



U.S SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

October 27, 2015

The Honorable Yvette D. Clarke
U.S. House of Representatives
Washington, DC 20515

Dear Representative Clarke:

Thank you for your recent inquiry to the U.S. Small Business Administration (SBA) regarding a U.S. Health and Human Services' (HHS) Solicitation, number 15-233-SOL-00103, for Wrap-around Services for Unaccompanied Children.

The purpose of the solicitation was to establish multiple Indefinite Delivery Indefinite Quantity (IDIQ) contracts to enable future orders to be placed for temporary shelter and process needs of unaccompanied children that cross U.S. borders. The IDIQ covered five domains, and this inquiry addresses Domain II (Wrap-Around Services) which was initially a small business set-aside. Wrap-Around Services include the following: management; supervision, and required services for unaccompanied children including feeding, cleaning; maintenance and facility preparation; beds; clothing; linens and laundry; transportation; recreational equipment; security, hygiene kits; medical supplies; and custodial services.

Three proposals were received from companies identified as small under the applicable North American Industrial Classification System code 624230. These include Dynamic Service Solutions, Baptiste Group, and Southwest Key Enterprises (SKE). SKE was selected for award of the contract, but was later found to be other than small as a result of an SBA size determination protest.

Section M of the referenced solicitation included the following provision: "*The Offeror's technical qualifications shall be used to determine whether the Offeror has the requisite experience and expertise to perform various types of work as outlined in the applicable Service Area Statement of Work.*" Ratings were used for each technical evaluation factor and for the overall proposal rating. After a review of the technical qualifications of all firms by HHS and the SBA Procurement Center Representative (PCR), proposals by small business did not meet the threshold to be considered for an award.

Based on the above review, and that only one acceptable proposal had been received on the initial procurement, HHS-PSC made a determination that there was no reasonable expectation of receiving (two or more) fair market offers on a re-procurement of Domain II services from responsible small business concerns. Accordingly, the SBA Procurement Center Representative (PCR) authorized the agency

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to move forward with a new solicitation as a non set-aside award. Subsequently, the PCR provided counseling and assistance to the competing small businesses on SBA's findings and how to better compete on future Federal procurements.

The SBA does not have final goaling achievements for the executive branch agencies.

We appreciate your support of SBA and the New York small business community. If you and your staff have additional questions, please contact Daniel Krupnick, SBA Deputy Assistant Administrator for Congressional and Legislative Affairs. at (202) 205-6806.

Sincerely,

Seán F. Crean
Director
Office of Government Contracting