

PTAC Link

PROCUREMENT TECHNICAL ASSISTANCE CENTER – CONNECTING BUYERS & SUPPLIERS

Progress Through Regional Cooperation In The Alleghenies

SAP&DC

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May/June 2018

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State of Contractor Registrations

by James Gerraughty,
PTAC Program Manager



Federal side of things:

In our last newsletter, I wrote about the changes to SAM registration, due to a data breach. Requiring a notarized letter for a new registration may be a bit of a headache, but it's not insurmountable.

Well, that changed in mid-April. Now, every firm, whether a new registrant or a renewing one, must submit a notarized letter. These rules went into effect on April 27, 2018. There are templates for the letter on the SAM website, and we have a couple of examples to share at the Southern Alleghenies PTAC.

We've helped approximately 10 companies through this new process. The registration information online has stayed the same (you still have to answer questions about satellite launch capabilities...), and you will go through the same authentication procedures. The letter review, however, is the part that takes the longest. We have been experiencing over 5 weeks for a review of a letter before a new company gets an activated CAGE code or a renewal to a previously-registered company. If you have a renewal coming up, I strongly suggest you get the letter out, even before you start renewing your company's SAM registration.

This data breach has also delayed the rollout of <https://beta.sam.gov>, the site that was to replace www.sam.gov in July of 2018. I have received no information from GSA on when the replacement will

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happen, so if you have a SAM registration coming due in the next 3-6 months, continue to use the original www.sam.gov site.

State side of things:

Good news! No changes to registrations on the PA Supplier Portal!

A final word on SAM: SAM registration will always be free. Please contact your local PTAC for any assistance regarding these new registration guidelines or any other questions. We can be reached at (814) 949-6550 or ptac@sapdc.org.

Editor's Note:

In this newsletter, we have guest articles from Donna Hottel and Laurie Lentz, of the North Central and Northern Tier PTACs, respectively. They are partners with the Southern Alleghenies PTAC in bringing government procurement assistance to our 15 counties in PA!

Cybersecurity Seminars

The PTAC at Northern Tier Regional Planning and Development Commission (NTRPDC) hosted two Cybersecurity Seminars in partnership with the University of Scranton Small Business Development Center. The seminars focused on the NIST 800-171 compliance issues required for DoD prime and subcontractors which is also a great starting point for all companies. The topics included "Where to begin when it comes to development of a cybersecurity strategy and plan," and "How to identify your assets and risks, protect your assets, detect vulnerability, respond to events and recover successfully from events." For more information on this seminar contact Laurie Lentz, Procurement Program Manager: [Email Lori](mailto:lori@ptac.org). The PTAC at NTRPDC serves Bradford, Sullivan, Susquehanna, Tioga and Wyoming counties.

[NT Website](http://www.ntptac.org)

Johnstown's Showcase for Commerce: BAE Systems Needs List & Contacts



On the anniversary of the Johnstown Flood (May 31, 1889), many key defense industry decision makers and potential suppliers met in Johnstown for the 28th Annual Showcase for Commerce 3 day event.

Donna Hottel, Director of Procurement Assistance/North Central PTAC attended Day 1 of the event for the BAE Supplier Briefing and the Government Acquisition Leaders Briefings noting, "These briefings are the best to get answers right from the decision makers." BAE gave a great presentation and offered each company one-on-one time to meet with them to discuss future business opportunities. BAE's supply chain includes almost

27,000 suppliers world-wide.

"Readiness" was noted to be a top concern, as more resources and effort are needed to combat on-going threats.

BAE Systems is a global defense, aerospace and security solutions company providing many products and services required for our air, land and naval forces including advanced electronics, security, information technology and support services.

[BAE IS LOOKING FOR](#) (full article)

[NC Website](#)

[Email Donna](#)

Success Story

HalenHardy: A COSTARS Success



HalenHardy, headquartered in Bellwood, Pennsylvania, provides products and services specifically focused on the mobile outdoor workforce in the oil & gas, mining, construction, emergency response, remediation, transportation, utilities and demolition industries.

Donny Beaver, HalenHardy Co-Founder and CEO, shares the fascinating explanation of the business name on their website: www.halenhardy.com. He also shares openly the company's philosophy and commitment to creating a safer, cleaner environment.

HalenHardy's Cindy Hoffer reached out to The Southern Alleghenies PTAC for assistance with their COSTARS-12 Contract bid application, paperwork, and submission. The SAP&DC PTAC also answered follow-up questions from the PA Department of General Services.

Their COSTARS-12 contract award was confirmed in late April 2018.

Submit your noteworthy client success story that was facilitated by the PTAC's assistance or other significant programmatic accomplishments. Contact us and we will send you a simple form to complete!

Contractors Oppose Proposed Limit on Federal Bid Protests

by Charles S. Clark



As the Senate Armed Services Committee on Monday began its markup of the fiscal 2019 National Defense Authorization Act, a contractors group was pushing committee leaders to reject a Pentagon proposal to curb time-consuming bid protests.

Seeking to eliminate what some senators call "frivolous"

protests and what acquisition officials call "forum shopping," the Defense Department this spring pressed for limiting the ability of contractors who unsuccessfully sought an award and are rejected by the Government Accountability Office to then continue their protest at the Court of Federal Claims. The plan would limit the so-called "second bite at the apple" in the court to within 10 days of knowing (or when they should have known) they had the basis for a protest.

The Professional Services Council, which represents 400 contractors, last week wrote to top senators on the Armed Services and Judiciary committees calling the plan "premature" [More Protest](#)

(Accessed 05/24/2018)

5 Things You Should Know: SBA's Definition of Manufacturer by Matthew Schoonover

SBA's regulations say that in order to qualify as a small business under a set-aside or sole-source contract seeking manufactured products or supply items, an offeror ordinarily must either be the manufacturer of the end item or qualify under the nonmanufacturer rule.

This post will discuss five things your small business should know about qualifying as a manufacturer under the SBA's rules; in a future post, I'll walk through the nonmanufacturer rule.

Let's get to it: here are 5 Things You Should Know about the SBA's definition of manufacturer.

1: When does the definition of manufacturer apply? SBA's rule applies whenever the government seeks manufactured products or supply items under a solicitation reserved for small businesses (including 8(a), HUBZone, SDVOSB, or WOSB companies). The solicitation should make this fairly clear. But if you have any doubts, take a look at the NAICS code: if it's assigned a code beginning with "31," "32," or "33" (as in, NAICS code 311111 (dog and cat food manufacturing) or 339940 (office supplies (except paper) manufacturing)), the agency wants a manufactured product or a supply item. If it's still not clear, ask the contracting officer for clarification before bidding.

2: Are you the manufacturer?

SBA's regulations say that the manufacturer is the company that performs the primary activities in transforming or assembling materials into the end item being procured. To qualify, the company must use its own facilities, and as a result of the company's work, the end item must "possess characteristics which, as a result of mechanical, chemical, or human action, it did not possess before the original substances, parts, or components were assembled or transformed." SBA also says that performing "minimal operations" doesn't do the trick, and cautions that "[f]irms that add substances, parts or components to an existing end item to modify its

performance will not be considered the end item manufacturer where those identical modifications can be performed by and are available from the manufacturer of the existing end item."

That's a definition only a lawyer could love, so keep the following factors in mind to help determine whether you're the manufacturer:

- * The proportion of total value in the end item added by your efforts (excluding overhead, testing, and quality control costs and profit);
- * The importance of the elements you add to the end item's overall function, even regardless of value; and
- * Your technical capabilities; plant, facilities, and equipment; production or assembly line processes; packaging and boxing operations; labeling of products; and warranties.

In most cases, it should be fairly obvious whether your company is the manufacturer. But if there are doubts, it may be wise to review relevant decisions of the SBA's Office of Hearings and Appeals, which decides appeals relating to the rule.

It's also important to note that the SBA's definition is not identical to those used in domestic preference statutes like the Trade Agreements Act and Buy American Act. Qualifying as a manufacturer under a domestic preference statute doesn't automatically satisfy the SBA.

3: Can there be more than one manufacturer?[Top 5 Continued](#)

(Accessed 05/24/2018)

About Us

The PTAC at SAP&DC is an economic development entity that bridges the gap between supplier and buyer in the government marketplace. The PTAC stands ready to support businesses in the central PA Alleghenies region in the pursuit to secure contracts with local, state and/or federal government agencies nationwide.

Due to the generous support of our Commonwealth and Federal funding partners, services provided by the PTAC are free of charge.

Whether you are an experienced contractor or new to the government marketplace, the PTAC will provide one-on-one counseling utilizing all of the program resources necessary to increase your share of contract awards.

Contact us today at The PTAC at SAP&DC to get started!

Email: ptac@sapdc.org

Phone: (814) 949-6500

Web: [PTAC @ SAP&DC](#)

SAP&DC | 814-949-6528 | jgerraughty@sapdc.org | <http://www.sapdc.org>

3 Sheraton Drive
Altoona, PA 16601



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