

PEO
STRI

**TRAINING
& SIMULATION**
INDUSTRY SYMPOSIUM



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Agenda



- Small Business Jobs Act
 - Parity Issue
 - Women-Owned Small Business Program
 - SBA 8(a) Program Changes
 - Threshold Changes
 - Keys to Success
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Small Business Jobs Act



- Signed 27 Sep 2010, PL 111-240; Sections 1312 thru 1347
 - Strengthens Small Businesses' Ability to Compete for Contracts
 - Multiple Award Contract Set-Asides
 - Bundling Accountability, Consolidation of Contract Requirements Size Standards Sector Review
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Small Business Jobs Act



- Subcontracting; Misrepresentations, Plan Improvements, & timeliness of Payments
 - Mentor Protégé Programs for Women-Owned Small Business, Service-Disabled Veteran-Owned Small Businesses, and HUBZone Certified Small Businesses
 - Presumption of Loss/Misrepresentation and Annual Certification of Size
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Parity Issue



- Jobs Act 1347 clarified parity issue by changing “shall” to “may” for HUBZone, giving parity to SBA 8(a), HUBZone & SDVOSB programs
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WOSB Contract Program



- Effective February 4, 2011
 - Authorizes Set-asides for Women-Owned Small Businesses (WOSB) & Economically Disadvantaged Women-Owned Small Businesses (EDWOSB)
 - 51% owned and controlled by one or more women
 - Self Representation-submit to SBA Repository, CCR & ORCA
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WOSB Program Cont'd



- 83 NAICS Codes
 - Underrepresented / Substantially Underrepresented
 - No Sole Source Awards
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8(a) Program Changes



- Effective 14 March 2011
 - 8(a) firms required to perform 40% of work, includes mentor-protégé agreement
 - Clarifies factors that determine economic disadvantage
 - Adds consequences to mentor for not providing assistance to protégé firms
 - Ownership and control requirements
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8(a) Program Cont'd



- Tribally-owned firms required to show benefits flowing back to their communities
 - Excessive Withdrawals
 - Requiring that a firm's size status remains small for its primary industry code during participation in the 8(a) program
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Threshold Changes



- Micro-purchase threshold remains \$3,000
 - Simplified Acquisition increase from \$100K to \$150K
 - Pre-award/Post-award notices-remains at \$25K due to trade agreement
 - Commercial items test program ceiling raised from \$5.5M to \$6.5M
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Threshold Changes Cont'd



- Cost or pricing data is raised from \$650K to \$700K
 - Prime contractor subcontracting plan floor is raised from \$550K to \$650K, construction is raised from \$1M to \$1.5M
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Keys to Success



Keys to Success



- **Pre-Award**

- Use solicitation portals as primary resource for upcoming and ongoing procurements
 - STRIBOP, <https://bop.peostri.army.mil/sites/bop/>
 - FBO, <https://www.fbo.gov/>
 - LT2 Portal (PM Trade), <https://www.lt2portal.org/>
 - Thoroughly Understand Contract Requirements – Ask Questions!
 - Industry Days
 - One-on-Ones
 - Draft RFP
 - Solicitation phase until question cut-off date
 - Address all parts of a SSN or RFI as this is evaluated during Market Research phase for determining available capabilities and Small Business Participation Goals
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Keys to Success



- **Pre-Award (cont)**

- Follow Solicitation Instructions and address Evaluation Criteria
 - Provide detail in proposal as to how requirements will be specifically met
 - Be direct and give pertinent information when addressing evaluation criteria
 - Pay attention to the “order of importance” with regard to evaluation criteria
 - Be aware of page limitations - Make “every” word count
 - Identify/utilize successful teaming arrangements
 - Large or Small Business Mentors
 - Compliment capabilities
 - Consider adequacy of accounting system
 - FAR 16.104(i), Contract types other than firm-fixed-price require the contractor’s accounting system to timely develop all necessary cost data in the form required by the proposed contract type.
 - FAR 16.301-3(a)(1), A cost-reimbursement contract may be used only when the contractor’s accounting system is adequate for determining costs applicable to the contract
 - FAR 42.17, Forward Pricing Rate Agreements
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Keys to Success



- **Post-Award**

- Thoroughly Understand Contract Requirements – Ask Questions!
 - Clauses, SOW, and CDRL(s)
 - Wide Area Work Flow invoicing process
 - Obligations, contractual agreements, commitments, and modifications only come from the PCO
 - Retain proposed technical expertise
 - As the prime, you are solely responsible for subcontractors
 - Need to manage cost, schedule, and performance
 - Subcontract management is reflected in CPARS
 - Flow down of clauses to subcontractors
 - As a subcontractor, you are responsible to thoroughly understand your requirements – Ask questions of the prime!
 - Establish good communication practices with the prime
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- **Post-Award (cont)**

- Ensure compliance with FAR 52.219-14, Limitation on Subcontracting in Small Business Set-Asides
- Take advantage of debriefings
 - FAR 15.506, Post-Award debriefings of offerors
 - Unsuccessful Offerors – “Where can I improve?”
 - Successful Offeror – “Why did I win?”

Acronyms



- CCR – Central Contractor Registration
 - CDRL – Contract Data Requirements List
 - CPARS - Contractor Performance Assessment Reporting System
 - FBO – Federal Business Opportunities
 - HUBZone – Historically Underutilized Business Zones
 - LT2 Portal - Live Training Transformation
 - NAICS – North American Industry Classification System
 - ORCA – Online Representations and Certifications Application
 - PCO – Procuring Contracting Officer
 - RFI – Request for Information
 - RFP – Request for Proposal
 - SDVOSB – Service-Disabled Veteran-Owned Small Business
 - STRI BOP – Simulation, Training & Instrumentation Business Opportunities Portal
 - SSN – Sources Sought Notice
 - SOW – Statement of Work
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