



Small Business Administration Contract Assistance Programs

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Basis for SBA Procurement Assistance Programs

- Small Business Act is the basis for SBA assistance programs
 - Implements Congressional Policy to aid, counsel, assist & protect the interests of small business concerns
 - Goal of policy is to ensure that a fair proportion of purchases, contracts & subcontracts be placed with small businesses

Small Business Contract Assistance Programs

- Prime Contract Assistance
 - Small business set-aside program
 - Procurement Preference Goaling
 - Size Determination Program
 - Waivers to the Non-Manufacturer Rule
 - Natural Resources Program
 - Certificate of Competency (COC)
- Subcontracting Assistance

Small Business Advocates

- Office of Advocacy
 - Advocates on behalf of small businesses
 - Conducts research to provide small business trends
- SBA Procurement Center Representatives (PCR)
 - Prime Contracting Program Oversight
 - Sean F. Crean
- SBA Commercial Market Representatives (CMR)
 - Subcontracting Program Oversight
 - Arvind A. Patel

Program Delivery

- Program managed by SBA Headquarters
- Delivered through 6 Area Offices
 - Boston/New York
 - Philadelphia
 - Atlanta
 - Chicago
 - Fort Worth
 - San Francisco

Small Business Set-Asides

- Small Business Set-aside - tool to ensure SB participation
 - total or partial
 - CO responsibility, with SBA input
- FAR 19.502-2 (b) specifies “Rule of Two”
- HUBZone/SDVET set-aside has priority over small business set-aside

PCRs

Procurement Center Representatives

- PCRs help ensure that a fair portion of purchases are made with SB
 - represent SBA to major buying activities
 - review proposed acquisitions, including bundled procurements
 - recommend requirements to be set aside for HUBZone, SDVet, 8(a) & SB firms
 - advise agencies & SBs on all SBA programs
 - initiate secretarial appeals

PCRs

- Counsel small businesses
- Review buying activity's SB programs
- Review Subcontracting Plans
- Recommend acquisitions for 8(a) program
- Train agency staff in SB programs
- Speak at procurement conferences

PCRs & Secretarial Appeals

- An appeal is a 3 step appellant process
 - PCR issues a Form 70, "SBA Recommendation" to contracting officer to require a set-aside
 - If CO denies, writes a letter of appeal to the Head of the Contracting Activity (HCA)
 - If HCA denies, PCR forwards to SBA HQ
 - SBA Administrator appeals to the Agency Secretary or Administrator

Secretarial Appeals

- SBA & agencies resolve disagreements prior to secretarial appeal
- SBA processes 4 to 10 appeals annually
- The decision of the Secretary or Administrator of the Agency is final

Procurement Goals

- Another tool to ensure that a fair proportion of purchases are placed with SB
- The Head of each Federal Agency, in consultation with SBA, establishes goals (IAW Small Business Act)
- Goals established annually or biennially
- Goals are agency-wide

Statutory Procurement Goals

Goal for Small Business: 23%

Subsets of the 23%:

- 5 % small disadvantaged businesses
- 3 % HUBZone firms
- 5 % women-owned SBs
- 3 % Service Disabled Veteran-Owned Small Businesses (SDVOSB)

Subcontracting Goals

- Small business
- Small disadvantaged business (SDB)
- women-owned small business (WOSB)
- HUBZone small business
- Veteran-owned small business (VOSB)
- Service-disabled VOSB

Subcontracting

- SBA's role in subcontracting
- Pre-Award Reviews - PCRs review plans prior to contract award
 - comments advisory in nature
- Post-Award - Commercial Market Representatives (CMRs) monitor goal achievement
 - Visit major primes to monitor

Subcontracting

- Subcontracting plans are not required
 - from small business concerns
 - for personal service contracts
 - for contracts or modifications performed entirely outside the U. S.
 - for contracts that do not contain the clause FAR 52.219.8

SUB-Net

- SBA internet database of Large Prime Contractors.
 - Provides current bid opportunities
 - Enables Primes to market for specific business categories



Search

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Home

SUB - Net

Search For Solicitations

Search the database
View all solicitations

Post Solicitations

Update Company
Profile
Enter Solicitation
Update Solicitation

About Sub-Net

What is Sub-Net
How to use Sub-Net



U.S. Small Business Administration Subcontracting Network

[Hurricane Katrina Subcontracting Solicitations](#)

[Hurricane Subcontracting Information](#)

[Iraq Reconstruction RFP's](#)

The use of SUB-Net fulfills the function set forth in [Federal Acquisition Regulation \(FAR\) 5.206](#), Notice of Subcontracting Opportunities, for contractors and subcontractors to post notices and thereby increase competition for subcontracts.

Also see SBA's [Subcontracting Opportunities Directory](#)
[CCR](#) - Central Contractor Registration

[DISCLAIMER](#)

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<http://web.sba.gov/subnet>

Electronic Subcontracting Reporting System (e-SRS)

- Electronic reporting of SF 294/295s
- <http://www.esrs.gov/>
 - Eliminates paper reporting
 - Improve Data Accuracy
 - Eliminates multiple agency requests
- Anticipated DoD Launch Oct 06

Size

- Firm must meet size standard for NAICS code specified in solicitation
- Firm self-certifies size status
- Firm must be small at the time of the self-certification

SIZE UPDATES

- SBA has adjusted its monetary-based size standards (*e.g.*, receipts, net worth, and financial assets), for the effect of inflation that has occurred since the last inflation adjustment in February 2002. Since the last inflation adjustment, the general level of prices has increased 8.7%.
- This rule applies to solicitations issued on or after January 5, 2006.

SIZE UPDATES

Examples (Effective January 5, 2006)

■ Subsector 237 – Heavy and Civil Engineering Construction

	New	Old
– 237110 Water and Sewer Line and Related Structures Construction	\$31.0	\$28.5
– 237120 Oil and Gas Pipeline and Related Structures Construction	\$31.0	\$28.5
– 237130 Power and Communication Line and Related Structures	\$31.0	\$28.5
– 237210 Land Subdivision	\$6.5	\$ 6.0
– 237310 Highway, Street, and Bridge Construction	\$31.0	\$28.5
– 237990 Other Heavy and Civil Engineering Construction	\$31.0	\$28.5
<i>Except, Dredging and Surface Cleanup Activities²</i>	\$18.52	\$ 17.0

NAICS code 237990 - Dredging: To be considered small for purposes of Government procurement, a firm must perform at least 40 percent of the volume dredged with its own equipment or equipment owned by another small dredging concern.

Correction to Determination of Size Status 18APR06

- Sec. 121.404 When does SBA determine the **size** status of a business concern?
 - (i) At the time a novation or change-of-name agreement has been executed pursuant to FAR subject 42.12, the new entity must submit a written self-certification that it is small to the procuring agency so that the agency can count the award options, or orders issued pursuant to the contract, towards its small business goals.

Size Determinations

- Size determinations apply to all procurement programs for which size status is required
 - small business set-aside
 - Certificate of Competency (COC)
 - 8(a) business development
 - HUBZone

Non-manufacturer Waiver Rule

- Regulations require that a successful offer on a contract set aside for SB or the 8(a) program provide the product of a domestic SB manufacturer or processor
- Provide that an otherwise responsible SB concern shall not be denied the opportunity to submit its offer solely because it is not the manufacturer

Waivers of the Non-manufacturer Rule

- Two types
- Individual Waivers
 - apply to a specific solicitation
 - only a government CO may request
 - CO must state that there are no known SB manufacturers of product - required in submission to SBA
 - 15 days processing time

Waivers of the Non-manufacturer Rule

■ Class Waivers

- applies to all items in class of products
- may be requested by any interested person, business, association or Federal agency
- SBA publishes its search for sources in the Federal Register
- class waivers published on GC homepage at www.sba.gov/gc

Certificate of Competency (COC) Program

- Purpose: to ensure that small businesses are given an opportunity to compete for & receive government contracts
- Applicability: program applies to all Executive Branch agencies, even if contract is performed outside US

COC Program

- COC process begins when the CO determines that a SB, the apparent low offeror on a solicitation, lacks one of the elements of responsibility
- CO must refer, in writing, the firm to the SBA GC Area Office servicing the area where the HQ office of the offeror is located

COC - Elements of Responsibility

- Including, but limited to:
 - capability
 - competency
 - capacity
 - credit (financial capability)
 - integrity
 - perseverance & tenacity
 - limitations on subcontracting

Current SBA Initiatives

- National Matchmaking Events
- Simplify Size Standards
- Automate SBA Small Business Programs
- Procurement Academy – On-Line Training for Small Businesses

Summary

- Please contact the Office of Government Contracting if you have questions; or
- OUR web site: www.sba.gov/gc

- THANK YOU