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# **Office of Government Contracting**

## **Area V**

**(Arkansas, Colorado, Louisiana,  
New Mexico, Oklahoma & Texas)**



# *Basis for SBA Programs*

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## **Small Business Act**

- ❑ 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*

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## **□ 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**

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**PCR**  
**Procurement**  
**Center**  
**Representatives**



# *What PCRs Do*

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- **Promote SBA Programs/8(a) BD**
- **Review Acquisitions, Bundling Cases & Solicitations**
- **Recommend Set-Asides**
- **Perform Market Research**
- **Provide & Attend Training Events**
- **Perform Surveillance Reviews**
- **Counsel Small, “Other Than Small” & Federal Agencies**
- **Perform Outreach**





# ***What PCR's See***

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- **Small Business Review Form**
- **Government Estimate**
- **Sole Source Justifications (J&A)**
- **Statement of Work**
- **Acquisition Plan**
- **Market Survey**
- **Procurement Request**
- **Purchase History**
- **Synopses**
- **Source Selection Criteria**
- **A-76 Information**
- **Sensitive Information**
- **Set-aside appeals**
- **Certificate of Competency Request**
- **Subcontracting Plans**
- **Bid Abstracts**



# *Certificates of Competency*

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**When determined to be non-responsible, a small business is entitled to an independent review by the SBA.**

**This is on a case-by-case basis.**

**Non-responsible includes areas of Capacity, Credit, Capability, Competency, Integrity, Perseverance & Tenacity, Limitations on Subcontracting**

**Written referrals must be sent to the SBA Area Office responsible for the geographic location of the small business. The following website has the addresses for each area office - [www.sba.gov/GC/](http://www.sba.gov/GC/)**



## ***Small Business Competitive Demonstration Program***

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Certain industry requirements cannot be set-aside for small business – A&E, construction, refuse service, non-nuclear ship repair, pest control and landscaping.

However, 8(a), HUBZone and SDVOSB must be considered before going full and open



# ***Natural Resources & Sales Assistance Program***

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**SBA provides counseling & assistance to small business on government sales and leasing in the following federal resources:**

- Timber & related forest products
  - Strategic materials from the National stockpile
  - Royalty Oil
  - Leases involving rights to minerals, coal, oil & gas
  - Surplus real & personal property
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## *Natural Resources & Sales Assistance Program*

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### **Point of Contact:**

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# **CMR**

# **Commercial Market**

# **Representative**



# *Subcontracting Assistance*

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## Statutory Subcontracting Goals

Small Business Act: Section 15(g)

- Small Business (SB) - negotiable
- Small Disadvantaged Business (SDB) - 5%
- Women-Owned Small Business (WOSB) - 5%
- HUBZone Small Business - 3%
- Veteran-Owned Small Business - negotiable
- Service-Disabled Veteran-Owned SB - 3%



# *Subcontracting Assistance*

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## Determining the Need for a Subcontracting Plan

### ➤ **Dollar Threshold:**

- contract or contract mod is expected to exceed \$550,000 (\$1,000,000 for construction)
  - Note: \$500,000 was just bumped to \$550,000

### ➤ **Subcontracting possibilities:**

- contract appears to offer subcontracting possibilities



# *Subcontracting Assistance*

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## **Determining the Need for a Plan**

- Subcontracting plans are **not** required:
    - From small business concerns
    - For personal services contracts
    - For contracts or mods that will be performed entirely outside of the U.S.
    - For contracts that do not contain 52.219-8 (e.g., contracts awarded prior to PL 95-507)
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# *Subcontracting Assistance*

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## ➤ **Pre-Award Subcontracting Plan Reviews**

- SBA's PCR's review subcontracting plans prior to contract award (advisory)

## ➤ **Post-Award Compliance Reviews**

- SBA's CMR's monitor goal achievement after contract award



# *Subcontracting Assistance*

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## Elements of a Subcontracting Plan

- A subcontracting plan must contain goals expressed in both dollars and percentages.
- Other required elements are set forth in the FAR at subpart 19.704 and in the clause at 52.219-9.
- SBA provides a Fact Sheet on Subcontracting that explains goals, flow-down, and reporting requirements.



# *Subcontracting Assistance*

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## What SBA Can and Cannot Do

- **SBA Can:**
    - Conduct compliance reviews and SOARS (Subcontracting Orientation and Assistance Reviews)
  
  - **SBA Cannot:**
    - Prescribe the amount of subcontracting
    - Require the prime contractor to use a particular small business
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# *What's New Since Last Year??*

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- Re-certification – June 30, 2007
  - Retro-active
  - Schedules
  
- WOSB Set-Aside Program
  
- Subcontracting – ANC & Indian tribes



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