

Women-Owned Small Business (WOSB) Federal Contract Program

www.sba.gov/wosb



Presented by:
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Office of Government Contracting



Topics Covered

- WOSB Program Overview
- Pre-Solicitation
- Pre-Award
- [Certify.SBA.gov](https://certify.sba.gov)



Overview of the WOSB Federal Contract Program

- The WOSB Federal Contract Program allows Contracting Officers (COs) to ***set aside contracts*** for WOSBs including EDWOSBs in eligible NAICS
- As of December 2015, it also allows COs to make ***sole source awards*** to WOSBs (including EDWOSBs) under specific circumstances
- SBA implements and administers the WOSB Program. SBA regulations provide the framework with SBA procedures incorporated in FAR.



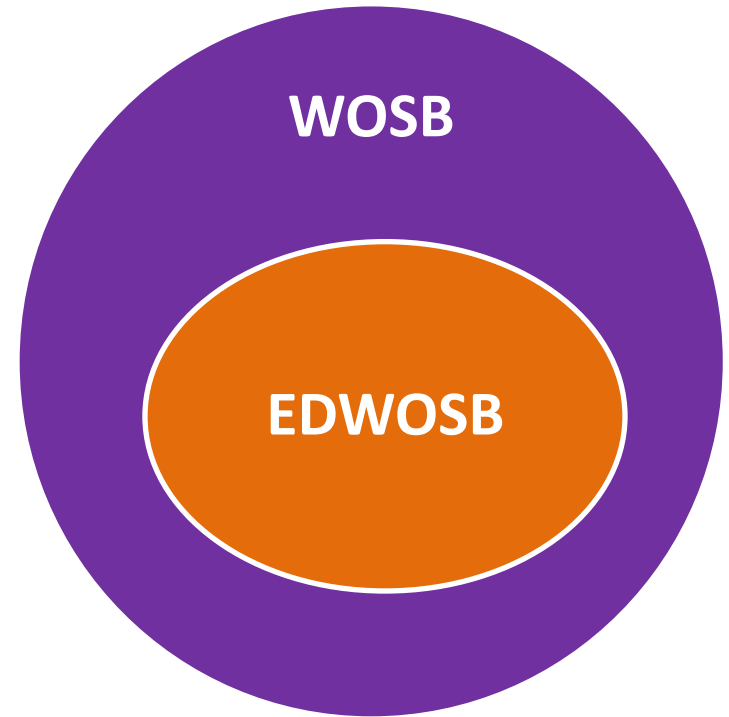
History of the WOSB Federal Contract Program

Time	Event
December 2000	Public Law 106-554 establishes a women's procurement program to assist the government in meeting its 5% women-owned small business (WOSB) contracting goal.
April 2011	New Federal Acquisitions Regulation (FAR) implements WOSB Program. Eligible industries limited to 83 based on the RAND report – 45 industries for WOSBs and 38 industries for EDWOSBs.
December 2014	NDAA 2015 provides sole source authority to the program, ended self-certification option Certification process currently under review.
December 2015	Sole Source process implemented by new FAR.
March 2016	Eligible Industries revised and expanded to 113 based on the new Department of Commerce Study. 36 new industries added to Program, 6 industries removed from Program, and 27 industries had designation changed (between WOSB and EDWOSB).

WOSB and EDWOSB

- WOSB: Women-Owned Small Business
- EDWOSB: Economically Disadvantaged Women-Owned Small Business; WOSBs whose owner and/or manager claims economic disadvantage

EDWOSB is a subset of WOSB. As such, if you qualify as an EDWOSB, you automatically qualify as a WOSB.

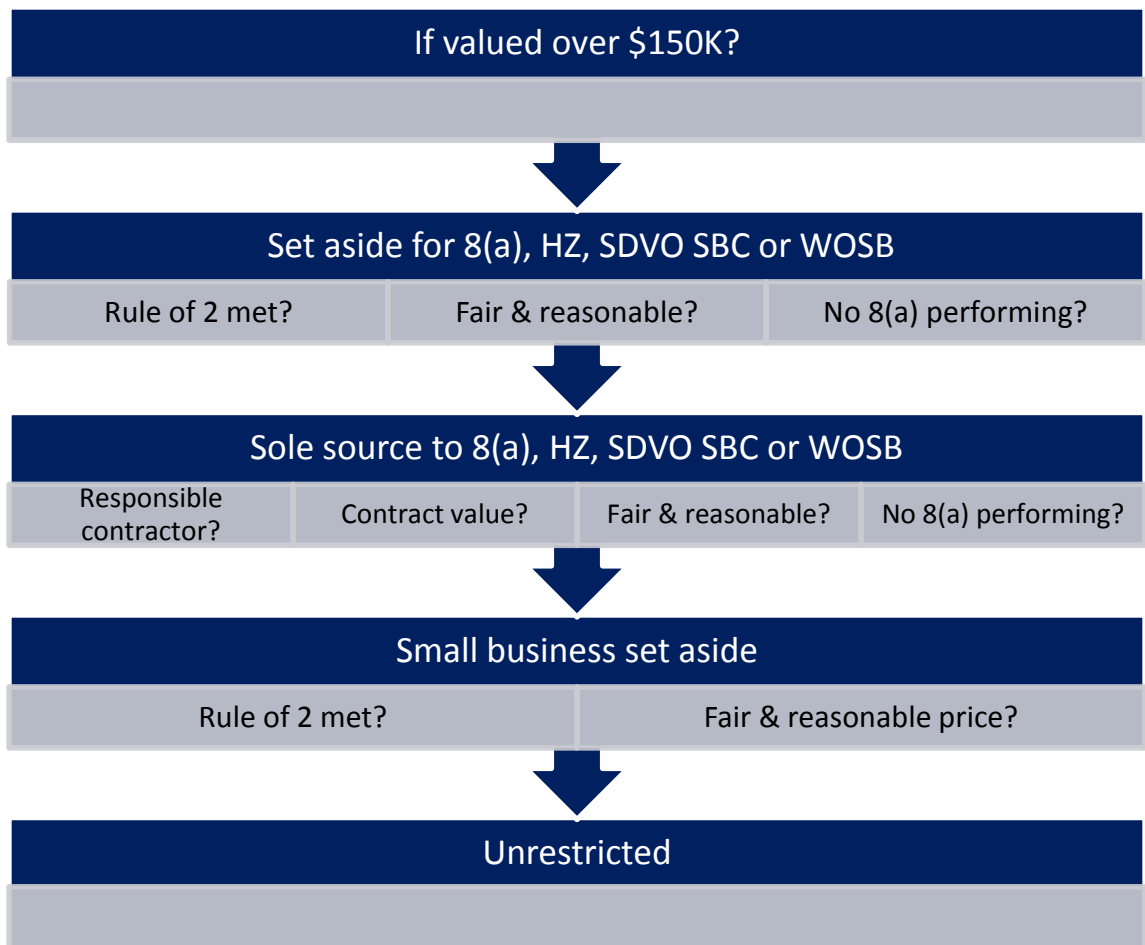




May an EDWOSB submit an offer on a set aside for WOSBs?

PRE-SOLICITATION

Set Aside Considerations



Consider

- **Market research**
- **Historical data**
- **SB goal accomplishment**



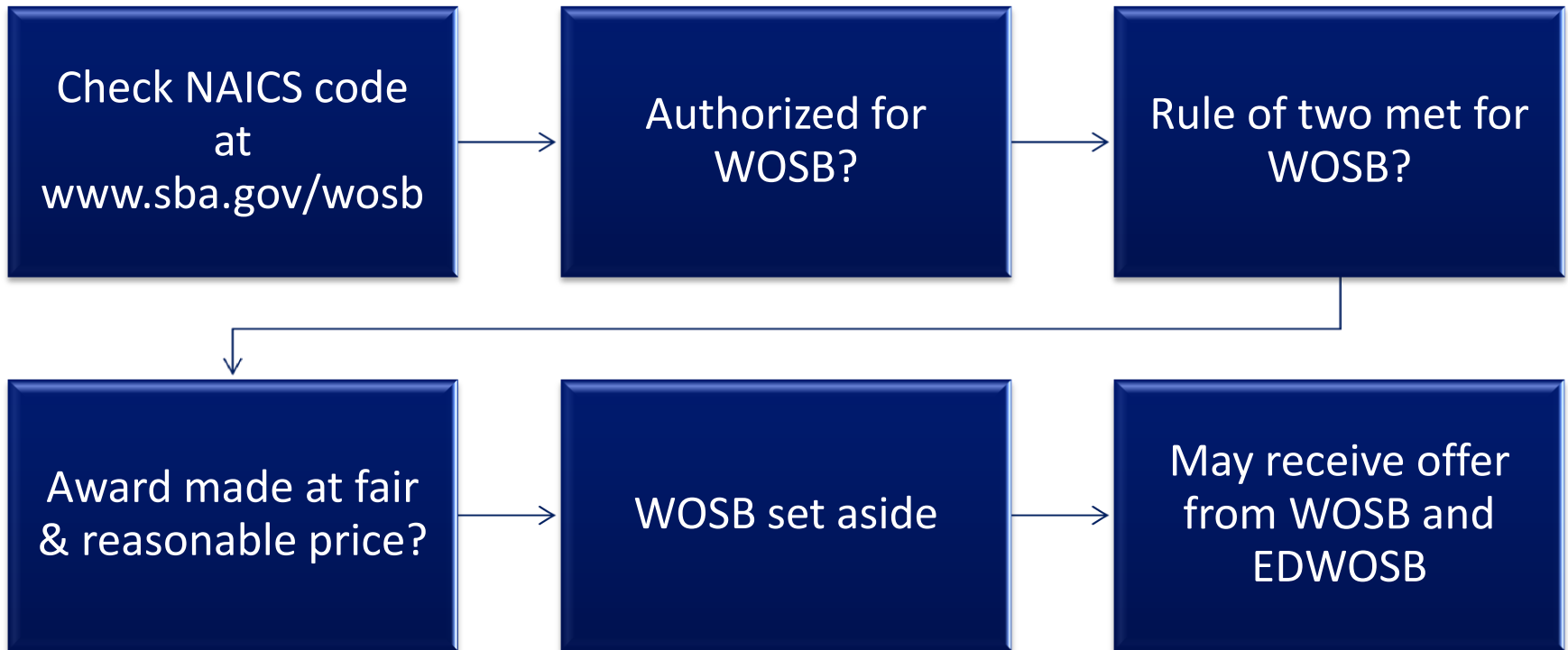
Important WOSB Considerations

- Not all NAICS codes are available for WOSB procurements. Separate NAICS codes are authorized for WOSB and EDWOSB. If interested in WOSB or EDWOSB set-asides, determine whether NAICS code is eligible under WOSB Program at www.sba.gov/wosb.
- 365 NAICS codes are available for WOSB.
- 80 NAICS codes are authorized for EDWOSB.
- If market research indicates one WOSB and multiple SBs, you must consider a WOSB sole source award before SB set-asides. FAR 19.1505(a) & 19.1506(a).

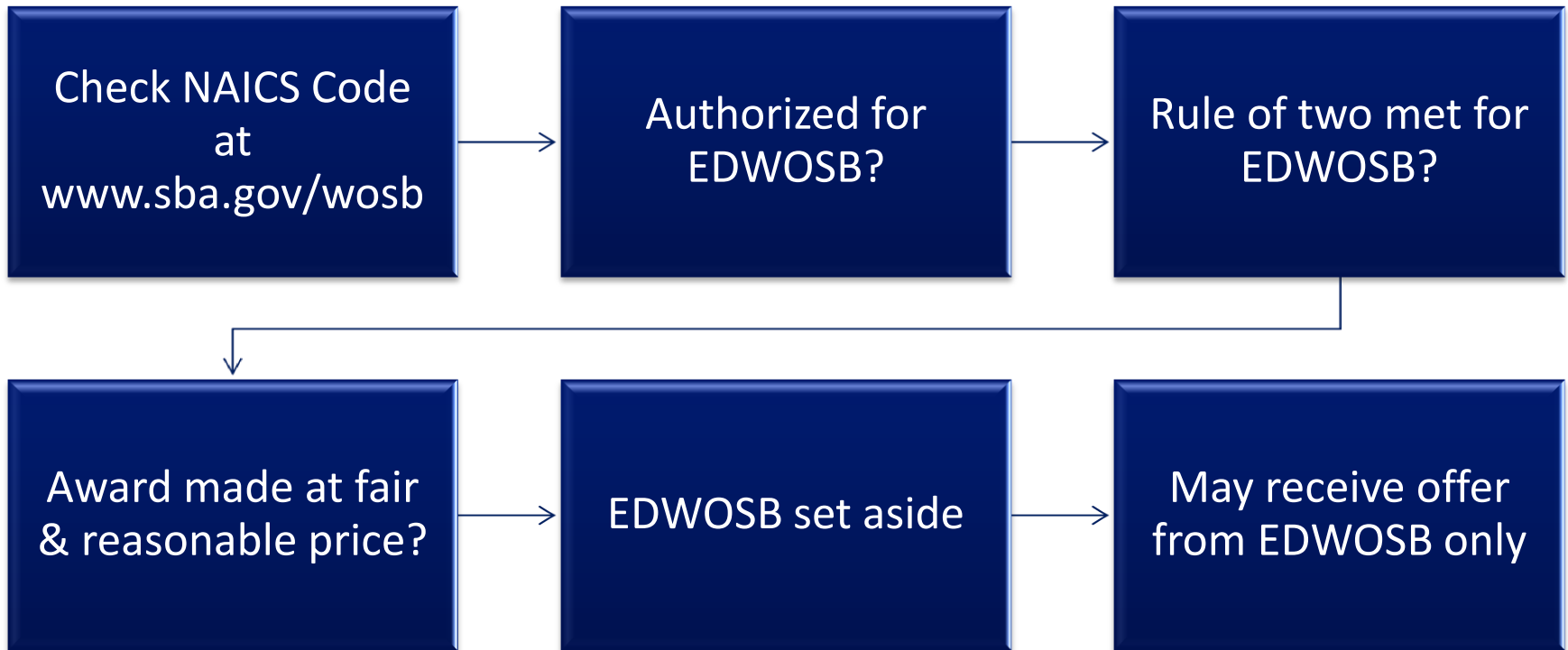
Important WOSB Considerations

- Recommend including in solicitation the following:
 - " Pursuant to FAR 19.1503(b)(3), offerors must have all required WOSB eligibility documents in the WOSB Program Repository currently available at Certify.SBA.gov, at the time of their initial offer on the instant procurement. The list of required documents is provided in FAR 19.1503(c).
 - If the apparent successful offeror does not have all documents in the WOSB Program Repository currently available at Certify.SBA.gov, it will be referred to the U.S. Small Business Administration (SBA) for a WOSB status protest. Offerors that need assistance in submitting the documents to the WOSB Program Repository are advised to contact the SBA Office of Government Contracting at wosb@sba.gov."

WOSB Set-Aside



EDWOSB Set-Aside



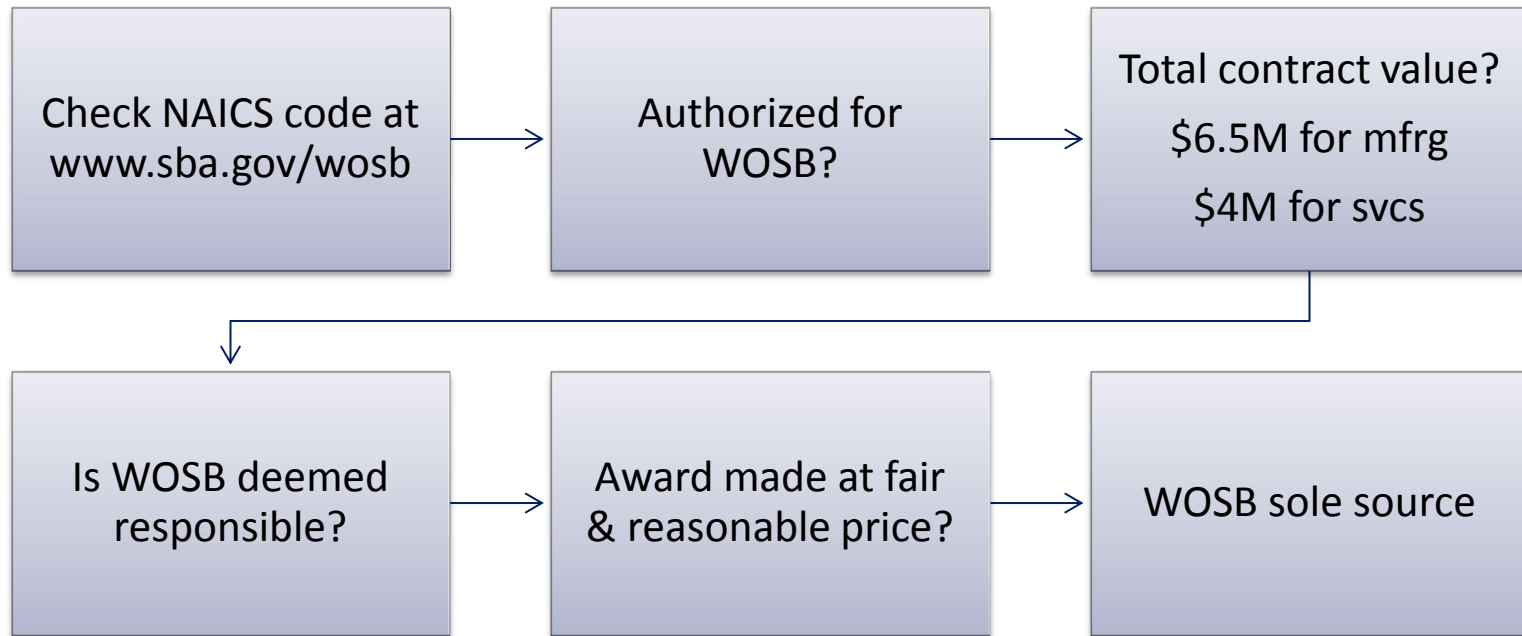


If NAICS code is authorized for WOSB, can the CO solicit a response from EDWOSB?



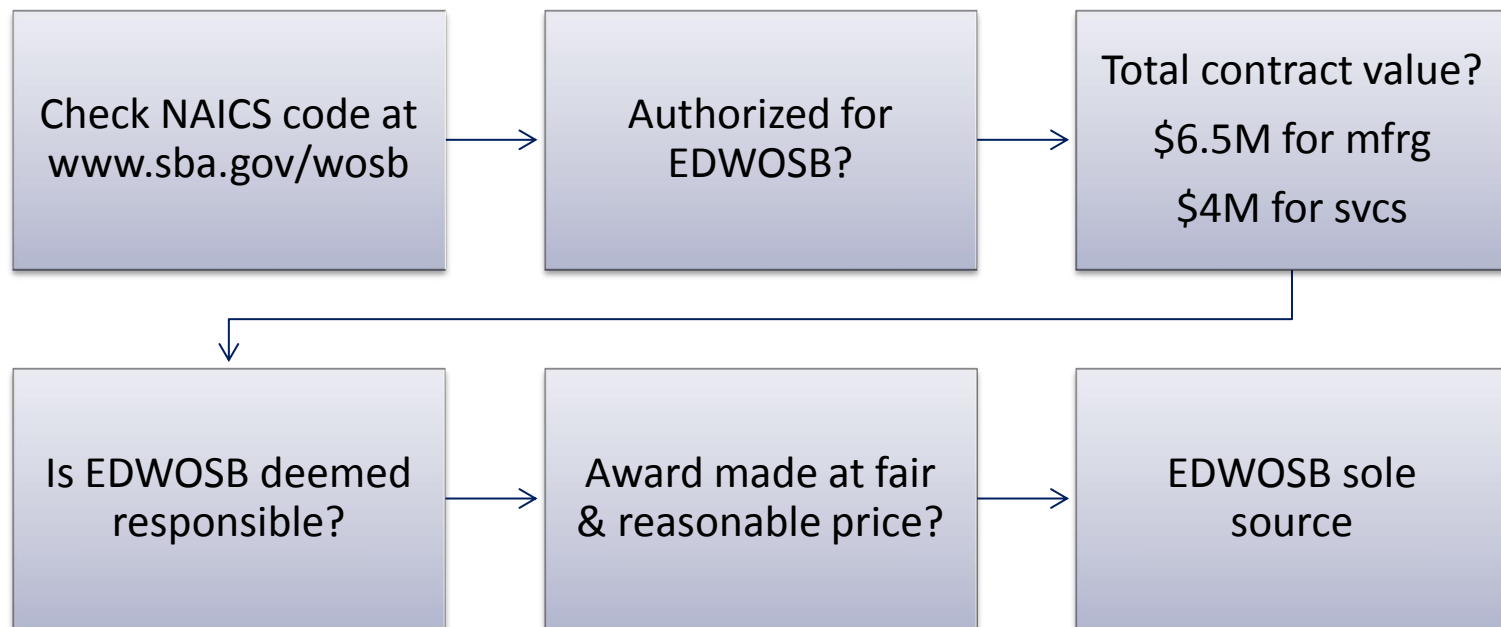
If the NAICS code is authorized for WOSB, can the CO set procurement aside for EDWOSB?

WOSB Sole Source



WOSB Program is NOT a business development program. As such, there is no statutory authority to make a direct award. Agencies are required to prepare and approve J&A.

EDWOSB Sole Source



WOSB Program is NOT a business development program. As such, there is no statutory authority to make a direct award. Agencies are required to prepare and approve J&A.



I have a solicitation calling for the contractor to handle reorganization and delegation requests. NAICS Code 561410 – Document Preparation Services is assigned to the requirement. Market research results indicate that the rule of two can be met for WOSB set-asides. Can I do a set aside for WOSB?

541000	All Other Professional, Scientific, and Technical Services	WOSB
561110	Office Administrative Services	EDWOSB
561210	Facilities Support Services	WOSB
561410	Document Preparation Services	EDWOSB
561421	Telephone Answering Services	EDWOSB
561422	Telemarketing Bureaus and Other Contact Centers	EDWOSB
561431	Private Mail Centers	EDWOSB
561439	Other Business Service Centers (including Copy Shops)	EDWOSB
561440	Collection Agencies	EDWOSB
561450	Credit Bureaus	EDWOSB
561491	Repossession Services	EDWOSB



Q: Our agency has a need for temporary help services. 561320 – Temporary Help Services was assigned to the procurement. Market research results indicate that the rule of two will be met for WOSB and SDVO SBC set-asides. Can I do a set aside for WOSB?

561110	Office Administrative Services	EDWOSB
561210	Facilities Support Services	WOSB
561410	Document Preparation Services	EDWOSB
561421	Telephone Answering Services	EDWOSB



I have a requirement to obtain data concerning newly constructed and/or converted multifamily residential addresses. NAICS Code 511210 - Software Publishers is assigned to the procurement. Can I do a set aside for WOSB?

511130	Book Publishers	WOSB
511140	Directory and Mailing List Publishers	WOSB
511191	Greeting Card Publishers	WOSB
511199	All Other Publishers	WOSB
511210	Software Publishers	WOSB
512110	Motion Picture and Video Production	WOSB
512120	Motion Picture and Video Distribution	WOSB
512131	Motion Picture Theaters (except Drive-Ins)	WOSB



Q: I have a requirement to procure on-site ergonomics consultation and workstation evaluations. NAICS Code 541420 is assigned to a procurement with a total value of \$5 million. Market research indicates that there is one EDWOSB that can meet the requirement. I have written J&A. Can I do a sole source to the EDWOSB?

541370	Surveying and Mapping (except Geophysical) Services	WOSB
541380	Testing Laboratories	WOSB
541410	Interior Design Services	EDWOSB
541420	Industrial Design Services	EDWOSB
541430	Graphic Design Services	EDWOSB
541490	Other Specialized Design Services	EDWOSB
541511	Custom Computer Programming Services	WOSB



Eligibility Requirements for Joint Ventures

*A WOSB/EDWOSB may submit an offer as a **joint venture** with another small business if the following requirements are met*

- Size: each concern is small under applicable size standard unless an SBA-approved MP JV;
- EDWOSB/WOSB must manage the joint venture;
- EDWOSB/WOSB employee must be project manager responsible for contract performance;
- EDWOSB/WOSB must own 51% of the JV;
- EDWOSB/WOSB must receive JV profits commensurate with work performed (at least 40%);
- Must have a special bank account in JV's name;
- Itemize all major equipment and facilities furnished by each party;
- Specify the responsibilities of the parties;
- Obligate all parties to ensure performance on the contract;
- Original records must be retained by the EDWOSB/WOSB managing venturer;
- Quarterly financial statements and final profit and loss statement must be submitted to SBA

Note: JV agreement must be submitted to CO.

SBA does not approve JV agreement but will adjudicate any protests!

PRE-AWARD

- Check SAM to make sure that the apparent successful offeror represented it as a WOSB (or EDWOSB) eligible under the WOSB Program.
- If a set-aside and only one acceptable offer from WOSB (including EDWOSB), CO may make award. FAR 19.1505(d).
- It is CO's responsibility to check whether apparent successful offeror filed all the required docs to the WOSB Repository. FAR 19.1505(e) & 19.1503(b).



SAM Representation

FAR 52.219-1

Q: If a business represented as a WOSB in SAM, is it eligible for award under the WOSB Program?

A: No, not necessarily. There are three types of WOSBs – 1) a WOSB, 2) a WOSB eligible under the WOSB Program, and 3) an EDWOSB eligible under the WOSB Program. 2) and 3) must provide eligibility documents to the WOSB Repository but 1) does not have to.

CONTROL SERVICES				
561720	JANITORIAL SERVICES		\$18,000,000.00	Y
561730	LANDSCAPING SERVICES		\$7,500,000.00	N

[VIEW MORE](#)

- (1)** The offeror represents as part of its offer that it is, is not a small business concern.
- (2) [Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents, that it is is not, a small disadvantaged business concern as defined in 13 CFR 124.1002.
- (3)**[Complete only if the offeror represented itself as a small business concern in paragraph (c)(1) of this provision.] The offeror represents as part of its offer that it is is not, a women-owned small business concern. (See Below)
- (4)** Women-owned small business (WOSB) concern eligible under the WOSB Program. [Complete only if the offeror represented itself as a women-owned small business concern in paragraph (c)(3) of this provision.] The offeror represents as part of its offer that-
- (i) It is is not, a WOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and
- (ii) It is is not, a joint venture that complies with the requirements of 13 CFR part 127, and the representation in paragraph (c)(4)(i) of this provision is accurate for each WOSB concern eligible under the WOSB Program participating in the joint venture. [The offeror shall enter the name or names of the WOSB concern eligible under the WOSB Program and other small businesses that are participating in the joint venture:] Each WOSB concern participating in the joint venture shall submit a separate signed copy of the WOSB representation.
- (5)** Economically disadvantaged women-owned small business (EDWOSB) concern. [Complete only if the offeror represented itself as a women-owned small business concern eligible under the WOSB Program in (c)(4) of this provision.] The offeror represents as part of its offer that-
- (i) It is is not, an EDWOSB concern eligible under the WOSB Program, has provided all the required documents to the WOSB Repository, and no change in circumstances or adverse decisions have been issued that affects its eligibility; and
- (ii) It is is not, a joint venture that complies with the requirements of 13 CFR part 127, and the



Complying with FAR 19.1505(e)

WOSB Program Repository is currently housed at certify.sba.gov.

Do not look for completed SBA Forms 2413 (WOSB), 2414 (EDWOSB) or 413 (Personal Financial Statement). The forms are completed online at certify.sba.gov. Businesses are required to add supporting documents to the question when prompted.

When CO's request for access is granted, he/she would see a completed WOSB or EDWOSB certification questionnaire and associated documents on one page.

If any questions on eligibility arise, please file a status protest with SBA. You may not determine whether apparent successful offeror failed to submit all the required documents.

Ways to Qualify as WOSB or EDWOSB

Self Certification with Supporting Docs

- Register in SAM
- Compile and provide documents to WOSB Repository
- Represent status as WOSB or EDWOSB in SAM

Third-Party Certification with Supporting Docs

- Register in SAM
- Obtain certification from SBA-approved TPC
- Provide TPC certification to WOSB Repository
- Represent status as WOSB or EDWOSB in SAM

8(a) Certification with Supporting Docs

- Register in SAM
- Obtain 8(a) certification from SBA
- Provide 8(a) certification to WOSB Repository
- Represent status as WOSB or EDWOSB in SAM



Self-Certified – Documents (WOSB)

Corporation	LLC	Partnership	Sole Proprietorship
Birth certificate, naturalization paper or unexpired passport of woman owner			
WOSB Program Certification (Completed online – equivalent to SBA Form 2413)			
Articles of incorporation	Articles of organization	Partnership agreement	DBA name certificate
By-laws	Operating agreement		
Stock certificates			
Stock ledger			
Voting agreements, if any			
DBA name certificate, if applicable			
Joint venture agreement, if applicable			



Self-Certified – Documents (EDWOSB)

Corporation	LLC	Partnership	Sole Proprietorship
Birth certificate, naturalization paper or unexpired passport of woman owner			
EDWOSB Program Certification (Completed online – equivalent to SBA Form 2414)			
Personal financial statement (Completed online – equivalent to SBA Form 413)			
Articles of incorporation	Articles of organization	Partnership agreement	DBA name certificate
By-laws	Operating agreement		
Stock certificates			
Stock ledger			
Voting agreements, if any			
DBA name certificate, if applicable			
Joint venture agreement, if applicable			



Third-Party Certified - Documents

Corporation	LLC	Partnership	Sole Proprietorship
WOSB or EDWOSB Program Certification (Completed online in Certify.SBA.gov)			
Current TPC Certification			

SBA accepts WOSB or EDWOSB certifications only from the following four entities:

- El Paso Hispanic Chamber of Commerce
- National Women Business Owners Corporation
- US Women's Chamber of Commerce
- Women's Business Enterprise National Council: WOSB only

No USDOT DBE or State certifications are accepted.



8(a) Certified - Documents

Corporation	LLC	Partnership	Sole Proprietorship
EDWOSB Program Certification (Completed online in Certify.SBA.gov)			
Initial 8(a) Approval Letter			
Most Recent Annual Review Letter from SBA			

Certifications of eligibility in the 8(a) BD Program also satisfy eligibility requirements for the WOSB Program and need no further clarifications.

Reviews and Protests

SBA is committed to ensuring only eligible WOSBs benefit from the WOSB Federal Contract Program. The following tools ensure compliance with Program requirements:

Eligibility Examinations

- SBA may investigate the accuracy of any certification or representation made
- SBA will conduct regular reviews of firms who have self-certified and obtained third party certification
- A review will involve evaluation of documents uploaded in the repository and SBA may request additional documents and perform a site visit

Protests

- SBA may investigate the accuracy of any certification or representation made as it relates to a specific WOSB/EDWOSB contract
- Only an interested party, SBA or a contracting officer may submit a protest
- A protest must be submitted to the contracting officer within certain timeframes
 - Can only protest the ownership, control and economic disadvantage requirements
 - Size protests are handled under 13 C.F.R. part 121
- SBA reviews each protest and makes a final decision, which may be appealed to the Office of Hearings and Appeals

Any WOSB/EDWOSB found to be ineligible *must remove* designation in SAM; CO *shall not award* the contract

CERTIFY.SBA.GOV

- Use the link for Federal government employees on the Certify Home page
- You must have a MAX.gov account. If you do not have one, visit MAX.gov and follow the instructions for creating an account and linking your PIV/CAC card.
- You must request account access and contractor must approve your request.

certify.SBA.gov

Home Prepare Am I eligible? Help Login



Welcome to certify.SBA.gov

The U.S. Small Business Administration (SBA) is working to streamline the application process for federal contracting programs. You can now upload eligibility documentation for the WOSB and All Small Business Set-Asides online from our easy-to-use dashboard. **Get started**

Log in or
registration for
Government
employees.

Login

Or

Get started

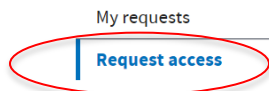
[Federal government employees:
Login or create an account](#)

New Features

Upcoming Activities

Steps to Request Access WOSB Records

1. Click on [Request Access](#) link on the left navigation bar.



Request access to view records

Use this form to request access to a small business's WOSB or EDWOSB eligibility documentation. Once complete, the form will send an email to the small business that asks them to log in to [certify.sba.gov](#) and approve or reject your request for access. You must provide the following information to request access:

- DUNS number
- Solicitation number
- Solicitation NAICS
- Procurement type

Start by searching for a small business by DUNS number to verify eligibility within SBA's [certify.sba.gov](#) system.

Search for a business

DUNS number

Steps to Request Access WOSB Records

2. Search for a WOSB firm by entering a DUNS number in the text box and click the *Search* button.

The screenshot shows the 'certify.sba.gov' website interface. At the top, there is a navigation bar with 'Requests', 'Help', and 'Logout' links. Below this, a sidebar on the left contains 'My requests' and 'Request access'. The main content area is titled 'Request access to view records' and includes a paragraph explaining the process: 'Use this form to request access to a small business's WOSB or EDWOSB eligibility documentation. Once complete, the form will send an email to the small business that asks them to log in to certify.sba.gov and approve or reject your request for access. You must provide the following information to request access:'. A bulleted list follows: '• DUNS number', '• Solicitation number', '• Solicitation NAICS', and '• Procurement type'. Below the list, it says 'Start by searching for a small business by DUNS number to verify eligibility within SBA's certify.sba.gov system.' Underneath, there is a section titled 'Search for a business' with a form containing a 'DUNS number' label, an empty text input field, and a blue 'Search' button. A red oval highlights the input field and the search button. At the bottom left, there is a 'Return to top' link.

If vendor has not completed self-certification, you will see a message “the vendor has not completed registrations.”

Steps to Request Access WOSB Records

3. Complete the request form by entering the *Solicitation number* and *NAICS* fields, and select the *Type of procurement* box
 - a. Read the authorization text
 - b. Click the *I accept* box
 - c. Click the *Request Access* button

Complete your request

Please enter the Solicitation number, Solicitation NAICS, and procurement type below.

Solicitation number

Solicitation NAICS

Type of procurement:

WOSB set-aside
 EDWOSB set-aside
 WOSB sole source
 EDWOSB sole source

I Montana Nguni certify that I am a Federal Contracting Officer or Specialist and am authorized by Small Business Administration to validate Women-Owned Small Business (WOSB) eligibility in order to award contracts to women-owned small businesses. I understand that the data that I am requesting contains Personal Identifiable Information (PII) and must be protected in accordance with [OMB Memorandum M-07-16 Safeguarding Against and Responding to the Breach of Personally Identifiable Information](#).

I accept

Request Access

Steps to Review WOSB Records

1. Log in to [certify.SBA.gov](https://certify.sba.gov)
2. Click the *My Requests* link on the left navigation bar

My requests

Request access

My requests

Review vendor certifications

Solicitation #	DUNS #	Vendor	Status	Request expires	Access expires ▲	View
765345243	275276652	Entity 37 Legal Business Name	Accepted	08/05/2016	10/27/2016	WOSB, EDWOSB
2345678	245652494	Entity 70 Legal Business Name	Accepted	08/05/2016	10/27/2016	WOSB, EDWOSB
3456765	245652494	Entity 70 Legal Business Name	Accepted	08/08/2016	10/30/2016	WOSB, EDWOSB
6545432	245652494	Entity 70 Legal Business Name	Requested	08/09/2016		

[Return to top](#)

Your experience is important to us. Please email us at certify@sba.gov with comments or suggestions.

If vendor has not completed self-certification, the View column will be blank.

Steps to Review WOSB Records

3. In the View column, select which certification you would like to see using the *WOSB* or *EDWOSB* links.

My requests

Request access

My requests

Review vendor certifications

Solicitation #	DUNS #	Vendor	Status	Request expires	Access expires ▲	View
765345243	275276652	Entity 37 Legal Business Name	Accepted	08/05/2016	10/27/2016	WOSB, EDWOSB
2345678	245652494	Entity 70 Legal Business Name	Accepted	08/05/2016	10/27/2016	WOSB, EDWOSB
3456765	245652494	Entity 70 Legal Business Name	Accepted	08/08/2016	10/30/2016	WOSB, EDWOSB
6545432	245652494	Entity 70 Legal Business Name	Requested	08/09/2016		

[Return to top](#)

Your experience is important to us. Please email us at certify@sba.gov with comments or suggestions.

Steps to Review WOSB Records

4. Review the self-certification summary

5. To view the supporting documents, click on the *file name* link

LLC

Do the Articles of Organization, Operating Agreements and any amendments show that at least 51% of each class of member interest is unconditionally and directly owned by the qualifying individual(s)?

Response: Yes

Attachments:

File Name	Document Type	Upload Date
SOS2012_2016.pdf	Amendments to the Articles of Organization	04/04/2016
SOSAofOAlta.pdf	Articles of incorporation	04/04/2016

Do the Articles of Organization and any amendments or Operating Agreement and any amendments show that the qualifying individual(s) serve as management members, with control over all decisions of the limited liability company?

Response: Yes

Attachments:

File Name	Document Type	Upload Date
Alta PA2 07_30_13 Signed.pdf	Miscellaneous	04/04/2016



Contact US

Visit the SBA's website: www.sba.gov/wosb

- ▶ For questions on the WOSB program, email wosb@sba.gov
- ▶ For technical questions on the WOSB Program Repository, please email certify@sba.gov