



**Procurement Center
Representative:
An Advocate, A Resource
Tom W. Krusemark**



What PCR's Do

- Coordinate with contracting activities
- Review acquisitions
 - Recommend Set-asides
- Review Bundling Cases
- Review Solicitations
- Support 8(a) Business Development





Basis for SBA Programs

- **Small Business Act**
 - Implements Congressional Policy to aid, counsel, assist & protect the interests of small business concerns
 - Goal of policy is to ensure that a fair proportion of purchases, contracts & subcontracts be placed with small businesses

<http://www.sba.gov/library/lawroom.html>



Small Business Contract Assistance Programs

- Prime Contract Assistance
 - Small business set-aside program
 - Procurement Preference Goaling
 - Size Determination Program
 - Waivers to the Non-Manufacturer Rule
 - Natural Resources Program
 - Certificate of Competency (COC)
- Subcontracting Assistance

<http://www.sba.gov/GC/>



PCRs

- Help ensure a fair portion of purchases go to Small Businesses of all types
 - represent SBA at major buying activities
 - review proposed acquisitions, including bundled procurements
 - recommend requirements to be set aside for HUBZone, 8(a) & SB firms
 - advise agencies & SBs on SBA programs
 - initiate secretarial appeals

FAR Part 19.402



Procurement Programs

- Small business
- Small disadvantaged business (SDB)
- Women-owned small business (WOSB)
- HUBZone small business
- Veteran-owned small business (VOSB)
- Service-disabled VOSB (SDVOSB)

FAR Part 19, Public Laws, Code of Federal Regulations



PCRs and Appeals

- An appeal is a 3 step appellant process:
 - PCR issues a Form 70, “SBA Recommendation” to contracting officer (CO)
 - If CO denies, writes a letter of appeal to the Head of the Contracting Activity (HCA)
 - If HCA denies, PCR forwards to SBA HQ
 - SBA Administrator appeals to the Agency Secretary or Administrator

FAR Part 19.505



What PCR's Do



- Perform Market Research
- Provide Training
- Perform Surveillance Reviews
- Interface with Others
- Perform Outreach



What PCR's Do

- Attend Training Events
- Promote SBA Programs
- Mediate SB Issues
- Monitor Public Notices
- Counsel small & 'other than small' businesses, Federal Agencies





What PCR's See

- Small Business Review Form
- Government Estimate
- Sole Source Justifications (J&A)
- Statement of Work
- Acquisition Plan
- Market Survey





What PCR's See

- Procurement Request
- Purchase History
- Synopses
- Source Selection Criteria
- A-76 Information





What PCR's See



- Sensitive Information
- Set-aside appeals
- Certificate of Competency Request
- Subcontracting Plans
- Bid Abstracts



What PCR's Track

- Buys Reviewed
- Counseling Records
- Subcontracting Plans Reviewed
- SBA Form 70s
- Set-Aside Appeals
- 8(a) recommendations
- Monthly Reports





What PCR's Retain

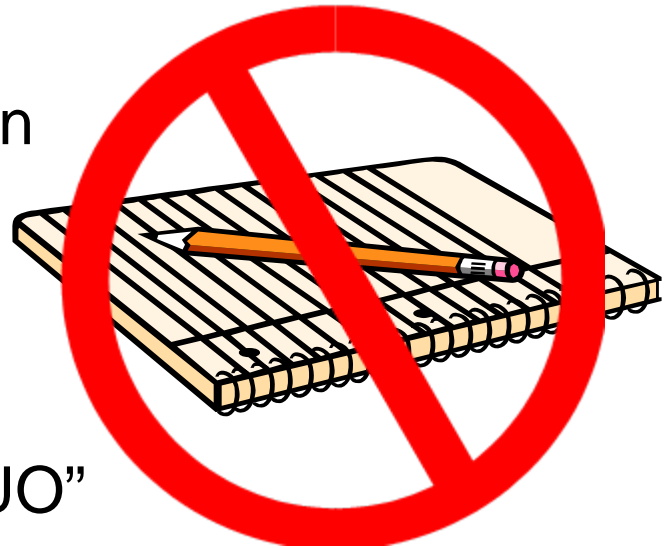


- Monthly Report Data
- Bundling Alerts
- Non-Set-aside Reports
- First-time 8(a) Awards
- Training and Outreach Reports



What PCRs Protect

- Procurement Sensitive
 - Proprietary Information
 - Source Selection Information
 - Prices
 - Subcontracting Plans
 - Classified drawings
 - For Official Use Only - “FOUO”
- Handling Congressional Inquiries





What PCR's Share

- General Information
- “In the Public Domain”
 - Forecasts
 - FedBizOpps Synopses
 - Solicitations
- Encourage Freedom of Information Act Requests





What PCR's Report

- Monthly report *
 - Set-asides
 - 8(a) awards
 - HUBZone awards
 - SDVOSB awards
 - WOSB awards
 - Full & open awards
- Annual statistics
- Success Stories
- Plan of Operation
- Non-set-asides
- Improper bundling
- Breakout successes

** Reports include both PCR-initiated actions and activity-initiated actions.*



What Other Programs Do PCRs Promote?

- Provide information on resources offered by government contracting: COC, Size Determination, Size Standards, CCR Small Business Dynamic Search, and CMR subcontracting activities.

- Provide directions and contacts regarding district programs: Loans, Surety Bond Guarantee, and Economic Development



Size Determinations IAW 13 CFR 121

Firm must:

- Meet size standard for NAICS code specified in solicitation
- Self-certify size status
- Be small at time of self-certification

If Questioned, Protest must be:

- Specific to a buy
- Received in a timely manner
- Forwarded to Area Director for formal determination.

Size Determination Specialists are located at SBA Area Offices



Certificates of Competency

*Capacity, Credit, Capability, Competency,
Integrity, Perseverance & Tenacity,
Limitations on Subcontracting.*

When determined to be non-responsible,
a small business is entitled to an
independent review by the SBA.

*Written referrals must be sent to the
SBA Area Office responsible for
the geographic location of the small business.*

www.sba.gov/GC/



Subcontracting Assistance

SBA's Role in Subcontracting Types of Reviews

- Pre-Award Subcontracting Plan Reviews
 - SBA's PCRs review subcontracting plans prior to contract award (advisory)

- Post-Award Compliance Reviews
 - SBA's CMRs monitor goal achievement after contract award



Subcontracting Assistance

Statutory Subcontracting Goals

Small Business Act: Section 15(g)

- Small Business (SB) - negotiable
- Small Disadvantaged Business (SDB) - 5%
- Women-Owned Small Business (WOSB) - 5%
- HUBZone Small Business - 3%
- Veteran-Owned Small Business - negotiable
- Service-Disabled Veteran-Owned SB - 3%



Subcontracting Assistance

Determining the Need for a Subcontracting Plan

➤ Dollar Threshold:

- contract or contract mod is expected to exceed \$550,000 (\$1,000,000 for construction)
 - Note: \$500,000 was just bumped to \$550,000

➤ Subcontracting possibilities:

- contract appears to offer subcontracting possibilities



Subcontracting Assistance

Determining the Need for a Plan

- Subcontracting plans are **not** required:
 - From small business concerns
 - For personal services contracts
 - For contracts or mods that will be performed entirely outside of the U.S.
 - For contracts that do not contain 52.219-8 (e.g., contracts awarded prior to PL 95-507)



Subcontracting Assistance

Elements of a Subcontracting Plan

- A subcontracting plan must contain goals expressed in both dollars and percentages.
- Other required elements are set forth in the FAR at subpart 19.704 and in the clause at 52.219-9.
- SBA provides a Fact Sheet on Subcontracting that explains goals, flow-down, and reporting requirements.



Subcontracting Assistance

What SBA Can and Cannot Do

➤ SBA Can:

- Conduct compliance reviews and SOARS (Subcontracting Orientation and Assistance Reviews)

➤ SBA Cannot:

- Prescribe the amount of subcontracting
- Require the prime contractor to use a particular small business

PCRs are Unique!

- Small Business Advocate
- Adversarial Relationships
- Small Business Specialist Support
- Special Authority
- Insider-Outsider





Your SBA PCR:

Tom W. Krusemark

*An Advocate for all types
of small businesses.*

*A resource for
information and advice.*

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