



# **Procurement Center Representative:**

**An Advocate, A Resource**



# *What PCRs 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/about-sba-services/7480>



## *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



# *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 PCRs 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*

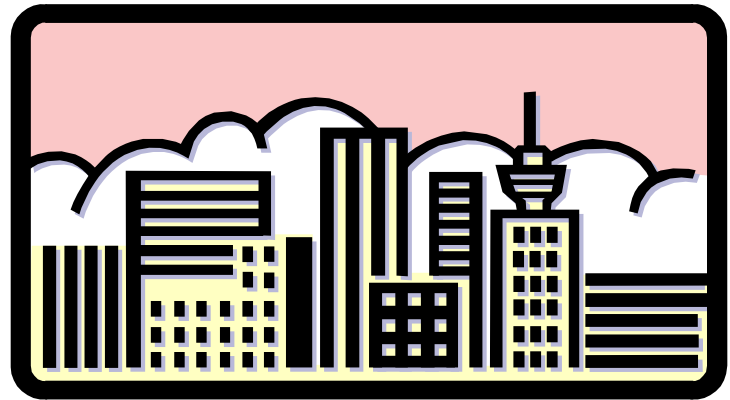
- Small Business Review Form
- Government Estimate
- Sole Source Justifications (J&A)
- Statement of Work
- Acquisition Plan
- Market Survey





# *What PCRs See*

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





# *What PCR's See*

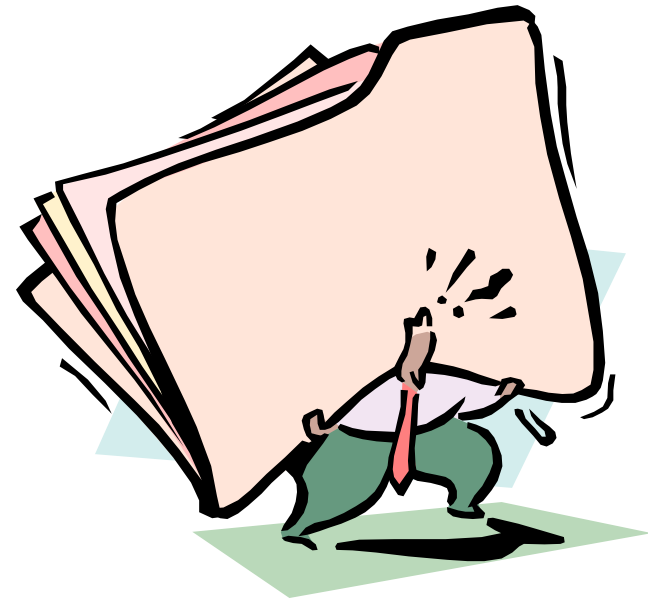


- Sensitive Information
- Set-aside appeals
- Certificate of Competency Request
- Subcontracting Plans
- Bid Abstracts



## *What PCRs Track*

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





## *What PCR's Retain*

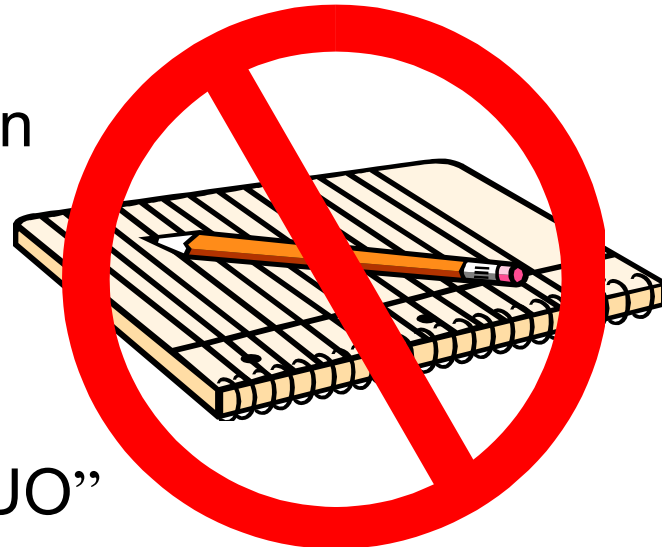


- Monthly Report Data
- Bundling Alerts
- Non-Set-aside Reports
- First-time 8(a) Awards
- Training and Outreach Reports



# *What PCR's 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 PCRs 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.*

<http://www.sba.gov/content/government-contracting-field-staff-directory>



# *Subcontracting Assistance*

## SBA's Role in Subcontracting Types of Reviews

- Pre-Award Subcontracting Plan Reviews
  - SBA's PCR's 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 \$650,000 (\$1,500,000 for construction)
  - Note: \$550,000 was just bumped to \$650,000

### ➤ 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:**

*An Advocate for all types  
of small businesses.*

*A resource for  
information and advice.*