

US ARMY CORPS OF ENGINEERS DREDGING SMALL BUSINESS CONSIDERATIONS

Mr. Jim Bartha
Regional Contracting Chief
South Pacific Division
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US Army Corps
of Engineers®



USACE DIRECTORATE OF CONTRACTING

- **Mission:** Deliver vital public and military engineering services; partnering in peace and war to strengthen our Nation's security, energize the economy and reduce risks from disasters.
- **Vision:** Engineering solutions for our Nation's toughest challenges.
- Ms. Stiglich serves as the USACE Director of Contracting, USACE Head of the Contracting Activity (HCA), and Command Advocate for Competition. Ms. Stiglich has overall responsibility for managing contracting activities within USACE to ensure compliance with applicable statutes and regulations, as well as application of sound business practices.
- Three Senior Contracting Officials (SCOs) Atlanta - Ms. Laura Eichhorn, Dallas - Mr. Denver Heath and Alexandria - Ms. Jacqueline Woodson, provide acquisition execution oversight for the 47 buying offices within USACE.
- South Pacific Division Regional Contracting Chief, responsible for District and enterprise contracting.



USACE DIRECTOR OF CONTRACTING MISSION STATEMENT

Deliver vital public and military engineering services; partnering in peace and war to strengthen our Nation's security, energize the economy and reduce risks from disasters.



USACE SMALL BUSINESS PROGRAM MISSION STATEMENT

Develop the Small Business Program as an integral part of the USACE acquisition program, providing expert advice to execute the USACE mission and ***expand the industrial base of small businesses ready to respond to the nation's day-to-day, infrastructure, contingency, and disaster needs.***



WHY CONSIDER SMALL BUSINESS?



It is the Government's **policy** to provide **maximum** acquisition opportunities to small businesses. It's the **Law**.

The Small Business Act states in part that:

- It is the declared policy of Congress that the Government should aid, counsel, assist, and protect ... the interests of small business concerns
- To insure that a fair proportion of total ... contracts be placed with small business enterprises
- For purposes of maintaining and strengthening the overall economy of the nation



FEDERAL ACQUISITION REGULATION



- Provides policies and procedures for Federal acquisitions
- Implements the acquisition-related sections of the Small Business Act
- Defines Head of the Contracting Activity's (HCA) role
- Requires agencies to conduct Market Research
- Requires agencies to conduct Acquisition Planning
- Requires agencies to use Market Research results to develop an Acquisition Strategy (e.g. Small Business Set-Aside, Full and Open Competition)



RULE OF TWO

FAR PART 19.502-2



The Contracting Officer **SHALL** set aside any acquisition over \$150,000 for small business participation when there is a reasonable expectation that:

(1) Offers will be obtained from at least two responsible small business concerns offering the products of different small business concerns;

And

(2) Award will be made at fair market prices.

Total small business set-asides **shall not** be made unless such a reasonable expectation exists



FAR PART 19.502-6

INSUFFICIENT CAUSES FOR NOT SETTING ASIDE AN ACQUISITION



None of the following is, in itself, sufficient cause for not setting aside an acquisition:

- (a) A large percentage of previous contracts for the required item(s) has been placed with small business concerns.



52.236-1 PERFORMANCE OF WORK BY THE CONTRACTOR



Performance of Work by the Contractor (Apr 1984)

The Contractor shall perform on the site, and with its own organization, work equivalent to at **least** _____ [insert the appropriate number in words followed by numerals in parenthesis] percent of the total amount of work to be performed under the contract. This percentage may be reduced by a supplemental agreement to this contract if, during performing the work, the Contractor requests a reduction and the Contracting Officer determines that the reduction would be to the advantage of the Government.



SET-ASIDE PROCUREMENT



Contracting Officers can use set-asides and sole source contracts to help the federal government meet its small business contracting goals



SET-ASIDES FOR SOCIO-ECONOMIC PROGRAMS CAN BE MADE IF:

- At least two qualified small businesses are likely to submit offers
- The contract can be awarded at a fair market price

SET-ASIDES FOR SOCIO-ECONOMIC PROGRAMS CANNOT BE MADE IF:

- The requirement would be fulfilled through the award of Federal Prison Industries, Inc. or Javits-Wagner-O'Day Act participating non-profit agencies for the blind and severely disabled
- The requirement is currently being performed by an 8(a) participant or the SBA has accepted that requirement for performance under the authority of the Section 8(a) Program
- Sole-source contracts for socio-economic programs can be made in accordance with each program's requirements and procedures



AGENCY CONTRACTING GOALS



- Here's how the process works:
- The SBA negotiates with agencies to establish individual agency goals that, in the aggregate, constitute government-wide goals. In addition, the SBA negotiates a small business subcontracting goal based on recent achievement levels. The SBA establishes the government-wide and agency socio-economic category goals at their statutory levels.
- Before the beginning of the fiscal year, the SBA reviews agency year-to-date performance, and agencies submit their proposed goals to the SBA.
- The SBA's Office of Government Contracting determines if these individual agency goals, in the aggregate, meet or exceed the government-wide statutorily mandated goals in each small business category.
- The SBA notifies the agencies of their final agency goals



SMALL BUSINESS GOALS FY 19- USACE



Overall USACE SB Goals FY 19	Actions	% Actions	Dollars	% Dollars	Goal	Variance
Small Business Eligible	49,557		\$24,598,618,886			
Small Business	30,398	61.34%	\$8,040,514,289	32.69%	40.5%	-7.81%
SDB	14,848	29.96%	\$4,317,091,101	17.55%	19.5%	-1.95%
SDVOSB	3,605	7.27%	\$821,026,652	3.34%	4.5%	-1.16%
Women Owned	7,197	14.52%	\$1,533,440,047	6.23%	6.5%	-0.27%
HubZone	3,458	6.98%	\$1,360,288,651	5.53%	5.0%	0.53%



SMALL BUSINESS GOALS FY 19

SOUTH PACIFIC DIVISION



USACE SPD	Actions	% Actions	Dollars	% Dollars	Goal	Variance
Small Business Eligible	2,448		\$3,776,348,838			
Small Business	1,766	72.14%	\$666,700,214	17.65%	39.40%	-21.75%
SDB	1,261	51.51%	\$419,062,964	11.10%	19.50%	-8.40%
SDVOSB	132	5.39%	\$25,720,889	0.68%	3.53%	-2.85%
Women Owned	487	19.89%	\$124,704,037	3.30%	6.50%	-3.20%
HubZone	238	9.72%	\$84,388,383	2.23%	8.70%	-6.47%



SMALL BUSINESS GOALS FY 19

NORTHWEST DIVISION



USACE-NWD	Actions	% Actions	Dollars	% Dollars	Goal	Variance
Small Business Eligible	6,289		\$2,749,301,701			
Small Business	4,453	70.81%	\$1,227,065,341	44.63%	55.00%	-10.37%
SDB	1,905	30.29%	\$586,556,844	21.33%	28.00%	-6.67%
SDVOSB	631	10.03%	\$206,527,380	7.51%	9.00%	-1.49%
Women Owned	937	14.90%	\$151,668,422	5.52%	8.50%	-2.98%
HubZone	322	5.12%	\$98,205,041	3.57%	6.50%	-2.93%



CONTACT INFORMATION



Mr. Jim Bartha
CECT-SPD
450 Golden Gate Ave.
San Francisco, CA 94102
(415) 503-6548
Jim.Bartha@usace.army.mil

Thank you