



# Women-Owned Small Business (WOSB) Federal Contract Program

Program information for Women-Owned Small Businesses

February 2011



# Topics for discussion

- Overview of the WOSB program
- Eligibility requirements
- Certification
- Steps to participate in the program
- Steps to compete for WOSB federal contracts
- Reviews & Protests
- Resources and Q&A

# Overview of Women-Owned Small Business program

## *Program overview*

The Women-Owned Small Business (WOSB) program authorizes contracting officers to **set aside certain federal contracts** for eligible:

- Women-owned small businesses (WOSBs) or
- Economically disadvantaged women-owned small businesses (EDWOSBs)



## *Impact of this program*

- **Levels the playing field for WOSBs** to compete for and win federal contracts
- Provides procuring agencies a tool to help **meet their WOSB contracting goal** (i.e., the Federal government must award 5% of its prime contracting dollars to WOSBs)
- Ultimately, the program helps **create and retain more jobs for WOSBs**

# Requirements for WOSB and EDWOSB Set Asides

Contracting officers may set aside contracts for WOSBs and EDWOSBs if they meet the following requirements:

	WOSB Set Aside	EDWOSB Set Aside
Industries	<ul style="list-style-type: none"><li>• NAICS code assigned to solicitation, IFB or quote is in an industry in which WOSBs are <b>substantially underrepresented</b> (38 4-digit NAICS designated)</li></ul>	<ul style="list-style-type: none"><li>• NAICS code assigned to solicitation, IFB or quote is in an industry in which WOSBs are <b>underrepresented</b> (45 4-digit NAICS designated)</li></ul>
Rule of two	<ul style="list-style-type: none"><li>• Contracting officer has reasonable expectation that <b>2 or more WOSBs will submit an offer</b></li></ul> <p><i>* Note: All EDWOSBs are WOSBs</i></p>	<ul style="list-style-type: none"><li>• Contracting officer has reasonable expectation that <b>2 or more EDWOSBs will submit an offer</b></li></ul> <p><i>* Note: Not all WOSBs are EDWOSBs</i></p>
Award price	<ul style="list-style-type: none"><li>• Anticipated award price <u>including options</u> does not exceed the statutory thresholds of <b>\$5M for manufacturing or \$3M for other contracts</b></li><li>• Contract can be awarded at <b>fair market price</b></li></ul>	

A complete list of applicable NAICS codes can be found at [www.sba.gov/wosb](http://www.sba.gov/wosb)

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# Eligibility Requirements for WOSBs

- ❑ Meet **small business size standard** for primary NAICS code and contract
- ❑ At least **51% unconditionally and directly owned by women** who are **U.S. citizens\***
- ❑ The woman must manage the **day-to-day operations**
- ❑ The woman must make the **long-term decisions** for the business
- ❑ A woman must **hold highest officer position**
- ❑ The woman must work at the business **full-time during normal working hours**
- ❑ **No minimum amount of time** the business has been operational

\*We do not consider community property laws when looking at ownership.



# Eligibility Requirements for EDWOSBs

Same requirements as WOSBs (on previous page) PLUS:

- ❑ **Personal net worth** (assets minus liabilities) **is less than \$750,000** excluding:
  - Ownership in business and primary personal residence
  - Income reinvested or used to pay taxes of business
  - Funds reinvested in IRA or other retirement account\*
  - Transferred assets within two years if to or on behalf of immediate family member for select purposes\*\*
  
- ❑ **Adjusted gross income average over three years is \$350,000 or less** excluding:
  - Income reinvested or used to pay taxes of business
  
- ❑ **Fair market value of assets is \$6 million or less** excluding:
  - Funds reinvested in IRA or other official retirement account



\* Must be IRA or other official retirement account that is unavailable until retirement age without significant penalty

\*\* Select purposes are for that individual's education, medical expenses or other essential support or to family member in recognition of special event

Note: SBA will look at a spouse's finances if the spouse has a role in the WOSB/EDWOSB, has lent money to or provided financial support (including credit or guarantee of loan) to the business. SBA may also look at spouse's finances if both spouses are in same or similar line of business and businesses share names, websites, equipment and employees.



# 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:** Combined annual receipts or employees of joint venture must meet NAICS code assigned to contract\*
- EDWOSB/WOSB must be **managing venturer**
- EDWOSB/WOSB employee must be **project manager** responsible for performance of the contract
- EDWOSB/WOSB must receive **at least 51% of net profits**
- The joint venture **agreement must be in writing**
- Joint venture can meet **subcontracting limitations**



*Note:* Joint venture agreement does not have to be approved by SBA

\*Unless exception in 13 C.F.R. §121.103(h)(3) applies.



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# WOSB program certification



There are two ways to certify for the WOSB program:

- **Self certification** with supporting documents, or
- **Third Party Certification** with supporting documents

## Self Certification

- ▶ Free, no cost
- ▶ Register in CCR as WOSB or EDWOSB
- ▶ Compile and upload all required documents to the repository
- ▶ Represent status in ORCA

## Third Party Certification

- ▶ Register in CCR as WOSB or EDWOSB
- ▶ Obtain certification from an SBA-approved Third Party Certifier
  - *Note:* At this time, SBA has not approved any Third Party Certifiers
- ▶ Compile and upload all required documents to the repository
- ▶ Represent status in ORCA

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# 5 Steps to participate in the WOSB program

- 1 Read the WOSB Federal Contract program regulations in the Federal Register and the WOSB Compliance Guide
- 2 Register in Central Contractor Registration (CCR) as WOSB or EDWOSB
- 3 Log onto SBA's General Login System (GLS)  
*\*Obtain an account now if you don't already have one*
- 4 Go to the WOSB program repository and upload / categorize all required documents
- 5 Represent your status in Online Representations and Certifications Application (ORCA)



# 1 Read the WOSB Federal Contract program regulations in the Federal Register and the WOSB Compliance Guide

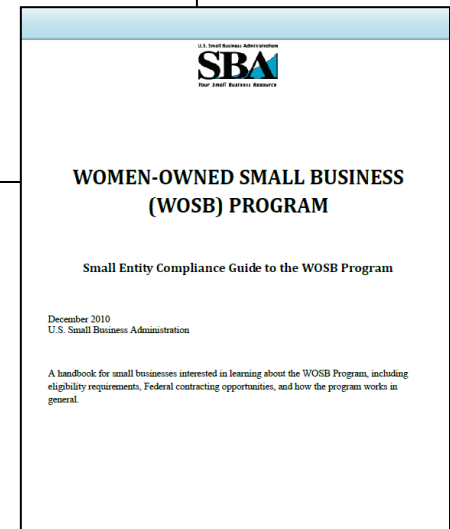
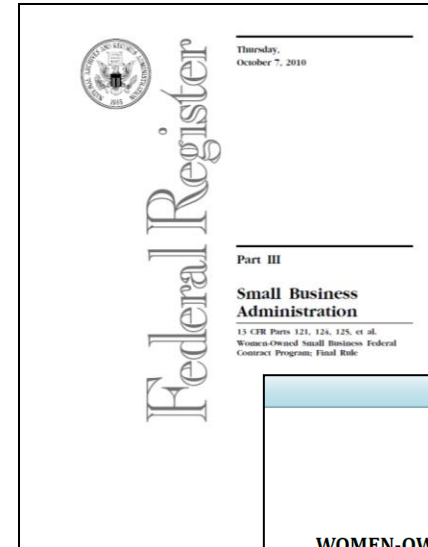
## Read the WOSB Federal Contract program regulations in the Federal Register

- You can find the regulations at <http://www.sba.gov/sites/default/files/files/2010-25179.pdf>

## Read the WOSB Compliance Guide

- It contains detailed information about the program, eligibility requirements and more
- You can find the Compliance Guide at [www.sba.gov/wosb](http://www.sba.gov/wosb):
  - Under “WOSB Program Information”, click on “Compliance Guide for the WOSB Program”

***Verify your firm meets all the WOSB program requirements***



Available  
now!

## 2 Register in CCR as WOSB or EDWOSB

### What is the Central Contractor Registration (CCR)?

- CCR is an online government-maintained database of companies wanting to do business with the Federal government available at: <https://www.bpn.gov/ccr/default.aspx>

### What do I need to do in CCR?

- To be eligible for a WOSB or EDWOSB set-aside you must check the WOSB or EDWOSB box, as appropriate
- You must meet all the requirements of a WOSB or EDWOSB to check the box

The screenshot shows the Central Contractor Registration (CCR) website. The header includes the title "Central Contractor Registration" and a navigation menu with links for CCR Home, CCR Search, Federal Agency Registration, News, Release Notes, Request Data Access, and Help. Below the header is a secondary menu with links for Contractors, Grantees, International Registrants, Small Businesses, Security Notes, and a status indicator for 599,691 Active Registrants. The main content area is divided into several sections: "Quick Links" on the left with links for Dynamic Small Business Search, ORCA, SBA, Request DUNS Number, and Federal Business Opportunities; a central "Log in to CCR" section with input fields for User ID and Password, a "Log In" button, and links for "Forgot User ID" and "Forgot Password"; a "Create New Registration" section with a "Start New Registration" button and a link for "What You Need to Register International Registrants"; and a "Top Frequently Asked Questions" section on the right with links for "How do I register in CCR?", "What are my yearly renewal requirements?", "How do I keep my record active?", "How are CAGE Codes assigned?", "I am updating and renewing my CCR record and noticed that the D&B information provided requires changing. How can I update this data?", and "What is an MPIN? Where can I locate or assign my MPIN?". A note at the bottom of the registration section states: "Note: New registrations usually take 3-5 business days to process once completed by the vendor." A "View All FAQs" link is also present.

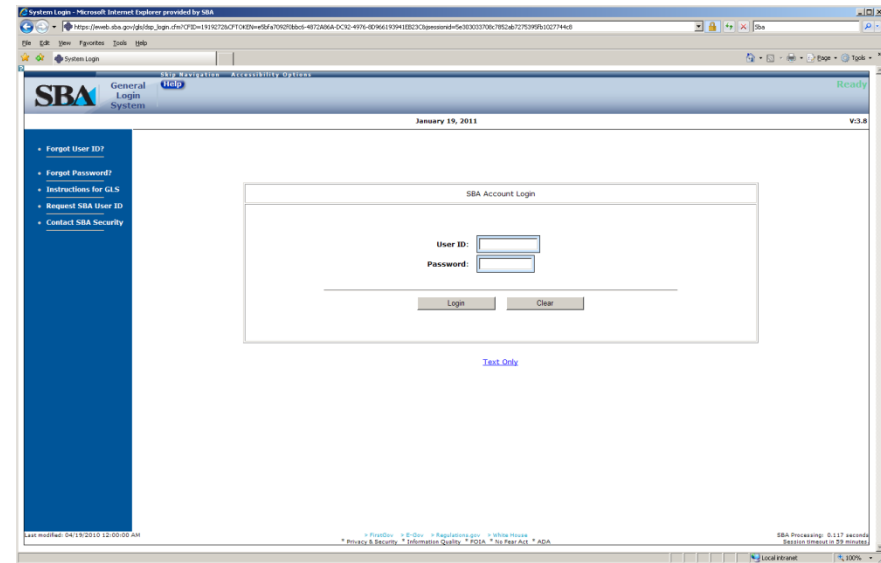
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Note: If this step is not available, you may skip this step and go to step #3

### 3 Log onto SBA's General Login System (GLS)

To participate in the WOSB program, **you must have a GLS account:**

- If you already have an account, log into your account at:  
<https://eweb.sba.gov/gls>
- If you do not have an account:
  - Go to the same web address above
  - Click on “Instructions for GLS” for information on how to request an account
  - Go to “Request SBA User ID” to create an account
  - Then log into your GLS account



Available  
now!



# 4 Go to the WOSB program repository and upload / categorize all required documents

## ***What is the WOSB Repository?***

- By statute, documents verifying a WOSB/EDWOSBs eligibility must be submitted to the contracting officer (CO)
- Rather than have WOSBs submit documents to the CO, the SBA has created a document warehouse
- A WOSB's documents in the repository can be accessed only by the WOSB, SBA and the CO (only if the firm gives the CO permission to access the documents).

## ***How do I get to the repository?***

- Once you are logged into GLS, click on "Women-Owned Small Business Program Repository"
- Instructions will be available on [www.sba.gov/wosb](http://www.sba.gov/wosb) on Feb. 4

## ***What do I upload and categorize in the repository?***

### Self Certification

- ▶ Birth certificates, naturalization papers, unexpired passports to verify U.S. citizenship
- ▶ Copy of JV agreement (if applicable)
- ▶ Copy of WOSB/EDWOSB Certification (OMB approved form)
- ▶ DBA certificate
- ▶ Corporate information relating to verifying ownership by a woman or women
- ▶ EDWOSBs: All of above and SBA Form 413, Personal Financial Statement for each woman claiming economic disadvantage.

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Feb. 4

### Third Party Certification

- ▶ Copy of Third Party Certification from an SBA Approved Third Party Certifier
- ▶ Copy of JV agreement (if applicable)
- ▶ Copy of WOSB/EDWOSB Certification (OMB approved form)

# 5 Represent your status in ORCA

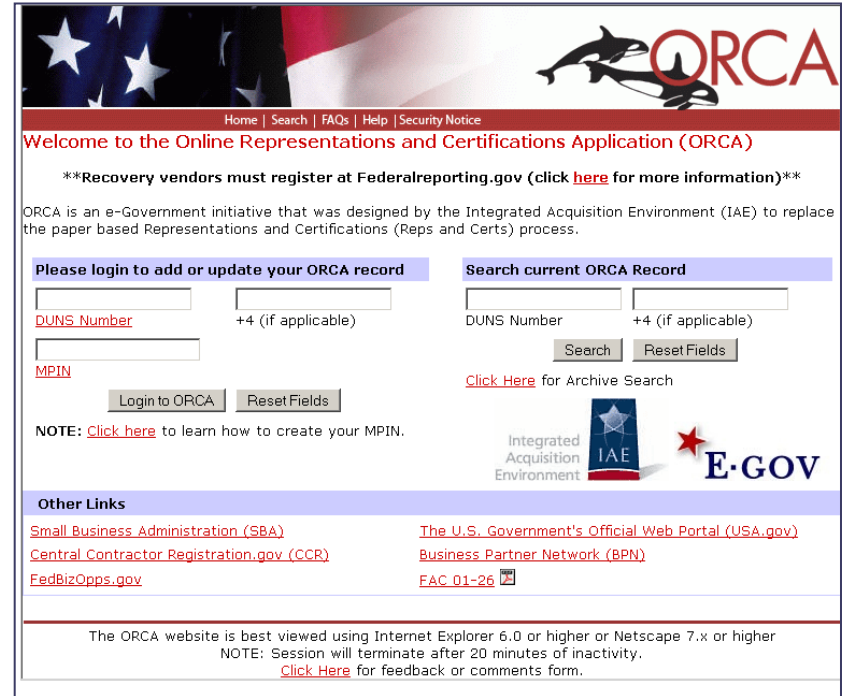
## What is the Online Representations and Certifications Application (ORCA)?

- ORCA is the primary Government repository for contractor submitted representations and certifications required for the conduct of business with the Government available at:

<https://orca.bpn.gov>

## What do I need to do in ORCA?

- Prior to submitting an offer for a WOSB or EDWOSB contract, you must represent your status in ORCA. Detailed instructions will be in the Federal Acquisition Regulation (FAR)



The screenshot shows the ORCA website homepage. At the top, there is a navigation bar with links for Home, Search, FAQs, Help, and Security Notice. The main heading reads "Welcome to the Online Representations and Certifications Application (ORCA)". Below this, a note states: "\*\*Recovery vendors must register at Federalreporting.gov (click here for more information)\*\*". A paragraph explains that ORCA is an e-Government initiative designed by the Integrated Acquisition Environment (IAE) to replace the paper-based process. The page features two main sections: "Please login to add or update your ORCA record" and "Search current ORCA Record". Each section has input fields for DUNS Number and MPIN, with a "+4 (if applicable)" label. The login section includes "Login to ORCA" and "Reset Fields" buttons. The search section includes "Search" and "Reset Fields" buttons, along with a "Click Here for Archive Search" link. A "NOTE" section advises users to "Click here" to learn how to create their MPIN. The footer contains "Other Links" such as Small Business Administration (SBA), The U.S. Government's Official Web Portal (USA.gov), Central Contractor Registration.gov (CCR), Business Partner Network (BPN), and FedBizOpps.gov. A disclaimer at the bottom states: "The ORCA website is best viewed using Internet Explorer 6.0 or higher or Netscape 7.x or higher. NOTE: Session will terminate after 20 minutes of inactivity. Click Here for feedback or comments form."

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# 4 Steps to compete for a WOSB federal contract

- 1 Make sure you have completed the steps to participate in the WOSB program
- 2 Identify federal contracting opportunities at the following resources:
  - FedBizOpps: <https://www.fbo.gov/>
  - SBA's Federal Business Opportunities page: <http://www.sba.gov/content/federal-business-opportunities>
- 3 Submit an offer for a contract
- 4 Grant the contracting officer access to your documents in the WOSB repository



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# Reviews and Protests

SBA is committed to ensuring only eligible WOSBs benefit from the WOSB program; therefore, we utilize the following tools to ensure compliance with WOSB 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 set aside
- ▶ Only an interested party, SBA or a contracting officer may submit a protest
- ▶ A protest must be submitted to the contracting officer within certain timeframe
  - 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 Appeal

Any WOSB/EDWOSB found to be non-compliant must remove their designation in CCR and ORCA and contracting officer shall not award them a contract

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# Resources and Q&A

There are a number of resources available to help answer questions about the WOSB program:

**Visit our website:** [www.sba.gov/wosb](http://www.sba.gov/wosb)

- ▶ You will find the latest information about the program on this site

**Visit a local resource:**

- ▶ Small Business District Offices
  - Find your local office at: <http://www.sba.gov/about-offices-list/2>
- ▶ Women's Business Centers
  - Find your local center at: <http://www.sba.gov/content/womens-business-centers>
- ▶ Small Business Development Centers
  - Find your local center at: <http://www.asbdc-us.org/>
- ▶ Procurement Technical Assistance Centers
  - Find your local center at: <http://www.aptac-us.org/new/>

**Call the SBA Answer Desk:** 1-800-U-ASK-SBA (1-800-827-5722)

Questions?