

DOING BUSINESS WITH THE NATIONAL LABOR RELATIONS BOARD

PROCUREMENT POLICIES AND PROCEDURES

Introduction

This information has been prepared to assist businesses that are interested in selling their products and services to the National Labor Relations Board (NLRB). This information sheet describes procurement procedures and policies generally applicable to buying conducted by NLRB. This document explains in broad terms the types of items purchased, who procures them and where they are purchased. Information specifically directed to small, disadvantaged, service-disabled veteran-owned small businesses, and women-owned businesses is also included.

Background

The National Labor Relations Board is an independent federal agency created by Congress in 1935 to administer the National Labor Relations Act, the primary law governing relations between unions and employers in the private sector. The statute guarantees the right of employees to organize and to bargain collectively with their employers or to refrain from all such activity. Generally applying to all employers involved in interstate commerce--other than airlines, railroads, agriculture, and government--the Act implements the national labor policy of assuring free choice and encouraging collective bargaining as a means of maintaining industrial peace. Through the years, Congress has amended the Act and the Board and courts have developed a body of law drawn from the statute.

Where Procurement Takes Place

NLRB's Contracts and Procurement Section (CPS) purchases goods and services on a centralized basis. Vendors are urged to contact CPS on 202-273-4210 for more information on the specific products and services being purchased. Purchases are also made at many field offices. The purchases made by these offices, however, are generally limited to small dollar value, off-the-shelf items that are available locally. The names and locations of the field offices may be obtained by visiting NLRB's Web site at www.nlr.gov/nlr/offices.

Central Contractor Registration (CCR) Database

Contractors must register in the Central Contractor Registration (CCR) database before they can be awarded contracts over \$2,500. The CCR Web site is at www.ccr.gov. All contractors are required to be registered in the CCR prior to receiving any contract award from NLRB. CCR provides a "single face" to a vendor for registering to do business with the Government. The contractor is responsible for ensuring the accuracy of the registration information and is the only one authorized to change the information. To register your company into the CCR, visit the website at www.ccr.gov. In addition, the CCR registration process requires that you have a DUNS number from Dun & Bradstreet. You may obtain a DUNS number from Dun & Bradstreet by calling 1-(800)-333-0505 or by visiting their Web site at www.dnb.com.

Online Representations and Certifications Application (ORCA)

In conjunction with registration in the CCR, contractors must also submit their representations and certifications electronically through the Online Representations and Certifications Application (ORCA) at orca.bpn.gov.

GSA Advantage!

NLRB fills many of its requirements for commonly used items through GSA Advantage!® (www.gsaadvantage.gov), a General Services Administration (GSA) on-line system from which GSA stock items and Federal Supply Schedule products and services may be ordered. Products and services from the Federal Prison Industries, Inc., also referred to as UNICOR; from nonprofit agencies serving people who are blind or severely disabled, such as the National Industries for the Blind (NIB); and from nonprofit agencies serving people with severe disabilities other than blindness are sold through GSA Advantage. Where specific products or services are not available from GSA Advantage, NLRB may acquire them directly from UNICOR or NIB or similar agencies.

GSA Federal Supply Schedule & Other Government-wide Contracts

One of the primary methods for acquiring goods and services not available through GSA Advantage!® is by ordering from vendors that have GSA Federal Supply Schedule contracts, or that have indefinite delivery type contracts issued by one Federal agency but against which other Federal offices are allowed to issue orders.

Purchasing Procedures

NLRB uses a variety of procedures for purchasing on an Open Market basis. These procedures are governed by the Federal Acquisition Regulation (FAR) which is recapped below. The FAR is available on the Internet at www.arnet.gov/far.

Micro-Purchases by Non-Procurement Personnel

NLRB's Micro-Purchases (procurements of \$2,500 or less) are generally carried out by authorized non-procurement personnel through use of a Government-wide commercial purchase card rather than being handled by the Contracts and Procurement Section.

Simplified Acquisition Procedures

For requirements estimated to cost more than \$2,500 but less than \$100,000, procurement offices use simplified acquisition procedures. These procedures are simpler than those used in sealed bidding or negotiated procurements. Competition to the maximum extent practicable is required, with solicitation of at least three sources generally considered to meet this requirement. Acquisitions in this dollar range are set aside for the exclusive participation of small business

concerns unless there is a reason why this is not feasible. For purchases up to \$25,000, requests for quotation are usually oral and written solicitations are rarely used. Notices of business opportunities over \$25,000 are posted on the Federal Business Opportunities (FedBizOpps) Web site at www.fedbizopps.gov. These notices, also referred to as synopses, may contain sufficient information for vendors to submit quotes (this is referred to as a combined synopsis/solicitation) and in these instances a separate written solicitation is not issued.

Sealed Bidding and Negotiated Procedures

For acquisitions estimated to exceed \$100,000, sealed bidding or negotiated procedures are used. These are more formal and structured than simplified acquisition procedures. These acquisitions must (with limited exceptions) be competed using procedures that provide for full and open competition, which means that all responsible sources are permitted to compete. Acquisitions in this dollar range are generally synopsized on the FedBizOpps Web site (www.fedbizopps.gov) prior to issuance of the written solicitation (Invitation for Bids or Request for Proposals).

Sealed Bidding

Under sealed bidding procedures, an Invitation for Bids (IFB) is issued inviting interested companies to compete by submitting a sealed bid. Bids are publicly opened at a date and time specified in the IFB. The bids are evaluated without discussions and contract award is made to the responsible bidder whose bid, conforming to the IFB, is the most advantageous to the Government, considering only price and the price-related factors included in the IFB.

Negotiated Procedures

Under these procedures, a Request for Proposals (RFP) is issued inviting interested companies to submit proposals by a specified date. Unlike offers submitted in sealed bidding, proposals submitted for negotiation are not publicly opened. Proposals received are evaluated based on the factors and sub-factors contained in the solicitation. Award may be made without discussions if the Government includes a notice in the solicitation stating its intent to evaluate proposals and make award without discussions. If discussions are held, Offerors may be given the opportunity to revise price, schedule, technical requirements, contract type or other contractual terms and conditions in their offer. After completion of all discussions and receipt of Best and Final Offer proposal revisions, award is made to the responsive/responsible Offeror whose offer is the most advantageous to the Government considering price and the other factors specified in the solicitation.

Commercial Item Acquisitions

The Federal Acquisition Streamlining Act of 1994 established a preference for the acquisition of commercial items and also established procedures intended to more closely resemble the commercial marketplace. The procedures unique to acquisition of commercial items are used in conjunction with those for simplified acquisition, sealed bidding or contracting by negotiation.

Special requirements related to commercial item acquisitions include expanded market research, streamlined evaluation procedures, and the ability to more closely follow the customary commercial practice for the item/service being acquired.

Small, Disadvantaged, Women-owned, and Service-disabled Veteran-owned Small Business Concerns

Section 308 of the Veterans Benefits Act of 2003 authorizes contracting officers to award sole source contracts to service-disabled veteran businesses under certain conditions. In addition, simplified acquisition procedures have been implemented in order to improve opportunities for small, disadvantaged, women-owned, service-disabled veteran-owned small businesses and HUBZone small business concerns to obtain a fair proportion of Government contracts. Whenever possible the NLRB, will use these resources to procure goods and services.

How to Obtain Information Regarding Proposed Purchases Federal Business Opportunities (FedBizOpps)

The Federal Business Opportunities Web site at www.fedbizopps.gov is where the public can obtain information about Government-wide business opportunities greater than \$25,000. Synopses of proposed contract actions, solicitations and associated information, and award synopses can be accessed electronically at this site. All new contracting opportunities within the NLRB are posted on the **Federal Business Opportunities (FedBizOpps)** Web site. FedbizOpps is the government-wide portal for all Federal contracts and the single government point-of-entry for Federal government procurement opportunities valued over \$25,000. Business opportunities listed on FedBizOpps may be found by visiting www.fedbizopps.gov.

Solicitation Copies at Procurement Offices

CPS maintains and posts copies of open solicitations for ready reference on NLRB's Web Site. Vendors are invited to visit the Procurement and Contracts Web site at <http://www.nlr.gov/nlr/about/procure/default.asp> to review these solicitations. Vendors may wish to set up appointments to meet with procurement personnel to discuss the types of products and services offered and the needs of the procurement office customers.

Selling Opportunities Through GSA

GSA purchases goods and services for U.S. Government agencies, buying both nationally and in local markets, through its Washington, DC headquarters and its regional offices throughout the country. Information about selling to the Government through GSA is available at www.gsa.gov.

Acquisition Assistance

Vendors may obtain assistance from the U.S. Small Business Administration at www.sba.gov. In addition to acquisition assistance programs, the SBA has an array of business, financial, and

management assistant programs for small businesses, including those that are disadvantaged or owned by women and service-disabled veterans.

Procurement Policy

Vendors may obtain information concerning any of the procurement activities of NLRB from the Contracts and Procurement Section at the following mailing address:

National Labor Relations Board
Division of Administration
Contracts and Procurement Section
1099 14th Street, NW, Suite 6100
Washington, DC 20570
Telephone: 202-273-4210
www.nlr.gov/nlr/about/procure/default.asp