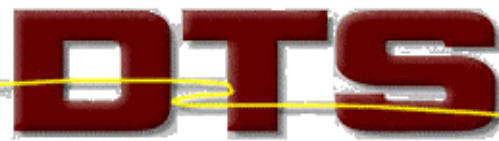


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Veterans Benefits Act of 2003

P.L. 108-183



DTS

The logo for Dynamic Technology Systems, Incorporated (DTS) features the letters 'DTS' in a bold, dark red, sans-serif font. A yellow double-line graphic element, resembling a stylized arrow or a signal path, passes through the center of the letters.

Dynamic Technology Systems, Incorporated

A white silhouette of a globe is positioned on the left side of the slide, showing the continents of North and South America.

A Service Disabled Veteran Owned Small Business



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Service Disabled Veterans Recognized

On December 16, 2003 the Veterans Benefits Act of 2003 (Public Law 108-183) was enacted amending the Veterans Entrepreneurial and Small Business Development Act of 1999 to establish a procurement program for Small Business Concerns owned and controlled by Service-Disabled Veterans.



President George W. Bush signs H. R. 2297, the Veterans Benefits Act of 2003, in the Oval Office Tuesday, Dec. 16, 2003.

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Service Disabled Veterans Recognized



On May 5, 2004 the Small Business Administration published implementation guidance providing the key linkage to transform the vision of Public Law 108-183 into Procurement reality.



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Executive Order



For Immediate Release
Office of the Press Secretary
October 21, 2004

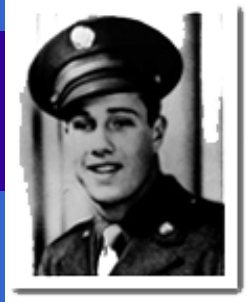
Executive Order: Providing Opportunities for Service-Disabled Veteran Businesses to Increase Their Federal Contracting and Subcontracting

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to strengthen opportunities in Federal contracting for service-disabled veteran businesses, it is hereby ordered as follows:

Section 1. Policy. America honors the extraordinary service rendered to the United States by veterans with disabilities incurred or aggravated in the line of duty during active service with the armed forces. Heads of agencies shall provide the opportunity for service-disabled veteran businesses to significantly increase the Federal contracting and subcontracting of such businesses. To achieve that objective, agencies shall more effectively implement section 15(g) of the Small Business Act (15 U.S.C. 644(g)), which provides that the President must establish a goal of not less than 3 percent for participation by service-disabled veteran businesses in Federal contracting, and section 36 of that Act (15 U.S.C. 657f), **which gives agency contracting officers the authority to reserve certain procurements for service-disabled veteran businesses.**



White House photo by Eric Draper



*Bob Dole, Former
Senator, WWII
Disabled Vet..*



THIS IS THE REST



*Albert Guyette, Medal of
Honor winner, Korean War
Disabled Vet.*

OF THE STORY



*Homer Petitt, Jr.
CEO, Dynamic
Technology Systems,
Inc., Vietnam War
Disabled Vet.*



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The “W’s” (& one “H”)

WHAT: Define P. L. 108-183

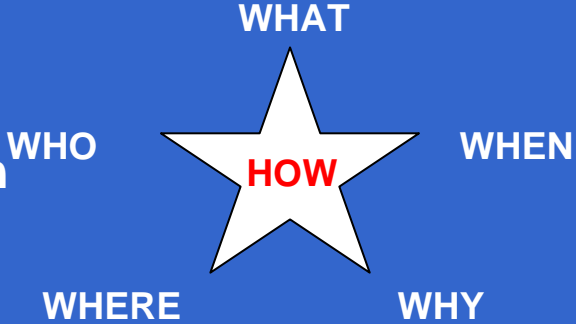
WHEN: History & Current Status

WHY: P. L. 108-183 Intent and Vision

WHO: Who is Impacted?

HOW: Implementation Guidance

WHERE: Identification of Organizations & Agencies to contact for additional assistance



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WHAT

Is P. L. 108-183?

P. L. 108-183 is:

- A Procurement Program for SDVOSB's
- An Extension of P. L. 106-50
- Recognition of Service Disabled Veteran's Sacrifice and Service
- A Significant Opportunity

P. L. 108-183 is not:

- Easy Money for Contractors

The Veterans Benefits Act of 2003

Prime Sponsor: Mr. Christopher H. Smith of New Jersey

Public Law 108-183

Signed by the President December 16, 2003

H.R.2297

TITLE III

SEC. 308.

PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended by redesignating section 36 as section 37 and by inserting after section 35 the following new section:

SEC. 36. PROCUREMENT PROGRAM FOR SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

(a) **SOLE SOURCE CONTRACTS.** In accordance with this section, a contracting officer may award a sole source contract to any small business concern owned and controlled by service-disabled veterans if--

(1) such concern is determined to be a responsible contractor with respect to performance of such contract opportunity and the contracting officer does not have a reasonable expectation that 2 or more small business concerns owned and controlled by service-disabled veterans will submit offers for the contracting opportunity;

(2) the anticipated award price of the contract (including options) will not exceed--

(A) \$5,000,000, in the case of a contract opportunity assigned a standard industrial classification code for manufacturing; or

(B) \$3,000,000, in the case of any other contract opportunity; and

(3) in the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.

(b) **RESTRICTED COMPETITION.** In accordance with this section, a contracting officer may award contracts on the basis of competition restricted to small business concerns owned and controlled by service-disabled veterans if the contracting officer has a reasonable expectation that not less than 2 small business concerns owned and controlled by service-disabled veterans will submit offers and that the award can be made at a fair market price.

(c) **RELATIONSHIP TO OTHER CONTRACTING PREFERENCES.** A procurement may not be made from a source on the basis of a preference provided under subsection (a) or (b) if the procurement would otherwise be made from a different source under section 4124 or 4125 of title 18, United States Code, or the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.).

(d) **ENFORCEMENT; PENALTIES.** Rules similar to the rules of paragraphs (5) and (6) of section 8(m) shall apply for purposes of this section.

(e) **CONTRACTING OFFICER.** For purposes of this section, the term 'contracting officer' has the meaning given such term in section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5)).

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WHAT

Are the Regulations?

Regulations governing the SDVOSB procurement authority include:

- SBA Regulations at 13 CFR Parts 121, 125 and 134
- Federal Acquisition Regulations at Part 19

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WHAT

About SDVOSB Set-Asides?

The contracting officer may set-aside acquisitions exceeding the micro-purchased threshold for SDVOSB when the contracting officer has a reasonable expectation that:

1. Offers will be received from 2 or more SDVOSBs
2. Award will be made at a fair market price.

The contracting officer shall consider SDVOSB set-asides before considering SDVOSB sole source awards.

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WHAT

About SDVOSB Sole Source?

A Contracting officer may award contracts to a SDVOSB on a sole source basis, if:

1. Only one SDVOSB can satisfy the requirement
2. The anticipated award price of the contract (including options) will not exceed:
 - a) \$5M for NAICS codes for manufacturing, or
 - b) \$3M for any other NAICS codes
3. The SDVOSB is determined to be a responsible contractor, and
4. Award can be made at a fair and reasonable price.

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WHAT

Is P. L. 108-183: Letter of The Law?

Provides Contracting Officer Guidance

(a) SOLE SOURCE CONTRACTS:

- (1) - SDVOSB determined to be responsible and capable**
 - No reasonable expectation that 2 or more SDVOSB will submit offers**

- (2) Award price of the contract (including options) not to exceed**
 - (A) \$5M for industrial classification NAICS code manufacturing**
 - (B) \$3M in the case of any other contract opportunity; and**

- (3) In the estimation of the contracting officer, the contract award can be made at a fair and reasonable price.**

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WHAT

Is P. L. 108-183: Letter of The Law?

Provides Contracting Officer Guidance

(b) RESTRICTED COMPETITION :

Contracting Officer MAY set aside award contracts IF:

- * Reasonable expectation that 2 or more SDVOSB will submit offers and
- * Award can be made at a fair market price.

(c) RELATIONSHIP TO OTHER CONTRACTING PREFERENCES :

Contracting Officer MAY NOT set aside award contracts IF:

- * Award would otherwise be granted in accordance with Javits-Wagner- O'Day (Industries for the Blind) Act
- * An 8(a) participant is currently performing OR SBA has accepted the contract requirement under the authority of the 8(a) program.

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WHAT

Are the Metrics of P. L. 108-183?

P. L. 106-50 Title V section 502

“The Government-wide goal for SDVOSB

not less than 3 percent of the total value
of all prime contracts and subcontracts
awards for each fiscal year”

Subsequent P. L. 106-50 studies and reports
revealed actual % NOT close to established goals.
Reality was closer to 0.2% of Total Value between
FY2001 – 2006 than established goal of 3%

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WHEN

SBA and P. L. 108-183 History

America's 23 Million small businesses employ more than 50 percent of the private workforce, generates more than half of the nations GDP.
(source www.sba.gov)

Veterans Benefit Act of 2003
(P.L. 108-83)

Veterans Entrepreneurial and Small Business Development Act of 1999
(P.L. 106-50)

HUBZones Empowerment

Federal Acquisition Streamlining Act Of 1994

National Defense Authorization Act

Small Business Act of 1953

Defense Production Act of 1950

Armed Services Procurement Act of 1947

Small Business Mobilization Act of 1942

America's 23 Million small businesses are the principle source of new jobs in the U.S. economy.
(source www.sba.gov)

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WHY

P. L. 108-183 - The Intent

The Intent

P. L. 108-183 was created as a program in part to address concerns and criticism directed at P. L. 106-50.

Federal Agency contracting officers claim that the lack of a specific procurement mechanism to encourage government activities to award contracts to SDVOSBs limited their ability to do so.

P. L. 108-183 provided the solution.

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WHY

P. L. 108-183 - The Objective

The Objective

- ✓ To Reach the Goal of not less than 3%
- ✓ Provide needed program mechanism
- ✓ Provide guidance to Contracting Officers and
- ✓ Federal accountability and enforcement

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WHY

P. L. 108-183 - The Vision

The Vision

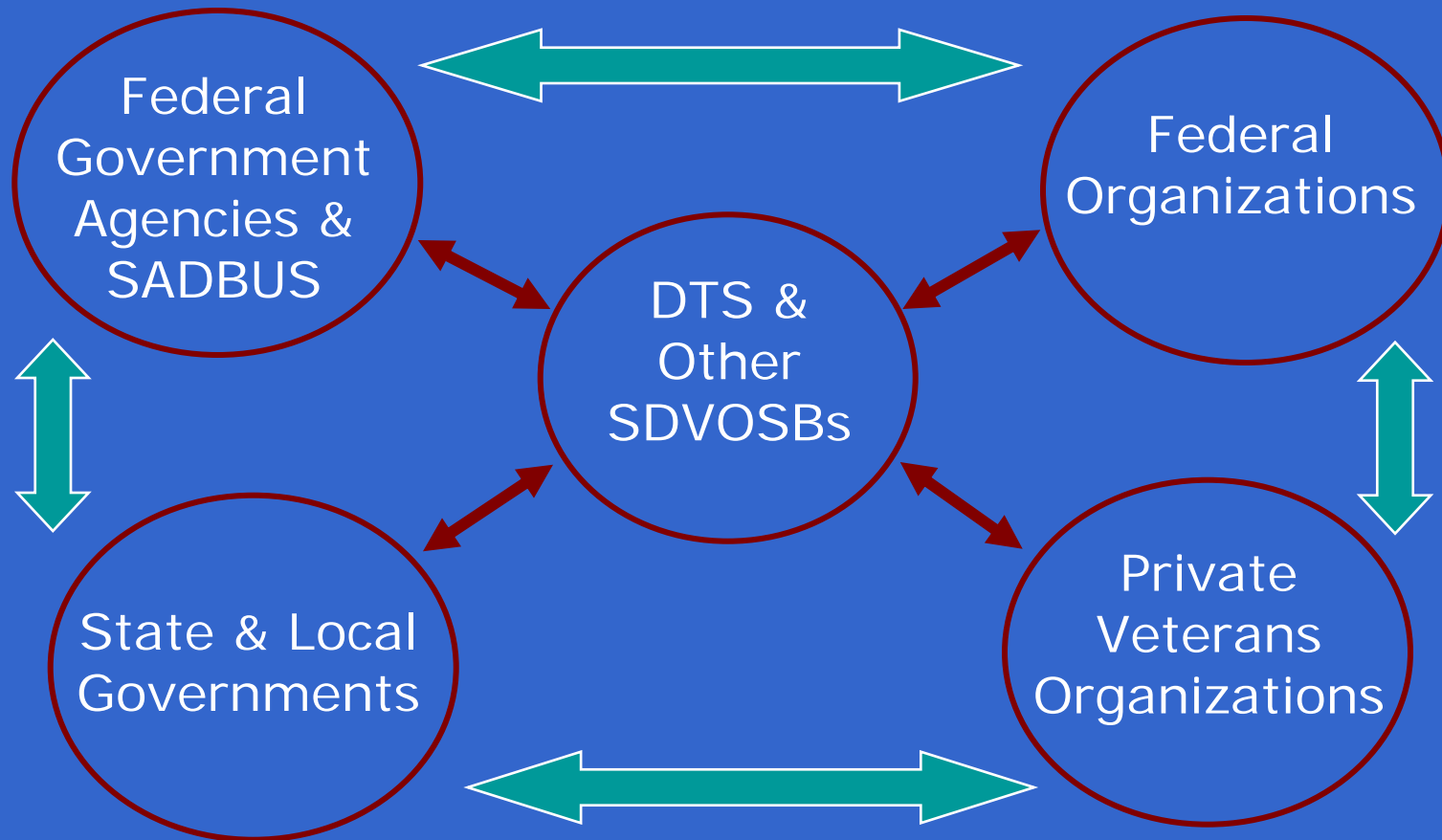
For SDVOSBs to use P. L. 108-183 as an opportunity to exceed the established 3% goal and become a firm fixture in the Federal Government acquisition process ...

...not as a benefit recipient cohort but as the premier small business category of choice.

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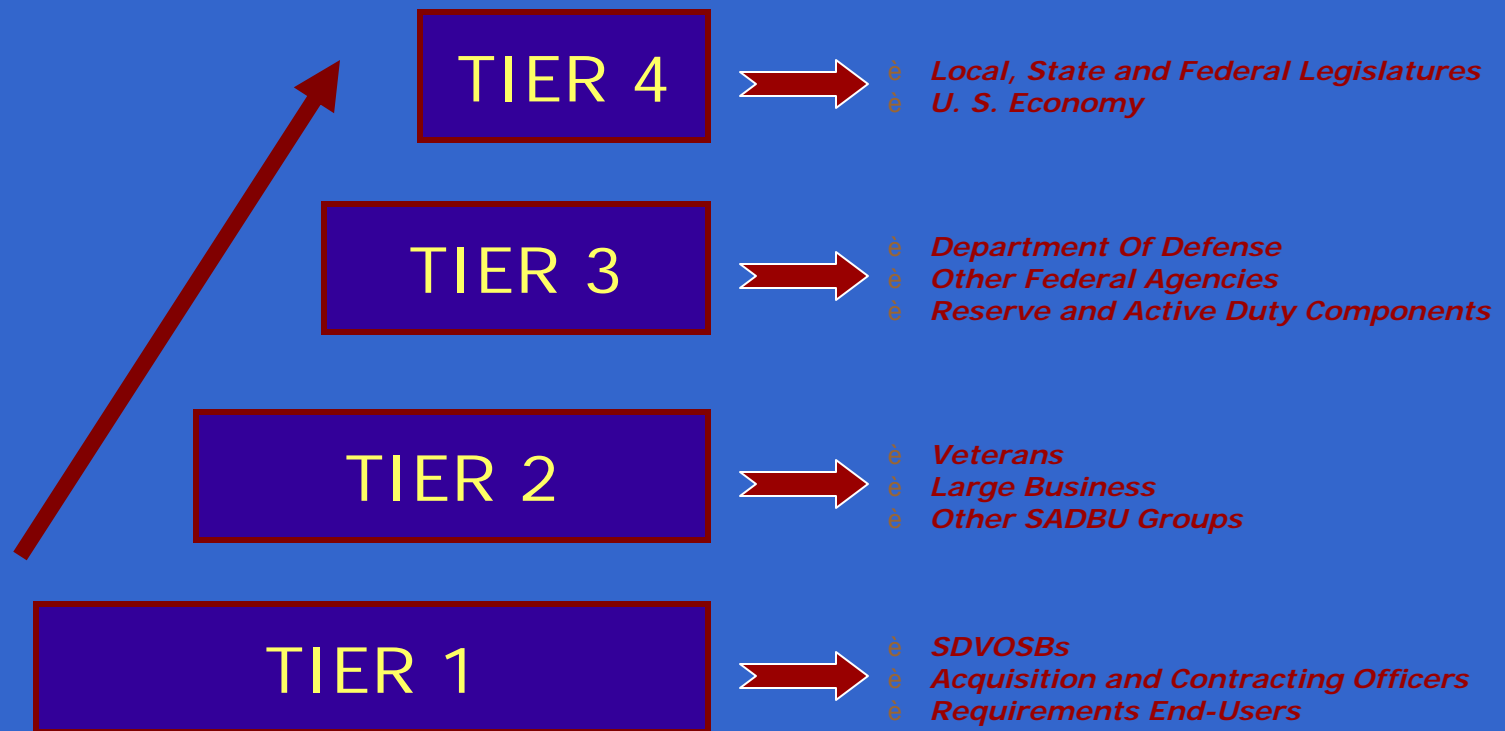
WHY

P. L. 108-183 - The Stakeholders



WHO

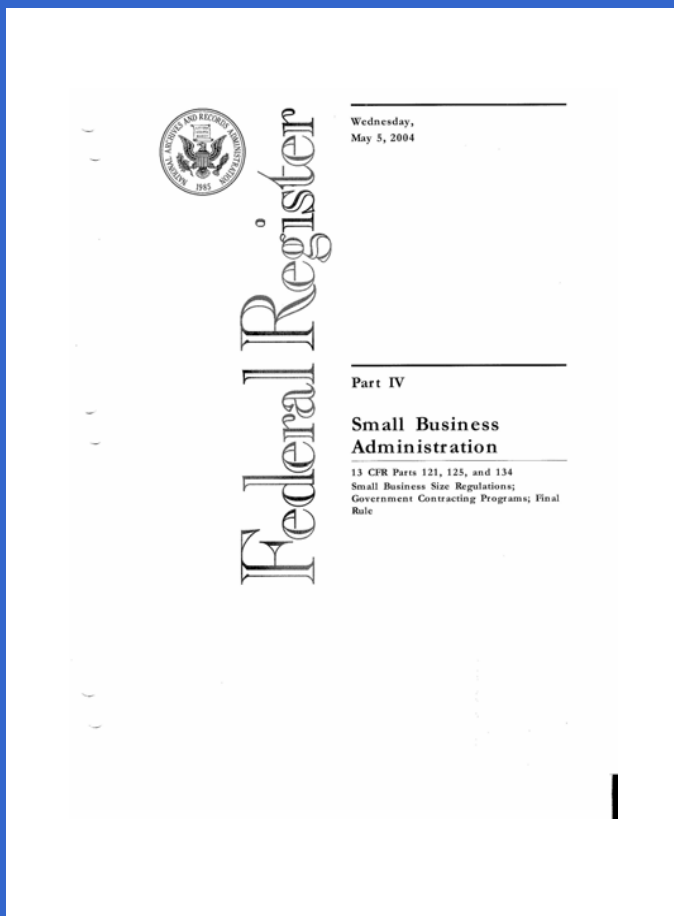
Does P. L. 108-183 Impact?



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HOW

P. L. 108-183 Implementation Guidance



On May 5, 2004
The Small Business Administration
published implementation guidance
and requested input from all
interested parties.

On July 6, 2004
The SBA request for comments
period ended.

Thus began the “Green Light” for
Contracting Officers and SDVOSBs alike.

Find this regulation at www.dts-inc.com under
Veteran Owned / Service Disabled Information

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WHERE

Additional Guidance & Support

Points of Contact for Assistance and Guidance:

DA OSADBU

www.sellingtoarmy.com

SBA's Office of Veterans Business Development

<http://www.sba.gov/VETS/>

Department of Veteran Affairs

<http://www.va.gov/>

The Veterans Benefits Act of 2003

www.mrmc.smallbusopps.army.mil

Service Disabled Veteran Owned Small Business Status Report

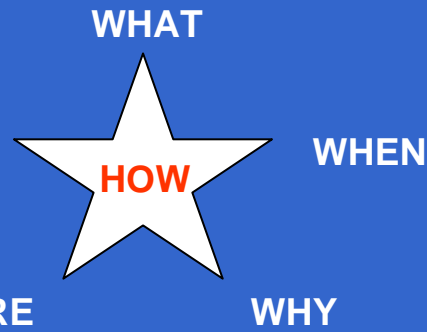
www.acq.osd.mil/dpap/about/Procurement2004presentations/01_F_Ramos.pdf

The web sites listed in this brief are provided for your assistance and benefit; no warranty is made regarding their accuracy or quality. Other sites with similar information are available, and may prove equally useful.

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FINAL SUCCESS:

It's up to you...



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QUALITY STANDARD



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