

**U.S. Small Business**Administration



# Introduction to the Office of Government Contracting

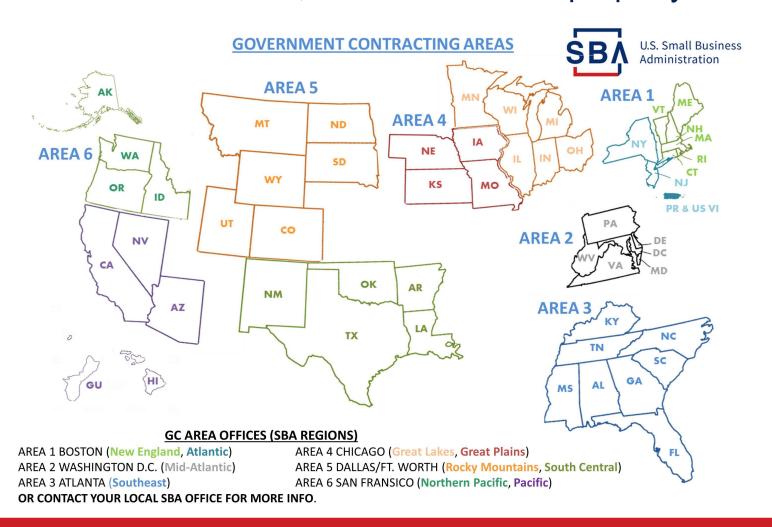
U.S. Army Corps of Engineers, Memphis District Small Business Industry Day

February 20, 2024

Office of Government Confidential

(GC)

Our mission is to assist small businesses in obtaining a fair share of Federal Government contracts, subcontracts and property sales.



### **Area Offices**

#### What Do We Do:

- Prime Contracting Program
- Certificate of Competency Program
- Small Business Size Determinations
- Waivers of the Nonmanufacturer Rule
- Surveillance Reviews
- Natural Resources and Sales Assistance Program (Timber)
- GC plays a major role in the formulation of federal procurement policies that affect small businesses

#### Who Are We:

- GC headquarters staff and field staff positions
- Procurement Center Representatives (PCRs)
- Commercial Market Representatives (CMRs)
- Certificate of Competency (COC) Specialists
- Size Determination Specialists
- Industrial Specialists (IS)

# **Prime Contracting Program**

The SBA's Prime Contracts Program serves to strengthen the economy of the Nation by striving to create maximum practicable opportunities for Small Business (SB) and all other socioeconomic concerns while increasing overall competition in the Federal acquisition process.

# **PCR Responsibilities**

- Assigned to a contracting activity to carry out SBA policies and programs
  - Activity must provide access to all reasonably obtainable contract information
  - Safeguards against improper disclosure of contract information
- Recommend the set-aside of selected acquisitions
  - Each PCR negotiates review levels with buying activity and defines it in a Business Operations Plan (BOP) Addendum
- Recommend new qualified small business sources
- Review proposed bundled acquisitions to recommend alternate contracting methods to increase SB prime contracting opportunities (15 days)
- Appeal Contracting Officers' decisions which they deem adverse to small businesses
- Review all actions equal to or over \$1 billion. This review is forwarded to the SBA Director of Government Contracting for concurrence.



### **PCR Responsibilities**

- Investigate issues upon the request of a SB, the activity, or SBA office
  - Size determinations, Certificate of Competency (COC) investigations, Surveillance Reviews, etc.
- Provide advice to large businesses concerns to facilitate subcontracting opportunities for small businesses
- Review subcontracting plans
- Conduct periodic compliance reviews of the activity
- Advise and assist small businesses
- Meet with the HCA or Chief of the Contracting Office
- Training contracting activity personnel on aspects of the SB Program
- Participate in conferences and training to increase SB participation



#### refuncate of Competency (COC)

# **Program**



A small business's second chance at winning a contract where they are the apparent awardee



- The Contracting Officer determines the small business to not be responsible (Capability, Competency, Capacity, Credit, Integrity, Perseverance, Tenacity, & Limitation on subcontracting)
- The Contracting Officer must refer the small business to the SBA for a COC
- The SBA performs its own independent analysis of the small business's responsibility
- SBA's decision:
  - SBA's analysis find the firm responsible and issues a COC. The Contracting Officer must award the contract to the small business (with some exceptions).
  - SBA's analysis agrees with the Contracting Officer and does not issue a COC. The Contracting Officer can move forward with the procurement.



## **Size Program**

- Ensure acquisitions set aside for small business are awarded to legitimate small businesses to ensure and even playing field
- SBA sets the small business size standard for each NAICS Code
- Size standards are based on either Average Annual Receipts or Number of Employees depending on the NAICS code
- Protests must be filed with the Contracting Officer
- Size protests are decided by the SBA not the procurement agency

# **Subcontracting Assistance Program**

The mission is to ensure domestic small businesses receive a fair and equitable opportunity to compete for and receive subcontracts resulting from Federal prime contracts.

- Provide post-award Subcontracting training
- Facilitate the matching of large prime contractors with small business concerns
- Counsel large prime contractors on their responsibilities to maximize subcontracting opportunities for small business concerns
- Counsel small businesses on how to market themselves to large businesses
- Perform periodic compliance reviews to ensure large businesses are maximizing opportunities to small business concerns



## **Hot Topic: Market Research**

#### When is the Government required to conduct Market Research?

• Basically, all the time. (FAR 10.001(a)(2) "(i) Before developing new requirements documents...(ii) Before soliciting offers for acquisitions [in excess of SAT\*]...(iii) Before soliciting offers for acquisitions [less than SAT when appropriate...(vi) On an ongoing basis...")

#### Why respond to Sources Sought?

For procurements over the SAT, need to demonstrate to the contracting officer that there are 2 or more responsible SB (commonly called the Rule of Two). (FAR 19.502-2)
 Help Me
Help You



## **Hot Topic: Market Research**

#### **SBA - Dynamic Small Business Search**

- Complete your Capabilities Narrative. Use good key words that describe what you do.
- Don't end-

#### Table Listing, where

SBA Search Results

the firm is small in any of these NAICS codes: 531120; the profile location is in: Alabama; the profile's status is Active;

Data validation took 0.00 seconds. The count and search que. s took 0.00 seconds and 1.94 seconds, respectively.

Displaying profiles 26 - 50 (of 555 profiles matching criteria):

DSBS is experiencing intermittent issues in displaying the lost up-to-date certifications for some registrants. If a firm claiming certification does not appear as certified in DSBS, please context answerdesk@sba.gov for assistance.

View	Name and Trade Name of Firm	Contact	Address and City, State Zi	Capabilities Narrative	E-mail Address
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27					
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#### **PCR Contact Information**

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