



U.S. Small Business
Administration

Women-Owned Small Business (WOSB) Federal Contract Program

Presented by;
Amy Kim, WOSB Program Manager
Office of Government Contracting

Topics Covered

- WOSB Program Overview
- Pre-Solicitation
- Pre-Award
- 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.

Unique Aspects of the WOSB Federal Contract Program

- 1) Not all NAICS codes are authorized for use under the WOSB Program. Check the SBA website at www.sba.gov/wosb for available NAICS codes.
- 2) WOSBs must provide their eligibility documents to WOSB Repository.
- 3) COs must verify whether offerors have provided all the required documents.

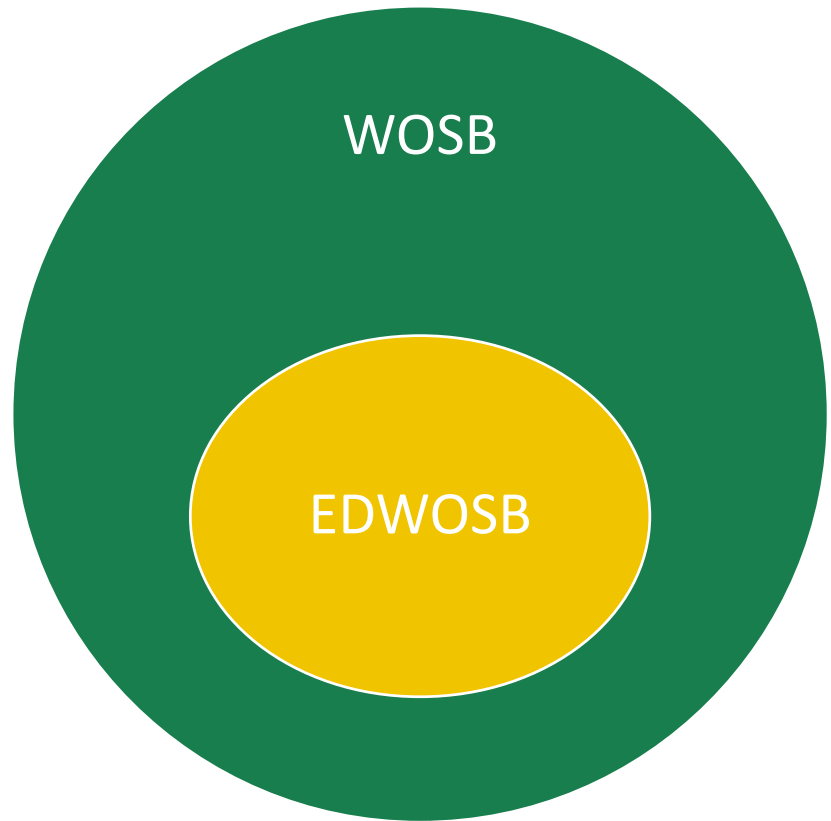
History of the WOSB Federal Contract Program

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 and 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).
October 2017	Eligible industries revised to 112 as a result of NAICS 2017 implementation.

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.



WOSB and EDWOSB



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

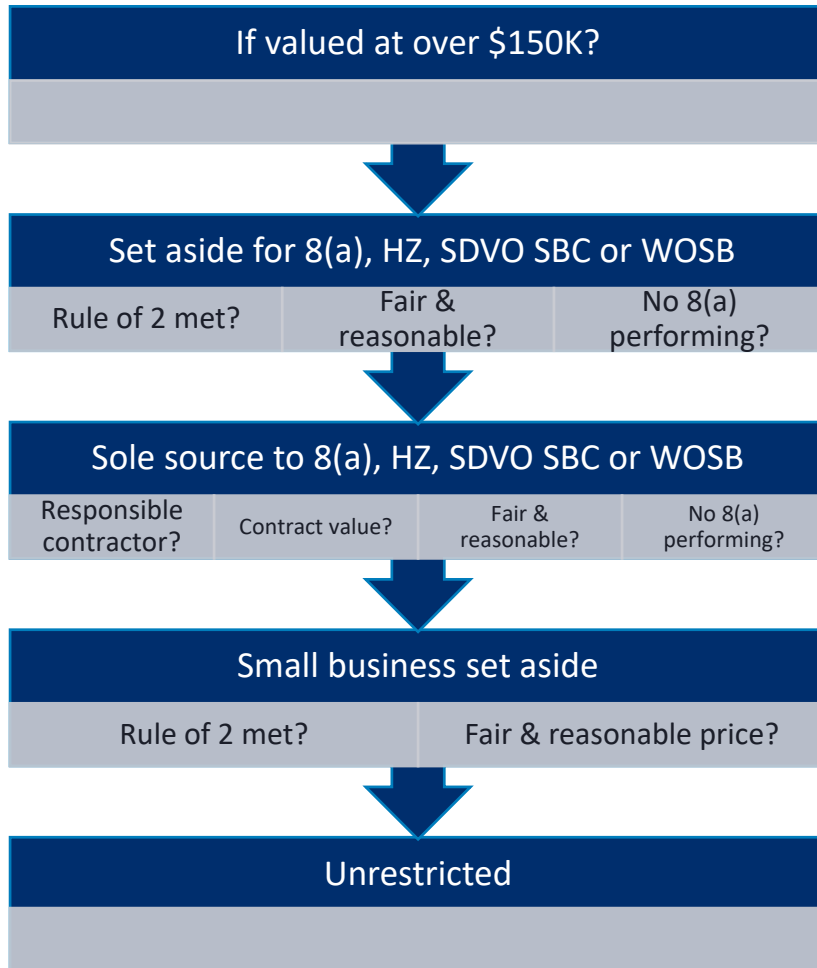
PRE-SOLICITATION

Set Aside Considerations



Consider

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



Important WOSB Considerations

- Not all NAICS codes are eligible under the WOSB Program. Separate NAICS codes are authorized for WOSB and EDWOSB. If interested in WOSB or EDWOSB set-asides, determine whether the NAICS code is authorized for use under WOSB Program at www.sba.gov/wosb.
- 364 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

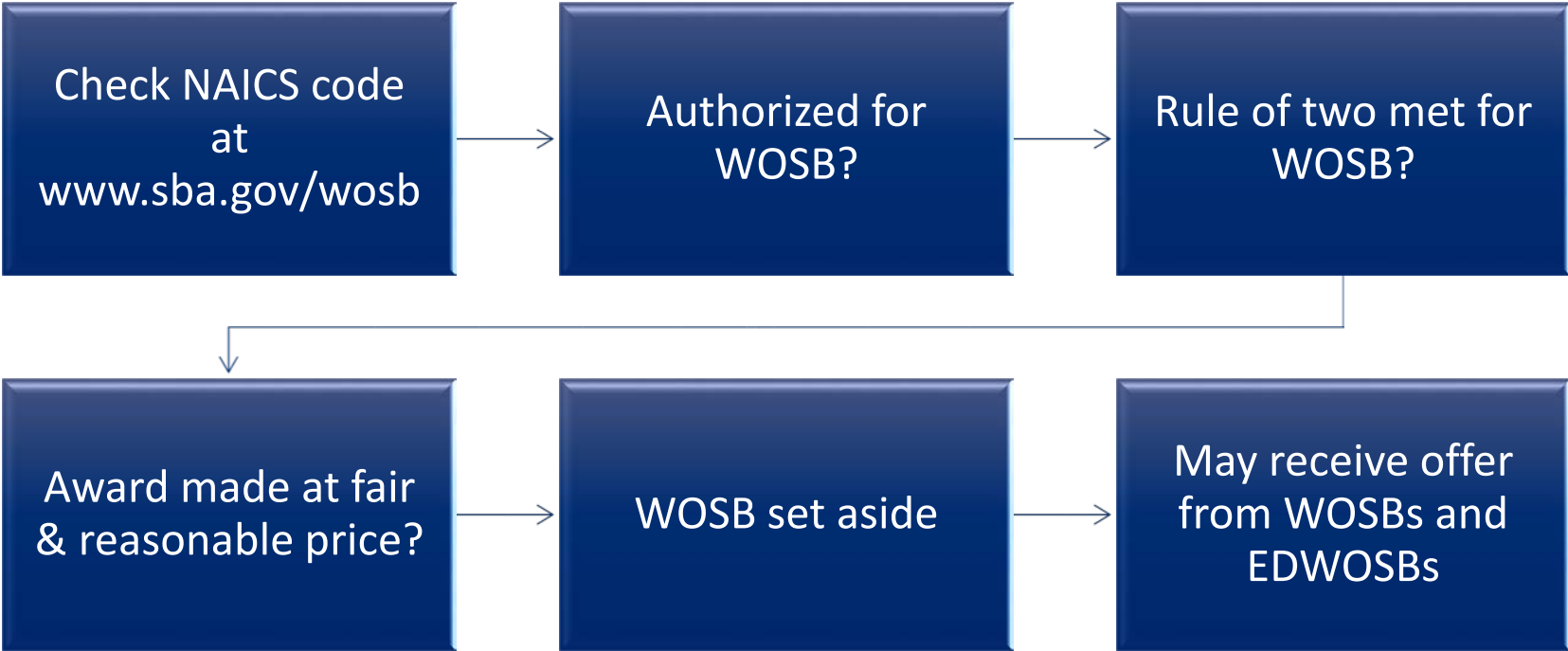
- Recommend including in solicitation the following:

" 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 (Certify), at the time of their initial offer on the instant procurement. The list of required documents is provided in Certify.SBA.gov/prepare. Please note that offerors are no longer required to complete and upload SBA Form 2413, 2414 or 413 to Certify as these forms are completed online at Certify.

If the apparent successful offeror does not have all documents in 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 through Certify are advised to contact the SBA Office of Government Contracting at wosb@sba.gov."

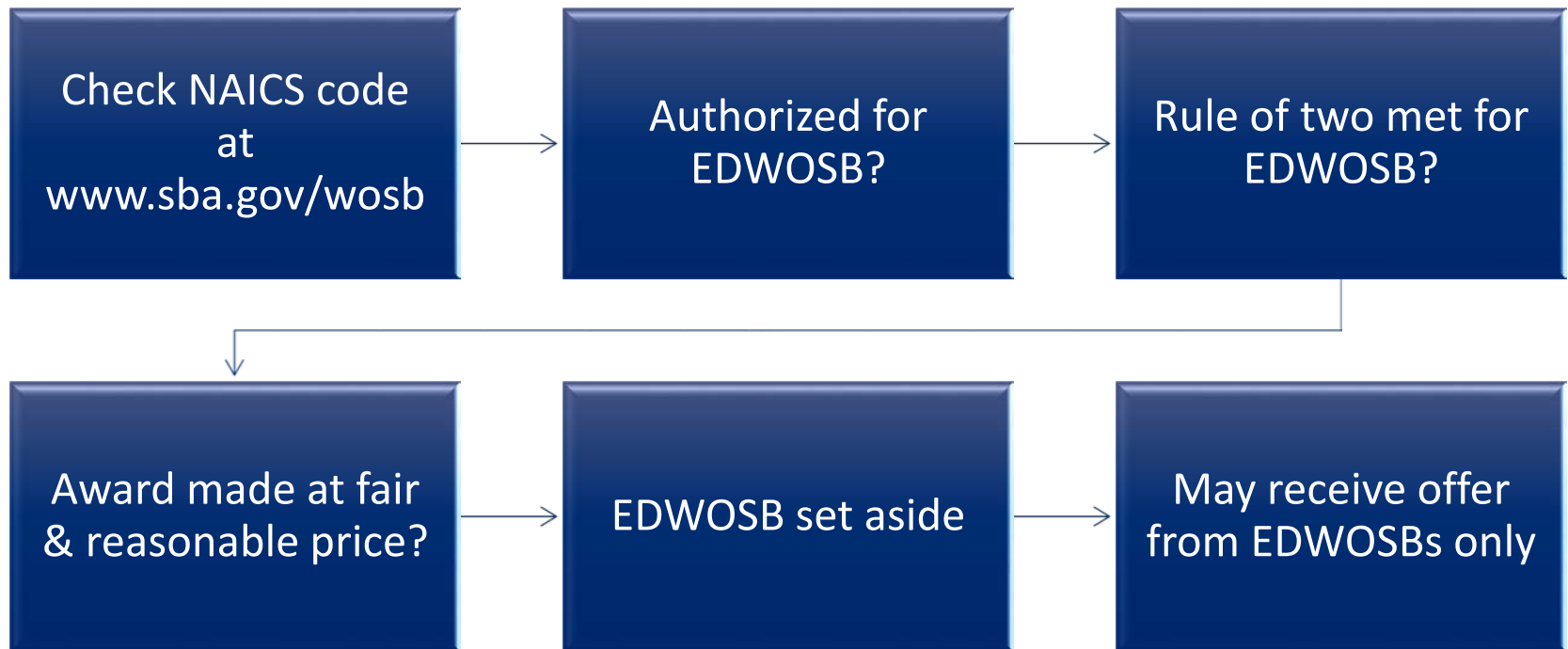
WOSB Set-Aside

Decision Making Process



EDWOSB Set-Aside

Decision Making Process



WOSB and EDWOSB



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

WOSB Sole Source

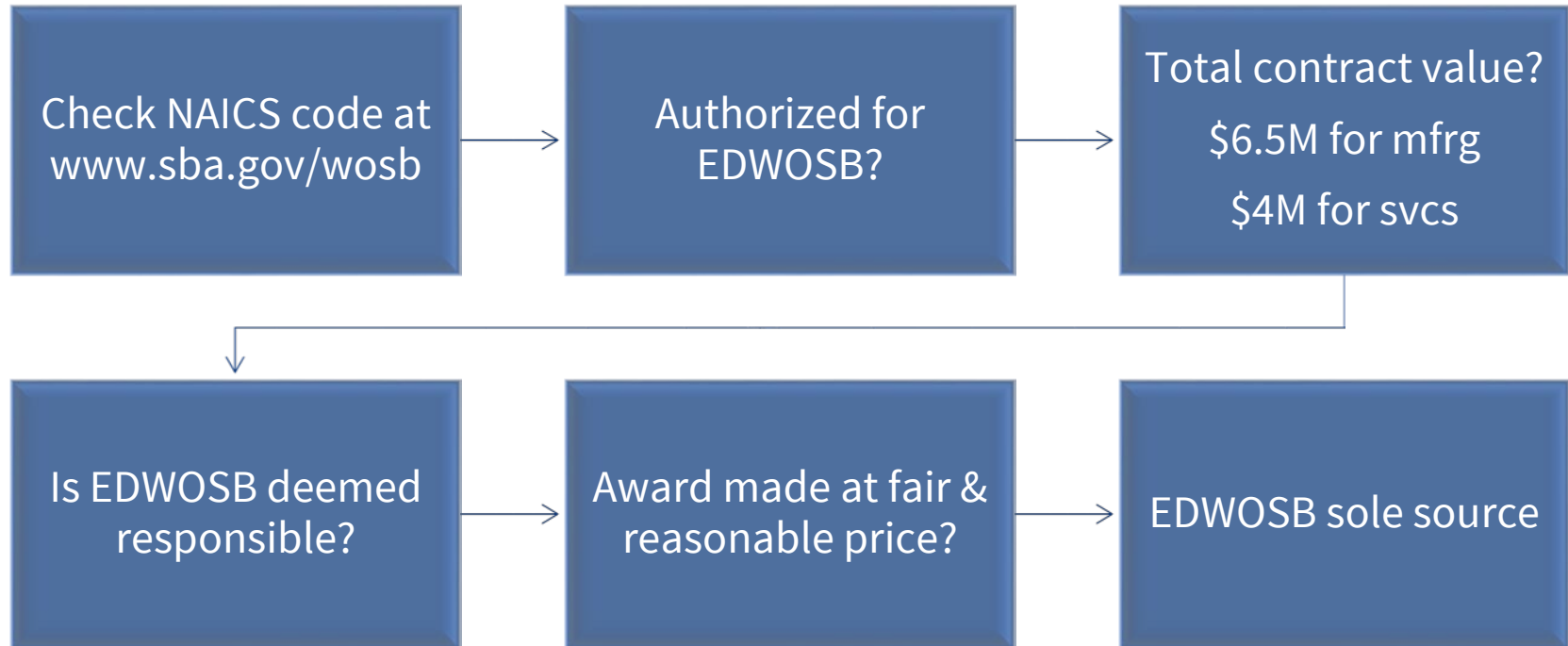
Decision Making Process



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. FAR 6.302-5(c)(2).

EDWOSB Sole Source

Decision Making Process



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. FAR 6.302-5(c)(2).

Sole Source under WOSB Program

- FAR 6.302-5(b)(7) establishes sole source authority under the WOSB Program.
- FAR 6.302-5(c)(2) provides contracts awarded using this authority shall be supported by written J&As.
- The only exemptions from J&A requirement are :
 - Purchases made through another agency or from a specified source as authorized or required by a statute;
 - Brand name commercial items purchased for authorized resale;
 - Purchases from AbilityOne organizations; and
 - 8(a) sole source awards of up to \$22 million

Set Aside or Sole Source Examples



I have a requirement calling for the contractor to provide sign language interpretation services. I am planning to utilize the GSA Schedule for this requirement. NAICS Code 541930 – Translation and Interpretation Services - is assigned to the solicitation. Market research results indicate that the rule of two can be met for WOSB set-asides. I have advertised it as an WOSB set-aside.

5419	Other Professional, Scientific, and Technical Services	
541910	Marketing Research and Public Opinion Polling	WOSB
541921	Photography Studios, Portrait	WOSB
541922	Commercial Photography	WOSB
541930	Translation and Interpretation Services	WOSB
541940	Veterinary Services	WOSB
541990	All Other Professional, Scientific, and Technical Services	WOSB

Set Aside or Sole Source Examples



Our agency has a solicitation calling for the contractor to provide staffing services. NAICS Code 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?

5611	561110	Office Administrative Services	EDWOSB
5612	561210	Facilities Support Services	WOSB
5614	561410	Document Preparation Services	EDWOSB
	561421	Telephone Answering Services	EDWOSB
	561422	Telemarketing Bureaus and Other Contact Centers	EDWOSB
	561431	Private Mail Centers	EDWOSB

Set Aside or Sole Source Examples



I have an RFQ to purchase computer network equipment. NAICS Code 541519 – Other Computer Related Services - is assigned to the procurement. Market research results indicate that the rule of two can be met for EDWOSB and WOSB set-asides. Which one do I select?

	541490	Other Specialized Design Services	EDWOSB
5415	541511	Custom Computer Programming Services	WOSB
	541512	Computer Systems Design Services	WOSB
	541513	Computer Facilities Management Services	WOSB
	541519	Other Computer Related Services	WOSB
5416	541611	Administrative Management and General Management Consulting Services	WOSB
	541612	Human Resources Consulting Services	WOSB

Set Aside or Sole Source Examples



I have a requirement to purchase General Dynamics Long-Range Thermal Imagers. NAICS Code 334511 is assigned to a procurement with a total value of \$7 million. Market research indicates that there is one WOSB that can meet the requirement. I have written J&As. Can I make the award to the WOSB on a sole source basis under the WOSB Program?

3345	334510	Electromedical and Electrotherapeutic Apparatus Manufacturing	WOSB
	334511	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical System and Instrument Manufacturing	WOSB
	334512	Automatic Environmental Control Manufacturing for Residential, Commercial, and Appliance Use	WOSB
	334513	Instruments and Related Products Manufacturing for Measuring, Displaying, and Controlling Industrial Process Variables	WOSB
	334514	Totalizing Fluid Meter and Counting Device Manufacturing	WOSB
	334515	Instrument Manufacturing for Measuring and Testing Electricity and Electrical Signals	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 process any status protests!

WOSB and EDWOSB



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

PRE AWARD

Important Pre-Award Considerations

- 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 – (c)(3) a WOSB, (c)(4) a WOSB eligible under the WOSB Program, and (c)(5) an EDWOSB eligible under the WOSB Program.

(c)(4) and (c)(5) must provide eligibility documents to the WOSB Repository but (c)(3) does not.

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 specific questions 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, file a status protest with SBA. COs may not disqualify apparent successful offeror solely on the ground that it failed to submit all the required documents.

Document Verification for MACs, GWACs and IDIQs

I have a requirement calling for the contractor to provide sign language interpretation services. I have decided to compete among GSA Schedule contract holders. I posted the RFQ on e-Buy, received and evaluated 7 quotes and selected the apparent offeror.



Do I need to verify whether the apparent successful offeror has submitted all the required documents to Certify.SBA.gov?

Document Verification for MACs, GWACs and IDIQs

I have a RFP calling for road construction and maintenance services on six national forests in Southern California. I have set the RFP aside for WOSBs. After evaluating proposals, I have awarded one IDIQ contract to 12 contractors. Task orders will be competed among the IDIQ contract holders.



Do I need to verify that the apparent successful offerors have submitted all the required documents to [Certify.SBA.gov](https://www.certify.sba.gov) at the IDIQ contract or task order level or both?

Qualifying as a WOSB or an 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 third-party certifier (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 women who own and control the firm			
WOSB Certification Questionnaire (Certify equivalent of 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			

Self-Certified – Documents (EDWOSB)

Corporation	LLC	Partnership	Sole Proprietorship
Birth certificate, naturalization paper or unexpired passport of women who own and control the firm			
EDWOSB Certification Questionnaire (Certify equivalent of 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			

Third-Party Certified - Documents

Corporation	LLC	Partnership	Sole Proprietorship
WOSB or EDWOSB Certification Questionnaire (Certify equivalent of SBA Form 2413 or 2414)			
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 Certification Questionnaire (Certify equivalent of SBA Form 2414)			
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.

Examinations 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 through Certify.SBA.gov and SBA may request additional documents

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](https://certify.sba.gov)

Certify.SBA.gov – Home Page

certify.SBA.gov

Home Prepare Am I eligible? Help Login



Welcome to certify.SBA.gov

The U.S. Small Business Administration (SBA) is w application process for federal contracting progra eligibility documentation for the WOSB and All Sn online from our easy-to-use dashboard. **Get start**

New Features

Log in or registration for Government employees.

Login

Or

Get started

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

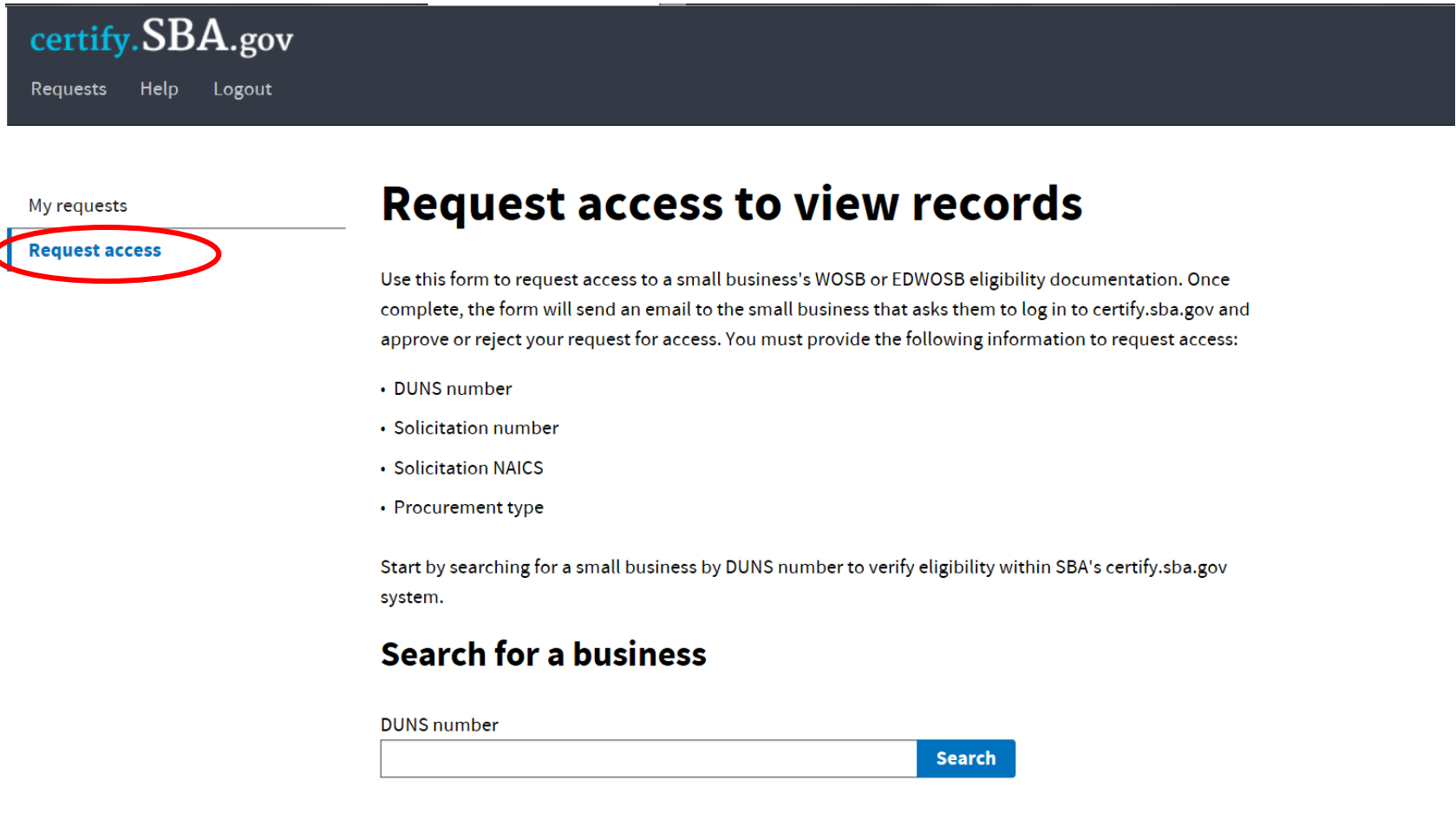
Upcoming Activities

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.
- Select your role as Contracting Officer.
- You do not need SBA's approval to register with Certify.SBA.gov.
- You must request account access and contractor must approve your request.

Steps to Request Access to Documents

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



The screenshot shows the top navigation bar of the certify.SBA.gov website. The logo 'certify.SBA.gov' is on the left, with 'Requests', 'Help', and 'Logout' links to its right. Below the navigation bar, there is a section titled 'My requests' with a sub-link 'Request access' circled in red. The main content area features a heading 'Request access to view records' followed by a paragraph explaining the process and a list of required information: DUNS number, Solicitation number, Solicitation NAICS, and Procurement type. Below this is a section titled 'Search for a business' with a search form containing a text input field for 'DUNS number' and a blue 'Search' button.

certify.SBA.gov
Requests Help Logout

My requests
Request access

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

[Return to top](#)

Steps to Request Access to Documents

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

certify.SBA.gov
Requests Help Logout

My requests

Request access

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:

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- 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 **Search**

[Return to top](#)

If contractor has not completed registration, you will see a message "the vendor has not completed registrations."

Steps to Request Access to Documents

3. Complete the request form by entering the *Solicitation number* and *NAICS* fields, and select the *Type of procurement* box

- Read the authorization text
- Click the *I accept* box
- 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

Steps to Request Access to Documents

4. Log in to certify.SBA.gov
5. Click the *My Requests* link on the left navigation bar.

[My requests](#)
Request access

My requests

Review vendor certifications

[Search](#)

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 contractor has not completed registration, the View column will be blank.

Steps to Request Access to Documents

6. 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 Request Access to Documents

7. Review the self-certification summary.
8. 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 for more information.

- Business: www.sba.gov/wosb
- COs: <https://www.sba.gov/partners/contracting-officials/contracting-program-administration/wosb-program-administration>
- For questions on the WOSB Program, email wosb@sba.gov.
- For technical questions on Certify.SBA.gov, please email help@certify.sba.gov.