

Accessible Text File
Government Contracting 101 – PART 1
Small Business Contracting Programs
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Revised

Slide 1 Government Contracting 101

Welcome to SBA's training program, Government Contracting 101, Part 1.

Slide 2 Introduction

This training program is designed to help small businesses understand government contracting programs. It is about helping small firms win federal contracts.

There are three parts to this training program. This part, part one provides a small business introduction to government contracting. It describes prime and subcontracting assistance programs, SBA certification programs, and it describes women and veteran owned small business programs.

Parts two and three provide clarity and training around how the government buys and how to sell to the government. Taken together, the three parts represent a comprehensive -- government contracting -- guide for small businesses.

Slide 3 Learning Objectives

After reviewing this training program you should:

1. Have a general understanding and know about federal contract markets and contract opportunities.
2. Understand prime contracting and subcontracting assistance programs and how they can be used to take advantage of federal contract opportunities.
3. Understand SBA's certification programs – the 8(a) Business Development and HUBZone programs.
4. And, know about the newly implemented women owned small business program and the veteran owned small business programs.

Slide 4 Scope of the Federal Buying Market

The U.S. government is the world's largest buyer of products and services. Purchases by military and civilian installations amount to nearly \$350 billion a year, and include everything from complex space vehicles to janitorial services.

In short, the government buys just about every category of commodity and service available.

Slide 5 Small Firms are the Engine of Growth

Small businesses have always been the engine for economic growth. They provide jobs, innovation and bring competition to the marketplace.

The Government's procurement policy – which encourages “maximum practicable” prime and subcontracting opportunities for small businesses – is a catalyst for economic growth. With a government contracting market representing more than a half trillion dollars, it makes solid economic sense to help small firms get their fair share of federal contract dollars.

Slide 6 What is a Small Business?

Certain government programs apply only to small businesses. The question then becomes, what is a small business, or more specifically, how do you determine if you are a small business?

Over the years SBA has established and revised numerical definitions for all for-profit industries, and this numerical definition is called a "size standard." It is almost always stated either as the number of employees or average annual receipts of a business concern.

In addition to establishing eligibility for SBA programs, all federal agencies must apply SBA's size standards for contracts to be awarded to small firms.

The referenced hyperlinks can be used to determine small business size eligibility and to learn more about size standards.

Slide 7 Prime Contract Assistance

Prime contract assistance-no narrative.

Slide 8 Prime Contract Assistance

Helping small businesses benefit from federal prime contracts is an obligation of all federal agencies and a key responsibility of SBA and its staff.

Multiple programs and initiatives are available to support this effort. They include government-wide contracting goals, small business set-asides, small business size standards and SBA's Certificate of Competency program. Each of these programs is discussed.

Slide 9 Government-Wide Contracting Goals

Federal statute defines government-wide prime contracting goals. Such goals represent a primary tool in helping small firms be considered for government contracts. SBA plays a pivotal role in administering the government-wide goals initiative and works with individual agencies.

The current, government-wide procurement goal is that at least 23% of all federal government contracting dollars should be awarded to small businesses.

In addition, targeted sub-goals are established for women-owned small businesses, small disadvantaged businesses, firms located in HUBZones and service disabled veteran-owned small businesses. These targeted goals are 5%, 5%, 3% and 3%, respectively, and are meant to be subsets of the overall small business goal of 23 percent.

These goals are important because federal agencies have an obligation to reach-out and consider different types of small businesses for procurement opportunities.

Slide 10 Small Business Set-asides

Small business set-asides are a powerful tool for helping small firms win federal prime contracts.

Fundamentally, government buys that have an anticipated dollar value exceeding \$3,000, but not over \$150,000 are automatically reserved or set-aside for small businesses. This is required unless the contracting officer determines there is not a reasonable expectation of obtaining offers from two or more responsible small businesses.

Slide 11 Small Business Set-asides

Small business set-asides are influenced by the Rule of Two, the Non-manufacture Rule and Subcontracting Limitations. Further, contracts can be set-aside for small businesses certified in the 8(a) Business Development Program or the HUBZone Program. Or, they can be set-aside for qualified women owned small businesses or service disabled veteran owned small businesses.

Slide 12 Rule of Two

For acquisitions over \$150K – they too are to be set-aside for small business, when there is a reasonable expectation that offers will be obtained from at least two responsible small business concerns, and the award can be made at a fair market price.

It is important to note, consideration is first for a set-aside or sole source award under the 8(a), HUBZone, Service Disabled Veteran Owned Small Business or Woman Owned Small Business programs **before** a general small business set-aside. However there is no order of precedence among 8(a), HUBZone, SDVOSB or WOSB programs.

Slide 13 Non-Manufacturer Rule

The non-manufacturer rule is an important provision impacting small business set-asides.

For small business set-asides, other than for construction or service contracts, the prime contractor must utilize a small business manufacturer – if the firm itself, is not doing the manufacturing to complete the work. In industries where the SBA determines there are no or very limited small business manufacturers, it may issue individual or class waivers to the non-manufacture rule.

It is important to note, for small business set-asides for supplies, the prime contractor must either qualify as a manufacturer or supply the product of a domestic small business manufacturer.

For acquisitions that are under \$25,000, the rule does not apply. Use the FAR references to learn more about the specifics surrounding the Non-manufacture Rule.

Slide 14 Limitations on Subcontracting

Limitations on subcontracting apply to solicitations and contracts for supplies, services and construction, if any portion of the requirement is set-aside for small business and the contract amount exceeds \$150,000.

This limitation applies to service contracts, such that at least 50% of the contract cost for personnel must be expended for employees of the small business. For supply contracts, the business must perform work for at least 50% of the cost of manufacturing the supplies, not including the cost of materials.

And finally for general construction contracts, the business must perform at least 15% of the cost of the contract, not including the cost of the materials, with its own employees. For construction by special trade contractors, the business must perform at least 25% of the cost of the contract, not including the cost of the materials, with its own employees.

Slide 15 8(a) Business Development Program

Contracting officers can set-aside purchases for small firms certified in the 8(a) Business Development Program.

8(a) set-asides are a powerful tool for agencies to achieve small business and small disadvantaged business contracting goals. An 8(a) set-aside can be facilitated as a sole source or competitive acquisition.

More details about the 8(a) program are provided in a later section of this training program.

Slide 16 HUBZone Program

Contracting officers can also set-aside purchases for small businesses located in designated HUBZones.

To participate in this type of set-aside, a small firm's principal office must be located in a HUBZone and at least 35% of the firm's employees must reside within a HUBZone, or certify that at least 35% of its employees engaged in a HUBZone contract will reside in a HUBZone or Indian reservation

The HUBZone program is discussed in greater detail later in this training program.

Slide 17 Women Owned Small Business Program

Changes to the Small Business Act now authorize contract set-asides for women owned small businesses and/or economically disadvantaged women owned small businesses.

This change creates opportunities for women entrepreneurs and will help agencies to meet government-wide contracting goals.

Specifics of the WOSB program are discussed later in this training module.

Slide 18 Service Disabled Veteran Owned Small Business Program

A contracting officer can also set-aside acquisitions for Service Disabled Veteran Owned Small Businesses.

To participate in this type of set-aside, such businesses must be at least 51% owned and controlled by a service disabled veteran and the daily management operations of the concern must be controlled by a service-disabled veteran or caregiver. And, they must be a small business.

Slide 19 Small Business Size Standards

SBA has established and continually updates numerical definitions for all industries or NAICS codes. This numerical definition is called a small business size standard. It is almost always stated either as the number of employees or the average annual sales of the business concern.

All federal agencies must apply SBA's size standards for contracts to be awarded to small firms. It is also important to note, only SBA can reconcile size protests.

Use the hyperlink to determine the applicable size standard for a specific NAICS code.

Slide 20 Certificate of Competency Program

The COC program is helpful to many small firms.

If an apparent successful offeror is determined to be "non-responsible" by the contracting officer, the contracting officer is required to refer the matter to the SBA for a Certificate of Competency or COC review. Based on the review, the SBA may issue a certificate of competency declaring the "referred company" – as sufficiently responsible for the purposes of receiving and performing the specific contract.

Slide 21 Subcontracting Assistance

Subcontracting assistance-no narrative.

Slide 22 Find Subcontracting Opportunities

An alternative to seeking prime contracts is to explore subcontracting opportunities.

Subcontracting with a prime contractor can be a profitable experience as well as a growth opportunity for a small business. If your small business is not ready or lacks the capabilities to bid competitively for prime contracts, it should consider opportunities available through subcontracting. SBA maintains a database of subcontracting opportunities. This searchable database is called SUB-Net.

Slide 23 Subcontracting Assistance Programs

Prime contractors receiving contracts greater than the simplified acquisition threshold must agree in the contract that small businesses, specifically veteran-owned small businesses, service disabled veteran owned small businesses, women-owned small businesses, HUBZone small businesses, and small disadvantaged businesses – will have the maximum practical opportunity to participate as subcontractors.

As such, prime contractors are required to establish subcontracting plans describing who and how small businesses will participate as subcontractors.

Slide 24 Subcontracting Plans

Subcontracting plans are required for contracts over \$1.5 million for construction and \$6.5 million for all others. There are three types of subcontracting plans: individual, master and commercial subcontracting plans.

These written plans – which become part of the contracting file – are designed to describe specific efforts by a prime contractor to ensure that small businesses have an equitable opportunity to compete and participate as “subs” in specific contracts. The subcontracting plans may include specific goals and will define requirements for reports and documentation to be maintained.

Slide 25 Subcontracting Goals

Government-wide numerical subcontracting goals are established by statute for small disadvantaged businesses, women-owned small businesses, service disabled veteran owned small businesses and HUBZone certified small businesses.

All other subcontracting goals are negotiated between the respective government agency and the prime contractor.

Slide 26 SBA Certifications

SBA certifications-no narrative.

Slide 27 SBA Certifications

SBA administers two certification programs designed to assist specific market groups in the government contracting space. These programs are the 8(a) Business Development Program and the HUBZone Program. Each of these programs represents an excellent vehicle for assisting small firms to win federal contracts. These programs also play a primary role in helping agencies achieve, respective SDB and HUBZone contracting goals.

Informal certification programs – for women and veterans – are also discussed later in this program.

Slide 28 8(a) Business Development Program

The 8(a) Business Development Program is designed to assist eligible socially and economically disadvantaged small businesses. The program – which is primarily a business development program -

provides qualified firms access to capital and credit, business counseling and training, and contracting opportunities.

Through the award of sole source and set-aside contracts, the 8(a) program provides market access and growth for qualified businesses. The program is an efficient contracting vehicle for achieving small business and SDB goals.

It is important to note – all 8(a) certified firms are also SDBs, but all small disadvantaged businesses are not necessarily 8(a) certified. Qualified firms can participate in the 8(a) program for up to nine years.

Slide 29 8(a) Business Development Program

There are unique benefits to participants in the 8(a) program.

Certified firms can receive sole-source contracts, up to \$4 million for goods and services requirements and up to \$6.5 million for manufacturing requirements. Firms are also allowed to form joint ventures and teams to bid on contracts, giving them greater flexibility to compete for larger prime contracts.

8(a) certified firms can also participate in the Mentor-Protégé Program, giving them the opportunity to learn the ropes from other experienced 8(a) businesses.

Slide 30 8(a) Business Development Program

To be eligible for participation in the 8(a) Business Development Program, the applicant must be a small business and be at least 51% owned and controlled by a socially and economically disadvantaged individual or individuals.

Certain individuals are presumed to be socially disadvantaged – they are African-Americans, Hispanic Americans, Asian Pacific Americans, Native Americans and Subcontinent Asian Americans. An individual who is not a member of one of the groups listed can be admitted to the program if he or she shows – through a preponderance of the evidence – that he or she is socially disadvantaged. The evidence can be based on color, ethnic origin, gender, physical handicap or geographic environment.

In addition, successful applicants to the 8(a) program will meet small business size standards and be in business for more than two years. Besides being unconditionally owned and controlled by one or more disadvantaged individuals, the owners must be US citizens, who are in good standing.

Slide 31 HUBZone Program

The HUBZone Program is designed to stimulate economic development and create jobs in urban and rural communities by providing federal contracting preferences to small businesses. These preferences are available to small firms who qualify because they are located in an area designated by the SBA as a historically underutilized business zone.

Through the award of sole source and set-aside contracts, the HUBZone program provides market access and growth for qualified businesses.

Slide 32 HUBZone Program

The HUBZone program offers benefits to eligible firms.

A government-wide goal of 3% provides incentives for agencies to award contracts to certified HUBZone firms. In addition, certain contracts can be specifically set-aside for firms located within a HUBZone. And further, in some cases a 10% price evaluation preference may be applicable to a HUBZone certified firm. Review the FAR reference for clarity.

Slide 33 HUBZone Program

To be eligible for the HUBZone program a firm must be a small business, meeting SBA's small business size standards. In addition, the business must be owned and controlled by at least 51% of US citizens, or a Community Development Corporation, an agricultural cooperative, or an Indian tribe.

Further, the firm's principal office must be located within a designated HUBZone, which includes lands considered "Indian Country" and military facilities closed by the "Base Realignment and Closure Act. Importantly, the "principal office" is defined as the location where the greatest number of employees perform the majority of work. Also, at least 35% of the firm's employees must live in a HUBZone.

Use the HUBZone map to determine if your firm and employees are located in a designated HUBZone area.

Slide 34 Women and Veterans Programs

Women and veterans programs-no narrative.

Slide 35 Women and Veterans Programs

Targeted contracting programs exist to help women-owned small businesses and small businesses owned by veterans and service-disabled veterans.

Slide 36 Woman Owned Small Business Program

Annual government-wide contracting goals have been legislatively established for women-owned small businesses. As such, 5 percent of the total value of all prime contracts and 5 percent of all subcontracts are to be awarded to women-owned small businesses.

However, the Small Business Act has been amended to authorize set-asides for women owned small businesses or economically disadvantaged women owned small businesses. These set-asides apply only to certain NAICS codes. The new program is defined as the Women Owned Small Business Contract Program or simply WOSB.

Slide 37 New WOSB Program

The new WOSB program opens many doors for women entrepreneurs.

However, as mentioned, not all contract opportunities are eligible and there are limitations. The program is defined by several key tenets: it applies only to contracts in designated industries; only woman-owned small businesses or economically disadvantaged women-owned small businesses are eligible; competition is required for all WOSB contract awards; and, participating women-owned businesses must be certified – through a self certifying process or from an SBA approved certifier.

Slide 38 Eligibility - New WOSB Program

It goes without saying that only women-owned businesses are eligible for the WOSB program.

A WOSB is defined as a small business that is at least 51% owned and controlled by one or more women who are US citizens. The ownership must be direct and not subject to conditions. A woman or women must manage the day to day operations of the business and be able to provide documents demonstrating that these requirements are satisfied.

An economically disadvantaged woman-owned small business must satisfy all conditions for a WOSB. In addition, a woman will be presumed economically disadvantaged if she has a personal net worth of less than \$750,000, her adjusted gross annual income does not exceed \$350,000 and the fair market value of all of her assets does not exceed \$6 million.

Slide 39 Certification - New WOSB Program

Women business owners participating in the WOSB program must be certified.

Certification can be accomplished in two ways – through self certification or through a third party certifier.

A woman-owned small business or economically disadvantaged woman-owned small business can self certify -- to participate in the WOSB program. This can be done by first registering in the Central Contractor Registration - the CCR – and the Online Representations and Certifications Application - ORCA - as a woman-owned small business.

Other documents will be requested by the contracting officer. These documents will be used to validate that the business is an eligible small business, owned and controlled by one or more women. All certification documents for WOSBs or EDWOSBs will be maintained in the WOSB Program Repository that SBA will manage.

In addition, a WOSB or EDWOSB can be certified by a third party certifier.

A third party certifier is a federal agency, a state government, or a national certifying entity approved by the Small Business Administration to provide certifications of WOSBs or EDWOSBs. SBA will maintain a list of approved third party certifiers on its Website.

Slide 40 Veterans Programs (VOSB & SDVOSB)

The Veterans Entrepreneurship and Small Business Development Act of 1999 defined veteran owned small businesses and service disabled veteran owned businesses. It also established government-wide contracting and subcontracting goals for service disabled veteran owned small businesses at 3 percent, respectively.

Service disabled veteran owned small businesses are self-certified. However, the Department of Veterans Affairs verifies ownership and control of veteran owned small businesses and service disabled veteran owned small businesses, as part of the Vendor Information Pages or VIP database.

Slide 41 Service Disabled Veteran Owned Small Business

As mentioned earlier in this training program, a contracting officer can set-aside acquisitions for service disabled veteran owned small businesses.

To participate in this type of set-aside, such businesses must be at least 51% owned and controlled by a service disabled veteran and the daily management operations of the concern must be controlled by a service-disabled veteran or caregiver. And, they must be a small business. Service disabled veteran owned small businesses are required to self-certify.

Slide 42 Veterans First Contracting Program

The Veterans First Contracting Program applies only to purchases made by the Department of Veterans Affairs and only veteran owned small businesses and service disabled veteran owned small businesses are eligible.

Veteran owned small firms wanting to participate in the program must be certified by the Department of Veterans Affairs and listed in the VA's Vendor Information Pages or VIP database.

Slide 43 Resources and Tools

Resources and tools-no narrative.

Slide 44 Resources and Tools

- Federal Acquisition Regulations
 - <https://www.acquisition.gov/far>
- Acquisition Central
 - <https://www.acquisition.gov/>
- 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>

Slide 45 Resources and Tools

- Online Representations & Certification Application (ORCA)
 - <https://orca.bpn.gov>
- Learn more about (including application procedures):
 - [8\(a\) Business Development Program](http://www.sba.gov/content/8a-business-development-0) <http://www.sba.gov/content/8a-business-development-0>
 - [WOSB Program](http://www.sba.gov/content/contracting-opportunities-women-owned-small-businesses) <http://www.sba.gov/content/contracting-opportunities-women-owned-small-businesses>
 - [HUB Zone Program](http://www.sba.gov/content/hubzone-0) <http://www.sba.gov/content/hubzone-0>
- Find your local:
 - [SBA district office](http://www.sba.gov/localresources/index.html) <http://www.sba.gov/localresources/index.html>
 - [Procurement Technical Assistance Center \(PTAC\)](http://www.aptac-us.org/new/Govt_Contracting/find.php) http://www.aptac-us.org/new/Govt_Contracting/find.php
 - [SCORE chapter](http://www.score.org/) <http://www.score.org/>
 - [Small Business Development Center](http://www.asbdc-us.org/) <http://www.asbdc-us.org/>
 - [Women's Business Center](http://www.awbc.biz/locate.asp) <http://www.awbc.biz/locate.asp>

Slide 46 Conclusion

Thank you for participating in Part 1, of the GC 101 training program. Much information was covered and we hope it was helpful.

Please review parts 2 and 3, which provide clarity and training around how the government buys and how to sell your goods and services to the federal government. Thank you.