

Contracting with the Federal Government A Complimentary Beginner's Guide



This guide is provided by the contributing law firm of [James E. Krause, P.A.](#) It is solely for educational purposes. The purpose of this guide is to help direct you through the resources and steps to becoming a federal contractor. This guide is only intended to provide general information and not to provide specific legal advice applicable to any particular circumstance. By using this guide, you understand that there is no attorney-client relationship intended or formed between you and the publisher, author or any associated lawyer or firm.

Although these materials are prepared by professionals, they should not be used as a substitute for professional services. If legal or other professional advice is required, the services of a professional should be sought.

In today's economy, you need the capability to anticipate and react to the unknown challenges of the marketplace, using your business practices to build a competitive edge. As you continually seek sound business practices to ensure success, we strongly encourage you to take advantage of [Small Business Administration](#) programs and services and utilize the [Small Business Development Center at the University of North Florida](#).

The Small Business Administration and the Small Business Development Center at the University of North Florida offer FREE services such as management advice, training, and information to help you start and grow your business.



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Contracting with the Federal Government

How to Get Started

Step 1

Form your new business, joint venture or teaming agreement* and obtain a Tax ID Number if you don't already have one.

- You can apply for a Tax ID Number online at <https://sa1.www4.irs.gov/modiein/individual/index.jsp>.

Step 2

To work for the Federal Government, you must first register with them. In order to register with them, you will need to obtain a DUNS (Data Universal Numbering System) Number – you can do so online at <http://fedgov.dnb.com/webform>.

Step 3

Once you have your D&B number (takes approximately 24 – 48 hours), register your firm in the Central Contractor Registry (“CCR”). You can do this at <http://www.ccr.gov>.

- You will need your gross revenue figures for the last 3 years, Employer ID / Social Security #, and the D&B number to complete the registration process.
- You will need to identify your products and/or services using NAICS Codes. You can find a complete list of NAICS Codes at <http://www.census.gov/eos/www/naics>.

Step 4

If you are a small, minority-owned, veteran-owned, woman-owned business, or are located in a Historically Under-Utilized Business Zone (HUBZone), apply for your appropriate small/disadvantaged business status with the Small Business Administration at <http://www.sba.gov>.

Step 5

Edit your profile in Dynamic Small Business Search** at http://dsbs.sba.gov/dsbs/search/dsp_dsbs/cfm. Some of this information is automatically populated from your CCR profile. Be sure to provide information about what you do in the capabilities narrative section.

Step 6

Register with the federal government and/or appropriate state/locality you wish to do business with to begin filtering through the solicitations and finding those that suit your business. **

- Federal Government Registration – <https://www.fbo.gov>
- Department of Veterans Affairs – <http://www.vip.vetbiz.gov>
- Florida – <https://vendor.myfloridamarketplace.com>
- Locality – Visit your local county website (Google – for example Duval County Vendor Registration and select appropriate site at which to register).

**Websites and laws for each state vary. For Florida, please visit the Florida Department of State Division of Corporations www.sunbiz.org and/or contact the law offices of James E. Krause, P.A., for assistance.*

***Federal Agencies search for Contractors in these and other databases – it's important that your profile is kept up-to-date and complete – more information is better.*



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Contracting with the Federal Government **Sources Sought Notices – Practice Tips**

The Federal Government is required to perform reasonable Market Research to justify their acquisition strategies. One of the most common methods is the Sources Sought Notice (SSN). This is a synopsis or written request posted by a government agency informing the contracting community the Agency is seeking qualified potential contractors for a specific project. It is not a solicitation for work, nor is it a request for proposal.

As you search out federal contracting opportunities you probably have seen or responded to an SSN in the FedBizOpps website, or received and responded to an email request. In any form, an SSN is a way for federal agencies to survey the marketplace for companies or solutions that can meet their requirements or validate their proposed approach to a solution.

Specifically, an SSN is looking for you to provide:

- Evidence of relevant experience and expertise;
- Current capacity to provide necessary resources;
- Your understanding of the Agency's needs in the SSN;
- Your ability to meet the specific needs identified; and
- Other specific criteria stated in the SSN.

An SSN is not seeking:

- A proposal
- A generic response
- A capability statement

Companies frequently send in generic responses that do not address the SSN. Make your company's response specifically fit the needs identified in the SSN, and provide supporting evidence. Directly address bonding capacity, personnel qualifications, facilities support, and other areas pertinent to your Company's ability to perform the work.

Additionally, SSN's are frequently used to identify qualified small businesses in an attempt to fulfill the Agency's small business guidelines. The Federal Regulations for small business states that if a Contracting Officer has a reasonable expectation that two or more qualified small businesses can be expected to respond to a solicitation, the Contracting Officer is required to set the solicitation aside for that small business category (FAR 19.502-2(b), subject to 19.1007). As a small business, it is critical that you respond to any of these SSN's and document your small business status, e.g., 8(a), HUBZone, SDVOSB, ANC, etc., for the NAICS code size standard listed for the proposed acquisition in the SSN.

In Summary, here are some practice tips to keep in mind when responding to Sources Sought notices:

1. Read the SSN carefully.
2. Answer ALL the questions in the SSN. In the order they are asked. Mirror the SSN.
3. If you have questions or concerns with the wording or subject matter of the SSN, request clarification.



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4. Know the Agency and context of the potential acquisition.
5. Offer evidence of your company's abilities regarding a particular technical solution or direction.
6. Proofread your response CAREFULLY for technical clarity, spelling and organization.
7. Inform them that you are a Small Business, even if they don't ask. Be sure to identify which category.
8. Include the Agency's small business specialist as a 'cc' addressee so that THEY are aware of the SSN and of your company's response.
9. Make sure your response is timely, , but don't be a nuisance

Areas to avoid:

- Not answering the questions (Always mirror the SSN, and all Federal requests)
- Very General information provided
- No specific responses or answers
- Providing experience that is not applicable to the requirement
- Admitting lack of capability or experience without offering solutions, mitigation, alternatives, etc.

Note:

- Showcase all relevant capabilities – Technical, management, financial stability, quality processes, subcontractor management, etc.
- Provide more detail on relevant matters; number of employees, company locations, etc.
- Request clarification, if needed
- ALWAYS be timely with your responses



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Contracting with the Federal Government Marketing to the Feds

Just as you market your commercial business, you must market your business to government customers. Establishing an effective marketing strategy at the outset will help you to reach your target audience. The following section will assist you in creating a successful marketing strategy.

Where to Start? First understand your company's value position, i.e. what you can do to help solve an agency's problem. Consider what value your product or service brings to the customer.

To clearly understand your company's value and position ask:

- What does your organization do?
- Who in the Government has a requirement for your product or service?
- How does your company help the government meet its goals and objectives?
- Provide examples of customers your organization has assisted in the past and the corresponding results.
- What appeal did your product or services have that caused customers to use you in the past?
-

After understanding your value position:

- Evaluate why the agency would buy your product or services.
- Get information on their budgets, and look at their mission and goals.
- It is also helpful to look at Government Accountability Office (GAO) Reports. To find copies of GAO Reports, go to: <http://www.gpoaccess.gov/gaoreports/index.html>.
- Get the agency's organization chart and then develop a call plan.

Next, make sure your company does the following:

- Target the size and scope of agency opportunities to be pursued within the next 12-18-24 months.
- Construct a database in which to track federal opportunities, including supplemental information (i.e., names, addresses, and phone numbers of agency contacts and procurement personnel).
- Prepare additional print and online materials marketing your company.
- Obtain copies of expiring contracts, if possible.
- Contact procurement, technical and program manager personnel in order to build relationships.
- Attend workshops to further develop presentation skills, to better understand the federal purchasing processes and to improve your proposal preparation skills.
- Look for Inspector General Reports that identify problems your company can solve.
- Learn about the Agency's Budget and how much money they have going into various functional areas.

When an opportunity presents itself:

- Understand your organizations value relative to the opportunity i.e. can you do it yourself, or should you team (fill gaps with partners that would help you beat other team solutions).
- Does your team uniquely solve the Governments problem?
- Is it the right job for your company?



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- Does your past performance give the customer confidence you can do the job?
- Understand what risks are involved and how would they would be mitigated?
- Develop a competitive matrix and rank yourself against others who are bidding.

Question your solution to ensure it is truly the best.

Regardless of which agency you target, you must know – Who are your customers?

There are three customers you should target with your marketing efforts:

1. **Procurers** (including contracting officers/specialists)
2. **Influencers** (including program managers/high-level decision makers)
3. **End Users***

These customers are direct recipients of your services and each customer, regardless of their specialty or area of interest, expects the same basic features and services when procuring services. We will briefly describe each customer and then focus on how you can reach this customer through your marketing efforts.

**End users can also be classified as an influencer, but their motives usually differ from a program manager. Although we touch upon some of the key elements and issues that affect both program managers and end users, a targeted message and profile of an end user was created as a separate audience.*

1. Procurers are identified as contracting officers, contracting specialists, acquisition/policy shop personnel or others who actually selected the procurement methods and conduct the procurement. The procurers have substantial authority to determine the procurement method, but they also must consider the needs of the influencers and organizational policies.

The main type of procurers: the contracting officer/specialists are the “gate-keepers” to the program managers and end users. The program managers know what they want but turn to their contracting specialist to get the materials/services they need and advice on the best way to procure those services. This makes the contracting officer/specialist a key customer because of their influence over the project manager/end user and their responsibility for selecting the contracting method.

2. Influencers are identified as program managers and high-level decision-makers. Program managers and end-users are individuals who have generated the requirement or are responsible for facilitating its execution. These are individuals who may exercise influence over an individual procurement or organization-wide procurement policy, but do not actually conduct the procurement process itself.

Program managers and end-users have a stake in how the process is conducted. The method of procurement may impact the contractors who will be considered, the speed with which the procurement will be conducted, and the ease with which the contract itself will be administered. Although they may not be in a position to dictate the procurement vehicle to be used, they can likely have influence over the decision.

High-level decision makers within a Government organization view the procurement process from a broader standpoint. They may be concerned with manpower, allocation of resources and other big-picture issues. These decision-makers may set policies that guide how procurements will be handled. Both influencers and users look to these policies to help guide them in determining the appropriateness of various procurement methodologies.



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This group does not need a great deal of detailed education on multiple award schedules, because they do not have to actually execute the procurement. Remember that the program manager is typically the visionary. They set the requirements for what they need to enhance their program and provide these requirements to the end user. Normally they have been given tight deadlines and these deadlines are then passed on to the end user. They are short staffed and need reliable, good contractors to supplement their staff. They are accustomed to working with quality contractors and selecting from a pool of resources. They still want a variety of quality resources available to select from regardless of which mechanism they use. They are unsure of the procurement process and turn to their contracting specialist for help. In many instances, program managers also rely on their contractors for procurement guidance and for advice on getting the services they need in the quickest fashion. Therefore, contractors should not be discounted for their influence over program managers.

3. The End User is very influential in getting the most qualified contractor (in his/her opinion) on schedule. He/she has been given tight deadlines and wants the quickest way to procure these services. Some end users are confused about the procurement process and turn to their contracting specialist for help. End users are savvy at their jobs and in their selection of contractors they want to assist them. They are accustomed to working with good companies and want that same kind of service. They do not care how they get the contractor on board: they want the quickest mechanism to get the contractor. They still want to be in charge of the selection of the contractor and they want to remain the key contact in the working relationship with the contractor.



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FirstGov: www.firstgov.gov

FirstGov.gov, the official U.S. gateway to all government information, is the catalyst for a growing electronic government. You can search more than 186 million web pages from federal and state governments, the District of Columbia, and U.S. territories. Most of these pages are not available on commercial websites. FirstGov has the most comprehensive search of government anywhere on the Internet.

Federal Gateway: www.fedgate.org

Federal Gateway provides a one-stop resource for Government information. Federal Gateway site consolidates hundreds of individual Federal, State, and Local Government locations into one Internet site. This helps to simplify the task of acquiring United States Federal, State, and Local Government information free of charge.

FedWorld: www.fedworld.gov

FedWorld offers a comprehensive central access point for searching, locating, ordering and acquiring government and business information. In 1992, FedWorld was established by The National Technical Information Services (NTIS), an agency of the U.S. Department of Commerce, to serve as the online locator service for a comprehensive inventory of information disseminated by the Federal Government. This service assists agencies and the public in electronically locating Federal Government Information housed both within the NTIS repository and outside of NTIS.

Federal Employment Statistics: www.opm.gov/feddata

The Office of Personnel Management serves as the authoritative source for statistical information on the size and composition of the Federal civilian workforce. OPM offers customers free electronic publications that contain hundreds of tables and charts; and specialized services (*fee may be required*) for customers who need additional data or statistics.

Federal Telephone Directories: www.pueblo.gsa.gov/call/phone.htm

This is a consolidated site that provides electronic access to telephone listings for various Federal entities.

U.S. Government Blue Pages: www.usbluepages.gov

U.S. Blue Pages help U.S. citizens connect to their Federal services and agencies by publishing listings in local telephone books nationwide and through the U.S. Blue Pages website.

Federal White Pages: www.directory.gov

A free service to find Federal employees by name, and find their telephone numbers and/or their e-mail addresses in 21 Departments & agencies.

Small Business Administration (SBA) Procurement Marketing and Access Network **(Pro-Net)*** www.pro-net.sba.gov

Pro-Net is an electronic gateway of procurement information – for and about small businesses. It is a **search engine** for contracting officers; a **marketing tool** for small firms and it provides **links to procurement opportunities**.



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A Search Engine

Pro-Net is an online database of more than 195,000 small, disadvantaged, 8(a) and women-owned businesses. It is available to Federal and state government agencies as well as prime and other contractors seeking small business contractors, subcontractors and/or partnership opportunities. Pro-Net is open to all small firms seeking Federal, state and private contracts. Businesses profiled on the Pro-Net system can be searched by: SIC or NAICS codes, ownership race and gender, key words, location, quality certifications, business type and EDI capability, as well as other search parameters.

A Marketing Tool

Business profiles in the Pro-Net system include data from SBA's files and other available databases, plus additional business and marketing information on individual firms. Businesses on the system are responsible for update their profiles and keeping information current. Profiles are structured like executive business summaries, with specific data search fields designed to meet the needs of contracting officers and other potential users. Profiles provide vendors an opportunity to put a controlled "marketing spin" on their businesses. Companies may link their web site's homepage to their Pro-Net profile, creating a powerful marketing tool.

A Link to Procurement Opportunities

As an electronic gateway, Pro-Net provides access and is linked to the FedBizOpps (FBO), agency home pages and other sources of procurement opportunities. The system is also linked to key sources of information, assistance and training.

U.S. Small Business Administration Subcontracting *Network*

Subcontracting Opportunities Directory : <http://web.sba.gov/subnet/search/>

**The Pro-Net project is a cooperative effort among SBA's office of Government Contracting, Minority Enterprise Development, Advocacy, Women's Business Ownership, Field Operations, Marketing and Customer Service, the Chief Information Officer and the National Women's Business Council.*



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Contracting with the Federal Government **Important Resources**

Registration

Data Universal Numbering System Number fedgov.dnb.com/webform

Central Contractors Registration www.ccr.gov

NAICS Codes www.census.gov/cgi-bin/sssd/naics/naicsrch

On-Line Representations and Certifications (ORCA) orca.bpn.gov

Department of Veterans Affairs www.vip.vetbiz.gov

The Agencies

U.S. General Services Administration www.gsa.gov

Department of Veterans Affairs www.va.gov

Army Corp of Engineers www.usace.army.mil

Naval Engineers Facilities Command www.navfac.navy.mil

For a complete list of federal agencies visit <https://www.fbo.gov/?s=agency&mode=list&tab=list>

Procurement Website

FedBizOpps www.fbo.gov

Other Resources

Small Business Administration www.sba.gov

Federal Acquisitions Regulation www.acquisition.gov/far/

The Law Offices of James E. Krause, P.A. www.krauselaw.net

Bid Protest Website www.bidprotest.net

Bid Protest Blog www.bidprotest.blogspot.com



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