



June 2022

Managing the Disruption

I'll be the first to admit it: I like consistency. I enjoy operating on a schedule. Routines make me happy. As a business owner, however, I expect change and embrace it. What I didn't expect was for pandemic and workforce disruption to last this long. Or have permanent impacts. I'm sure you can relate.

Since we're all in the same boat, it's helpful to use NVSBC colleagues as a sounding board – asking for advice or sharing best practices. Here are some of the issues I've been pondering.

Office space. Now that my own team has worked from kitchens, living rooms, bedrooms, and patios, I have a new appreciation for our office. It had a lot going for it, and, in many ways, it was the great equalizer. The office offered a stable environment that was safe, collaborative, and connected, with centralized shared services and resources.

Contractually, we may have to keep office space or return to client sites. However culturally, we've adapted to working apart, and have even hired for remote roles.

Remote management. Adapting to the new work environment meant revisiting our policies and onboarding to share our guidelines with employees. I believe the changes we make now will impact *how* we work for years to come. Keep an eye on management trends and best practices to help you revise policies – and prepare yourself for employees to test the limits of them. Keep in mind that employees like predictability and being able to plan for other aspects of their life including childcare, transportation, and work routines.

Watercooler culture. Casual interactions, the kind that took place in the kitchen or before staff meetings, now require intentional planning. Because I value collaboration, we've had to find new ways to connect, from status emails to virtual get-togethers to Slack channels. We also had to find new ways to share news and feedback. Being able to connect with different employees in different ways has actually been very positive.

Costs. You may have discovered new operating expenses, even if you've given up your office space. Stand-up desks, high-trust cloud storage, and high-speed internet all add up but they make the "new normal" work. I think we'll see benefits packages shift to include some work from home "perks" and maybe even more significant shifts across industries and government– like tax reform and cost of living standardization.

In conclusion, I'll say this: We were long overdue for a shake-up.

As much as I like routine, the changes and disruptors of the last two years have resulted in new work dynamics, a focus on work-life balance, and a much larger pool to hire from – all positives for my company.

As you consider your own business changes, I ask you to keep in mind your veteran-owned business community. If you need a service or product, look here. If you have an employee seeking a new opportunity that you can't provide, refer here. If you have a strategy that saved you hassles or headaches, share here.

Edward Tuorinsky
President, NVSBC

Members Profile

Name of Business Owner: Sven Kummelt
Military Branch/Years Served: Navy/4 years
Occupation in Military: Military Police/Security Forces
Name of business: Se7en Government Solutions and Consulting, LLC
Type of business: Consulting
Year Established: 2022
Location(s): Stafford, VA
Website: (in progress)



What motivated you to start your own business?

I wanted to use the expertise I gained during my military and federal career, along with my education, to build a successful business where I can be my own boss.

What has been your biggest challenge(s) in the Federal marketplace and how did you overcome them?

My biggest challenge has been securing my first contract. I have worked to overcome this by using my networking skills to expand my reach.

What advice would you give to other veteran small business owners?

I would advise other veteran small business owners to seek out a mentor who can guide them through the process of setting up their business and introduce them to other business owners at events.

Around The NVSBC



Newly Elected Board of Directors



Phil Panzarella
Founder & CEO
Panzarella Consulting LLC.



Nancy A. Langer
President
sbLiftOff



Al Sowers
President And CEO
OneZero Solutions

NVSBC Scholarship Program

The **NVSBC Scholarship Program** supports new and emerging veteran business owners who serve as federal contractors. Awarded each year since 2007 the NVSBC Scholarship Program has opened doors for veteran business owners through focused training programs, access to networking events, and growth opportunities. Awardees receive a one-year membership, participate in all NVSBC programs including our annual conference and other training programs, networking events, and most importantly personal coaching. The NVSBC Scholarship Program provides a unique opportunity to partner for success and accelerate new enterprise growth.

SCHOLARSHIP AWARDEES



Jason Valdes, Founder/President, VALTEQ LLC

Jason, a U.S. Army vet, is a seasoned technology executive with over 15 years of experience delivering innovative business solutions to government agencies. Serving as both a federal project manager and consultant, Mr. Valdes brings a unique perspective to federal contracting and project management



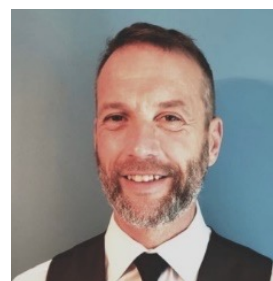
Carla "Gwen" Stephany, Founder/Owner - Riveter Construction and Engineering

Carla grew up in the Wisconsin countryside among hard-working, family-oriented Midwesterners. After earning a Bachelors & Masters Carla served for over a decade in the U.S. Air Force. Carla brings integrity and ingenuity to every project - with a healthy dose of friendly patience and humor. As a woman of integrity and a commitment to clients, Carla created Riveter to get the job done. Riveter Construction Engineering: We can do it, build it, create it, strengthen it.



Jason Wadsworth, Co-Founder/CEO - Veterans Alliance Technology

Jason is an Air Force Veteran with 20 years of government experience. His interest in technology led him to establish a technology company that understands the strategic needs of government organizations. He is a fellow at the Arizona State University's, Center for Law, Science and Innovation where he researched the disruptive implications of blockchain technology, drones, and other emerging technology.



Sven Kummelt, Founder/President - Se7en Government Solutions and Consulting LLC

se7en Government Solutions and Consulting, LLC is a 100% Service-Disabled Veteran Owned Small Business providing Government clients with innovative solutions, services, and consulting. We strive to deliver professional, reliable, and effective resources from multiple specialties to minimize risk and maximize client satisfaction

Calendar of Events



SCHEDULE

June 7 - Session 10, Where to look for traps in a RFP and how that ties to pre-award protests

June 14 - Session 11, Limitations on Subcontracting Compliance

June 24 - Session 12, Compliance Hacks: The Straight "As" of Accounting System Reviews

June 30 - Session 13, What Is NVSBC'S VetFedConnect?

Sign up today at <https://nvsbc.org/charlie-mike22/>

June 8 - NVSBC Washington DC Networking Dinner



Special Guest Speaker

Paul Lawrence

Former Under Secretary of Benefits
U.S. Department of Veterans Affairs

Sponsored By



[Register Here](#)



[Register Here](#)

1st ANNUAL NVSBC VETERAN GOVCON AWARDS GALA

Tuesday 13 September 2022

5:30PM – 8:30PM

Army Navy Country Club – Arlington, Virginia

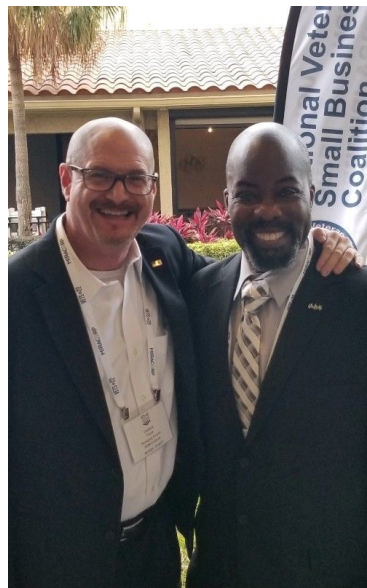
NOMINATIONS ARE OPEN

Recognizing Veteran Contracting Leadership!

- Champion Awards – Federal Agencies & GovCons
- Small Business Advocate of the Year Award
- Gordon H. Mansfield Award



To nominate, sponsor and register, [click here](#)





VETS22 – Pitch Competition



Grand Prize Winner:
Sara Anderson
Vice President of Federal
Corporate Strategy
Alpha Technologies



2nd Place:
Erica McCullom
Chief Executive Officer
Web Designs 4 Less LLC



3rd Place:
Francine Williams
Executive Director
GNUS Corporation



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Erica McCullom
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Francine Williams
Executive Director
GNUS Corporation



We're grateful to [Boeing & RSM Federal](#) for their generous sponsorship of the Pitch Competition.

Thank you to our Judges Rita Brooks (SAIC), Rex Mbutia (AstraZeneca), Diane Dempsey (BAE Systems) and to [Gloria Larkin & Sharon Halley with TargetGov](#) for facilitating the successful Pitch Competition.

Office Giant Squishes GSA in GAO Protest

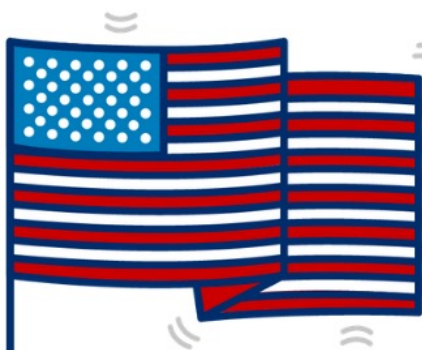
In a Government Accountability Office (“GAO”) bid protest lodged on rarely successful grounds, Office Depot managed to prove that the General Services Administration (“GSA”) had relied on incomplete historical sales information of items sought and therefore its solicitation did not reasonably reflect its anticipated requirements. [Office Depot, LLC, B-420482 \(May 3, 2022\)](#).

GSA proposed to evaluate quotations based on a comparatively small sample of items that can potentially be ordered under what will be a resultant Blanket Purchase Agreement (“BPA”). The RFQ contained a methodology where GSA would weigh proposed items via market baskets according to the frequency of product offering. GSA selected these items because it considered them representative of the items likely to be ordered in the highest quantities. It reached this conclusion by considering historical market data about item purchases.

GAO sustained the protest because the record did not support the market basket’s ratio of hardware and industrial supply items to office supply items. The market research conducted by GSA was based on incomplete information and did not reasonably account for potential office supply requirements. It was incorrectly skewed toward hardware/industrial items.

This type of challenge to a solicitation is usually an uphill climb. A contracting agency generally has the discretion to determine its needs and the best method to accommodate them. *Gallup, Inc.*, B-410126, Sept. 25, 2014, 2014 CPD ¶ 280 at 5. Similarly, it is generally within an agency’s discretion to decide what type of award methodology will best meet its needs. *RCR Properties, G.P.*, B-414590, Jul. 21, 2017, 2017 CPD ¶ 231 at 4. Still, an agency cannot rely on outdated data, and it needs to be able to justify its procurement decisions. Here, Office Depot lodged a *pre-bid protest* (as this type of protest must be filed before offers are due), and it got somewhat lucky insofar that the record and documents produced by GSA during the protest did not back up its procurement decisions.

If you come across a similar issue in a procurement, be proactive. Engage the contracting officer. Provide information. And, if all else fails, *protest before you need to present your offer*. Otherwise, you’re either bidding somewhat blind, or you’re walking into a problem if you manage to have the successful offer.



National Military Appreciation Month

Even Creative Arguments Fail: Late is Late in Government Contracting

An order dismissing a size appeal filed with the Small Business Administration Office of Hearings and Appeals (“SBA OHA”) once again illustrates how deadlines in government contracting are generally absolute. *Size Appeal of RBVetCo, LLC dba Rocky Bleier Construction Group*, SBA No. SIZ-6154 (May 23, 2022).

In this instance, RBVetCo, LLC had transmitted its appeal challenging the denial of a size protest it had filed with its area office. The appeal had been timely served to the *other parties*, but it had accidentally not been filed with SBA OHA until Monday, April 11, 2022. This was three days late, and therefore it was untimely.

When SBA OHA ordered the appellant to show cause as to why the appeal should not be dismissed, they proffered a rather interesting argument: even though the email with the size determination had been *received* the afternoon of Thursday, March 24, it was not *opened* until the next day. If you count the due date as 15 days from that next day (Thursday), that date fell on Saturday, April 9. As SBA OHA is closed on the weekends, the due date would roll over to the next working day—Monday, April 11. In support of this contention, the appellant provided proof that the email, indeed, had not been opened until that next day. It also cited to SBA OHA’s own rules which establish receipt by an “acknowledgement.”

Despite the creativity of this argument, the SBA OHA dismissed it, along with the appeal. Citing to the requirement that appeals must be filed within 15 calendar days after receipt of a size determination, SBA OHA noted how it didn’t have the discretion to extend, or modify, the deadline for filing an appeal. It also pointed out its concerns with the argument raised by the appellant—if accepted, this would mean that an individual or firm could avoid the need or obligation to act by refusing to open an email.

If you want a short cautionary tale, check out the order. It’s further interesting because it cites to other SBA OHA and Government Accountability Office cases addressing untimeliness issues in filing (protests included). Access it [here](#).

Want a Partner? Consider Forming a Joint Venture Before SBA Takes Over

If you are a veteran firm thinking of forming a joint venture with a large protégé for purposes of competing for SDVOSB and VOSB set-asides issued by the VA, you may consider doing this sooner rather than later. Right now, the CVE is processing such joint venture applications rather quickly, and it’s uncertain what type of learning curve we’ll need to expect from the Small Business Administration (“SBA”) once it takes over the verification process.

In order to participate in the mentor-protégé program, you’ll find much of what you’ll need to understand the requirements by referring to the relevant regulation, [13 C.F.R. § 125.9](#). This sets forth the eligibility considerations for both mentors and proteges. The SBA also maintains a webpage on the All Small Mentor-Protégé Program [here](#).

Once a mentor-protégé relationship is approved, the joint venture can then register with both Sam.gov (for non-VA) and the CVE (VA) for SDVOSB set-asides. In general, this requires the joint venture to do the following:

- Register with the state (assuming the joint venture establishes itself as a limited liability company)
- Obtain a business license and bank signature card
- Prepare a joint venture agreement which meets the eligibility requirements of 13 C.F.R. § 125.18
- Register the joint venture with the CVE for inclusion in the VetBiz database.

Your partner doesn’t have to be your mentor in order to register as a joint venture with the CVE. Just keep in mind, though, that the mentor has to be “small” under the NAICS codes listed. One of the advantages of teaming with a mentor is that only the size of the protégé firm is considered. If size isn’t an issue, the mentor-protégé program may not be worth it.

It's Not You, It's That Guy, Sam: Don't Read Too Much Into It.

In early April, the federal government implemented a new process in Sam.gov to validate entities as a first step in requesting a Unique Entity ID and for completing a Sam.gov entity registration. This entity validation process includes checking that your entity name and address match.

If your entity name and address match what is displayed in SAM.gov, you can continue to request a Unique Entity ID and, if needed, complete an entity registration.

If you do not get a name and address match, then you must create an incident (which is basically a help ticket) directly from SAM.gov and *attach the documents required* to prove the information you entered is correct. When the incident is resolved, you can proceed with registration.

Since this process update, many *current* Sam.gov users are also having issues with validating their registration towards the end of updating bank information or other data points. This is true even if the entity has been listed in Sam.gov for years, with no anticipated issues. This means that when you begin the update process for a registration, rather than being able to submit the change, you end up submitting an “incident report” that must be resolved before you can move forward. This can take weeks, and it's common—don't think that because this happens, there's an actual issue with your Sam.gov listing. Most likely, the glitch exists because of internal updates and syncing on the Sam.gov side.

If you don't need to make any updates to your profile on Sam.gov, this hiccup won't affect you. However, if you're looking on bidding on a solicitation where you'd have to add a NAICS code, or you need to update your banking information so you can be paid on a federal contract, be aware of this issue so you can take proactive steps.

Veterans Business Outreach Centers

