Women-Owned Small Business

Federal Contract Program

Overview

SBA.GOV

U.S. Small Business Administration
Small Business Act

- Women-Owned Small Businesses (WOSB)
- Economically Disadvantaged Women-Owed Small Businesses (EDWOSB)

Set-Aside for WOSBs or EDWOSBs

- Women Owned Small Business Program

Creates significant opportunities for women

Visit us at www.sba.gov
## History of the WOSB Federal Contract Program

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>December 2001</strong></td>
<td>Public Law 106-554 establishes a women's procurement program to assist the government in meeting its 5% women-owned small business (WOSB) contracting goal.</td>
</tr>
<tr>
<td><strong>April 2011</strong></td>
<td>New Federal Acquisitions Regulation (FAR) implemented the WOSB Program. Eligible industries limited to 83 based on the RAND report – 45 NAICS codes for WOSBs and 38 for EDWOSBs.</td>
</tr>
<tr>
<td><strong>December 2015</strong></td>
<td>Sole Source process implemented by new FAR.</td>
</tr>
<tr>
<td><strong>March 2016</strong></td>
<td>Eligible Industries revised and expanded to 113 based on the new Department of Commerce Study. 36 new industries added to Program, 6 industries removed from Program, and 27 industries had designation changed (between WOSB and EDWOSB).</td>
</tr>
</tbody>
</table>
Government Wide Small Business Goals

Small Business 23%

- Small Disadvantaged Business/8a 5%
- Woman Owned Small Business 5%
- HUBZone 3%
- Service Disabled Veteran Owned 3%

Visit us at www.sba.gov
Government Wide Small Business Goals
FY 2015

Small Business
23%
25.75% - $90.7B

Small Disadvantaged Business/8a
5%
10.06% - $35.4B

Woman Owned Small Business
5%
5.05% - $17.8B

Veteran & Service Disabled Veteran Owned
3%
3.93% - $32.5B

HUBZone
3%
1.76% - $6.7B
Overview of the Women-Owned Small Business Federal Contract Program

The Women-Owned Small Business (WOSB) Federal Contract Program promotes competitiveness for certain federal contracts for eligible:

- Women-Owned Small Businesses (WOSBs)
- Economically Disadvantaged Women-Owned Small Businesses (EDWOSBs)

**Impact of the WOSB Program**
- Makes it easier for women-owned companies to compete for and win federal contracts
- Provides agencies a tool to achieve WOSB contracting goal (5% of its prime contracting dollars must be awarded to WOSBs)
- Helps WOSB grow

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The WOSB Federal Contract Program allows Contracting Officers (COs) to set aside contracts for WOSBs or EDWOSBs under certain conditions.

As of December 2015, it also allows COs to grant contracts to WOSBs and EDWOSBs under Sole-Source Authority in specific circumstances.

PLEASE NOTE:

- Businesses that have certified as WOSBs or EDWOSBs are still eligible to win contracts outside of the set-aside program.
- However, only WOSBs and EDWOSBs may win contracts through the program.
# Requirements for WOSB and EDWOSB

## Set-Aside Contract Competitions

Contracting officers may have WOSB- or EDWOSB-only contract competitions if the contract meets the following requirements:

<table>
<thead>
<tr>
<th></th>
<th>WOSB</th>
<th>EDWOSB</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Industries</strong></td>
<td>• NAICS code assigned to contract solicitation is in an industry in which WOSBs are <strong>substantially underrepresented</strong> (92 Industry Codes)</td>
<td>• NAICS code assigned to contract solicitation is in an industry in which WOSBs are <strong>underrepresented</strong> (21 Additional Industry Codes)</td>
</tr>
<tr>
<td><strong>Rule of two</strong></td>
<td>• Contracting officer has reasonable expectation that <strong>2 or more WOSBs will submit an offer</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td>* Note: All EDWOSBs are WOSBs but not all WOSBs are EDWOSB</td>
<td></td>
</tr>
<tr>
<td><strong>Award price</strong></td>
<td>• Contract must be awarded at <strong>fair market price</strong></td>
<td></td>
</tr>
</tbody>
</table>

A complete list of applicable NAICS codes can be found at:  
[www.sba.gov/wosb](http://www.sba.gov/wosb)
In order for Cos to grant a contract to a WOSB or EDWOSB through Sole-Source Authority, the contract must meet the following conditions:

• Is the contract in a WOSB/EDWOSB eligible NAICS code?
• Is the contract (including options) valued at $6.5 million or less for manufacturing contracts or $4 million or less for all other contracts?
• Can the contract be awarded to the WOSB/EDWOSB at a fair and reasonable price?
• In the determination of the contracting officer, is there a reasonable expectation that there is only one WOSB/EDWOSB that can perform?
SBA Size Standards

- Must be small according to SBA size standards:
  - Manufacturing – 500 to 1,500 employees
  - Wholesale Trades – Up to 100 employees
  - Services - $2 Million to $35.5 Million Average Annual Receipts
  - Retail Trades - $7 Million to $35.5 Million Average Annual Receipts
  - Construction - $7 Million to $33.5 Million Average Annual Receipts
  - Agriculture, Forestry, Fishing, and Hunting $750 K to $17 Million in Average Annual Receipts
Overview

Designated Industries
- 400 + six-digit industry codes

Self-Certify or use a third-party certifier
Eligibility Requirements for WOSBs

To qualify as a WOSB, a business must meet the following requirements:

- Meet **small business size standard** for primary NAICS code and contract
- At least **51% unconditionally and directly owned by women** who are **U.S. citizens***
- The woman must manage the **day-to-day operations**
- The woman must make the **long-term decisions** for the business
- A woman must **hold the highest officer position** in the company
- This woman must work at business **full-time during normal working hours**.
- **No minimum amount of time** for the business to be operational

*Community property laws are not considered when looking at ownership.
Eligibility Requirements for EDWOSBs

**WOSB**
- 51% Ownership
- U.S. Citizen
- Primary NAICS code meet size standard

**EDWOSB**
- Personal net worth less than $750,000
- *Adjusted annual income $350,000 or less*
- Market value of total assets does not exceed $6 million

Visit us at [www.sba.gov](http://www.sba.gov)
Before SAM

- Employer Identification Number - EIN
- Data Universal Numbering Systems (DUNS)
- North American Industry Classification Codes - NAICS
- National Institute of Government Purchasing Commodity Codes - NIGP

Visit us at www.sba.gov
Before SAM

Federal Supply Codes and Product Service Codes – FSC/PSC

CAGE Code

Determine if you are a small business

Determine if you meet other small business preferences

Familiarize yourself with local purchasing and small business programs

Visit us at www.sba.gov
How to demonstrate eligibility: Self- or Third-Party Certification

There are currently **two ways** to demonstrate eligibility for the WOSB program:

**Self Certification**
with supporting documents

- Free
- Register in SAM
- Compile and upload all required documents to the WOSB Repository
- Represent status in SAM as WOSB or EDWOSB

**Third Party Certification**
with supporting documents

- **Fee associated with Third Party Certifiers**
- Register in SAM
- Obtain certification from an SBA-approved Third Party Certifier
  - US Women’s Chamber of Commerce
  - Women’s Business Enterprise National Council (WBENC)*
  - National Women’s Business Owners Council (NWBOC)
  - El Paso Hispanic Chamber of Commerce
- Compile and upload all required documents to the WOSB repository (reduced requirements)
- Represent status in SAM as WOSB or EDWOSB

*Does not perform economic disadvantage determinations*
Step 1: Register in SAM

- The System for Award Management (SAM) is a registration system owned by GSA and located at www.SAM.gov.
- SAM is where companies represent their eligibility for federal contracts (representations and certifications).
- In order to begin the process of certifying as a WOSB or EDWOSB, you must first establish a user account on the SAM site, and then register your entity in SAM.
- Note: DO NOT claim status as a WOSB or EDWOSB at this stage.
Step 2: Upload documents on certify.SBA.gov

- Next, navigate to certify.SBA.gov and create an account in the new system.
- Once you have created an account, associate this account with your business information in SAM by providing the following information:
  - Your primary DUNS number
  - Your Marketing Partner ID Number (MPIN) number (created in SAM)
  - Your Taxpayer Identification Number (TIN) number
- Then, complete any necessary forms and upload these documents to the new repository.
Step 2: Upload documents on certify.SBA.gov (cont.)

certify.SBA.gov now hosts the **WOSB Repository**, where documents verifying WOSB/EDWOSB eligibility must be uploaded so that they may be viewed by agencies’ Contracting Officers (COs)*

Only the WOSB, SBA, and the CO (once granted access by the WOSB)* can access the repository

**WOSBs and EDWOSBs should upload the following documents to verify their status:**

<table>
<thead>
<tr>
<th>Self-Certification – WOSBs</th>
<th>Self-Certification – EDWOSBs</th>
<th>Third Party Certification</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Birth certificates, naturalization papers, unexpired passports to verify U.S. citizenship</td>
<td>• All requirements for WOSBs</td>
<td>• Copy of Third Party Certification from an SBA Approved Third Party Certifier</td>
</tr>
<tr>
<td>• Copy of Joint Venture agreement (if applicable)</td>
<td>• An SBA Form 413, Personal Financial Statement, for each woman claiming economic disadvantage and their spouse, if applicable</td>
<td>• Copy of JV agreement (if applicable)</td>
</tr>
<tr>
<td>• Copy of WOSB/EDWOSB Certification (SBA Form 2413 or SBA Form 2414)</td>
<td></td>
<td>• Copy of WOSB/EDWOSB Certification (SBA Form 2413 or SBA Form 2414)</td>
</tr>
<tr>
<td>• DBA certificate</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Corporate information relating to verifying ownership by a woman or women</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Please Note: The ability for WOSBs to grant document access and the ability for COs to view documents in the certify.SBA.gov repository will be released later in FY16*
Step 2: Upload documents on certify.SBA.gov (cont.)

As of March 2016, certification for WOSBs and EDWOSBs now takes place using the certify.SBA.gov system

What’s new?

- The WOSB Repository has moved from General Login System (GLS) to its new home at certify.SBA.gov
- GLS is no longer a valid entry point for the WOSB program
- All existing WOSB/EDWOSBs in the Repository that have updated their content since October 2014 have had their information migrated to new Repository
- All firms will need to check the new Repository to ensure their information has migrated properly and complete the SBA forms 413, 2413, or 2414 (as applicable) in the new electronic format.
- Any firms that did not update after Oct 2014 will need to resubmit as if new
- SBA plans to add support for its other certification programs to certify.SBA.gov in the future
Step 3: Represent Status in SAM

Once you have uploaded all necessary documents on certify.SBA.gov, you will be able to represent your status as a WOSB/EDWOSB on the SAM site.

- Check the boxes as appropriate to indicate your status as a WOSB and/or EDWOSB (please note that all EDWOSBs are also WOSBs).

- NOTE: All required documents must be uploaded before identifying as a WOSB or EDWOSB – penalties for false representation are steep.

EDWOSBs should check both boxes, since all EDWOSBs are also WOSBs.

Check these boxes as appropriate to indicate WOSB/EDWOSB status.
WOMEN OWNED SMALL BUSINESS (WOSB) PROGRAM
CERTIFICATION - WOSBs

All small businesses that are interested in submitting an offer on a solicitation that has been set aside for WOSBs under the WOSB Program must complete this certification prior to submitting the offer. This includes checking all of the boxes and having an authorized officer of the WOSB sign and date the certification. Once the certification is complete, you must upload it to the WOSB Program Repository along with all other required documents as outlined in the Compliance Guide for the WOSB Program (go to www.sba.gov/wosb). For inquiries or questions, please e-mail wosb@sba.gov.

Please read carefully the following certification statements. The Federal government relies on the information in this form and any documents or supplemental information submitted to determine whether the business is eligible for a contract authorized under the WOSB Program. The definitions for the terms used in this certification are set forth in the Small Business Act, SBA regulations (13 C.F.R. Part 127), and also any statutory and regulatory provision referenced in these authorities. In addition, please note that the U.S. Small Business Administration (SBA) may request further clarification or supporting documentation in order to assist in the verification of any of the information provided and that each person signing this certification may be prosecuted if they have provided false information. Any action taken with respect to this certification does not affect the Government’s right to pursue criminal, civil or administrative remedies for incorrect or incomplete information given, even if correct information has been included in other materials submitted to SBA.

The undersigned has reviewed, certified and certifies that (all boxes must be checked):

(i) The concern is certified as a WOSB in accordance with Section 8(m) of the Small Business Act, by an SBA-approved third-party certifier.
   - Yes   - No

(ii) The concern is in receipt of a decision by an SBA-approved third-party certifier, that the concern does not qualify as a WOSB in accordance with Section 8(m) of the Small Business Act.
    - Yes   - No

(iii) Since the date of the firm’s receipt of a decision by an SBA-approved third-party certifier affirming its eligibility as a WOSB in accordance with Section 8(m) of the Small Business Act, there have been no changes in circumstances affecting the concern’s eligibility.
    - Yes   - No

(iv) It is currently certified by the U.S. Small Business Administration as an R(q) BD Program Participant and the 51% owner is a woman (or women).
    - Yes   - No   - N/A Explain why N/A.

Visit us at www.sba.gov
WOMEN OWNED SMALL BUSINESS (WOSB) PROGRAM CERTIFICATION – ECONOMICALLY DISADVANTAGED or EDWOSB

OMB Control No. 3245-0374  
Expiration Date: 11/30/2017

All EDWOSBs that are interested in submitting an offer on a solicitation that has been set aside for EDWOSBs under the EDWOSB Program must complete this certification prior to submitting the offer. This includes checking all of the boxes and having an authorized officer of the EDWOSB sign and date the certification. Once the certification is complete, you must upload it to the WOSB Program Repository along with all other required documents as outlined in the Compliance Guide for the WOSB Program (go to www.sba.gov/wosb). For inquiries or questions, please e-mail wosb@sba.gov.

Please read carefully the following certification statements. The Federal government relies on the information in this form and any documents or supplemental information submitted to determine whether the business is eligible for a contract authorized under the WOSB Program. The definitions for the terms used in this certification are set forth in the Small Business Act, SBA regulations (13 C.F.R. Part 127), and any statutory and regulatory provision referenced in those authorities. In addition, please note that the U.S. Small Business Administration (SBA) may request further clarification or supporting documentation in order to assist in the verification of any of the information provided and that each person signing this certification may be prosecuted if they have provided false information. Any action taken with respect to this certification does not affect the Government's right to pursue criminal, civil or administrative remedies for incorrect or incomplete information given, even if correct information has been included in other materials submitted to SBA.

The undersigned has reviewed, verified and certifies that (all boxes must be checked):

(i) The concern is certified as an EDWOSB in accordance with Section 8(m) of the Small Business Act, by an SBA-approved third-party certifier.

- [ ] Yes  - [ ] No

(ii) The concern is in receipt of a decision by an SBA-approved third-party certifier, that the concern does not qualify as an EDWOSB in accordance with Section 8(m) of the Small Business Act.

- [ ] Yes  - [ ] No

(iii) Since the date of the firm's receipt of a decision by an SBA-approved third-party certifier affirming its eligibility as an EDWOSB in accordance with Section 8(m) of the Small Business Act, there have been no changes in circumstances affecting the concern's eligibility.

- [ ] Yes  - [ ] No

(iv) It is currently certified by the U.S. Small Business Administration as an 8(a) BD Program Participant and the 51% owner is an economically disadvantaged woman (or women).

- [ ] Yes  - [ ] No  - [ ] N/A Explain why N/A
### Personal Financial Statement – WOSB Program

**SBA Form 413 (WOSB)**

#### U.S. Small Business Administration

**WOMEN OWNED SMALL BUSINESS (WOSB) PROGRAM**

This form is to be completed and submitted to the SBA with supporting documentation in accordance with the SBA’s Women-Owned Small Business (WOSB) Program. A personal financial statement must be completed and submitted by the applicant, unless the applicant and the spouse are legally separated, has been attached. Each statement must be submitted within 180 days of the date the loan application is received or the date the separate application is filed, if any. The financial statement must be reviewed annually to ensure the information is complete, accurate, and current.

The financial statement must be submitted electronically in accordance with the requirements of the WOSB Program. A copy of the form must be filed for each business located in the state where the business is located. Each statement must be submitted within 180 days of the date the loan application is received or the date the separate application is filed, if any. The financial statement must be reviewed annually to ensure the information is complete, accurate, and current.

#### Personal Financial Statement

**OMB APPROVAL NO.: 3245-0105**

**EXPIRATION DATE: 09/13/2018**

**Name:**

**Business Name and Address:**

**City, State, Zip Code:**

**The information is current as of: (month/year):**

**Business Type:**

**Corporation**

**LLC**

**Partnership**

**Solo Proprietor**

**Name:**

**Yes**

**No**

#### ASSETS

<table>
<thead>
<tr>
<th>Description</th>
<th>(Dollars)</th>
<th></th>
<th>LIABILITIES</th>
<th>(Dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash on Hand &amp; in Bank</td>
<td>5</td>
<td></td>
<td>Accounts Payable</td>
<td>3</td>
</tr>
<tr>
<td>Savings Account</td>
<td>5</td>
<td></td>
<td>Notes Payable in Bank and Others</td>
<td>5</td>
</tr>
<tr>
<td>IRA or Other Statement Account</td>
<td>5</td>
<td></td>
<td>(Describe in Section 2)</td>
<td>5</td>
</tr>
<tr>
<td>(Describe in Section 5)</td>
<td></td>
<td></td>
<td>Installment Account (Auto)</td>
<td>5</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>5</td>
<td></td>
<td>Installment Account (Other)</td>
<td>5</td>
</tr>
<tr>
<td>(Describe in Section 6)</td>
<td></td>
<td></td>
<td>Leases Against Life Insurance</td>
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</tr>
<tr>
<td>As Insurance – Cash surrender Value Only</td>
<td>5</td>
<td></td>
<td>Mortgages on Real Estate</td>
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</tr>
<tr>
<td>(Describe in Section 3)</td>
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<td></td>
<td>(Describe in Section 4)</td>
<td>5</td>
</tr>
<tr>
<td>Stocks and Bonds</td>
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<td></td>
<td>Unpaid Taxes</td>
<td>5</td>
</tr>
<tr>
<td>(Describe in Section 4)</td>
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<td></td>
<td>(Describe in Section 6)</td>
<td>5</td>
</tr>
<tr>
<td>Real Estate</td>
<td>5</td>
<td></td>
<td>Other Liabilities</td>
<td>5</td>
</tr>
<tr>
<td>(Describe in Section 5)</td>
<td></td>
<td></td>
<td>(Describe in Section 7)</td>
<td>5</td>
</tr>
<tr>
<td>Automobiles</td>
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<td></td>
<td>Total Liabilities</td>
<td>5</td>
</tr>
<tr>
<td>(Describe in Section 5)</td>
<td></td>
<td></td>
<td>Net Worth</td>
<td>5</td>
</tr>
<tr>
<td>Other Personal Property</td>
<td>5</td>
<td></td>
<td><strong>Total</strong></td>
<td><strong>8</strong></td>
</tr>
<tr>
<td>(Describe in Section 5)</td>
<td></td>
<td></td>
<td><em>(Must equal total in assets column)</em></td>
<td></td>
</tr>
<tr>
<td>Other Assets</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Describe in Section 5)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>6</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Section 1: Source of Income

<table>
<thead>
<tr>
<th>Description</th>
<th>(Dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary</td>
<td>3</td>
</tr>
<tr>
<td>Net Investment Income</td>
<td>3</td>
</tr>
<tr>
<td>Real Estate Income</td>
<td>3</td>
</tr>
<tr>
<td>Other Income (describe below)</td>
<td>3</td>
</tr>
</tbody>
</table>

**Total** = **8**

#### Contingent Liabilities

- **As Ensharor or Co-Maker**
- **Legal Claims & Judgments**
- **Provision for Federal Income Tax**
- **Other Special Debt**
Houses documents submitted by WOSBs and EDWOSBs – validating eligibility

Secure, web-based environment
## Reviews and Protests

*SBA is committed to ensuring only eligible WOSBs benefit from the WOSB Federal Contract Program. The following tools ensure compliance with Program requirements:*

### Eligibility Examinations
- SBA may investigate the accuracy of any certification or representation made.
- SBA will conduct regular reviews of firms who have self-certified and obtained third party certification.
- A review will involve evaluation of documents uploaded in the repository and SBA may request additional documents and perform a site visit.

### Protests
- SBA may investigate the accuracy of any certification or representation made as it relates to a specific WOSB/EDWOSB contract.
- Only an interested party, SBA or a contracting officer may submit a protest.
- A protest must be submitted to the contracting officer within certain timeframes.
  - Can only protest the ownership, control and economic disadvantage requirements.
  - Size protests are handled under 13 C.F.R. part 121.
- SBA reviews each protest and makes a final decision, which may be appealed to the Office of Hearings and Appeal.

Any WOSB/EDWOSB found to be ineligible *must remove* designation in SAM; **CO shall not award** the contract.
Resources and Q&A

There are a number of resources available to help answer questions about the WOSB Program:

Visit the SBA’s website: www.sba.gov/wosb
- You will find the latest information about the program on this site
- For questions on the WOSB program, you may also email wosb@sba.gov
- For questions on the new system, please email certify@sba.gov

Visit a local resource:
- Procurement Center Representative (PCR) Directory
  - Find your local PCR at: https://www.sba.gov/contracting/resources-small-businesses/pcr-directory
- Small Business Administration District Offices
  - Find your local office at: http://www.sba.gov/about-offices-list/2
- Women’s Business Centers
  - Find your local center at: http://www.sba.gov/content/womens-business-centers
- Small Business Development Centers
  - Find your local center at: http://www.asbdc-us.org/
- Procurement Technical Assistance Centers
  - Find your local center at: http://www.aptac-us.org/new/

Call the SBA Answer Desk: 1-800-U-ASK-SBA (1-800-827-5722)
Dorothy Atkins
Economic Development Specialist
Phone: (404) 331-0100 ext. 305
dorothy.atkins@sba.gov