



FIRST CALL

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Get Ready for VETS 16!

A message from NVSBC Executive Director, Scott Denniston



We are now on the countdown to VETS 16. Speakers and topics have been confirmed, exhibit hall and one-on-ones are filling up, and Champions of Veteran Enterprise and Gordon Mansfield awards are being selected.

This year we will also recognize 46 government agencies and prime contractors for exceeding the goals for contract awards to VOSBs and SDVOSBs. VETS 16 gives you the opportunity to meet and learn from over 50 organizations committed to doing business with VETS 16 attendees. You will also meet many terrific veteran business owners who are looking to help fellow veterans be successful.

As you know, we have a national election in November which could very well change the direction of our government no matter which candidate/party wins. Many of us have been very

frustrated over the past few years due to the government's preference for lowest possible price, whether specifically stated or not. We have also seen an increase in agencies using poor acquisition/business processes. Examples include where opportunities are cancelled months after proposal due dates, multiple amendments requiring multiple proposals, and inordinate time between proposal due dates and contract awards. These examples and others are costly for VOSBs and SDVOSBs. We need to "educate" both parties on how poor contracting methodologies are not good for the government, VOSBs/SDVOSBs, and taxpayers. If you have examples of poor contracting practices and are willing to share please send them to me! We need to help our leaders improve the government's acquisition process.

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NVSBC's purpose is to transition veterans into business owners servicing the federal government.

Check Out Our Website!

For info on the upcoming VETS 16 conference in Norfolk, VA (June 20th through 23rd), visit:
<http://www.veterantrainingsymposium.com>
 . Register soon and reserve your spot at the lovely (and cost-effective) Waterside Marriott! (pictured above).

NVSBC D.C. Chapter Update

The D.C. Chapter monthly dinner meeting on 11 May featured an outstanding presentation by Mr. David Blackburn, Founder & CEO of G2X Health, the leading online community platform developed exclusively for the Federal Health IT executive.

David's presentation, entitled "Small Business Strategies for Growing Federal Health IT Business," provided invaluable insights on trends in Federal health IT marketplace and techniques for research and sales success with agencies including HHS, VA, CMS, and DHA. David provided a detailed review of the preferred contract vehicles used by these agencies and methods to research acquisition history using publicly available, open source tools including the Federal Procurement Data System (FPDS.gov)

Our audience of over 95 members and soon-to-be-members gained invaluable insights from David's presentation. If you would like a copy of David's presentation, please email Scott Semple at scott.semple@NVSBC.org.

Katie Bilek and Stephanie Alexander, Vice Presidents of the D.C. Metro Chapter Match Making program, provided updates on the latest matches made with large primes and the schedule for upcoming MM activities including events with Boeing, GDIT, Harris, Raytheon, L3 and Northrop Grumman. The D.C. Metro MM program delivers REAL business opportunities for its members.

D.C Chapter Board of Directors Member Judy Brant, VP Training & Education, provided a review of the recent survey of Boot Camp programs and previewed the outstanding programs to be presented during the fall '16 – spring '17 season of programs. Boot Camp programs are offered each month at 4-5PM prior to the dinner meeting.

The D.C. NVSBC Chapter meets monthly on the 2nd Wednesday of each month from September through June at the Key Bridge Marriot in Arlington, VA. If you would like your email added to monthly emails and invitations, please send an email to Aimee Lanik at aimee.lanik@nvsbc.org.

VetBiz Reverification: Give Yourself Plenty of Time

For those of you going through reverification in the VA's VetBiz registry, it's important to be prepared. Especially with increased delays in wait times, here are some quick tips for applying for reverification:



- Start the process at least 90 days ahead of time to make sure there is no lapse in your firm's verified status.
- Check to make sure all the information in your 0877 is correct. If it isn't, you'll need to call the CVE help desk (you can't do this manually) to update your information.
- Go through every section of your portal and make sure it has an updated document, when needed. Examples of needed updated documents include: licenses, payroll information, business lease, business owner taxes, business taxes.
- For those sections where an updated document doesn't apply (i.e., resumes, meeting minutes if you're a solo owner), draft a simple Letter of Explanation.
- Label documents with Section numbers (i.e., Section 2.6).
- Respond promptly to emails!

SBA OHA: “Update Your Paperwork!”

On April 18, 2016 the SBA OHA denied an appeal by a joint venture that was disqualified from competing in a small business set-aside, finding that the companies’ SBA-approved mentor-protégé agreement had expired at time of their bid. *SIZ Appeal of: Wiss Joint Venture*, SIZ-5729 (2016).

In this case, the mentor-protégé agreement at issue was in effect for one year beginning in 2009 and was renewed in subsequent years, but neither Appellant nor SBA’s Illinois District Office could “provide any evidence that SBA issued any approval for August 2014 – August 2015,” the time period during which the Appellant submitted its proposal. On these facts, OHA found that the joint venture could not avail itself of the mentor-protégé exception to affiliation under 13 C.F.R.

§121.103(h)(3)(iii), because the SBA-approved mentor-protégé agreement was not in place as of the date to determine size (*i.e.*, the date of proposal submission).

This case illustrates a simple rule: have all your ducks in a row before submitting an offer for a set-aside:

- If you’re in a joint venture, make sure your joint venture agreement is valid (executed, contains all mandatory provisions).
- If a mentor-protégé agreement applies, make sure it’s current!
- If the procurement is for a VA set-aside, make sure you’re in the VetBiz registry.
- If the procurement is a non-VA-set-aside, make sure your SAM.gov registration contains all necessary self-certifications!

SBA 8(a) Participation Down 34% Since 2010

According to a recent SBA Office of Inspector General report (the “Report”), participation in the SBA’s 8(a) Program has declined from about 7,000 firms in 2010 to only around 4,500 firms as of April 2016 - a steep drop of about 34% in only six years.

As many know, the 8(a) Program is generally known as one of the more “popular” certification programs due to its unique advantages. So, why the decrease in popularity?

Chalk it up to administrative burdens. In responding to the Report, the SBA has noted that of the 2,000 applicants that apply each year, the SBA historically rejects most applications as incomplete. And in the end? Only 25% of applicants get certified.

VA Awards 10 Spots on \$22B IT Contract to SDVOSBs

This month, the Department of Veterans Affairs announced 21 awards on its massive Transformation Twenty-One Total Technology Next Generation (T4NG) contract for IT infrastructure, operations and cybersecurity services.



The \$22.3 billion contract vehicle is mainly designed to facilitate the MyVA transformation, a set of policies and programs intended to leverage technology to provide better services to veterans seeking VA care.

“This T4NG award is one of the many ways the department is supporting the MyVA breakthrough initiatives by directly providing the technology that our veterans need to support the services they receive from VA,” said Secretary Robert McDonald. “The T4NG will help meet and strengthen VA’s long-term technology needs.”

The vehicle has a five-year base period with an additional five-year add-on option.

Of the 21 awardees, 10 are service-disabled veteran-owned small businesses (SDVOSB), two are small businesses, and nine are large businesses.

Rule Proposes to Institute \$350 GAO Bid Protest Fee

A Proposed Rule published by the Government Accountability Office ("GAO") in the Federal Register on April 15 contains one provision that affects all federal contractors:

The GAO might institute a \$350 fee to file a bid protest.

In the Proposed Rule, the GAO anticipates that it will establish an electronic system known as the Electronic Protest Docketing System, or EPDS. The EPDS will be the sole means for filing a bid protest at GAO, and will enable parties to a bid protest and the GAO to file and receive documents. Protesters will have to pay a filing fee, which is anticipated at \$350, and is based on "actual costs the GAO has incurred to develop [the EPDS], estimates of future costs," and so on.

We all know that being a federal government contractor comes with additional costs not encountered in the private sphere - costs due to delays and extra work required, costs when a contract is terminated for convenience, costs to hire a professional to comply with federal laws and regulations. . .

These costs are somewhat offset by "perks" - free services available to contractors such as registration in federal databases including SAM.gov and VetBiz, and access to certain resources.

Perhaps the biggest "perk" is the right to file a bid protest contesting improper award of a federal contract or defects in a

solicitation. After all, a great deal of work goes into preparing a proposal for a contract opportunity, and such awards impact a business' profit margins (or even livelihood). The venue of choice for contractors is often the GAO, which, right now, does not charge to file a bid protest.

There are both benefits and drawbacks to this rule. As to benefits, this would defray the costs of the GAO's operation, as well as deter frivolous protests. Costs include the fact that a \$350 fee (which is high) might deter meritorious protests, and it also forces protesters to (literally) pay for the government's mistakes. If the government has improperly issued an award or has released a defective solicitation, why should a protestor bear the cost?

The Proposed Rule was issued on April 15, 2016, with comments required to be submitted by May 16, 2016. Despite the short time frame, it's likely that many contractors chimed in given the Proposed Rule's impact.

The complete Proposed Rule may be accessed [here](#).



FIRST CALL

The NVSBC is pleased to offer "First Call" to its members. In our active duty careers, "first call" was the notice to get up and get moving to usher in a new day. We will provide you with all the important information you need to get up and moving to success in the federal marketplace. This publication is prepared with the help of veteran advocate and attorney, Sarah Schauerte. Access her company website and blog at: <http://www.legalmeetspractical.com>.



Ideas?

If you have ideas for future content for First Call, or how to maximize the benefit NVSBC offers to its members, we always welcome input. Please contact Scott Dennison with your comments at: scott.denniston@nvsbc.org.