

U.S. Army Corps of Engineers Dredging Small Business Considerations CMANC Conference

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US Army Corps of Engineers
BUILDING STRONG



USACE Small Business Program Mission Statement

Develop the Small Business Program as an integral part of the USACE acquisition program, providing expert advice to execute the USACE mission and ***expand the industrial base of small businesses ready to respond to the nation's day-to-day, infrastructure, contingency, and disaster needs.***



Why Consider Small Business?

It is the Government's **policy** to provide **maximum** acquisition opportunities to small businesses. It's the **Law**.

The Small Business Act states in part that:

- ☐ It is the declared policy of Congress that the Government should aid, counsel, assist, and protect ... the interests of small business concerns
- ☐ To insure that a fair proportion of total ... contracts be placed with small business enterprises
- ☐ For purposes of maintaining and strengthening the overall economy of the nation



Federal Acquisition Regulation

- ☐ Provides policies and procedures for Federal acquisitions
- ☐ Implements the acquisition-related sections of the Small Business Act
- ☐ Defines Head of the Contracting Activity's (HCA) role
- ☐ Requires agencies to conduct Market Research
- ☐ Requires agencies to conduct Acquisition Planning
- ☐ Requires agencies to use Market Research results to develop an Acquisition Strategy (e.g. Small Business Set-Aside, Full and Open Competition)



RULE OF TWO

FAR Part 19.502-2

The contracting officer **SHALL** set aside any acquisition over \$150,000 for small business participation when there is a reasonable expectation that:

(1) Offers will be obtained from at least two responsible small business concerns offering the products of different small business concerns;

And

(2) Award will be made at fair market prices.

Total small business set-asides **shall not** be made unless such a reasonable expectation exists



FAR Part 19.502-6

Insufficient Causes for Not Setting Aside an Acquisition

None of the following is, in itself, sufficient cause for not setting aside an acquisition:

- (a) A large percentage of previous contracts for the required item(s) has been placed with small business concerns.
- (b) Small business concerns are already receiving a fair proportion of the agency's contracts for supplies and services



52.236-1 Performance of Work by the Contractor

Performance of Work by the Contractor (Apr 1984)

- The Contractor shall perform on the site, and with its own organization, work equivalent to at least ____* [insert the appropriate number in words followed by numerals in parentheses] percent of the total amount of work to be performed under the contract. This percentage may be reduced by a supplemental agreement to this contract if, during performing the work, the Contractor requests a reduction and the Contracting Officer determines that the reduction would be to the advantage of the Government.
- *NAICS code 237990 – **Dredging**: To be considered small for purposes of Government procurement, a firm must perform at least 40 percent of the volume dredged with its own equipment or equipment owned by another small dredging concern. [public law 13 C.F.R. § 121.201]



Small Business Goals for FY15

1 Oct – 30 Sep

		SPL	SPN	Statutory
Small Business	○	50%	30%	23%
Small Disadv. Business		20%	10%	5%
Service Disabled Veterans		5%	3%	3%
HubZone		7%	4%	3%
Woman Owned		9%	5%	5%



Los Angeles and San Francisco District's FY2015 Dredging Program

- Continue Breakwater Repair at LALB Harbor, capacity \$5-\$10 = LB
- Richmond Inner and Outer Harbor Channel Maint Dredging, capacity \$10-\$20M = TBD
- Pinole Shoal Chanel and the Suisun Bay Maint Dredging, capacity \$5-\$10M = TBD
- Oakland Inner and Outer Harbor Channel Maint Dredging, capacity \$10-\$20M = TBD
- Oakland Part Deux Dredging, capacity \$5-\$10M = TBD
- No small businesses have hopper dredge equipment = no opportunities
- Clam Shell Dredging have at least 4-5 capable small businesses



Contact Info

Questions on Small Business Program or Acquisition Process

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Thank you!

