

August

2013

# NHO Business Guide

## 8(a) Business Development Program

This guide is designed to inform, educate and engage qualified Native Hawaiian Organization-owned businesses in the 8(a) Business Development Program

U.S. Small Business Administration

Office of Native American Affairs

Office of Government Contracting and Business Development



# Native Hawaiian Organization

## -- NHO Business Guide -- 8(a) Business Development Program



Office of Native American Affairs  
Office of Government Contracting & Business Development  
July 2013

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



This is about small businesses owned by Native Hawaiian Organizations, winning federal contracts.

Welcome to SBA's NHO Business Guide, a guide to the 8(a) Business Development Program.

**NOTE:** *This supplemental workbook tracks the slides and narrative contained in the online training module, **Native Hawaiian Organization – NHO Business Guide**. The online version of the training guide, with audio can be accessed at: [www.sba.gov/gcclassroom](http://www.sba.gov/gcclassroom). For the user's convenience, all hyperlinks contained in the copied slides are included as links at the end of the workbook.*

## Introduction

- 8(a) Business Development Program is designed to assist socially and economically disadvantaged small businesses, including NHO owned firms
- Designed to inform, educate and engage qualified businesses in the 8(a) program

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The 8(a) program is a business development program designed to assist socially and economically disadvantaged small businesses, including Native Hawaiian Organization owned enterprises.

This guide is designed to inform, educate and engage qualified NHO businesses in the 8(a) program.

Notes...

## Course Contents

### NHO Business Guide

1. Native Hawaiian Organization (NHO)
2. 8(a) Program Purpose & Summary
3. How the Program Works
4. Eligibility Requirements for NHO Businesses
5. Application Process
6. Key Questions & Answers
7. Resources and Assistance

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The training module provides an overview of the 8(a) program, including a discussion about NHO owned businesses, a description of the program's purpose, how it works, eligibility requirements, the application process, key questions and answers and important resources.

In addition many of the slides include highlighted boxes with specific FAR and CFR regulatory references to help users easily access more information about the content in the slides.

Also, the course is designed so that you can easily go to, leave or return to any section of the course, at any time.

## Native Hawaiian Organization (NHO)

- What is a Native Hawaiian Organization (NHO)?
  - A Native Hawaiian Organization is any community service organization serving Native Hawaiians in the state of Hawaii which is a non-profit organization chartered by the state of Hawaii, is controlled by Hawaiians, and whose business activities will principally benefit such Native Hawaiians
  - Controlled by Native Hawaiians – requires that both membership of the NHO and membership of the NHO's board to be at least 51% Native Hawaiian

13 CFR 124.3

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But first, what is a Native Hawaiian Organization (NHO)?

A Native Hawaiian Organization is any community service organization serving Native Hawaiians in the state of Hawaii which is a non-profit organization chartered by the state of Hawaii, is controlled by Hawaiians, and whose business activities will principally benefit such Native Hawaiians. Importantly, “controlled by Native Hawaiians,” requires that both membership within the NHO and membership within the NHO’s board to be at least 51% Native Hawaiian.

In addition, Native Hawaiian means any individual whose ancestors were natives, prior to 1778, of the area which now comprises the state of Hawaii.

## NHO – Business Activities

- What is a Native Hawaiian Organization (NHO)?
  - A Native Hawaiian Organization is any community service organization serving Native Hawaiians in the state of Hawaii which is a non-profit organization chartered by the state of Hawaii, is **controlled by Hawaiians, and whose business activities will principally benefit such Native Hawaiians**

**13 CFR 110(c)(2)**

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Regarding the phrase “business activities will principally benefit such Native Hawaiians,” it is required that the NHO’s bylaws describe the benefits Native Hawaiians will receive from the NHO. In addition, the NHO must have a detailed plan that shows how revenue earned by the NHO will principally benefit Native Hawaiians.

Notes...

## Business Development Growth

### Native Hawaiian Organization (NHO)

- 8(a) program is a business development tool that may fit within the economic development vision of the NHO or the business entities that are owned by the NHO
- Successful business development may be enhanced with a well-defined economic development framework and a strong foundational base of capabilities, strategies and supporting policies

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The 8(a) program is a tool, a business development tool that may fit within the economic development vision of the NHO or the business entities that are owned by the NHO.

With that said, successful business development within a NHO may be enhanced with a well-defined economic development framework and a strong foundational base of capabilities, strategies and supporting policies. The 8(a) program is but one tool that may help support business development growth.

Notes...

**Framework for Business Development Growth**  
Native Hawaiian Organization (NHO)

- Assess
  - What we know
- Strategic choices
  - Identify opportunities
- Capabilities
  - Alignment and delivery
- Action
  - Adapting and learning
- Mobilization
  - Willingness to lead change

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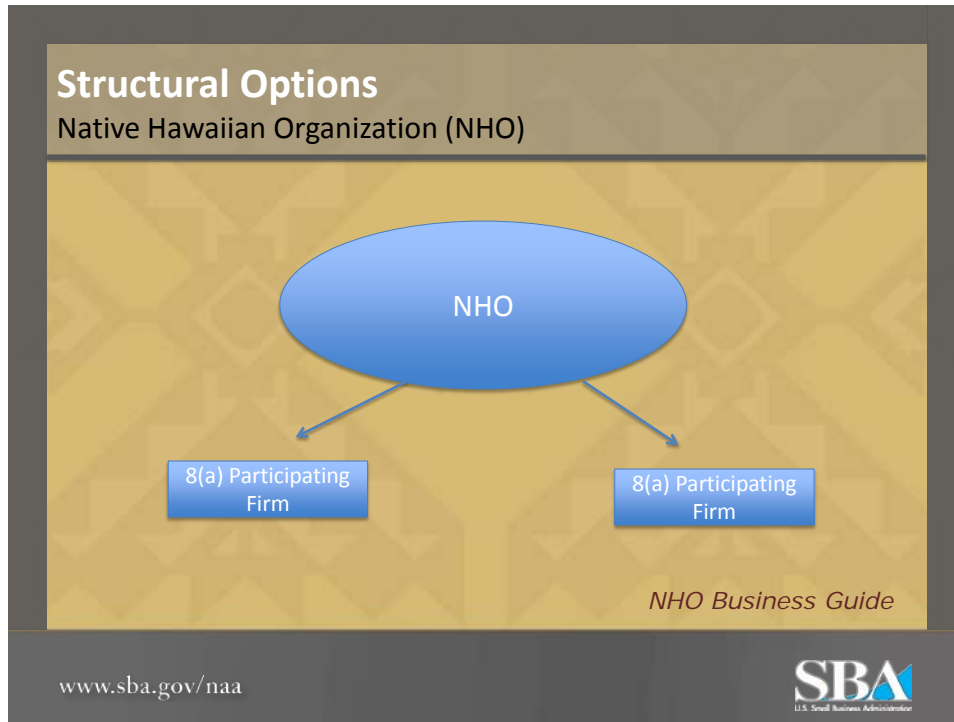
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Achieving business growth requires a plan. A well thought out plan.

As such, a Native Hawaiian Organization should have a good understanding of where it is today, where it has been and where it wants to go. Five steps can be applied to build a planning framework. First, gather what you know and assess your current circumstances. Second, identify opportunities and make strategic choices. Applying to the 8(a) program, for instance, may be one of those choices.

Third, understand your NHO capabilities and align skills with what your organization can successfully deliver. Fourth, identify and manage actions and lastly, but most importantly, mobilize change.





It is important for a NHO to understand how it can be optimally structured so it can be positioned for business development growth.

Importantly, a Native Hawaiian Organization may have more than one related 8(a) business. This slide shows one structural option, with two affiliated 8(a) firms. There are other options.

Notes...

## Reflection...

### Native Hawaiian Organization (NHO)

- Does your Native Hawaiian Organization have a strong foundational base for economic development?
- Has NHO leadership considered ways the 8(a) program can be used as a business development tool?
- Is your NHO structurally positioned for optimal business development growth?

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## Reflection...

Does your Native Hawaiian Organization have a strong foundational base for economic development? Has NHO leadership considered ways the 8(a) program can be used as a business development tool? Is your NHO structurally positioned for optimal business development growth?

Notes...



Program overview and summary.

Notes...

**Program Purpose**  
8(a) Program & Summary

- Help small disadvantaged businesses, including NHO owned small businesses compete in the marketplace
- Provide business development support
- Prepare qualifying entities for procurement and other business opportunities

**13 CFR 124.1**

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The 8(a) Program -- named for Section 8(a) of the Small Business Act -- is designed to assist small disadvantaged businesses, including firms owned by Native Hawaiian Organizations to compete in the marketplace. It is also designed to assist such entities in gaining access to federal and private procurement markets.

The primary focus of the program is to provide business development support, such as mentoring, procurement assistance, business counseling, training, financial assistance, surety bonding and other management and technical assistance to qualified firms. The ultimate objective, however, is to **prepare** small disadvantaged firms for procurement and other business opportunities.

Through the award of sole source and set-aside contracts, the 8(a) program provides market access and growth for qualified small businesses.

## Native Hawaiian Organization -- 8(a) Perspective

### 8(a) Program & Summary

- 8(a) program is a business development tool for NHOs
- Federal agencies have strong incentives to contract with small firms owned by Native Hawaiian Organizations
- Special rules for NHO participation in the 8(a) program – an important perspective is that proceeds from NHO owned companies are used to benefit Native Hawaiians and the Native Hawaiian community as a whole, rather than individual owners and the NHO members and directors

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The program is a business development tool that offers opportunities for small businesses owned by Native Hawaiian Organizations.

Under the 8(a) program, Congress granted such entities with unique rights in the federal procurement process. These rights provide federal agencies with strong incentives to contract with businesses owned by NHOs.

Native Hawaiian Organizations do have special rules for participation in the 8(a) program. There are many reasons for this. However, an important perspective is that proceeds from NHO owned companies are used for the benefit of the entire NHO membership, rather than individual owners, NHO members or directors. NHOs use these proceeds to build, sustain and operate their communities – for the betterment of education, health care, public works and other community sustaining activities.

## Regulatory Guidance

### 8(a) Program & Summary

The 8(a) Business Development Program:

- Established by:
  - Section 8(a) of the Small Business Act of 1953
- Governed by:
  - 13 CFR 124.100–124.704 (Subpart A)
  - FAR Part 19.800–19.812
- Specific References to NHO Owned Businesses:
  - 13 CFR 124.3 -- Definitions
  - 13 CFR 124.102 -- What size business is eligible?
  - 13 CFR 124.104 – Who is economically disadvantaged?
  - 13 CFR 124.105-106 -- Eligibility
  - 13 CFR 124.110 – Special rules for NHOs
  - 13 CFR 124.112 -- Business criteria to remain eligible

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The 8(a) program was established by Section 8(a) of the Small Business Act.

It is primarily governed by 13 CFR 124 Subpart A and FAR Parts 19.8 – 19.812. Specific references to NHO owned businesses are also noted in the slide.

Notes...

**Key Program Objectives**  
8(a) Program & Summary

- “Promote the business development of small business concerns owned and controlled by socially and economically disadvantaged individuals...”
- “Promote the competitive viability of such concerns...”
- “Clarify and expand the program for procurement by the United States...”

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As articulated in statute and regulations, the key objectives of the 8(a) program are to promote business development of small business concerns owned and controlled by socially and economically disadvantaged individuals; to promote the competitive viability of such concerns; and to use the tools of the program to help qualified small disadvantaged firms benefit from federal procurement opportunities.

Qualifying NHO owned businesses can benefit from these key program objectives.

Notes...

## Term of Participation

### 8(a) Program & Summary

- Maximum 9 year participation in the program, beginning from the date of SBA approval
- First 4 years are considered the developmental stage
- Last 5 years are considered the transitional stage
- Continuation in the program is dependent on:
  - Remaining eligible as a socially and economically disadvantaged firm (includes all applicable requirements)
  - Staying in compliance with the 8(a) BD participation agreement

**13 CFR 124.2**

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Participation in the 8(a) program is limited to 9 years, beginning from the date a firm is approved by the SBA as a certified 8(a) Business Development firm.

The first four years in the program are considered the developmental stage. The last five years in the program are considered the transitional stage.

Continuation in the program, in both the developmental and transitional stages, is dependent on the firm's continuing eligibility as a socially and economically disadvantaged – owned and operated – firm and that the firm continues to be in compliance with the 8(a) business development agreement.



## Summary Requirements and Goals

### 8(a) Program & Summary

- Overall goal for 8(a) firms is to graduate from the program and thrive in a competitive business environment
- Requirements:
  - Maintain a balance between commercial and government business
  - SBA district offices monitor and measure the progress of participating firms
    - Annual review
    - Business planning
    - Systematic evaluations

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The 8(a) program is a business development program. As such, the overall goal for 8(a) firms is to graduate from the program and go-on to thrive in a competitive business environment. There are several requirements in place to help firms achieve this goal.

Firms must maintain a balance between their commercial and government business.

In addition, SBA district offices monitor and measure the progress of participating 8(a) firms. It does this through annual reviews, business planning collaboration and systematic evaluations.

## Reflection...

### 8(a) Program & Summary

- Is the purpose of the 8(a) program aligned with the goals and objectives of your Native Hawaiian Organization?
- Is your NHO and its owned businesses positioned to take advantage of opportunities available through the 8(a) program?

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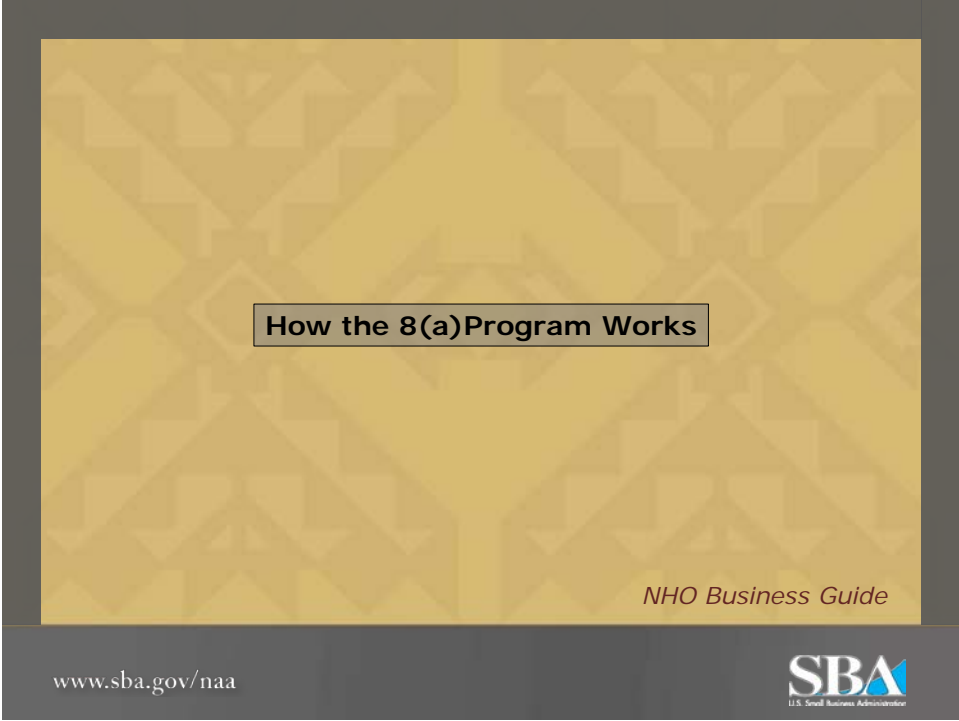
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## Reflection...

Is the purpose of the 8(a) program aligned with the goals and objectives of your Native Hawaiian Organization? Is your NHO and its owned businesses positioned to take advantage of opportunities available through the 8(a) program?

Notes...



How the 8(a) program works.

Notes...

## Driven by Several Key Components

### How the 8(a) Program Works

- SBA's role
  - Business development assistance
  - Business development support
  - Contract opportunities
- Role of NHO -- 8(a) program participants
  - Capitalize on available business development assistance and support
  - Learn about government buying needs
  - Market to the government
  - Submit information annually to the SBA to prove eligibility

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The program is driven by several key components. SBA plays a pivotal role, but the core of the program is focused on business development assistance, business development support, finding contract opportunities and marketing.

The most important role, however, is played by 8(a) firms themselves. Each of these components is explained in the following sections.

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## SBA's Role

### How the 8(a) Program Works

- Program policy guidance
- Review and certify eligible clients
- Assign SBA personnel, *Business Opportunity Specialists*, to 8(a) participating firms
- Provide business development assistance
- Help identify contract opportunities for 8(a) participating entities
- Review progress of 8(a) certified businesses

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As the administrator of the program, SBA provides program policy guidance, reviews and certifies eligible clients, assigns SBA personnel -- Business Opportunity Specialists -- to approved 8(a) entities, provides business development assistance, helps in identifying potential contract opportunities and reviews the progress of participating 8(a) concerns.

SBA's role is to build a strong resource-rich program -- that helps 8(a) certified, NHO owned firms to become and remain competitive in the economic mainstream.

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## Business Development Assistance

### How the 8(a) Program Works

- Business counseling and mentoring
- Online and traditional training
- Surety bond guarantees
- Contract marketing guidance
- Able to acquire federal government surplus property
- Other management and technical assistance

**13 CFR 124.404-124.405**

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Aiding 8(a) certified, NHO owned businesses with business development assistance is core to the program. This assistance takes many forms, but includes, business counseling and mentoring; online and traditional training; surety bond guarantees; contract marketing guidance; acquiring federal government surplus property; and, other forms of management and technical assistance.

Competitive strength comes from knowledge, financial support and technical assistance – all of which can be gained through SBA’s business development initiatives.

## Business Development Support

### How the 8(a) Program Works

- Helping firms:
  - register in the [System for Award Management \(SAM\)](#)
  - find contract opportunities
  - maintain a current business plan with a procurement strategy
  - and other support
- Working with agencies and prime contractors to direct contracts to small firms
- Assigning Business Opportunity Specialists (BOS)s to work individually with participating 8(a) firms

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Providing management, technical and financial assistance is one aspect of the program. Another key dimension is providing business development support to 8(a) clients.

This SBA support is varied and can include: helping 8(a) program clients register in the System for Award Management or SAM --- which is a national database of firms seeking to do business with the federal government as well as prime contractors. SBA will also help firms to understand and use government tools to find contract opportunities, assists clients in developing and maintaining a current business plan with a defined procurement strategy, and provides assistance in many other ways. This assistance can be beneficial to a NHO owned business.

Importantly, SBA also works with federal agencies and prime contractors ---- encouraging them to set aside, breakout or otherwise make contracts available to 8(a) and other small firms. In other words, SBA markets the technical capabilities of small businesses to federal buying entities.

In addition, each 8(a) firm is assigned a Business Opportunity Specialist by the SBA. The assigned specialist helps guide the 8(a) business during its tenure in the program.

## Contract Opportunities

### How the 8(a) Program Works

- SBA staff and Procurement Center Representatives (PCRs) work closely with government and private organizations to identify procurement opportunities for small firms
- Government-wide procurement goals that benefit small businesses
  - 23% -- Overall small business goal
  - 5% -- **Small disadvantaged businesses**
  - 5% -- Women owned small businesses
  - 3% -- Certified HUBZone firms
  - 3% -- Service-disabled veteran-owned small businesses

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The federal government buys in excess of \$600 billion dollars in goods and services each year.

Government-wide procurement goals help define another aspect of the 8(a) program. Such goals establish procurement targets for agencies that benefit small disadvantaged businesses and other small firms.

SBA personnel, specifically Procurement Center Representatives, work closely with government and private organizations to identify procurement opportunities for small businesses and to help target specific acquisitions for 8(a) participating firms.

In addition, government policy and SBA staff encourage federal agencies to meet or exceed annual small business procurement goals. The current government-wide goal for prime and subcontracts to small disadvantaged businesses is 5%. Overall, however, the government-wide small business goal for all prime contracts is 23%.

Other government-wide procurement goals include: 5 percent of prime and subcontracts for women-owned small businesses; 3 percent of prime and subcontracts for Hubzone businesses and 3 percent of prime and subcontracts for service-disabled veteran-owned small businesses.



## Role of 8(a) Certified – NHO Owned Businesses

### How the 8(a) Program Works

- SBA opens the door....
- 8(a) client firms must be competitive and market themselves competitively
- Successful 8(a) firms **capitalize** on available business development resources, **educate** themselves on government buying needs, and **market** themselves based on skills and ability to meet such needs

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Finally, in describing how the program works, the most important role is played by the 8(a) firms, themselves.

SBA may be able to open some doors, but it is up to the 8(a) firms in the program to be competitive and to market themselves effectively.

It's all about preparation and self-marketing. Successful 8(a) firms **capitalize** on available business development resources, **educate** themselves on government and corporate buying needs, and **market** themselves based on their skills and ability to support the procurement needs of multiple organizations.

Notes...

**Reflection...**  
How the 8(a) Program Works

- Can the 8(a) program be used successfully by your Native Hawaiian Organization as a business development tool?
- How can this be accomplished?
- What specific steps should your NHO or related businesses take to make this happen?

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Reflection...

Can the 8(a) program be used successfully by your Native Hawaiian Organization as a business development tool? How can this be accomplished? Importantly, what specific steps should your NHO or related businesses take to make this happen?

Notes...



Program eligibility requirements for NHO owned businesses.

Notes...

**Eligibility – NHO Owned Businesses**  
8(a) Program Eligibility

- Special rules
- NHO eligibility

**13 CFR 124.110**



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Eligibility for the 8(a) program is uniquely defined for Native Hawaiian Organization owned businesses. As such, there are special rules and unique NHO and NHO owned business eligibility requirements.

Notes...

## NHO Eligibility - Special Rules

### 8(a) Program Eligibility

- Companies owned by economically disadvantaged Native Hawaiian Organizations are eligible for participation in the 8(a) program and other federal programs requiring SBA to determine social and economic disadvantage as a condition of eligibility
- Such companies must meet all eligibility criteria set forth in 13 CFR 124.101 through 124.108 and 124.112 to the extent that they are not inconsistent with 13 CFR 124.110

**13 CFR 124.110**

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Companies owned by economically disadvantaged Native Hawaiian Organizations are eligible for participation in the 8(a) program and other federal programs requiring SBA to determine social and economic disadvantage as a condition of eligibility.

Notes...

**Social Disadvantage**  
8(a) Program Eligibility – **NHO Eligibility**

- Regarding social disadvantage and for the purposes of the 8(a) program, Native Hawaiians -- as defined in 13 CFR 124.3 -- are considered to be socially disadvantaged

**13 CFR 124.3**

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Regarding social disadvantage and for the purposes of the 8(a) program, Native Hawaiians -- as defined in 13 CFR 124.3 -- are considered to be socially disadvantaged.

Notes...

## NHO Economic Disadvantage

### 8(a) Program Eligibility – NHO Eligibility

- SBA considers the economic status of the NHO's members to establish whether the NHO is economically disadvantaged
- Majority of an NHO's members must qualify as economically disadvantaged
- If the NHO does not have members, then a majority of the NHO's board of directors must qualify as economically disadvantaged

**13 CFR 124.104**

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Regarding economic disadvantage, SBA considers the economic status of the NHO's members to establish whether the NHO is economically disadvantaged. The majority of an NHO's members must qualify as economically disadvantaged under 13 CFR 124.104.

If the NHO does not have members, then a majority of the NHO's board of directors must qualify as economically disadvantaged. If the NHO has members and a board of directors, only a majority of the NHO's members must be economically disadvantaged.

## Required Forms and Documents

### 8(a) Program Eligibility – NHO Eligibility

- NHO applicant is required to submit all of the same documents generally required by all other 8(a) applicants
- Specific documents required from the NHO include:
  - Articles of incorporation, including amendments
  - Bylaws and amendments
  - Meeting minutes of NHO members and/or board of directors
  - List of all companies in which the NHO has ownership

Learn more...  
[Native Hawaiian Organization  
Checklist](#)

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An NHO applicant is required to submit all of the same documents generally required by all other 8(a) applicants.

However, a NHO owned business is also required to submit additional documentation, including: articles of incorporation, with any amendments; bylaws and amendments; and, a list of all companies in which the NHO has ownership.

When you are ready, review the hyperlinked NHO checklist for greater clarity regarding required documentation.



**NHO Business Eligibility**  
8(a) Program Eligibility

- Legal business entity & ownership
- Size
- Control and management
- Individual eligibility limitation
- Potential for success

**13 CFR 124.110**

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There are business eligibility requirements specific to NHO related firms. These requirements focus on the legal structure of the business, the size of the concern, ownership, control and management of the enterprise, individual eligibility limitation and the potential for success of the NHO business.

Notes...

## Legal Business Entity & Ownership

### 8(a) Program Eligibility – **NHO Business Eligibility**

- Businesses owned by economically disadvantaged Native Hawaiian Organizations, as defined in 13 CFR 124.3, are eligible for 8(a) program participation
- Firms owned by the NHO must operate as “for profit”
- Firms must qualify as a small business
- NHO cannot own 51% or more of another firm which, either at the time of application or for the previous two years, has been operating in the 8(a) program under the same primary NAICS code of the applicant

**13 CFR 124.110**

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Small firms owned by economically disadvantaged Native Hawaiian Organizations, as defined in 13 CFR 124.3, are eligible for 8(a) program participation. Such firms must operate as “for profit” entities and must qualify as small businesses.

Importantly, a NHO cannot own 51% or more of another firm which, either at the time of application or for the previous two years, has been operating in the 8(a) program under the same primary NAICS code of the applicant. A Native Hawaiian Organization may, however, own an 8(a) participating firm or applicant that conducts or will conduct secondary business in the 8(a) program under the same NAICS code.

## Size

### 8(a) Program Eligibility – NHO Business Eligibility

- NHO owned applicant must qualify as a small business and certify as such to the SBA, pursuant to the provisions in 13 CFR 121
- In determining the small business size standard, the NHO owned business will be determined independently without regard to its affiliation with the Native Hawaiian Organization or any other business enterprise owned by the NHO

**13 CFR 124.110(b)**

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Business size matters. A NHO owned applicant must qualify as a small business concern as defined for purposes in 13 CFR 121. The particular size standard to be applied is based on the primary industry classification or NAICS code of the applicant concern.

Also, in determining the small business size standard, the NHO owned business will be determined independently without regard to its affiliation with the Native Hawaiian Organization or any other business enterprise owned by the NHO, unless the SBA Administrator determines that one or more such NHO owned businesses have obtained, or are likely to obtain, a substantial unfair competitive advantage within an industry category.

## Control and Management

### 8(a) Program Eligibility – NHO Business Eligibility

- A NHO must control the NHO owned business and the business must be able to demonstrate that the NHO controls its board of directors
- NHO's members (or directors if there are no members) must have managerial experience of the extent and complexity needed to run the NHO owned business
- Individual (or individuals) responsible for the daily operations of the NHO owned business does not need to establish personal social and economic disadvantage

**13 CFR 124.110(d)**

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Regarding control, the NHO must control the NHO owned business and the business must be able to demonstrate that the NHO controls its board of directors. In addition,

NHO's members, or directors if there are no members, must have managerial experience sufficient to run the NHO owned firm.

Individuals operating the NHO owned business do not need to demonstrate social and economic disadvantage.

Notes...

## Individual Eligibility Limitation

### 8(a) Program Eligibility – NHO Business Eligibility

- Individual eligibility limitation – there is none
- SBA does not deem an individual involved in the management or daily business operations of an NHO owned business to have used his or her individual eligibility within the meaning of “one-time eligibility”

13 CFR 124.110(f)

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There is no individual eligibility limitation. That is, SBA does not deem an individual involved in the management or daily business operations of a NHO owned business to have used his or her individual eligibility within the meaning of “one-time eligibility,” as described in 13 CFR 124.108(b).

Notes...

## Potential for Success

### 8(a) Program Eligibility – NHO Business Eligibility

- NHO owned applicant may establish potential for success by demonstrating that:
  - It has been in business for at least two years, as evidenced by income tax returns for each of the two previous tax years ; or
  - Individual or individuals who will manage and control the daily business operations of the firm have substantial technical and management experience, the applicant has a record of successful performance on contracts from governmental or nongovernmental sources in its primary industry category, and the applicant has adequate capital to sustain its operations and carry out its business plan as an 8(a) participant; or
  - NHO has made a firm written commitment to support the operations of the NHO owned business and it has the financial ability to do so

**13 CFR 124.110(g)**

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A NHO owned business applicant may establish potential for success by demonstrating that:

- it has been in business for at least two years, as evidenced by income tax returns for each of the two previous tax years showing operating revenues in the primary industry in which the applicant is seeking 8(a) certification; or
- the individual or individuals who will manage and control the daily business operations of the firm have substantial technical and management experience, the applicant has a record of successful performance on contracts from governmental or nongovernmental sources in its primary industry category, and the applicant has adequate capital to sustain its operations and carry out its business plan as an 8(a) firm participant; or
- the NHO has made a firm written commitment to support the operations of the NHO owned business and it has the financial ability to do so.

## Good Character

### 8(a) Program Eligibility – NHO Business Eligibility

- 8(a) applicant or participant – including all 8(a) firm principals - must be able to demonstrate good character
  - Adverse information
  - Violations of any SBA regulations
  - Disbarred or suspended
  - Lacks business integrity
  - Incarcerated or on parole

**13 CFR 124.108**

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



An applicant or participant in the 8(a) program, including all 8(a) firm principals, must be able to demonstrate good character. This is important to the SBA.

The agency will consider all credible factors including, adverse information, violations of any SBA regulations, disbarment from federal activities, evidence of insufficient business integrity or incarceration.

Notes...

## Other Eligibility Criteria

### 8(a) Program Eligibility – NHO Business Eligibility

- NHO owned applicant may not be denied admission into the program due solely to a determination that specific contract opportunities are unavailable to assist the development of the applicant firm, unless:
  - Government has not previously procured and is unlikely to procure the types of products or services offered by the concern
  - Purchase of such products or services by the government will not be in quantities sufficient to support the developmental needs of the applicant and other program participants providing the same or similar items or services

**13 CFR 124.107(f)**

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As with other 8(a) applicants, a NHO owned applicant may not be denied admission into the program due solely to a determination that specific contract opportunities are unavailable to assist the development of the applicant firm, unless: the government has not previously procured and is unlikely to procure the types of products or services offered by the concern; or the purchase of such products or services by the government will not be in quantities sufficient to support the developmental needs of the applicant and other program participants providing the same or similar items or services.



## Reflection...

### 8(a) Program Eligibility

- Does your Native Hawaiian Owned Organization and the related business or businesses within your NHO meet the eligibility requirements of the 8(a) program?

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Reflection...

Does your Native Hawaiian Organization and the related business or businesses within the NHO meet the eligibility requirements of the 8(a) program?

Notes...



The application process.

Notes...

**Applying to the 8(a) BD Program**  
Application Process

- **STEP 1.** Verify NHO eligibility compliance
- **STEP 2.** Gather what you need (supporting documentation)
- **STEP 3.** Ask questions
- **STEP 4.** Register in the System for Award Management (SAM)
- **STEP 5.** Register in SBA's General Login System (GLS)
- **STEP 6.** Complete and submit the online 8(a) program application

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If you feel you are qualified and only when you are ready to apply – should you apply for 8(a) program certification.

The application process is not difficult. However, like any important application process it does require solid preparation, meaningful thought and a certain level of due diligence. It makes sense to do it right, the first time. No business wants to waste time and resources going through the motions and then not realizing what is expected.

So, we recommend that six steps be followed in the application process. Each of these steps is discussed in the following.

## Step 1. Verify NHO Eligibility Compliance

### Application Process

Before you begin the application process, verify NHO eligibility requirements:

- Must be able to meet the definition of an NHO and demonstrate economic disadvantage
- NHO owned business must meet legal, size, ownership, character, management & control and potential for success standards
- Review 13 CFR 124.101 – 124.108; 13 CFR 124.110; 13 CFR 124.112

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Not every business enterprise is eligible for 8(a) program certification. Before you begin the application process, make sure you meet core NHO eligibility requirements. This is step one.

Notes...

**Step 2. Gather What You Need**  
Application Process

Learn more about...

[Native Hawaiian Organization Checklist](#)  
[Sample 8\(a\) Program Application](#)

**13 CFR 124.203**

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The 8(a) program is statutorily authorized and specific eligibility requirements are strictly adhered-to and monitored by the SBA.

As you prepare to apply for 8(a) program certification, you will be asked to provide, identify, demonstrate and validate much information. Therefore, it's important to assemble key NHO, business, governance, ownership, tax and other pertinent information to have readily available during the application process and BEFORE you attempt to complete the electronic 8(a) program application. This is step two.

Use the hyperlinked – Native Hawaiian Organization Checklist – to review and better understand what supporting documentation will be required by the SBA. Also, take a look at a blank copy of the 8(a) application to better understand what you will need.

## Step 3. Ask Questions

### Application Process

- You don't know what you don't know...
- Review eligibility requirements, checklist, blank 8(a) program application, documentation you gathered and then --- ASK QUESTIONS

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As mentioned earlier, no business wants to waste time and resources going through the motions and then not getting what is expected. That is why step three is critical.


You don't know what you don't know. Make a point of becoming informed. Review eligibility requirements, the checklist, blank 8(a) application, documentation you gathered, and then, importantly, ask questions of SBA district office staff and others, experienced and qualified in the 8(a) program.

**Step 4. Register in SAM (System for Award Mgmt)**  
Application Process

Learn more about...  
[System for Award Management \(SAM\)](#)

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www.sba.gov/naa

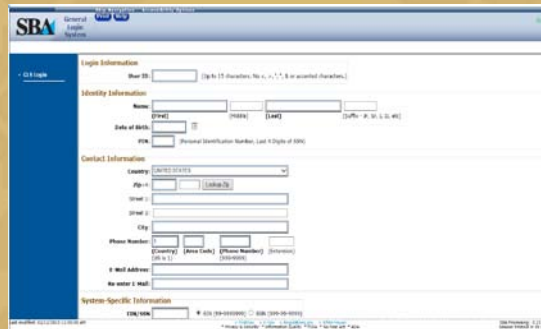


Step four, register in the System for Award Management.

To do business with the federal government and to be certified under the 8(a) program, you must register in the System for Award Management or SAM, which is a database and government-wide single point of vendor registration. Within the SAM system, you must also complete the Small Business Supplemental Page. Use the hyperlink to learn more about the SAM system and to register your NHO owned business.

Notes...

## Step 5. Access & Register in GLS (General Login) Application Process



The screenshot shows the SBA General Login System registration form. The form is titled "SBA General Login System" and includes the following sections:

- Login Information:** A field for "User ID" with a note "(Up to 15 characters. No spaces, no /, \, !, & or special characters.)".
- Identity Information:** Fields for "Name", "State of Birth" (with a dropdown menu), and "PIA" (Personal Identification Number, Last 4 Digits of PIN).
- Contact Information:** Fields for "Country" (with a dropdown menu), "Address", "City", "Phone Number" (with sub-fields for Country, Area Code, Phone Number, and Extension), and "E-Mail Address".
- System-Specific Information:** A field for "CIN/NA" (with a dropdown menu).

[Access & Register in GLS](#)

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



Step five, access and register in the General Login System.

To apply for 8(a) certification, you must register for an account in SBA's General Log-in System, more commonly referred to as GLS. The GLS system provides a single log-in point for all SBA services. This single-entry point streamlines and simplifies service delivery to our clients.

To access the 8(a) program electronic application, you will first have to login to SBA's GLS system.



## Step 6. Complete & Submit Application...

### Application Process

SBA General Login Systems

February 08, 2011

- Forgot User ID?
- Forgot Password?
- Instructions for GLS
- Request SBA User ID
- Contact SBA Security

SBA Account Login

User ID:

Password:

Login Clear

[Forgot User ID?](#)

Last modified: 04/18/2010 12:00:00 AM

SBA Processing: 2/11/2011 12:00:00 AM

[Login](#)

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Step 6, complete and submit the 8(a) electronic application.

Notes...

**Reflection...**  
Application Process

- Is your NHO affiliated business ready to apply for 8(a) certification?
- Have you meaningfully considered each of the six 8(a) program application steps?

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Reflection...

Is your NHO owned business ready to apply for 8(a) certification? Have you meaningfully considered each of the six 8(a) program application steps?

Notes...



Key questions and answers.

Notes...


**FAQs**  
Key Questions & Answers

**Learn more...**

- [13 CFR 124](#)
- [Native Hawaiian Organization](#) - FAQs
- [8\(a\) Program Certification](#) – FAQs
- [Acquire Surplus Property](#) - FAQs

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



Sometimes the best approach to learn about a program is to review frequently asked questions and answers. Several good sources for such information include: 13 CFR 124 -- which is a comprehensive review of the 8(a) program and developed in a question and answer format; Native Hawaiian Organization FAQs; 8(a) program certification FAQs; and, FAQs about acquiring surplus property.

## Reflection...

### Key Questions & Answers

- Knowledge is power. Does your Native Hawaiian Organization know enough about the 8(a) program to consider using it as a business development tool for the organization?
- Who are the other members in your NHO who could benefit from reviewing this training module about the 8(a) program?

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



## Reflection...

Knowledge is power. Does your Native Hawaiian Organization know enough about the 8(a) program to consider using it as a business development tool for the corporation and affiliated businesses? Who are the other members in your NHO who could benefit from reviewing this training module about the 8(a) program?



Resources and tools.

Notes...

## Resources and Tools

### Resources & Assistance

- Federal Acquisition Regulations
  - <https://www.acquisition.gov/far>
- SBA-Office of Native American Affairs (*Helpful Specific Information Available*)
  - <http://www.sba.gov/naa>
- FAR Part 19 – Small Business Programs
  - <http://www.acquisition.gov/far>
- Code of Federal Regulations (13CFR)
  - <http://www.gpoaccess.gov/cfr/index.html>
- Federal Business Opportunities
  - <http://www.fbo.gov>
- SBA-Government Contracting
  - <http://www.sba.gov/aboutsba/sbaprograms/gc/index.html>

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



Numerous resources are available to assist NHO owned businesses in learning more about and participating in the 8(a) Business Development Program.

## Resources and Tools

### Resources & Assistance

- Learn more about:
  - [SAM Registration](#)
  - [SBA Size Standards](#)
  - [8\(a\) Business Development Program](#)
  - [HUB Zone Program](#)
- Local (client) resources:
  - [SBA district office](#) (Business Opportunity Specialists)
  - [Procurement Technical Assistance Center \(PTAC\)](#)
  - [Government Contracting Classroom](#) (free online courses)
  - [SCORE chapter](#)
  - [Small Business Development Center](#)
    - [SBA/SBDC Program Office](#)
  - [Women's Business Center](#)
    - [SBA/WBC Program](#)

*NHO Business Guide*

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



Use these resources to become better informed and improve your chances of being a successful NHO business participant in the 8(a) program.

Notes...



The image is a screenshot of a webpage titled "Find a Mentor Resources & Assistance". The page has a yellow background with a subtle geometric pattern. At the top, the title "Find a Mentor" is in a large, bold, white font, with "Resources & Assistance" in a smaller white font below it. The main content area is a list of bullet points describing the SBA's Mentor-Protégé Program. A central box contains the text "Learn more about..." followed by a blue hyperlink "SBA's Mentor-Protégé Program". In the bottom right corner of the yellow area, the text "NHO Business Guide" is written in a small, italicized font. At the very bottom of the page, there is a dark grey footer containing the website address "www.sba.gov/naa" on the left and the SBA logo on the right. The SBA logo consists of the letters "SBA" in a large, bold, blue font, with "U.S. Small Business Administration" in a smaller, blue font underneath.

**Find a Mentor**  
Resources & Assistance

- SBA's Mentor-Protégé Program offers significant benefits to NHO owned firms that are 8(a) certified
  - Technical and management assistance
  - Prime contracting
  - Financial assistance
  - Qualification for other SBA programs

Learn more about...  
[SBA's Mentor-Protégé Program](#)

*NHO Business Guide*

www.sba.gov/naa

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U.S. Small Business Administration

And finally, a very helpful resource program for NHO owned firms, certified in the 8(a) program, is SBA's Mentor-Protégé Program.

This relationship building resource-initiative is designed to enhance the capability of NHO and other 8(a) participants to compete more successfully for federal contracts. The program encourages 8(a) firms to partner with experienced contracting firms, serving as mentors.

Under the program, 8(a) firms can gain significant benefits, including: technical and management assistance; prime contracting support; financial assistance in the form of equity or loans; and, qualification for other SBA programs.

## Reflection...

### Resources & Assistance

- How can businesses within your Native Hawaiian Organization use the Mentor Protégé Program to benefit the organization's overall goals for business growth?
- What else should your NHO do to learn more about the 8(a) program and how the program can be used to benefit your organization?



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



## Reflection...

How can businesses within your NHO use the Mentor Protégé Program to benefit the organization's overall goals for business growth? What else should your NHO do to learn more about the 8(a) program and how the program can be used to benefit your Native Hawaiian Organization?

Notes...

**Contact Us...**  
Resources & Assistance

- Thank you for taking the time to review the course, NHO Business Guide and learn about the 8(a) Business Development Program
- Other available courses --- [www.sba.gov/gclassroom](http://www.sba.gov/gclassroom)
- Please contact us with any questions you may have

**U.S. Small Business Administration**  
Office of Native American Affairs  
Office of Government Contracting and Business Development  
Division of Program Certification & Eligibility  
202 205-5852  
[8abd@sba.gov](mailto:8abd@sba.gov)

*NHO Business Guide*

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

Thank you for taking the time to review the course, NHO Business Guide and learn about the 8(a) Business Development Program.

Much information has been discussed and we hope it is helpful. Please contact us with any additional questions you may have.

In addition, this is one of many training modules currently available in SBA's online **Government Contracting Classroom**. Consider reviewing other courses at your convenience.

Thank you.

## Office of Native American Affairs

### Resources & Assistance

- SBA's Office of Native American Affairs is pleased to have collaborated with the Office of Government Contracting and Business Development in the development of this training module for Native Hawaiian Organizations

### **U.S. Small Business Administration**

Office of Native American Affairs

Office of Government Contracting and Business Development

*NHO Business Guide*

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



SBA's Office of Native American Affairs is pleased to have collaborated with the Office of Government Contracting and Business Development in the development of this training module for Native Hawaiian Organizations.

Notes...

## Hyperlinks Contained in the Workbook

- Native Hawaiian Organization Checklist
  - <http://www.sba.gov/sites/default/files/files/NHO-Checklist.pdf>
- Sample 8(a) Program Application
  - [http://www.sba.gov/sites/default/files/SBA%20Form%201010\\_0.pdf](http://www.sba.gov/sites/default/files/SBA%20Form%201010_0.pdf)
- Native Hawaiian Organization – FAQs
  - <http://www.sba.gov/sites/default/files/files/NHO%20FAQs-rev20120802.pdf>
- 8(a) Program Certification – FAQs
  - <https://sba8a.symlicity.com/applicants/faqs>
- Federal Acquisition Regulations
  - <https://www.acquisition.gov/far>
- 13 CFR 124
  - <http://www.gpo.gov/fdsys/pkg/CFR-2006-title13-vol1/content-detail.html>
- SBA’s Mentor-Protégé Program
  - <http://www.sba.gov/content/mentor-prot%C3%A9g%C3%A9-program>
- System for Award Management
  - <http://www.sam.gov>
- FAR Part 19 – Small Business Programs
  - <http://www.acquisition.gov/far>
- Access & Register in GLS
  - [https://eweb.sba.gov/gls/dsp\\_addcustomer.cfm?IMAppSysTypNm=8ASDB](https://eweb.sba.gov/gls/dsp_addcustomer.cfm?IMAppSysTypNm=8ASDB)
- Code of Federal Regulations (13CFR)
  - <http://www.gpoaccess.gov/cfr/index.html>
- Federal Business Opportunities

- <http://www.fbo.gov>
- SBA-Government Contracting
  - <http://www.sba.gov/aboutsba/sbaprograms/gc/index.html>
- Learn more about:
  - [Non-manufacturer waivers](#) (SBA information)
  - [SBA Size Standards](#)
  - [8\(a\) Business Development Program](#)
  - [HUB Zone Program](#)
- Local (client) resources:
  - [SBA district office](#)
  - [Procurement Technical Assistance Center \(PTAC\)](#)
  - [SCORE chapter](#)
  - [Small Business Development Center](#)
    - [SBA/SBDC Program Office](#)
  - [Women's Business Center](#)
    - [SBA/WBC Program](#)

JOCONNOR 7/30/2013