(a) BD program?

- (d) Open requirements. When a procuring activity does not nominate a particular concern for performance of a sole source 8(a) contract (open requirement), the following additional procedures will apply:
  - (1) If the procurement is a construction requirement, SBA will examine the portfolio of Participants that have a bona fide place of business within the geographical boundaries served by the SBA district office where the work is to be performed to select a qualified Participant....
  - (2) If the procurement is not a construction requirement, SBA may select any eligible, responsible Participant nationally to perform the contract

- Bona Fide Place of Business – clarified by new regs
- May have a bona fide places of business in more than one location.
  - SBA approves the office shows as such in CCR.
  - The effective date is the date that the evidence shows that the business in fact **regularly maintained its business** at the new geographic location.
  - In order to be eligible to submit an offer for a 8(a) procurement limited to a specific geographic area, the 8a firm must receive a determination from SBA **prior to submitting its offer** for the procurement from SBA.
  - The solicitation should mention bona fide places of business for construction. Ask for letters of approval for the bona fide place of business.

## SBA does not release procurements: 13 CFR § 124.504

- (e) *Release for non-8(a) competition.* In limited instances, SBA may decline to accept the offer of a follow-on or renewal 8(a) acquisition to give a concern previously awarded the contract that is leaving or has left the 8(a) BD program the opportunity to compete for the requirement outside the 8(a) BD program.
- (1) SBA will consider release only where:
- (i) The procurement awarded through the 8(a) BD program is being or was performed by either a Participant whose program term will expire prior to contract completion, or, by a former Participant whose program term expired within one year of the date of the offering letter;
  - (ii) The concern requests in writing that SBA decline to accept the offer prior to SBA's acceptance of the requirement for award as an 8(a) contract; and
  - (iii) The concern qualifies as a small business for the requirement now offered to the 8(a) BD program.



1. *Small Business Jobs Act of 2010 – September 27, 2010*
2. *HUBZone changes - January 13, 2011*
3. *Women-owned small business program - Final rule  
February 4, 2011*
4. *8(a) changes - March 14, 2011*
5. *Joint Ventures - (March 14, 2011)*
6. *Parity rule - March 16, 2011*



## JV for all types of small business set-asides

1. Small business JV for small business set-asides and unrestricted competition
2. 8(a) JV for 8(a) set-asides.
3. (8(a) mentor-protégé for 8(a) and small business set-asides.
4. HUBZone JV for HUBZone set-asides and in unrestricted competition, price evaluation preference.
5. SDV JV for SDV set-asides
6. WOSB JV for WOSB set-asides

## Joint venture regulation changes per 13 CFR121.103 (h)

- ❖ 3-2 Rule: three awards over a two year period, starting from the date of the award of the first contract. Three two rule used to mean three submissions in three years.
- ❖ JV may exceed three awards in two years if it had not met the 3-2 rule at time of submission of proposal.
- ❖ JV may exceed three awards in two years if it creates a new JV with the same entities or with other entities.
- ❖ To facilitate tracking of the number of contract awards, a JV must be in writing and must do business under its own name.
- ❖ It may form be in the form of a separate legal entity, and if it is a separate legal entity it may (but need not) be populated (i.e., have its own separate employees).



## 13 CFR 21.103 (h) Example 1

Joint Venture AB has received two contracts.

- ❖ On April 2, Joint Venture AB submits an offer for Solicitation
- ❖ On June 6, Joint Venture AB submits an offer for Solicitation .
- ❖ On July 13, Joint Venture AB submits an offer for Solicitation
  
- ❖ In September, Joint Venture AB is found to be the apparent successful offeror for all three solicitations.

Is JV AB in compliance with the 3-2 Rule?

## 13 CFR 21.103 (h) Example 1

Yes.

Joint Venture AB had not yet received three contract awards as of the dates of the offers for each of three solicitations at issue.

## 13 CFR 21.103 (h) Example 2

Joint Venture XY receives a contract on December 19, year 1.

- ❖ It may receive two additional contracts through December 19, year 3.
- ❖ On August 6, year 2, XY receives a second contract. It receives no other contract awards through December 19, year 3 and has submitted no additional offers prior to December 19, year 3

Is JV XY eligible for an additional contract award?

## 13 CFR 21.103 (h) Example 2

No.

Because two years have passed since the date of the first contract award, after December 19, year 3, XY cannot receive an additional contract award.

The individual parties to XY must form a new joint venture if they want to seek and be awarded additional contracts as a joint venture.

## 13 CFR 21.103 (h) Example 3

Joint Venture XY receives a contract on December 19, year 1.

- ❖ On May 22, year 2, XY submits an offer for Solicitation 1.
- ❖ On June 10, year 2, XY submits an offer for Solicitation 2.
- ❖ On June 19, year 2, XY receives a second contract responding to Solicitation 1.
- ❖ XY is not awarded a contract responding to Solicitation 2.
- ❖ On December 15, year 3, XY submits an offer for Solicitation 3.
- ❖ In January, XY is found to be the apparent successful offeror for Solicitation 3.

Is JV XY eligible for award on solicitation 3?

## 13 CFR 21.103 (h) Example 3

Yes.

XY is eligible because compliance with the three awards in two years rule is determined as of the date of the initial offer including price, XY submitted its offer prior to December 19, year 3, and XY had not received three contract awards prior to its offer on December 15.

1. *Small Business Jobs Act of 2010 – September 27, 2010*
2. *HUBZone changes - January 13, 2011*
3. *Women-owned small business program - Final rule  
February 4, 2011*
4. *8(a) changes - March 14, 2011*
5. *Joint Ventures - (March 14, 2011)*
6. *Parity rule - March 16, 2011*

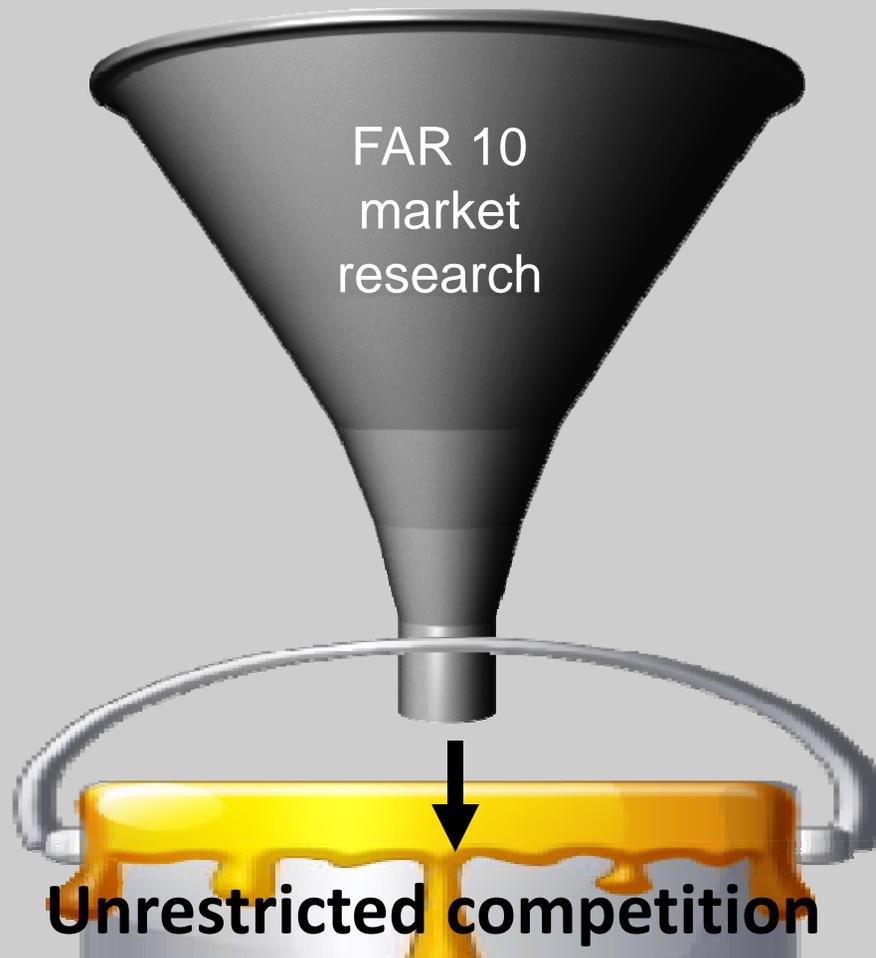




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**Unrestricted competition**



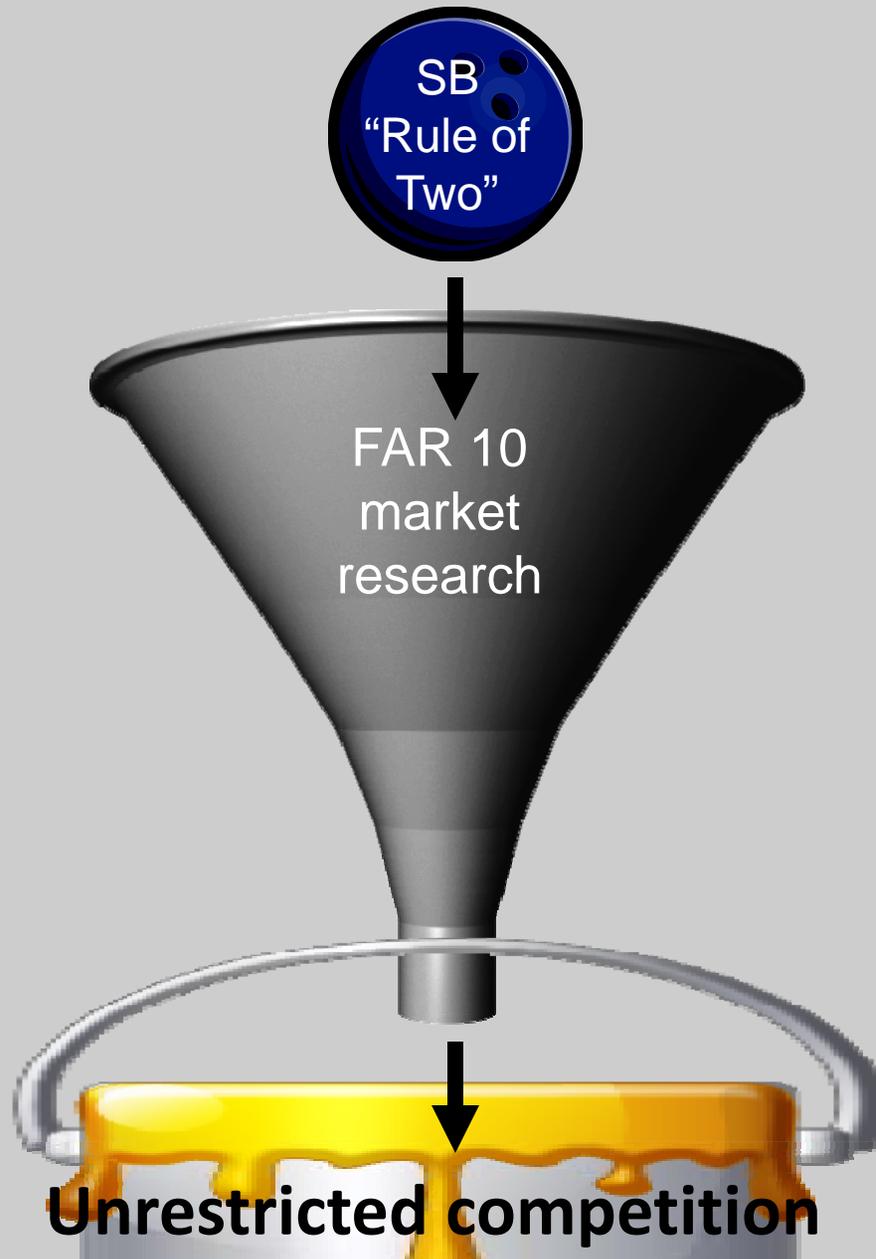
## What is the small business “Rule of Two”?

FAR 19.502-2(b).

b) The contracting officer shall set aside any acquisition over \$150,000 .... :

(1) offers will be obtained from at least two responsible small business concerns....; and

(2) award will be made at fair market prices.



What about 8(a), HZ, SDVOSB, and WOSB/EDWOSB?

19.203 Policies: Relationship among small business programs.

- (a) There is no order of precedence among the 8(a) Program (subpart [19.8](#)), HUBZone Program (subpart [19.13](#)), Service-Disabled Veteran-Owned Small Business (SDVOSB) Procurement Program (subpart [19.14](#)), or the Women-Owned Small Business (WOSB) Program (subpart [19.15](#)).
- (b) *At or below the simplified acquisition threshold.* The requirement to exclusively reserve acquisitions for small business concerns at [19.502-2\(a\)](#) does not preclude the contracting officer from awarding a contract to a small business under the 8(a) Program, HUBZone Program, SDVOSB Program, or WOSB Program. If the contracting officer does not proceed with a small business set-aside and purchases on an unrestricted basis, the contracting officer shall include in the contract file the reason for this unrestricted purchase.

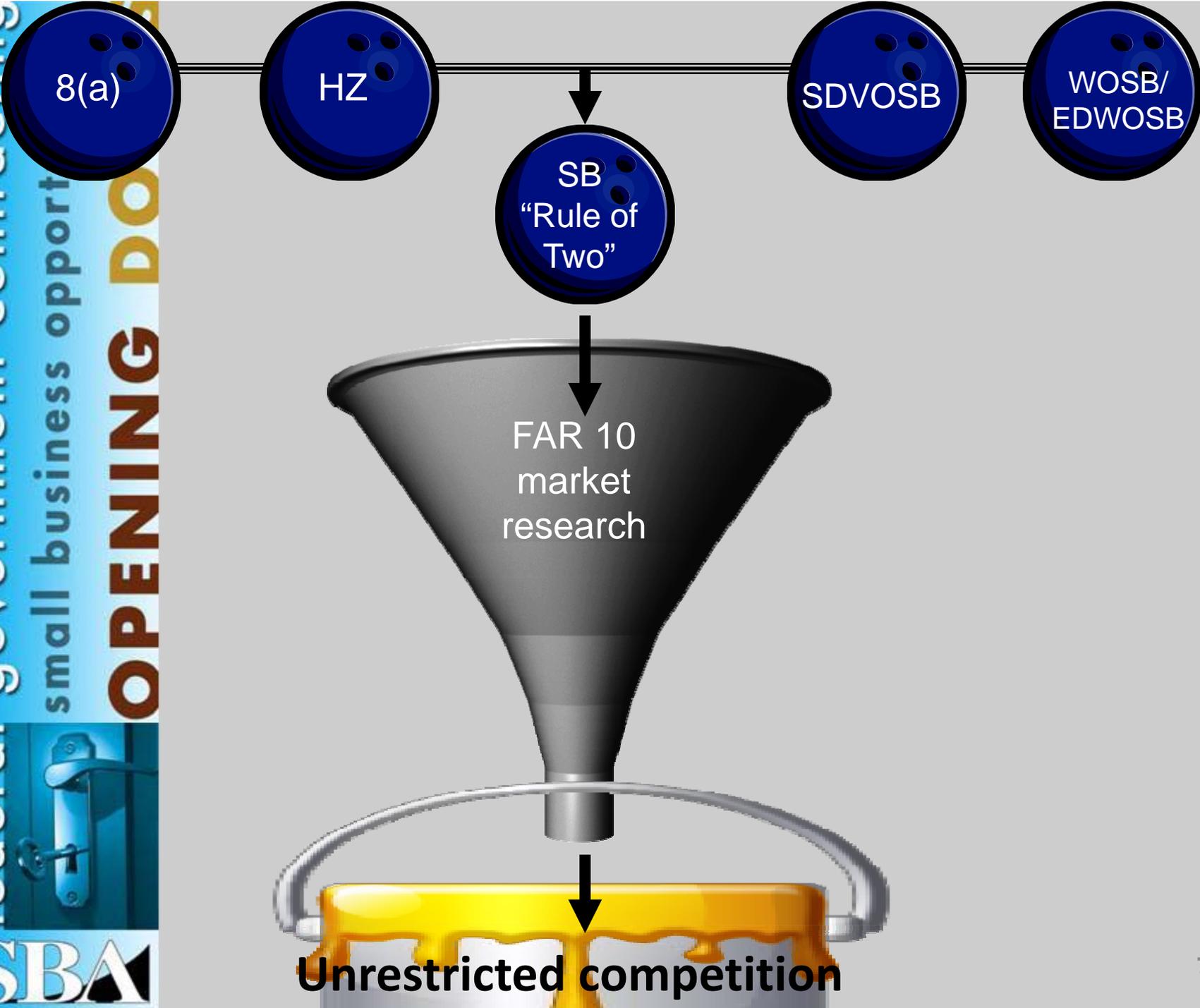
## What about 8(a), HZ, SDVOSB, and WOSB/EDWOSB?

### 19.203 Policies: Relationship among small business programs.

- (c) *Above the simplified acquisition threshold.* The contracting officer shall first consider an acquisition for the 8(a), HUBZone, SDVOSB, or WOSB programs before using a small business set-aside (see [19.502-2\(b\)](#)). However, if a requirement has been accepted by the SBA under the 8(a) Program, it must remain in the 8(a) Program unless SBA agrees to its release in accordance with 13 CFR 124, 125 and 126.
- (d) Small business set-asides have priority over acquisitions using full and open competition. See requirements for establishing a small business set-aside at subpart [19.5](#).

**Rule of two applies to:**

- **HUBZone**
- **SDVOSB**
- **WOSB/EDWOSB**
- **Small business**



## Reference

- ❖ Parity interim rule March 16, 2011:  
<http://edocket.access.gpo.gov/2011/2011-5556.htm>
- ❖ FAR Case 2011-004

## Business decision: Federal small business goals

|                              |     |
|------------------------------|-----|
| Small Business               | 23% |
| Small disadvantaged business | 7%  |
| Women-owned small businesses | 5%  |
| HUBZone program              | 3%  |
| Service-disabled veterans    | 3%  |

SBA goaling website:

<http://www.sba.gov/aboutsba/sbaprograms/goals/index.html>



***“Change: Update on the  
Small Business Jobs Act and  
More”***

# *SBA quick reference*

SBA Mission - Maintain and strengthen the nation's economy by aiding, counseling, assisting and protecting the interests of small businesses and by helping families and businesses recover from national disasters.



1. Financing and bonding:

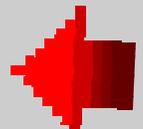
<http://www.sba.gov/category/navigation-structure/loans-grants/small-business-loans/sba-loan-programs>

2. Counseling and technical assistance:

<http://www.sba.gov/category/navigation-structure/counseling-training/local-counseling-training>

3. Fair access to Federal contracts and subcontracts

<http://www.sba.gov/about-offices-content/1/2986>



## Summary SBA's Contracting Regulations

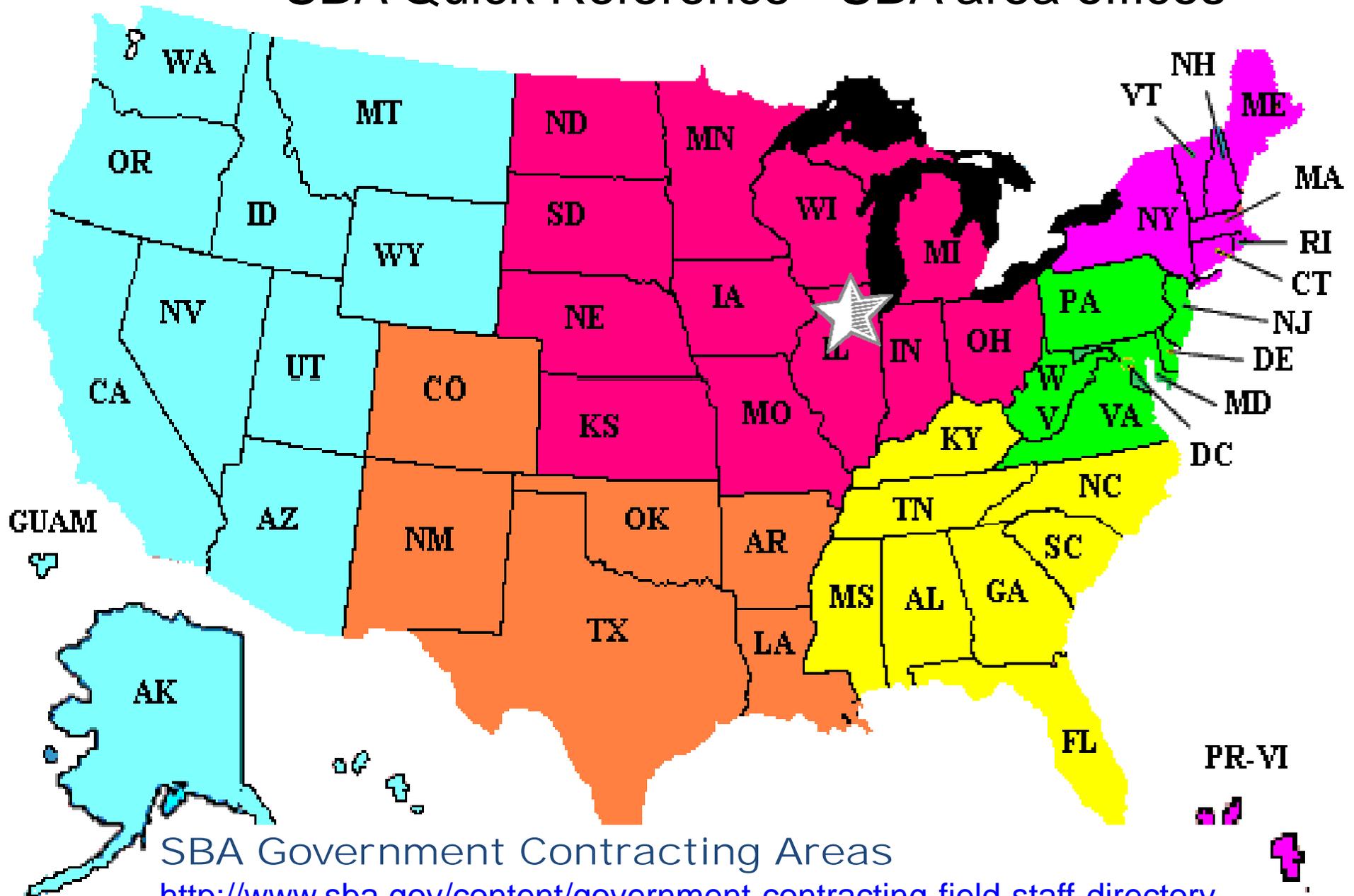
- ❖ SBA size regulations: 13 CFR 121.103(h)
- ❖ HUBZone regs: 13 CFR 126.616
- ❖ SBA CoC: 13CFR125.5
- ❖ Service-disabled veteran: 13 CFR 125.15(b)
- ❖ 8(a) and SDB regs: 13 CFR 124.513
- ❖ SDB: 13 CFR 124.1002(f)

CFR website: <http://ecfr.gpoaccess.gov>

# SBA Quick Reference - Whom to contact for what

1. SBA government contracting area offices
2. SBA procurement center representatives (PCRs)
3. SBA district offices
4. SBA headquarters

# SBA Quick Reference - SBA area offices



SBA Government Contracting Areas

<http://www.sba.gov/content/government-contracting-field-staff-directory>

## SBA Quick Reference - SBA area offices

1. Size protests (with recertification)  
FAR 19.302  
13 CFR 121.1001  
13 CFR 121.1010
2. Certificate of competency  
FAR 19.6  
13 CFR 125.5
3. COC Limitations on subcontracting compliance  
FAR 19.601  
13 CFR 125.6(f)
4. Closest PCR (procurement center representative)\* FAR 19.402  
13 CFR 125.2(b)(3)  
13 CFR 125.2(b)(3)
5. Locating closest CMR\*\*\* (commercial market representative)  
for subcontracting and ESRS matters 13 CFR 125.3

# SBA Quick Reference SBA PCRs

1. SBA PCR coordination records FAR 19.501(b)  
13 CFR 125.2
2. Small business set-aside appeals FAR 19.505  
13 CFR 125.2(b)(7)
3. HUBZone set-aside appeals FAR 19.1305  
FAR 19.1306  
13 CFR 126.61
4. SDVOSB set-aside appeal FAR 19.1405  
FAR 19.1406  
13 CFR 125.22
5. Reporting bundling to SBA (MATOCs) FAR 19.202-1(e)(1)  
13 CFR 125.2

# SBA Quick Reference - SBA PCRs

## 6. SBA subcontracting plan reviews-copies

FAR 19.705-5(3)  
13 CFR 125.2(b)(6)(iii)  
FAR 19.705-6(c)  
13 CFR 125.2(b)(6)(iii)(C)

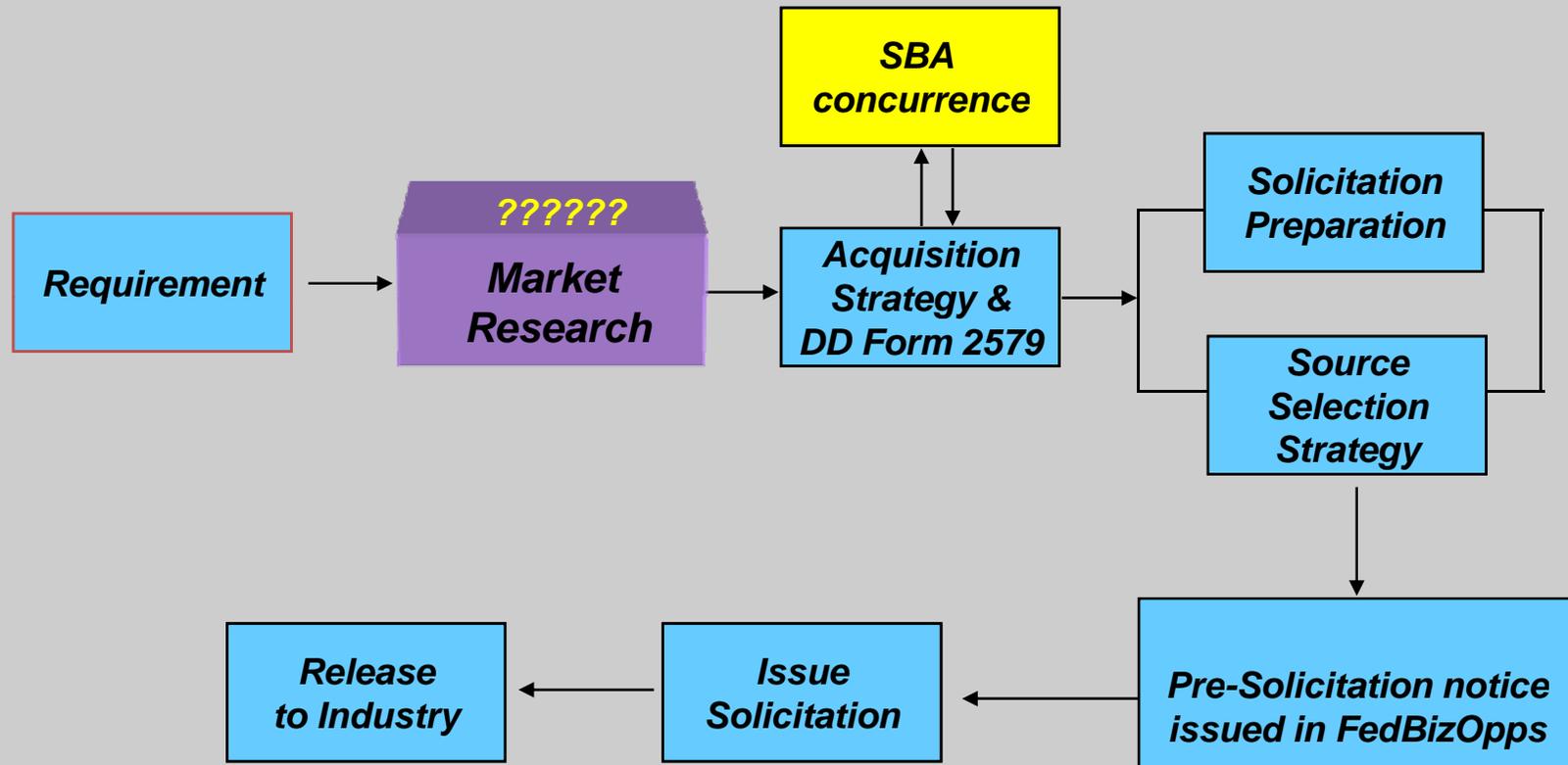
## 7. SBA subcontracting program review

FAR 19.707(4)  
13 CFR 125.2(b)(6)(iii)(C)

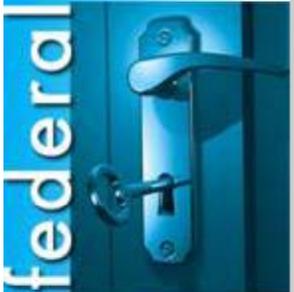
## 8. Small business TFD

FAR 49.402-3 (e)(4)  
(Termination for default)

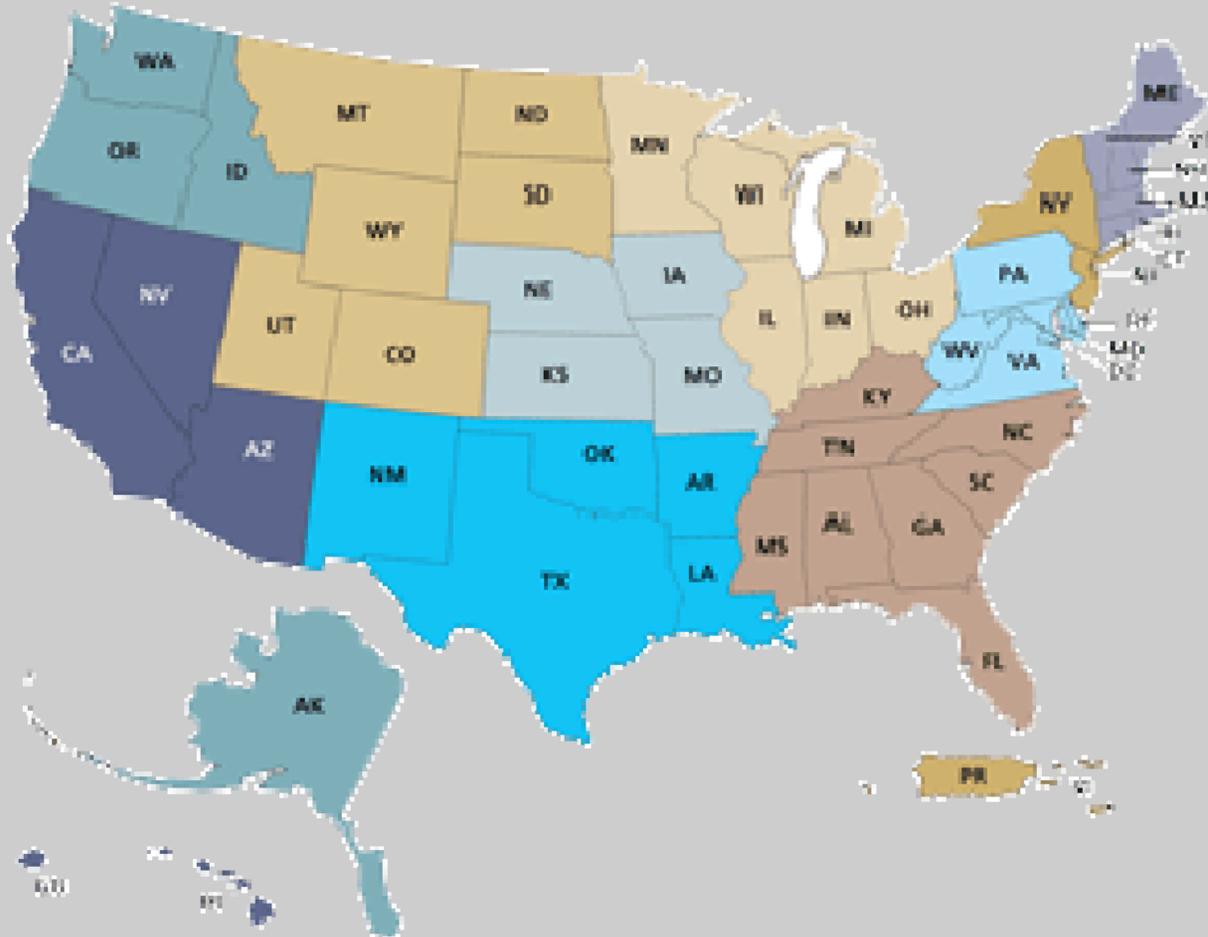
## Acquisition sequence



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# SBA Quick Reference - SBA district offices



<http://www.sba.gov/about-offices-list/2>

# SBA Quick Reference - SBA district offices

1. 8(a) project offering to servicing SBA office  
FAR 19.804-2  
13 CFR 124.502
2. 8(a) project appeals  
FAR 19.810  
13 CFR 124.505

\*\* To locate SBA servicing office, check Dynamic Small Business Search at [www.ccc.gov](http://www.ccc.gov) and then local resources at <http://www.sba.gov/about-offices-list/2>

# SBA Quick Reference - SBA headquarters

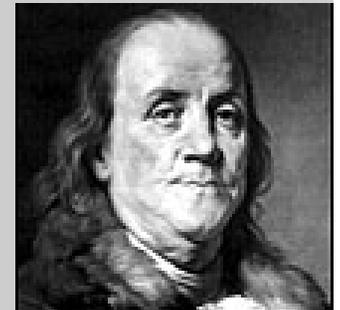
- |                                 |   |
|---------------------------------|---|
| 1. HUBZone status protests      | FAR 19.306<br>13 CFR 126.801            |
| 2. NAICS code appeal            | FAR 19.30 3<br>13 CFR 121.1103          |
| 3. Nonmanufacturer rule waivers | FAR 19.102(f)(1)-(7)<br>13 CFR 121.1204 |
| 4. SDVOSB status protest        | FAR 19.307<br>13 CFR 125.23             |

*“An investment in knowledge pays the best interest.”*

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small business opportunities



federal government contracting

U.S. Small Business Administration



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Training Series”