



Behind the Curtain on Federal Small Business Set Asides

July 2023

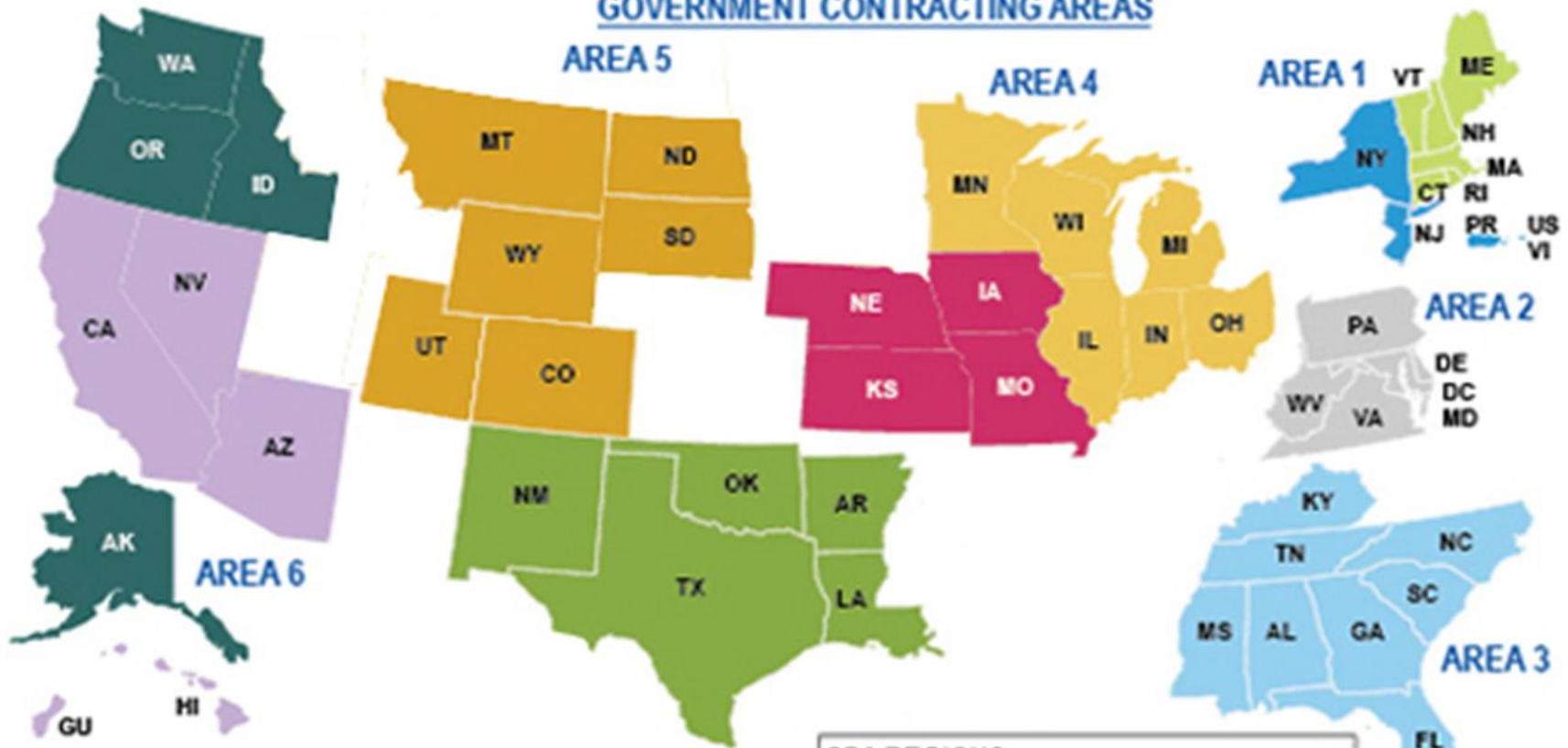
SBA's Office of Government Contracting

- OGC focuses on federal agency use of SB programs and helping them attain agency SB goals.
 - Are agencies meeting their SB goals?
 - Do their buyers understand how to use the SB programs?
 - Are they setting aside contracts for SBs appropriately?
- OGC Programs:
 - Size determinations
 - Commercial Market Representatives
 - Certificates of Competency
 - **Procurement Center Representatives**

Office of Govt. Contracting Area Offices

<https://www.sba.gov/contracting/resources-small-businesses/>

GOVERNMENT CONTRACTING AREAS



G C AREA OFFICES

AREA 1 BOSTON
 AREA 2 WASHINGTON, DC
 AREA 3 ATLANTA
 AREA 4 CHICAGO
 AREA 5 DALLAS/FT. WORTH
 AREA 6 SAN FRANCISCO
 OR CONTACT YOUR LOCAL SBA OFFICE FOR MORE INFO.

SBA REGIONS	
■ SBA New England	■ SBA South Central
■ SBA Atlantic	■ SBA Great Plains
■ SBA Mid-Atlantic	■ SBA Rocky Mountains
■ SBA Southeast	■ SBA Pacific
■ SBA Great Lakes	■ SBA Northern Pacific

Procurement Center Representatives

- Advocate on behalf of SBs
- Mediate SB Issues with agencies
- Work closely with contracting staff at Federal buying offices
 - Communicate with Agency on upcoming requirements
 - Review acquisitions and solicitations (including set aside decisions)
 - Inform agencies on updates to SB regulations, changes in SBA certification programs
 - Assist agencies in meeting their SB goals through training, counseling & technical assistance
 - Review/approve Subcontracting Plans at time of award.
 - Receive copies of Cure/Show Cause notices of SB firms headquartered in the PCRs territory. Contacts firm to offer assistance if needed
 - Review buying office SB policies & procedures
- Train other Federal agency, Resource Partner staff and Vendors



When to contact a PCR



- If you have questions about:
 - Whether an agency is meeting their SB goals
 - Why an agency didn't set an opportunity aside for SBs
 - How agencies decide to set an opportunity aside among the various SB categories
 - How to market your firm effectively with a particular agency
- Or if you need assistance with:
 - Submitting a size protest
 - Meeting your requirements under the Limitation on Subcontracting rules
 - The Non-Manufacturer Rule
 - A contract dispute with an agency



When to contact a PCR (continued)

Contact the PCR serving the area where your firm's main office is located.

<https://www.sba.gov/federal-contracting/counseling-help/procurement-center-representative-directory>

Federal Small Business Goals FY23

By law, the Federal government must award:

23% of contract dollars must go to Small Businesses

12% to Socially Disadvantaged Small Businesses

5% to Women-Owned Small Businesses

3% to Service-Disabled Veteran Owned Small Businesses

3% to HUBZone Small Businesses

Agency-specific goals vary based on mission, requirements & locations

Agency	SB Prime Contracts Goal	SB Subcontracting Goal
Dept. of Defense	21.95%	32.25%
Veterans Affairs	28.45%	16%
Dept. of Agriculture	49.5%	20%
NASA	15.75%	32.6%
SBA	75%	39%

Data from [FY21 Small Business Procurement Scorecards](#)

Agencies are graded on SB use

Department of Defense

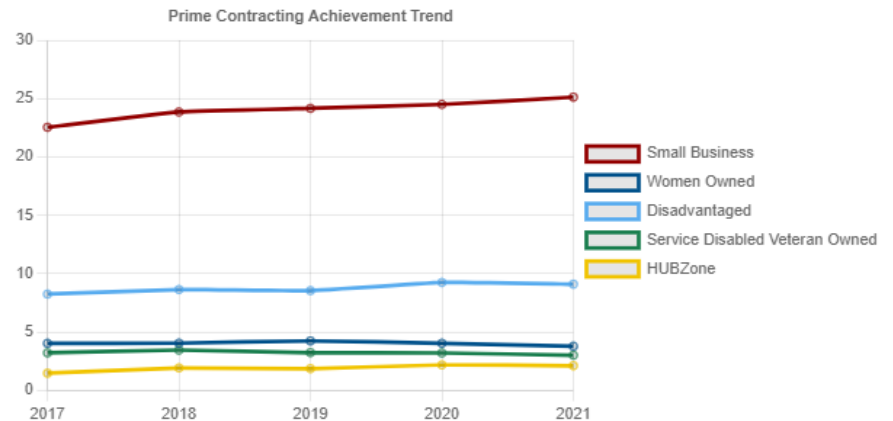
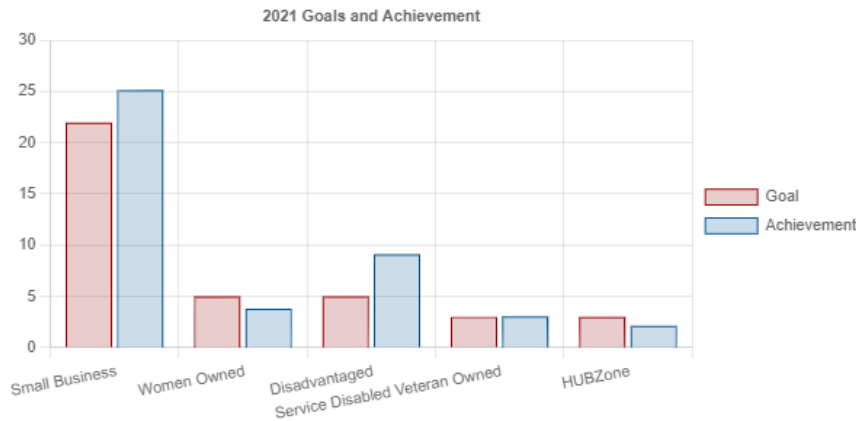
FY2021 Small Business Procurement Scorecard

A
103.58%

Prime Contracting Achievement

55.84%

► Achievement Data



Subcontracting Achievement

19.21%

• See agency Scorecards at [Scorecard Landing \(sba.gov\)](https://www.sba.gov)

What if an agency does not meet their SB goals?



- Agency OSDBU and SBA HQ discuss
- Respond to Congress' questions
- Review SB training, policies, procedures within the agency
- PCRs become more involved providing training & guidance on the SB programs, market research methods, outreach events

...the pressure is on!

Surveillance Reviews

The SBA performs periodic SRs of military and civilian agency contracting activity SB contracting programs to:

- Evaluate the program's impact on SBs
- Assess the overall quality of the contracting activity's programs and their value towards enhancing SB's ability to compete for the activity's contracts and orders
- Identify 'best practices' which can be shared with other activities
- Enable SBA to recommend changes for program improvement

About 30 Procurement Centers (specific contracting offices) are selected annually for an SR.

Compliance Categories Reviewed

- Overview of PC's small business awards
- SB program management
- Use of 8(a) contracts
- WOSB set aides (use of, review of Repository, etc.)
- Acquisition Planning
- Subcontracting (Subcontracting plans, goals, monitoring)
- Other Small Business Issues
- Use of regulatory clauses/provisions
- Bundling
- Limitations on Subcontracting (monitoring process)
- Best practices that can be shared with other PCs

PCs are Rated on the SR

Outstanding: All SB and socio-economic goals met, SBs given maximum opportunity, effective market research, files properly documented, regular training for staff, frequent participation in outreach

Highly Satisfactory: 80% of goals met, reasonable opportunity given to SBs, effective market research, files properly documented, SBS/SB Office participates/provides training and outreach.

Satisfactory: 70% of goals met, SBs afforded opportunities, market research conducted, most files properly documented, SBS/SB Office participates in/provides some training & outreach events.

Marginally Satisfactory: 50% of goals met. SBs afforded some opportunities, sporadic market research, files missing some documentation, SBS/SB office participates/provides few training & outreach events.

Unsatisfactory: Less than 50% of goals met. SB not afforded opportunities, poor market research, files not properly documented, no training/outreach events.

Marginal and Unsatisfactory ratings require a Follow-Up SR in a year.

FAR 19.203(a) :

There is *no order of precedence* among socio-economic SB programs (8(a), HUBZone, SDVOSB, WOSB)

FAR 19.203(c):

COs must *first consider the socio-economic set asides* before the SB set aside [for procurements over the Simplified Acquisition Threshold (SAT)]

Agency Market Research

Defined and outlined in the FAR

- [FAR Part 2.101](#) – Definition of market research: Collecting & analyzing information about capabilities within the market to satisfy agency needs.
- [FAR Part 7.102](#) – Acquisition planning policy: (a) Agencies shall perform acquisition planning and conduct market research (FAR Part 10) for all acquisitions...
- [FAR Part 10.001](#) –
(a)(2) Conduct market research appropriate to the circumstances...

(dollar value, complexity, one-time vs. repeated need)

What if market research reveals more than one SB choice?

- [FAR 19.203\(d\)](#):

d) In determining which socioeconomic program to use for an acquisition, the contracting officer should consider, at a minimum-

(1) Results of market research that was done to determine if there are socioeconomic firms capable of satisfying the agency's requirement; and

(2) **Agency progress in fulfilling its small business goals.**

Who conducts market research?

- Contracting Officers/Specialists
- Requirements Personnel including Project Mgrs. & internal customers
- Technical Personnel
- Small Business Specialist
- SBA Procurement Center Representatives

Basically, everyone !!

Agencies consider:

- Was a set aside done last time? (history)
- Is there additional market info elsewhere in the agency? (technical staff)
- Is there additional market research outside of the agency? (another agency, federal or local?)
- Issuing a Sources Sought?
- Recent review of the SBA Dynamic Small Business Search database?
- Recent outreach to the small business community? (Industry days, meet the buyer events, site visits?)

What is the rule of two?

FAR 19.502-2 (a) reserves acquisitions of over \$10,000 (micropurchase threshold) and \$250,000 (SAT) for small business.

FAR 19.502-2(b) The contracting officer shall set aside any acquisition over SAT for small business participation when there is a **reasonable expectation that:**

- (1) offers will be obtained from at least two responsible small business concerns....; and**
- (2) award will be made at fair market prices.**

So, how is this info useful to me?

You're a firm with:

- Certifications (SB, WOSB, HZ, SDB, 8(a), SDVOSB)
- Positive past performance
- Adequate bonding and appropriate industry certifications
- Registrations FULLY completed in SAM.gov and DSBS (keywords, capabilities narrative, past performance/references)
- A good, up-to-date capabilities statement

Your friendly APEX Accelerator (PTAC) and SBA can help with most of the above!

Help agencies know you are in the market by:

- Responding timely to Sources Sought notices on SAM.gov
- Responding to RFI notices posted on SAM.gov that are of interest.
- Participating in Site Visits or Industry Days when possible
- Bidding on projects that are not SB set-sides (assuming you have capability) to show you are interested in the agency's projects regardless

Yes, your time and energies are limited.

- Consult with APEX Accelerator and SBA on how to strategically choose which opportunities or events to pursue.
- Target the agencies whose Scorecards show they need YOU (your SB certifications)

OPTIMIZE YOUR DSBS PROFILE: Make it easy to learn about you.

Include Certifications and Capabilities info

Non-Federal-Government Certifications:

DBE/WBE#D2F6917236
EDWOSB
DBE/WBE Oregon 2946
OR CCB #146208
WA-CCBMLKECO**063R3
Erosion Control SWWA
Ecology
First Aid/OSHA certs
USACE CQC/RMS
Ducks Unlimited
GP Task Force
PEVO & Flagger Certs
UTV Safety Certs
SBA Training (multi)
SBDC scholarship for
Business Management
e200 MBA Graduate
SBA National Awards
8 western states
Veteran Hiring Award
Award Winning Work
Outdoor Schl Teacher
Volunteer Awards
PSU Wetland Delineat
PSU River Restoratio
HAZWOPR
WOSB
Certified Safety

Identification, Location & Contacts

This profile was last updated:	03/04/2023
Status:	Active
User ID:	P0214181
Name of Firm:	LKE CORP
Capabilities Statement Link:	https://certify.sba.gov/capabilities/XTDTJ3KP3KT5
Trade Name ("Doing Business As ..."):	

Products & Services

Capabilities Narrative:

WOSB, DBE, WBE, EDWOSB. General Contractor 20 yrs. Our passion wetland, stream habitat, remediation, planting, erosion control, dewater, trail, levee, dam/dike, culvert, riprap, gabion, recreation, landscape, soil prep, mow, dredge, design-build, marine, diving, mechanical

OPTIMIZE YOUR DSBS PROFILE: Make it easy to learn about you.

Include Special Equipment and Keywords

Special Equipment/Materials:

Excavators, Dozers, Side Dumps, End dump, Loader, Crane, Compaction, Safety, Fire Truck, Road grader, heavy haul Lowboy, 10 trucks, articulated trucks, Certified Welders, Tractors, implements, boat, barge, dredge, Dry Dock, Fabrication Shop Owned

Keywords:

8(a)DBE, WBE, EDWOSB, Erosion, Excavating, Earth Moving, Planting, Wetland, Culvert, Water Control, Concrete Structures, Stabilization, Environmental, Soil Preparation, Marine, Remediation, Stream work, Dredging, Dikes & Levees, Trails, Watershed Forestry, Rip rap & Rock, Highway, Design Build, Mechanical.

OPTIMIZE YOUR DSBS PROFILE: Past Performance!!!

Performance History (References)

Name:	USACE Sandy River Delta Dam Removal
Contract:	W9127N-13-R-0015
Start:	06/01/2013
End:	11/15/2013
Value:	<1,000,000
Contact:	Albert Wright
Phone:	360-448-7796

Name:	FORESTRY SUPPORT SERVICES
Contract:	N44255-16-D-2013
Start:	09/23/2016
End:	09/23/2021
Value:	>\$5,000,000
Contact:	Nicole Riffe
Phone:	360-396-5966

Name:	USACE Asotin SloughRepair : Channel Stabilization
Contract:	W912EF-11-C-0014
Start:	10/29/2011
End:	02/25/2012
Value:	>100,000
Contact:	Tracy Wickham
Phone:	509-527-7214

Name:	DOD Indian Island: Wetland Restoration & Planting
Contract:	N44255-11-P-6009
Start:	10/04/2011
End:	10/22/2011
Value:	>99,000
Contact:	Terri Jones
Phone:	360-396-0064

Agencies PREFER to see past work reference info here to size you up before possibly reaching out. *If they have time,* they will check your past work in Federal Procurement Data System.



U.S. Small Business
Administration

Here to help Small Businesses be active in federal contracting!

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