

PART 2024 - PROPERTY AND SUPPLY

SUBPART Q - PROCUREMENT PREFERENCE PROGRAM

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PART 2024 - Property and Supply

SUBPART Q - Procurement Preference Program

§ 2024.801 Introduction.

In accordance with the Small Business Act (15.U.S.C.637), Public Law 85-536, as amended, and as implemented by 41 CFR 1-1.7, it is the policy of the Government to promote maximum practicable opportunities in its acquisitions to small businesses. Only through full and open competition can contracting personnel ensure that a fair proportion of contracts for supplies and services be placed with small businesses. It is the declared policy of Congress that the Federal Government, through the Small Business Administration (SBA), acting in cooperation with the Department of Commerce and other relevant State and Federal agencies, should aid and assist small businesses as defined under the Act, as amended, as well as Executive Order 12432, and a variety of legislation focusing on procurement programs. These programs include assistance for small businesses to promote the growth and competitiveness of small businesses, small disadvantaged businesses, women-owned small businesses, veteran-owned small businesses, service-disabled veteran-owned small businesses, and HUBZone small business concerns, collectively referred to as the Procurement Preference Program (PPP). Such small business concerns must also have the maximum practicable opportunity to participate as subcontractors in Federal contracts. In carrying out the Department of Agriculture's mission, the Office of Small and Disadvantaged Business Utilization (OSDBU) provides Department-wide leadership in the implementation and execution under Sections 8 and 15 of the Small Business Act to promote the growth and competitiveness of the PPP through equitable participation in the Department's procurement program opportunities such as the Vendor Outreach Program.

§ 2024.802 Purpose.

This subpart describes the responsibilities, outreach guidance, and resources to use for obtaining small businesses under the PPP to ensure compliance with existing small business legislation and to ensure that small businesses receive an equitable share of Rural Development contracts.

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§ 2024.803 Responsibilities of the Requisitioners.

The Requisitioners should work with the Contracting Officers to take all reasonable actions to increase participation of small businesses in Rural Development procurement of supplies and services.

§ 2024.804 Responsibilities of the Contracting Officers (COs).

The CO is responsible for ensuring that a fair proportion of Government contracts are placed with small business concerns. This includes: (a) Reviewing acquisitions to determine if they can be set-aside for small business concerns; (b) Providing justification for acquisitions not set-aside for small business concerns, when applicable; and (c) Including contract clauses, applicable small business size standards, and the North American Industry Classification System (NAICS) codes in all solicitations involving set-asides located at www.arnet.gov.

§ 2024.805 Responsibilities of the OSDBU.

The OSDBU is responsible for ensuring the maximum opportunity to small, disadvantaged, women-owned, veteran-owned, 8(a), or HUBZone businesses seeking contracting opportunities with the Department. This includes: (a) Reviewing proposed acquisitions not set-aside for small business expected to exceed the Simplified Acquisition Procedures (SAP) threshold, (b) Ensuring subcontracting provisions are in solicitations and reviewing subcontracting plans, (c) Ensuring that **all** appropriate SAP acquisitions are exclusively reserved for small businesses, and (d) Assisting the Agency to establish goals.

§ 2024.806 Responsibilities of the Procurement Center Representative (PCR).

SBA assigns a PCR to contracting activities to carry out SBA policies and programs. The PCR is required to comply with the contracting agency's directives governing the conduct of contracting personnel and the release of contract information (i.e., solicitations in FedBizOpps). The PCR's duties include: (a) Reviewing proposed acquisitions and making recommendations to set-aside acquisitions, (b) Reviewing acquisition packages that make it unlikely for small businesses to compete and recommending alternative contracting methods, and (c) Conducting periodic reviews of the contracting activity to ensure compliance with SBA policies and regulations.

§ 2024.807 Responsibilities of the Small Business (SB) Coordinator.

The SB Coordinator is responsible for ensuring that small businesses are allowed maximum opportunity to participate in the Agency's contracting actions. This includes: (a) Reviewing acquisitions expected to exceed the SAP threshold that are not set-aside for small business concerns; (b) Reviewing Subcontracting Plans to ensure that plans provide the maximum utilization of small, disadvantaged, women-owned, veteran-owned, 8(a), or HUBZone businesses; (c) Recommending resources (i.e., GSA Advantage, ProNet, etc.) for obtaining potential small businesses; (d) Providing outreach guidance to the Agency's customers; and (e) Participating with OSDBU to establish agency goals.

§ 2024.808 Outreach guidance.

The Small Business Coordinator will provide guidance to the CO on soliciting small businesses to increase small businesses participation.

§ 2024.809 Size standards.

The SBA establishes small business size standards on an industry-by-industry basis as prescribed in FAR 19.1 Size Standards. Small business size standards are applied by classifying the product or service being acquired in the industry. The Size Standards definitions are found in the North American Industry Classification System (NAICS) Manual located at www.census.gov.

§ 2024.810 Resources to use for obtaining small businesses.

(a) SBA has established Regional Offices that are responsible for SBA Offices within selected states or territories for considering regional needs of SBA programs for small businesses. The SBA Regional Offices are located at www.sba.gov.

(b) ProNet is a computerized data base and electronic gateway that provides a listing of small, disadvantaged, 8(a), HUBZone, women-owned, and veteran-owned businesses. The ProNet system located at the SBA website searches by NAICS codes, key words, location, quality certifications, business type, and ownership race and gender.

(c) The General Services Administration (GSA), Federal Supply Schedules (FSS) offer an on-line shopping service called "GSA Advantage" that enables ordering offices to search for product-specific information by national stock number, part number, or common name and shows the size standards of the businesses. GSA Advantage is located at www.fss.gsa.gov.

§ 2024.811 Resources for small businesses to obtain assistance.

(a) Minority Business Committee (MBC). Departmental Regulation (DR) 1043-006 established the USDA MBC to facilitate communications to assist minority businesses with eliminating barriers that reduce participation in USDA contracting programs. DR 1043-006 is located at www.usda.gov/ocio/directives/dr.

(b) Minority Business Development Agency (MBDA). The MBDA is responsible for providing financial management and technical assistance programs to assist minority businesses. The MBDA is located at www.mbda.gov.

(c) Minority Business Development Centers (MBDCs). The MBDCs are regional centers located within selected states or territories to provide leadership and promote the competitiveness of minority-owned businesses. The MBDC listings are located at the MBDA website.

(d) Minority Business Opportunity Committee (MBOC). The MBOC provides Federal assistance to State and local government entities, American Indians, and non-profit and for-profit organizations to provide guidance for minority businesses. The MBOC is located at the MBDA website.

(e) Addresses for the OSDBU, PCR, and SB Coordinator. The OSDBU, PCR and SB Coordinator may be contacted if assistance is needed with soliciting small businesses. The addresses are as follows:

OSDBU/PCR
USDA, Office of Small and
Disadvantaged Business Utilization
1400 Independence Avenue, SW
Room 1566-S, Stop 9501
Washington, DC 20250-9501
Phone: (202) 720-7117
Fax: (202) 720-3001

SB Coordinator
USDA, Rural Development
Procurement Management Division
1400 Independence Avenue, SW
Stop 0741
Washington, DC 20250-0741
Phone: (202) 692-0244
Fax: (202) 692-0117

§§ 2024.812 - 2024.850 [Reserved].

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