



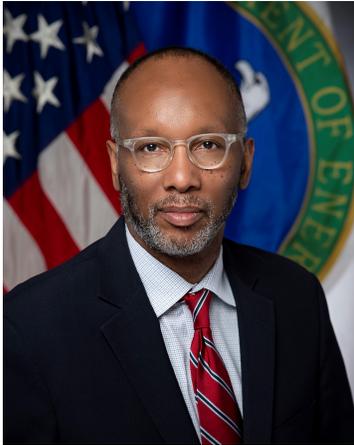
Quarterly Newsletter

May 2022



OFFICE OF SMALL AND DISADVANTAGED BUSINESS UTILIZATION

FROM THE DIRECTOR



As the new OSDBU Director, it is my pleasure to share quarterly updates on the DOE's small business activities and achievements. The OSDBU continues to advance initiatives to help maximize opportunities for small businesses.

In collaboration with the Office of the Chief Information Officer's IM-50 team, the OSDBU has begun piloting an Artificial Intelligence (AI) Customer Care Chatbot to help make it easier for small businesses to do business with the Department. The AI Chatbot has been well received by stakeholders and

increased taxpayer savings by enhancing the OSDBU's business efficiencies. Additionally, the OSDBU continues to support the Department's Equity Procurement Working Group and Bipartisan Infrastructure Law Contracts Support Services Working Group to help increase practicable opportunities for small businesses, including minority-owned firms.

The DOE projects a total of \$9.7 billion in prime and subcontract awards to small businesses, earning an A grade (possibly higher) from the U.S. Small Business Administration (SBA) for the Fiscal Year (FY) 2021 Small Business Procurement Scorecard, which is anticipated to be released this summer. Recently, the OSDBU signed a Memorandum of Understanding with the SBA related to the Small Business Procurement Scorecard, an annual assessment tool to measure agency small business and socio-economic achievement. To capture a more complete picture of the DOE's prime small business achievement, the SBA will utilize data from the Electronic Subcontracting Reporting System (eSRS) rather than the Management and Operating Subcontracting Reporting Capability (MOSRC) for the FY 2021 and future scorecard grades.

As we look forward to the ongoing DOE small business activities and initiatives, the OSDBU would also like to give special thanks and kudos to Thomas W. Dussault, the Office of Acquisition Management's Deputy Director who has retired. Congratulations Tom on your contributions to the Department's small business achievements and we wish you the best in future endeavors.

Thank you for advocating for the utilization of small businesses to help advance the DOE's mission.

Ron Pierce

Ron P. Pierce, Director
Office of Small and Disadvantaged Business Utilization
U.S. Department of Energy

DOE SMALL BUSINESS SOCIO-ECONOMIC ACHIEVEMENT

The DOE is currently on pace for overall prime small business achievement that exceeds FY 2021 prime small business achievement. In terms of year-to-date socio-economic achievement, the Department anticipates a decrease in three of the four prime contracting SBA-graded socio-economic categories. The OSDBU will be focusing on the shortfall to the socio-economic categories in support of increasing our achievements throughout the year.

The OSDBU appreciates the collective Departmental effort to meet the annual prime contracting socio-economic goals established by the SBA to help maximize small business opportunities.



- The Department is projected to decrease prime small business awards to Small and Disadvantaged Businesses (SDB) for a total of \$466M.
- This marks a projected decrease of \$137M during this period in FY 2021.



- The DOE anticipates a decrease in prime small business contracting with Women-Owned Small Businesses (WOSB) for a total of \$339M.
- This is a projected decrease of \$38M from this period in FY 2021.



- The DOE is projected to decrease prime small business awards to Historically Underutilized Business Zone (HUBZone) Small Businesses for a total of \$67M.
- This marks a projected decrease of \$60M during this period in FY 2021.

RON PIERCE IS THE NEW OSDBU DIRECTOR

The OSDBU is pleased to announce Mr. Ron P. Pierce, an appointee of the Biden-Harris Administration, as its new Director. In his prior role, Ron served as an independent management consultant, where he led efforts to address issues on environmental and climate change for several small businesses and military veteran lawmakers.

Ron spent five years as Senior Director of PBS Veterans and Small Business Initiatives on the Station Services Team. He led the national planning, coordination, and implementation efforts for member stations and other public media partners across the country. Over the course of two high-profile presidential campaigns, Ron was the National Director of small business, veterans, and military family outreach programs at the DNC.

A combat veteran, Ron spent 11 years as a U.S. Army Officer. He earned his B.S. in Behavioral Human Services from the U.S. Military Academy at West Point, NY, and holds a Master of International Affairs from the Naval Postgraduate School at Monterey, CA.

OSDBU AND SBA SIGN MOU

Recently, the OSDBU signed a Memorandum of Understanding (MOU) with the SBA related to the small business first-tier subcontracting achievements of the DOE's Management and Operating (M&O) prime contractors for the annual Small Business Procurement Scorecard. The SBA established the Small Business Procurement Scorecard as an annual assessment tool to measure agency small business and socio-economic achievements.

Prior to this MOU, the DOE and SBA each independently developed procedures for DOE to collect, and then for SBA to receive, the M&O subcontracting achievements. Those prior procedures were put in place in 2015. More recently, the DOE and SBA have found that compliance with DOE's collection procedures by the M&O prime contractors missed a significant portion of first-tier subcontracts due to restrictions in publicly reporting certain transactions.

The SBA and DOE now agree to coordinate DOE's information collection and SBA's receipt of data. Recognizing that its prior procedures resulted in underreporting, DOE will collect first-tier subcontracting achievements through the Electronic Subcontracting Reporting System (eSRS), the governmentwide system of record for subcontracting plan compliance for the Federal government.

SBA maintains independent access to that system and therefore has the capability to verify information that SBA receives from DOE. Thanks to the SBA for the partnership on this MOU that will help capture a more complete picture of DOE's small business and socio-economic achievements moving forward.



Photo: OSDBU Director Ron Pierce with the SBA's Deputy Administrator Bibi Hidalgo and Sam Le, Director, Office of Policy, Planning and Liaison.

SMALL BUSINESS PARTNERSHIPS

Oak Ridge National Laboratory, which is managed by UT-Battelle, LLC, is pleased to announce the award of four basic ordering agreements to local small and minority-owned businesses valued at up to \$100 million.

Over the next two years, these small businesses will provide short-term contingent workers in IT services, project management, business services, engineering services and science and technical support. These subcontractors will deliver short-term "surge capacity" support when needed and vital scientific and technical expertise for projects.

The four small businesses that were selected through a rigorous, competitive procurement process include a service-disabled veteran-owned entity, Alaska Native firm, and a women-owned small business. Other small businesses can also partner with these firms, which will further increase ORNL's small business utilization.

The awards are an important part of ORNL's roughly \$400 million annual small business commitment to support the economy of the city of Oak Ridge, the East Tennessee region and statewide. In addition, they represent a continuation of the laboratory's commitment to use taxpayer funds in the most efficient and transparent manner possible. UT-Battelle manages ORNL for the Department of Energy's Office of Science, the single largest supporter of basic research in the physical sciences in the United States.

Thanks to ORNL Small Business Program Manager Cassandra McGee Stuart for sharing this DOE small business success story.

If you would like to share a DOE small business story or have a suggestion for another topic in this newsletter, please email your submissions to Darren Lurie at darren.lurie@hq.doe.gov.

FY 2021 SMALL BUSINESS AWARDS

The OSDBU's Annual Small Business Awards Program recognizes the outstanding performance of people and organizations that promote and expand the Department's use of small businesses to help advance the DOE's mission.

The OSDBU is pleased to announce the award recipients of the FY 2021 Annual Small Business Awards Program:

Federal SBPM of the Year: Anne Marie Bird

Federal Contracting Officer of the Year: Angela Cooney

Federal Procurement Director of the Year: Aaron Deckard

FMC Small Business Program Manager of the Year: Paul Sedillo

FMC Contracting Officer of the Year: Stacey Johnson

FMC Procurement Director of the Year: Brooks Baldwin

Mentor of the Year: Sandia National Laboratories Supplier Diversity Mentor-Protégé Program

Protégé of the Year: CeLeen, LLC

8(a)/Small Disadvantaged Business of the Year: North Wind Portage, Inc.

Woman-Owned Small Business of the Year: Excel Tool & Manufacturing

HUBZone Small Business of the Year: Hacienda Home Centers

Service-Disabled Veteran-Owned Small Business of the Year: BluePath Labs LLC

SBIR/STTR Small Business of the Year: RadiaBeam Systems, LLC

Small Business of the Year: Spectra Tech, Incorporated

OSDBU Director's Excellence Award: Thomas W. Dussault

Congratulations to the award recipients of the FY 2021 Annual Small Business Awards Program and thank you for your contributions to the DOE's mission successes. For additional information concerning the Annual Small Business Awards Program, please visit the [OSDBU's website](#).

MAX.GOV AND LEGISLATIVE UPDATES

The OSDBU is pleased to announce its launch of a MAX.gov page for the DOE Acquisition Community and recent legislative updates from the Small Business Procurement Advisory Council.

MAX.GOV

The OSDBU has launched MAXimizing Small Business, a page on MAX.gov to share DOE small business resources and enhance collaboration with internal and external agency small business stakeholders. MAXimizing Small Business serves as a repository for OSDBU-related documents, policies, procedures and links to the DOE acquisition workforce for OSDBU staff, SBPMs, and contracting professionals. The OSDBU is excited to be part of the MAX.gov environment, joining the Office of Acquisition Management and other DOE organizations. Please check out the OSDBU's MAX.gov page [here](#).

LEGISLATIVE UPDATES

The SBA has identified new NAICS codes for the Women-Owned Small Business Program (WOSB):

- Underrepresented industries are qualified for EDWOSB set-asides/sole-source procurements (113 underrepresented NAICS codes).
- Substantially underrepresented industries are qualified for WOSB set-asides/sole-source procurements (646 substantially underrepresented NAICS codes).

Recently, there was an important development with The Tolliver Group, Inc. v. United States (Ct. Cl. 2020) case outcome:

- The Rule of Two unambiguously applies to "any" "acquisition," without any loophole for multiple-award IDIQ task orders.
- Section 644(r), which grants discretion to set aside task orders, does not lead to the conclusion that the agency may dispense with the Rule of Two.
- Just because the agency may have satisfied the Rule of Two with respect to the contract-level IDIQ, does not mean the agency has also satisfied its obligations with respect with specific requirements at the order level.

The Price Act: Promoting Rigorous and Innovative Cost Efficiencies for Federal Procurement and Acquisitions Act of 2021 ([Pub. Law 117-88](#)) was signed by the President on 2/22/22.

MARK YOUR CALENDARS

Below are upcoming small business events. Check out the [Small Business Events Calendar](#) on the OSDBU's website for more information.

May 25-27, 2022 U.S. Pan Asian American Chamber of Commerce (USPAACC) - CelebrASIAN 2022 Procurement + Business Conference

June 9, 2022 U.S. Women's Chamber of Commerce (USWCC) - 12th Annual Small Business Federal Contracting Summit

June 16, 2022 31st Annual Government Procurement Conference (GPC)



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The OSDBU maximizes contract opportunities for small businesses while advancing the Agency's mission.