



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, DC 20240

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Department of the Interior Acquisition Policy Release (DIAPR) 2012-01

Subject: Women-Owned Small Business Program

Reference: Federal Acquisition Regulation (FAR) Part 19.15, Women-Owned Small Business (WOSB) Program

1. **Purpose:** This DIAPR provides guidance regarding the WOSB Program.
2. **Effective Date:** Upon signature.
3. **Expiration Date:** No expiration unless superseded or cancelled.
4. **Background and Explanation:**

The FAR was revised to cover a new small business procurement set-aside program for women-owned small businesses. An interim rule was published on April 1, 2011, and took effect immediately. The interim rule adds a new FAR subpart 19.15 to implement Section 8(m) of the Small Business Reauthorization Act of 2000 (P.L. 106-554), which authorized Federal agencies to set aside contracts for WOSBs and economically disadvantaged WOSBs (EDWOSBs) in industries where such firms are underrepresented. The Small Business Administration (SBA) initiated the new program in a final rule dated October 7, 2010, and officially launched the program on February 4, 2011.

There are 45 North American Industry Classification System (NAICS) codes in which WOSBs are underrepresented; and 38 NAICS codes in which WOSBs are substantially underrepresented. The NAICS codes can be found online at <http://www.sba.gov/content/contracting-opportunities-women-owned-small-businesses>.

The attachment provides a Quick Reference for the WOSB and EDWOSB programs. Contracting Officers (COs) may set aside a solicitation for WOSB and for EDWOSB if:

- The NAICS code is in an industry in which WOSBs are substantially under-represented;
- There is a reasonable expectation that two or more WOSBs will submit offers;
- The anticipated award price of the contract will not exceed \$6.5 million for manufacturing or \$4 million for other contracts; and
- A fair and reasonable price is determined.

WOSBs are required to submit certain documents to the WOSB Program Repository. The repository is maintained by the SBA to house the documents submitted by WOSBs that verify eligibility to receive contract awards under the program.

5. Action Required:

COs must register and request a password for an account in the SBA General Log-In System, at https://eweb.sba.gov/gls.dsp_login.cfm, to verify the eligibility of a WOSB before contract award to a WOSB or EDWOSB is possible.

6. Additional Information:

For questions, please contact your local Small Business Specialist. Matters that cannot be resolved at the bureau level may be referred to William McFadden, Office of Small and Disadvantaged Business Utilization, at (202) 208-4907 or via e-mail at Bill_McFadden@ios.doi.gov; or Brigitte Meffert, Office of Acquisition and Property Management, at (202) 254-5514 or via e-mail at Brigitte_Meffert@ios.doi.gov.



Debra E. Sonderman, Director
Office of Acquisition and Property Management

Attachment

QUICK REFERENCE

Women-Owned Small Business Program

What is the Women-Owned Small Business Program?

- It is a program that authorizes contracting officers to “set aside,” that is, limit competition for certain acquisitions to eligible women-owned small businesses (WOSBs) or economically disadvantaged women-owned small businesses (EDWOSBs).

What is its purpose?

- It helps WOSBs in those industries that SBA has identified as having WOSB underrepresentation or substantial underrepresentation attain government contracts.
- It helps procuring agencies meet the 5% government-wide WOSB contracting goal.

What are the requirements to set aside an acquisition for WOSBs and EDWOSBs?

- **WOSB Set Aside**
 - NAICS code assigned to solicitation is in an industry in which WOSBs are *substantially underrepresented* (38 4-digit NAICS designated).
 - CO has reasonable expectation that two or more WOSBs will submit an offer (note: all EDWOSBs are WOSBs).
 - The anticipated contract award price (including options) does not exceed \$6.5 million for manufacturing, or \$4 million for all other contracts.
 - Contract can be awarded at a fair and reasonable price.
 - There is no statutory sole-source authority as there is in 8(a), HUBZone or Service-Disabled Veteran-Owned (SDVO) small business programs.
- **EDWOSB Set Aside**
 - NAICS code assigned to solicitation is in an industry in which WOSBs are *underrepresented or substantially underrepresented* (all 83 4-digit NAICS designated).
 - CO has reasonable expectation that two or more EDWOSBs will submit an offer (note: WOSBs are not necessarily EDWOSBs).
 - The anticipated award price of the contract (including options) does not exceed \$6.5 million for manufacturing, or \$4 million for all other contracts.
 - Contract can be awarded at a fair and reasonable price.
 - There is no statutory sole-source authority as there is in the 8(a), HUBZone or Service-Disabled Veteran-Owned (SDVO) small business programs.

Where is more information available?

- SBA’s regulations at 13 C.F.R. 127
- FAR subpart 19.15
- www.sba.gov/wosb

What are the eligibility requirements for a WOSB?

- Must qualify as a small business under SBA rules.
- At least 51% unconditionally and directly owned by women who are U.S. citizens.
- A woman must manage the day-to-day operations on a full-time basis.
- A woman must hold highest officer position.
- No minimum amount of time the company has to be in business.

What are the eligibility requirements for an EDWOSB?

- Same qualification as WOSB, PLUS:
- Personal net worth (assets minus liabilities) is less than \$750,000 (with certain exceptions)
- Adjusted gross income average over three years is \$350,000 or less (with limited exceptions)
- Fair market value of assets is \$6 million or less (again, limited exceptions)
- Will look at spouse's finances if spouse has role in WOSB/EDWOSB

Are there certification requirements?

- Yes, there are two ways for a WOSB/EDWOSB to verify eligibility:
 - Self certification with supporting documents, or
 - Third party certification with supporting documents
- Documents verifying WOSB/EDWOSB eligibility must be submitted to the WOSB "Repository", a website where the documents reside.

What documents must be submitted for self-certification to the WOSB Repository?

- Birth certificates, naturalization papers, unexpired passports to verify U.S. citizenship.
- Copy of Joint Venture agreement, if applicable.
- Copy of WOSB/EDWOSB Certification.
- Corporate information to verify ownership by a woman or women.
- EDWOSBs: All of above and SBA Form 413, Personal Financial Statement for each woman claiming economic disadvantage

Where is the repository located?

- https://eweb.sba.gov/gls/dsp_login.cfm