
MEETING AGENDA

AGC – Small Business Administration Meeting

10:45 AM – 11:45 AM

Welcoming Remarks and Introductions

Andy Brown
Chair, AGC Small Business Committee

SBA Remarks

Kenneth Dodds
Director

Sam Le
Attorney Advisor, Office of General Counsel

AGC Questions for SBA

ALL SMALL MENTOR-PROTÉGÉ PROGRAM

- In 2016 SBA extended its mentor-protégé program to all small businesses —whether a categorical small business (WOSB, SDVOSB, HUBZone) or plain small business. SBA now operates two mentor-protégé programs: (1) one for small businesses in the 8(a) program; and (2) another for all other small businesses.
 - Please explain the basics of the new program; how will SBA handle applications to the new program; and the limits placed on being a mentor or protégé.
- AGC understands that the new all small business mentor-protégé program gives the SBA authority to wind down other federal agency-specific mentor-protégé programs, except the Department of Defense.
 - What are the status of the other agencies' programs? Does SBA intend to end any other agency's mentor-protégé program? If so, does SBA have a time frame to end the program?
- Under the "Rule of Two," a federal contracting officer must set aside any contract over \$150,000 for small businesses when there is a reasonable expectation that: (1) offers will be obtained from at least two responsible small business concerns; and (2) the award will be made at fair market prices. FAR 19.502-2(b).
 - How does the all small mentor-protégé program impact the Rule of Two?

SUBCONTRACTOR COUNTING RULE

- SBA recently finalized a rule allowing direct-federal large business prime contractors to count lower tier small business subcontractors towards their small business subcontracting goals. Prior to this rule, such prime contractors were only able to count first tier small business subcontractors towards those goals. Although the rule went "into effect" on Jan. 23, there is no way for prime contractors to receive credit for small business subcontractors until the Federal Acquisition Regulation Council issues a final rule to include this in federal contracts.
 - What is the status of this rule becoming final rule to include federal contractors?
 - What is SBA doing to help move the FAR to issue the final rule?
 - What does SBA believe the impact of this new rule will be on small federal contractors?

AGENCY REGULATIONS

- We have seen both the legislative branch and the executive branch take initiatives to introduce new restrictions on agency's rule making abilities. For example, President Trump issued the two for one executive order that held for every one new regulation proposed there would need to two regulations rescinded. In Congress, we have seen a host of regulatory reforms passed and several others. There are clear signs that agency will be greatly limited in issuing new regulations and will remove previously established rules. In the fall of 2017 USACE asked for public comment on regulatory reduction which AGC submitted.
 - Please speak to how SBA believes this new regulatory climate will impact the agency?
 - Are there specific regulations that are currently, or will likely be, eliminated or reformed?
 - How will the agency change its rule making process?

General Questions

- Open questions from the floor?
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SBA Questions for AGC

Adjourn