

U.S. Small Business Administration



Your Small Business Resource

SBA UPDATE

U.S. Small Business Administration



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**Inflationary Adjustment of 8(a) Program Acquisition
– Related Thresholds**

Inflationary Adjustment of 8(a) Program Acquisition – Related Thresholds

- ◆ **The FAR Final Rule was published in the Federal Register on August 30, 2010. The Cite is Volume 75, Pages 53129-53135**
- ◆ Specifically, it increases 8(a) thresholds for competition from \$5.5M to \$6.5M (contracts assigned Manufacturing NAICS Codes) and \$3.5M to \$4.0M (for all other contracts).

Inflationary Adjustment of 8(a) Program Acquisition – Related Thresholds

- ◆ The micro-purchase base threshold of \$3,000 (FAR 2.101) is **not changed**.
- ◆ Changes will become effective on **October 1, 2010**.

Inflationary Adjustment of 8(a) Program Acquisition – Related Thresholds

- ◆ The simplified acquisition threshold (FAR 2.101) is raised from \$100,000 to \$150,000.
- ◆ The FedBizOpps pre-award and post-award notices (FAR part 5) **not changed**. They remain at \$25,000 because of trade agreements.
- ◆ Commercial items test program ceiling (FAR 13.500) is raised from \$5,500,000 to \$6,500,000.

Inflationary Adjustment of 8(a) Program Acquisition – Related Thresholds

- ◆ The cost or pricing data threshold (FAR 15.403-4) is raised from \$650,000 to \$700,000.
- ◆ The prime contractor subcontracting plan (FAR 19.702) floor is raised from \$550,000 to \$650,000, and the construction threshold of \$1,000,000 increases to \$1,500,000.

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Small Business Jobs Act of 2010

Small Business Jobs Act of 2010

- ◆ Signed September 27, 2010
- ◆ Will provide critical resources to assist small businesses
 - ❖ Capital
 - ❖ Ability to compete for contracts

Small Business Jobs Act of 2010

Capital

- ◆ Enhanced Loan Provisions
- ◆ Higher Loan Limits
- ◆ Alternate Size Standard
- ◆ Increases SBA Express loans to \$1M
 - ◆ Expires 9/27/2011
- ◆ Refinancing of owner-occupied commercial mortgages
 - ❖ Expires 9/20/2012

Small Business Jobs Act of 2010

- ◆ Auto Dealer Floor Plan Pilot Extension expansion
- ◆ Small Business Intermediary Lending Pilot
 - ❖ Next year, funding up to \$200K for intermediary-facilitated loans
- ◆ Export Express pilot loan made permanent
 - ❖ 90% guarantees for loans up to \$350K
 - ❖ 75% guarantees for loans between \$350K and \$500K

Small Business Jobs Act of 2010

- ◆ State Trade and Export Promotion Grants Pilot
- ◆ Treasury Department Provisions
 - ❖ Small Business Lending Fund for smaller community banks
 - ❖ Establish State SB Credit Initiative

Small Business Jobs Act of 2010

19 Contracting Provisions

- ◆ Parity
- ◆ Eliminates the Comp Demo Program
- ◆ Set Asides for Multiple Award Schedules

Small Business Jobs Act of 2010

- ◆ Establishes Presumption of Loss
- ◆ Requires Annual Certifications of Status
- ◆ Establish Government Wide Policy for Prosecution of Size and Status Fraud

Small Business Jobs Act of 2010

- ◆ Establish SB Teams Pilot
 - ❖ 5 years
 - ❖ Grants
- ◆ Establish Government-wide Mentor Protégé Programs for SDVO, WOSB & HUBZone firms

Small Business Jobs Act of 2010

- ◆ Subcontracting Misrepresentations
- ◆ Holding Large Prime Contractors more accountable to their subcontracting plans
 - ❖ Justification when plans are not met
- ◆ Payment of Subcontractors
 - ❖ SubK payments & Timeliness of payments

Small Business Jobs Act of 2010

- ◆ Bundling Accountability
 - ❖ Policy to reduce bundling
 - ❖ Directs agencies to publish on their websites rational for bundling
- ◆ Consolidation of Contact Requirements Justification
 - ❖ Over \$2M
 - ❖ Conduct Market Research and
 - ❖ ID alternative contract approach
 - ❖ Then determine if consolidation is necessary

Small Business Jobs Act of 2010

- ◆ ePCR – 3 year pilot
- ◆ Update Size Standards Cycle
 - ◆ 5 year
- ◆ Establishes an official HUBZone goal

Small Business Jobs Act of 2010

- ◆ Micro-Purchase Guidelines
 - ❖ Measure SB Participation
 - ❖ OMB & GSA Administrator to create regulations for analysis of purchase cards

- ◆ Agency Accountability
 - ❖ Agency goal communications at all levels

- ◆ SB Contracting Training
 - ❖ Mandatory SB Courses for all 1102, requirements personnel, and management

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**WOMEN OWNED SMALL BUSINESS
CONTRACTING PROGRAM**

WOSB Contracting Program

Final Rule

- ◆ **Effective Date: February 4, 2011**
 - ❖ **FAR Implementation**
 - ❖ **IAE Changes**



WOSB Contracting Program

Final Rule

◆ WOSB

- ❖ Woman/Women Directly Own, Control & Manage Daily Operations
- ❖ Woman/Women must be U.S. Citizens

◆ Economically Disadvantaged WOSB

❖ Plus

- ◆ Net Worth \$750,000
- ◆ Income not exceeding \$350,000
- ◆ Assets not exceeding \$6m



WOSB Contracting Program

Final Rule

**Establishes 83 Industries 4-digit NAICS Codes
(373 6-Digit NAICS Codes)**

216 Underrepresented

157 Substantially Underrepresented

373 6 digit NAICS codes

List at www.sba.gov/wosb



WOSB Contracting Program

CERTIFICATIONS

◆ Self Certification

- ❖ With documentation
- ❖ SBA developing WOSB Program Repository

◆ 3rd Party Certifiers

- ❖ 8A Women Owned Program Participants
- ❖ Others entities that SBA approves (future)



WOSB Contracting Program

Set-Asides

◆ WOSB

- ❖ In Substantially Underrepresented NAICS Codes

◆ EDWOSB

- ❖ In Underrepresented NAICS Codes
- ❖ However, Final Rule—SBA Administrator Waived EDWOSB Set-Asides
 - ◆ (SBA will keep track of EDWOSBs for future assessment of NAICS codes)
 - ◆ All 83 NAICS codes available for Set-Asides



WOSB Contracting Program

Contracting Officer's Responsibilities

- ◆ **Reasonable Expectation of 2 or More Offers by WOSBs**

- ◆ **Anticipated Award Price must not exceed:**
 - ❖ **\$5M – Manufacturing**
 - ❖ **\$3M – All other**
 - ❖ **(OMB reviewing an increase for inflation)**



WOSB Contracting Program

Contracting Officer's Responsibility

- ◆ **Must check that WOSBs must have proper certification in ORCA**
- ◆ **Must Certify he/she checked the WOSB repository that all required documents are in the system (including certifications by 3rd Party certifiers)**
 - ❖ **WOSBs will give Contracting Officers 120 days authorization to review repository documents**



WOSB Contracting Program

More to Come at www.sba.gov/wosb

- ◆ **Link to the Repository**
- ◆ **Instructions for accessing the Repository**
- ◆ **Contracting Officer's Guide**



WOSB Contracting Program

www.sba.gov/wosb

- ◆ **The Final Rule & History**
- ◆ **FAQs**
- ◆ **Fact Sheet**
- ◆ **NAICS codes for the program**
- ◆ **Compliance Guide for Small Entities**
 - ❖ **Lists required documents for the repository**
- ◆ **Contact Information**
 - ❖ **1-800-U-ASK-SBA (1-800-827-5722)**



Thank You

QUESTIONS?

The logo for the Small Business Administration (SBA), featuring the letters "SBA" in a white serif font on a dark blue rectangular background.