

Weekly Newsletter | www.aptac-us.org

December 14, 2016



Rescuing a Client from SAM

You answer your phone and on the other end is a business person in a panic. It seems they paid a company several hundred dollars to register their company in the System for Award Management (SAM) and now they've discovered they don't have the User Name and Password for their account. They need to change their bank routing information in SAM, but they've been told that they'll have to shell out more money to get it done. The caller tells you that they were referred to you by a friend who is a PTAC client.

Your day was going well before you received this call. Now, however, you are feeling pretty bad because you have absolutely no advice for the caller ...

Fortunately, your APTAC colleagues have discovered some solutions—with the help of the SAM Federal Service Desk (FSD). You can read full details and comments on APTAConnect, but the bottom line is:

- Contact the FSD for help. They are familiar with the problem, have developed a work-around, and are happy to assist.
- One option is for the client to create a new SAM Account, contact FSD Tier 2 to migrate the business's information, and then remove the 3rd party account from the registration (click here for details on this option).

Take a few minutes to read the comments and review the steps, so that YOU are ready when the call comes.

FAI Webinars Available through the FAI Media Library

The Federal Acquisition Institute (FAI) provides training to the federal, non-defense acquisition workforce—filling a role similar to DAU but for civilian agency contracting personnel. Generally, their training is restricted to government employees. BUT—recordings of their webinars are available to the public through the FAI Media Library. One hundred (100) recordings cover a wide range of topics, including Past Performance, Lean Acquisitions, the Acquisition Gateway, Suspension and Debarment, GSA Schedule contracting, the role of the Contracting Officer, and more! This is an invaluable resource for all PTAC counselors—and their clients. Many thanks to Oklahoma PTAC's Carter Merkle for bringing it to our attention!

IN THIS ISSUE:

Civilian Award Protests Can Continue

Family Relationships are still a Viable **Basis of Affiliation**

A Look Back at the HUBZone Program in 2016

Size Standard Challenges May Be Heard by OHA under Proposed Rule

DBE Programs On Highway Constructions Contracts Ruled Constitutional

It is Important to Understand Teaming Arrangements Being Proposed



Open Monday, Dec 19: APTAC 2017 Spring Conference Registration



Registration for APTAC's 2017 Spring Training Conference and Membership Meeting will open on Monday, December 19. Be among the first to register for this exceptional training opportunity, to be held in sunny San Diego, California April 10-14, 2017. With the theme Innovation for Tomorrow's Procurement World, training will address how businesses can find a door into the government, what creative procurement approaches work in the government

marketplace, and how PTACs can support the shift in focus to innovation. Visit APTAC's Conference page on Monday to register.

NEW Optional Workshop on Federal Construction Contracting: Kicking off the conference will be a brand new offering from GA Tech's Contracting Education Academy. Federal Construction Contracting (click here for flyer) will cover the full range of issues involved in construction contracting and send you home with a 150 page workbook and access to on-line resources that will give you the insight you need to help your clients successfully navigate government construction contracts.



Changes to the SDVOSB program in the 2017 NDAA

The 2017 National Defense Authorization Act (NDAA) makes important changes to the contracting landscape for Service-Disabled Veteran-owned small businesses. First, it consolidates what are currently two separate and distinct SDVOSB programs: the SBA's self-certification program and the VA's program. The NDAA sets forth a unified statutory definition of veteran-owned companies and calls for the SBA-not the VA-to issue regulations implementing the statute, including verification of SDVOSB companies. It expressly prohibits the VA from adopting regulations governing the ownership and control of SDVOSBs.

It also makes significant adjustments regarding ownership and control of SDVOSBs. It:

- modifies how the ownership criteria are applied in the case of an employee stock ownership plan (ESOP), stipulating that stock in the plan is not considered when the SBA or VA determines whether service-connected veterans own at least 51 percent of the company's stock,
- specifies that a veteran with a permanent and severe disability need not personally manage the company on a day-to-day basis, but that the "spouse or permanent caregiver of such veteran" may run the company,
- permits a surviving spouse to continue to operate the company as an SDVOSB, provided that: (1) the surviving spouse acquires the veteran's ownership interest; (2) the veteran had a service connected disability "rated as 100 percent disabling" by the VA, or "died as a result of a service-connected disability," and (3) immediately prior to the veteran's death, the company was verified in the VA's VetBiz database.

APTAC friend Steve Koprince has written two excellent blog posts on these changes: SDVOSB Programs: 2017 NDAA Sharply Curtails VA Authority and 2017 NDAA Modifies Ownership and Control Criteria. The House and Senate have both passed the 2017 NDAA; it now goes to the President to be signed into law. These provisions will then need to go through the rule-making process, but the bill provides that the SBA and VA "shall issue guidance" pertaining to these matters within 180 days of the enactment.

VA Resource on "Direct Ownership" requirements

Although the 2017 NDAA includes changes to ownership requirements for SDVOSBs, the current criteria will remain in effect until the rulemaking process is complete, which is likely to extend at least into 2018.

In the meantime, the VA has shared with APTAC (and its Verification Counselors) the recording of a webinar it held for its staff on "Direct Ownership" issues. Please click here to view (20 minutes). You'll need to "register" with your name, organization and email address, at which point you will be directed to the webinar recording.



NW Michigan PTAC facilitating Contracting certification training

The Northwest Michigan PTAC is facilitating a government contracting training program being delivered by TwentyEighty Strategy Execution (formerly ESI International) which will result in an Associate's Certificate in Contract Management from the George Washington University School of Business.



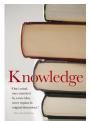
The program—comprised of three 5-day classes—will be conducted via live virtual instruction, meaning that there will be designated days and times that the classes will be held with a live instructor, but the material will be delivered virtually. Thus, PTACs nationwide can take advantage of this training. The NW Michigan PTAC has negotiated a significantly discounted



rate for the training, but participants must enroll in the entire program, and there must be a minimum total enrollment of 15 (maximum 25).

For more information or to register, please contact Deb Donovan at 231.929.5076 or deb.donovan@networksnorthwest.org.

BOK Feature: C.8 Source Selection



Source Selection in government contracting is a process whereby proposals are examined against the requirements of a solicitation (Request for Proposal or Request for Quotation). Based on the requirements specified by the anticipated using activity, the relevant procurement policies and regulations, pertinent facts and recommendations presented, a decision is made for the award of a contract to one or more offerors.

This BOK topic provides basic information about the Source Selection Organization and Team, the Evaluation Process, Cost/Technical Analysis, and communications between the offerors and the agency

during and after the selection process. Read the full description.

See the full BOK

Inside APTAC: Member Notes

A Warm APTAC Welcome to:

Gary Alfano and Kristine Halleck, Connecticut PTAC

Dallas Brown, Nancy Brown, Jon Olsen and Christine Wildes, Kentucky PTAC

Darryl W. Thomas, Illinois PTAC

John Rice, Nevada PTAC

Wanted: Good readers who enjoy being the first "in-the-know".

APTAC's Communications Committee is looking for two individuals willing to join our review/proof-reading team for APTAC's Weekly Newsletter and Quarterly eMagazine. This is a great, low-pressure way to be involved in your Association! Contact

headquarters@aptac-us.org to express your interest.



Ready for Recertification? All APTAC Certificants must earn 10 ATCs each calendar year to maintain their certification(s). Check your Professional Development profile now to make sure you have sufficient credits to be recertified. If you find yourself a few short, make sure you pick up your needed coursework in the next few weeks. Click here for Learn about our Recertification process. suggestions of training resources.

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