



# Winning Federal Contracts: Great Business Opportunity, or Nightmare?

**NH PROCUREMENT TECHNICAL ASSISTANCE CENTER  
NH DIVISION OF ECONOMIC DEVELOPMENT  
NH DEPARTMENT OF BUSINESS AND ECONOMIC AFFAIRS**

# What is NH PTAC?

- ▶ Funded by the Department of Defense (DoD) & the State of New Hampshire (DBEA)
- ▶ Provides FREE assistance to NH companies to sell goods & services to federal, state, local government agencies, and school districts
- ▶ Offers training/counseling/information
- ▶ [www.nheconomy.com/sell-to-the-government](http://www.nheconomy.com/sell-to-the-government) to register.

# What are we going to cover this morning?

- ▶ How is B2G Different from B2B?
  - ▶ Red Tape
  - ▶ Readiness
  - ▶ Fairness, Openness & Transparency
  - ▶ Social and Other Policy Goals
  - ▶ REGULATIONS
  - ▶ Timing
  - ▶ Sources of Assistance

# How is Government Contracting Different from B2B?

- ▶ **Red Tape**
- ▶ Highly regulated; different body of law & rules
- ▶ Fairness, Openness & Transparency
- ▶ Social goals implemented via spending rules
- ▶ Time horizons can be very different
- ▶ Conservative, risk-averse buyer
- ▶ **Take it or leave it attitude – “We’re the government - this is how we do things.”**

# The tip of the Red Tape iceberg: What you need in order to work for and with the government...

- ▶ Taxpayer identification number - either an EIN or your Social Security #
- ▶ Data Universal Numbering System (DUNS number) from Dun & Bradstreet.
- ▶ SAM – System for Award Management Registration – [www.sam.gov](http://www.sam.gov). This is a required registration. SAM will assign you a Commercial and Government Entity (CAGE) code.

# What you need in order to work for and with the government...(part 2)

- ▶ SBA Firm Profile – “**Dynamic Small Business Search**” registration. This is an add-on at the end of your SAM.
- ▶ Tip: prepare a descriptive narrative and list of keywords before you do your SAM registration. Then you can just cut-and-paste this into place in DSBS.

# Readiness



## **What you need *before* you pursue government contracts/subcontracts:**

- Adequate capitalization
- Drive, determination, & patience
- A competitive advantage
- Demand for products/services
- Competitive pricing and margins
- Effective quality system,
- Well-developed general business systems
- Bonding, insurance and security clearance (if required)

# Fairness, Openness & Transparency

- ▶ Requirements to publish opportunities
  - ▶ Sources sought
  - ▶ Justification & Approval (J&A) – sole source
  - ▶ Presolicitation
  - ▶ Solicitation
  - ▶ Notice of Award
- ▶ Debriefing Rights
- ▶ Leveling (adjusting) the playing field



# Fairness, Openness & Transparency II

- ▶ Access to documents
- ▶ Access to contact people
- ▶ Opportunity to ask questions
- ▶ Notification of changes
- ▶ Opportunity to comment on (proposed) rule changes
- ▶ OSDBU & Ombudsman
- ▶ Congressional assistance

# Fairness, Openness & Transparency III

- ▶ FedBizzOpps
  - ▶ [www.fbo.gov](http://www.fbo.gov)
  - ▶ Bid opportunities & some history
- ▶ USA Spending
  - ▶ [www.usaspending.gov](http://www.usaspending.gov)
  - ▶ High-level market research
- ▶ Federal Procurement Data System
  - ▶ <https://www.fpds.gov>
  - ▶ Detailed market research

# Social Goals

- ▶ Domestic Products & Exclusions
- ▶ Small Businesses (SB)
- ▶ Small Disadvantaged Businesses (SDB; 8(a))
- ▶ **Women-owned & Economically-disadvantaged women-owned small businesses (WOSB & EDWOSB)**
- ▶ HUBZone certified small businesses
- ▶ Veteran-owned & Service-disabled veteran-owned small businesses (VOSB & SDVOSB)
- ▶ HBCU & Alaskan Native

# Small Business

- ▶ SBA defines who's small and who is not.
- ▶ Based on North American Industry Classification System (NAICS) codes – different for different types of businesses.
- ▶ NAICS Codes – 6-digit codes for every type of business:  
<http://www.census.gov/eos/www/naics/>

# Small Business

- ▶ Contract-specific – NAICS code is attached to the contract, not to your company.
- ▶ May be based on revenues or number of employees.

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- ▶ FAR: 2.101 for definition of a small business.
- ▶ Small Business Size Standards:  
<http://www.sba.gov/content/am-i-small-business-concern>

# SB Subcategories

- ▶ SDB, WOSB, EDWOSB, SDVOSB, HUBZone
  - ▶ Ownership & Control – legal & real
  - ▶ Day to day management
  - ▶ Owner's criteria – financial, qualifications, role
  - ▶ Size (including affiliates)
  - ▶ Mentor-Protégé
  - ▶ Teaming & Joint Ventures
  - ▶ Certification, verification, 3<sup>rd</sup> parties

# WOSB/EDWOSB

- ▶ 5% overall goal
- ▶ Self-certified, or third party certified
- ▶ Both must be small in primary NAICS code
- ▶ Both must be at least 51% unconditionally owned and controlled by women who are U.S. citizens
- ▶ Day-to-day operations management and long-term decision-making by women
- ▶ ED must meet economic disadvantage criteria

# Economically Disadvantaged

- ▶ Female owners must have personal net worth less than \$750,000 (excluding home equity, retirement accounts and the business value)
- ▶ They must have \$350,000 or less each in adjusted gross income (3 year average)
- ▶ Must have \$6,000,000 or less in personal assets, excluding qualified retirement accounts



# Certification Process

- ▶ You can self-certify at <https://certify.SBA.gov>
- ▶ Requires upload of documentation
- ▶ No certificate is issued; no one reviews submittal

Or third party:

- ▶ [El Paso Hispanic Chamber of Commerce](#)
- ▶ [National Women Business Owners Corporation](#)
- ▶ [US Women's Chamber of Commerce](#)
- ▶ [Women's Business Enterprise National Council](#)

# Other Certifiers

- ▶ Some state governments (not NH)
- ▶ The U.S. DOT Disadvantaged Business Enterprise (DBE) program (available in NH)

[https://www.nh.gov/dot/org/administrati  
on/ofc/dbe.htm](https://www.nh.gov/dot/org/administrati<br/>on/ofc/dbe.htm)

- ▶ Includes WBE component
- ▶ Often a basis for other states' broader WBE certifications.

# Federal Small Business Goals

- ▶ Small Businesses – 23%

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- ▶ SDB – 5%
- ▶ WOSB – 5%
- ▶ HUBZone – 3%
- ▶ SDVOSB – 3%

Individual federal agency goals may be very different.

In addition to contracting goals, there are subcontracting goals, set-asides and sometimes other benefits to each specific socio-economic status.

# Position your business:

- ▶ Which program(s) are right for you?
- ▶ Are you eligible?
- ▶ How do you apply?
- ▶ How do you make the program work for you?

# The tip of the regulatory iceberg: Federal Acquisition Regulations (FAR)

- ▶ <http://farsite.hill.af.mil/> ~ 2000 pages
- ▶ FAR Chapters contain most of the rules that pertain to procurement
- ▶ FAR clauses insert those rules into your contract
- ▶ You agree to many FAR clauses during SAM registration.
- ▶ Often add many more in each individual contract.

# Federal Acquisition Regulations (part 2)

- ▶ Some Key FAR Parts:
  - ▶ Part 2 - Definitions of Words and Terms
  - ▶ Part 9 - Contractor Qualifications
  - ▶ Part 12 - Acquisition of Commercial Items
  - ▶ Part 13 - Simplified Acquisition Procedures
  - ▶ Part 15 - Contracting by Negotiation
  - ▶ Part 19 - Small Business Programs
  - ▶ Part 33 - Protests, Disputes and Appeals
  - ▶ Part 49 - Termination of Contracts

# Timing:

- ▶ Sometimes, the government can take a long-term view.
  - ▶ Acquisition planning
    - ▶ Development of “requirement”
    - ▶ Accessing funds
    - ▶ Figuring out how to procure
  - ▶ Valuation of products or services
    - ▶ “Total life-span cost”
    - ▶ “Best value”
    - ▶ “LPTA”

# Some Other Sources of Help:

- ▶ SBA NH District Office  
<https://www.sba.gov/offices/district/nh/concord>
- ▶ Center for Women and Enterprise (CWE)  
<http://www.cweonline.org/Default.aspx>
- ▶ Veterans Business Outreach Center (VBOC)  
[www.cweonline.org/vboc](http://www.cweonline.org/vboc)
- ▶ SBDC (Small Business Development Center)  
<https://www.nhsbdc.org/>
- ▶ SCORE  
[www.score.org](http://www.score.org)
- ▶ Manufacturing Extension Partnership (MEP)  
[www.nhmep.org](http://www.nhmep.org)



# NH PTAC will assist:

- ▶ Dealing with red tape – registrations, codes, “alphabet soup” etc.
- ▶ Marketing techniques
- ▶ Identifying bid opportunities and understanding bid requirements
- ▶ Knowing the competition
- ▶ Federal Acquisition Regulations (FAR) – “the rules of the road.”
- ▶ Payment processes

# Shameless Commercial:

- ▶ NH PTAC offers free assistance with all this & more.
- ▶ You must have a physical presence in New Hampshire.
- ▶ You have to sign up online.
- ▶ To continue “active client” status, you have to use us as a resource.

# How do I get started with NH PTAC?

- ▶ Go to the website and answer our questionnaire ([www.nheconomy.com/sell-to-the-government](http://www.nheconomy.com/sell-to-the-government)).
- ▶ Give us a call at (603) 271-7581
- ▶ [govcontracting@livefree.nh.gov](mailto:govcontracting@livefree.nh.gov)
- ▶ Come and visit us in Concord (by appointment)
- ▶ Request a site visit – we'll come to you.