

A WHITE PAPER

**Restructuring Federal Government Contract Evaluation Criteria
to Alleviate Post-Pandemic Impacts to the
Women-Owned Small Business (WOSB) Program**

**Eco & Associates, Inc.
18231 Irvine Boulevard, Suite 204
Tustin, CA 92780
Phone: (714) 289-0995
Fax: (714) 289-0965**

September 2021

“There will be interruptions, and I don’t know when they will occur, and I don’t how deep they will occur, I do know they will occur from time to time, and I also know that we’ll come out better on the other end.”

– Warren Buffet, CEO Berkshire Hathaway¹

The key is to keep the DNA of the business intact so that when we come back out of this incredible, unique situation, we have all the building blocks we started with before to spring right back into business.”








– Kevin O’Leary, Entrepreneur²

1.0 INTRODUCTION

In the wake of the COVID-19 pandemic, local, state, and Federal Government agencies suspended and stopped work temporarily on Government projects around the country, with projects terminated for convenience due to shifts in funding, lack of available personal protective equipment, or changes in priorities due to a change of Administrations. The impacts that project shutdowns have had on small businesses in the Federal Government sector is of particular concern. Now that agencies are moving slowly back to business-as-usual, new Requests for Proposal (RFPs) and Requests for Quote (RFQs) include the same or tighter parameters for evaluation of organizational or corporate capabilities, experience, and past performance of potential small business offerors without consideration of the current environment. Small businesses have lost a disproportionate amount of revenue from their public sector work compared to their large business counterparts. The Federal Government has an opportunity to aid the recovery of small business contractors by doubling down on efforts to contract more prime Federal dollars to small businesses. Small businesses must have an equal and fair opportunity to compete. Unduly restrictive evaluation criteria are agency-created barriers to small business competition in the post-pandemic era.

2.0 BACKGROUND

Without question, small businesses--particularly Women-Owned Small Businesses (WOSBs)--have been the segment of industry hardest hit by the COVID-19 pandemic. The Diana International Research Institute at Babson College in its *Survey: Women Entrepreneurs in a Time of COVID-19*³ found the following impacts to women entrepreneurs who responded in the areas of finance, professional services, and wholesale / retail trade sectors:

<p>67.4% had a decrease in business revenue</p> 	<p>26% reduced employee hours</p> 	<p>23% closed their business permanently</p> 
<p>32% instituted a hiring freeze on all positions</p> 		<p>40% deferred or reduced executive pay</p> 
<p>41% applied to the Paycheck Protection Program (PPP)</p> 		<p>34% applied for the SBA Emergency Disaster Loan</p> 

Per the National Women’s Business Council, 2020 Annual Report, “As of 2019, women-owned businesses represented an estimated 42% of all U.S. businesses (nearly thirteen million), employed 9.4 million workers, and generated \$1.9 trillion in revenue. The number of active business owners in the U.S. plummeted by 3.3 million or 22% from February to April 2020. Female-owned businesses experienced a 25% drop.”⁴ Additionally, a report titled “The Burden of the COVID-19 Pandemic on Women in the Workforce” by the Office of Congresswoman Katie Porter (CA-45) it is clear that “No matter how one looks at the economic data—by race, by sector, by income—the story is the same: the burden of the coronavirus pandemic is falling hardest on women. Without action, the pandemic will likely erase decades of progress for working women...”⁵

While small retail and food service businesses were able to pivot during the pandemic, small businesses performing professional services in the public sector were unable to be as agile since work required in-person performance at a project site or Federal location and was dependent on frequent interaction with Federal personnel. The pandemic put an abrupt stop to performance through issuance of suspensions or stop-work orders. With the change of Administrations, shifting priorities have also resulted in projects suspended or stopped now terminated for convenience, negatively impacting the small businesses performing professional services. With

travel restrictions and mask mandates lifting across the country, Federal agencies are beginning to release new or updated RFPs and RFQs. Even with this uptick in Federal opportunities, impacted small businesses impacted by interrupted and/or terminated projects are no longer as competitive as their large business counterparts, particularly in the evaluation of organizational or corporate capabilities, experience, and past performance.

Federal procurement is trending heavily to agencies placing reliance on extensive descriptions of organizational or corporate capabilities, project experience, and past performance as part of lengthy technical proposal evaluation factors and subfactors. Twenty years ago, evaluation factors and criteria for organizational or corporate experience were straight forward. Agencies would request three to five project descriptions for completed work within the past five years that were same / similar in size and scope to the work found in the RFP or RFQ. Projects could be a purchase order, a task order, or a contract (Indefinite Delivery / Indefinite Quantity (IDIQ) or stand-alone) with the Government deciding subjectively as part of the evaluation process which were relevant within the rating scales provided. Today, agencies require elaborate project submissions that must meet a bevy of intricate definitions of what constitutes a “project,” a “completed project,” and how small business prime offerors can treat their capabilities, experience, and past performance and those of their small business subcontractors. There is concern in the small business community about what this means in the competitive environment moving forward. Will small businesses be able to successfully compete, or are opportunities now altered as current and future RFPs and RFQs more narrowly define acceptability in the pandemic / post-pandemic era?

3.0 BARRIERS TO SUCCESS

3.1 FAIR OPPORTUNITY

3.1.1 Federal agencies that solicit partial Small Business Set-Asides (SBSAs) are increasingly streamlining processes to the detriment of competition. Agencies used to determine the maximum capacity of an IDIQ and portion of the requirement that would be a SBSA. A separate solicitation was issued for the SBSA that clearly delineated capability, experience and past performance evaluation factors that were commensurate with the scope and size of the set-aside work. Now agencies are streamlining solicitations and issuing one RFP for IDIQs where all business sizes compete together and there is no clear statement of partial SBSAs or small business reserves. Small businesses need clarity with an equal and fair opportunity to compete for task order awards, the same as any interested offeror. However, ordering procedures are rarely clear in these IDIQs, particularly when competition pools indicate up to a specific number of awards to businesses of certain sizes and multiple business sizes are part of the pool.

3.1.2 One recent example is solicitation W912PP-21-R-0008 issued on March 26, 2021, by the U.S. Army Corps of Engineers (USACE) Albuquerque District (SPA) for Multiple

Environmental Government Acquisition (MEGA) Multiple Award Task Order Contract (MATOC) for Environmental Remediation Services (ERS) in support of USACE South Pacific Division (SPD) under North American Industry Classification System (NAICS) code 562910. The RFP stated on page 8, Paragraph 3, Award of Contract –

*“The Government intends to evaluate proposals and award a **target of five (5) Multiple Award Task Order Contracts (MATOCs)** from this solicitation to a possible combination of Small Businesses, 8(a) Small Businesses, and offerors on an unrestricted basis. At least three (3) IDIQs will be set aside for Small Businesses. If the Contracting Officer determines during the source selection process that fewer contracts should be awarded, based upon the selection criteria, the Contracting Officer has the discretion of adjusting that number, or awarding none at all. **The awarded MATOCs will be for a Small Business and Large business contractor pool, not to exceed a total shared contract capacity of \$50 million, ...”.***

The solicitation, at the time of issuance, did not –

- indicate if the small business and large business pools would be separate; the RFP reads “pool” as singular.
- comply with FAR Subpart 16.505(b)(1)(ii)(A) and (D), which requires that the Contracting Officer shall, “(A) Develop placement procedures that will provide each awardee a fair opportunity to be considered for each order and that reflect the requirement and other aspects of the contracting environment;” and “(D) Include the procedures in the solicitation and the contract; ...”.
- indicate that the contracts were partial SBSAs or included small business reserves. This is important since there are ordering procedures that apply to multiple award contracts under FAR Subpart 19.504(b), Orders under Partial Set-Aside Contracts. Since FAR clause 52.219-7 Notice of Partial Small Business Set-Aside is not included, the RFP is not assumed to be a SBSA. Since FAR clause 52.219-31 Notice of Small Business Reserve is not included, there is also assumed there is no small business reserve under the RFP.

3.1.3 Amendment 0001 issued on April 22, 2021, was in response to questions from the small business community about ordering procedures for task orders. Amendment 0001 added the following to Page 19, Paragraph 1.19, Ordering:

“Task Orders expected to be at or below \$500,000.00 will be competed among IDIQs awarded to Small Businesses. Task Orders expected to be above \$500,000.00 will be competed amongst the entire vendor pool.”

This amendment is not compliant with FAR Subpart 16.505(b)(1)(ii)(B) which states, “...*the contracting officer shall – (B) Not use any method (such as allocation or designation of any preferred awardee) that would not result in fair consideration being given to all awardees prior to placing each order.*” USACE SPA’s ordering procedures included an arbitrary method of allocating only task orders at or below \$500,000 to competition among small businesses but required small businesses to compete against their large business counterparts for any action over \$500,000. Conversely it does not give large businesses a fair opportunity to compete on orders under \$500,000. Eco & Associates’ experience as a contractor to USACE South Pacific Division and its customer base is that few environmental consulting task orders will be less than \$500,000.

Changes made via Amendment 0001 do not provide small businesses with fair opportunities nor meaningful set-aside opportunities that justify the costs of proposal preparation small businesses have compared to their large business counterparts. Proposal costs versus proposal risk varies by business size. Small businesses must strategize differently when making these business decisions. The typical small business model does not include a full-time marketing and proposal preparation arm; the owner and other key staff perform these functions as collateral duties. Small businesses employ fewer operational resources and small business owners are a “jack-of-all-trades,” running point on preparation of offers and red-line reviews of technical and price proposal packages. This differs from large businesses with marketing divisions, full-time proposal preparation staff, and contracted “tiger team” reviews. Adequate consideration from Federal agencies of these differences when developing intricate proposal requirements and determining the threshold for partial SBSAs and small business reserves is necessary for small businesses to be competitive, particularly in the post-pandemic economy.

3.2 UNDULY RESTRICTIVE EVALUATION FACTORS AND CRITERIA.

3.2.1 Federal agencies may determine their own requirements and the best acquisition strategy to meet mission needs. Agencies may use discretion when developing criteria used in the evaluation of prime offeror and team members but RFPs and RFQs should not contain “unduly restrictive” requirements (i.e., requirements that unreasonably limit competition, particularly competition from small businesses). However, agencies are using ever-increasingly restrictive evaluation factors and criteria to determine the otherwise successful offeror(s) for contract award, even under SBSAs.

3.2.2 A survey of recent RFPs on SAM.gov Contract Opportunities under the NAICS codes 562910 Remediation Services and 541620 Environmental Consulting Services found a propensity to use unduly restrictive proposal requirements, evaluation factors, and evaluation criteria in three principal areas:

- (1) Timeframes within which experience must be achieved,

- (2) Definitions of a “project,” “completed project,” “relevancy,” and “recency,” and
- (3) Inability of prime offerors to include experience gained as a key subcontractor or experience of named small business subcontractor team members as allowed by policy (see paragraph 3.3 below).

The excerpts below from current active RFPs Instructions to Offerors illustrate the use of unduly restrictive evaluation factors related to capabilities, experience, and past performance.

- W912DR21R0020 (Unrestricted - Issued by USACE Baltimore District on 7/15/2021). Section L, Volume II, Factor 2 – Corporate Experience / Past Performance:

“Submit five (5) example projects ... Each of the five (5) projects submitted must meet at least one of the following criteria to be evaluated:

- a) **One project must be greater than \$10M in total project costs.***
- b) **Projects must have been completed within the last 5 years from the date the Solicitation is issued; or for ongoing projects, 75% of the major/significant milestones must be completed by the date the Solicitation is issued.”***

- W912BV21R0019 (Small Business Set-Aside - Issued 7/12/2021), W912BV21R0018 (Unrestricted – Issued 7/14/2021), W912BV21R0022 (8(a) Set-Aside – Issued 7/14/2021), USACE Tulsa District. Each RFP contains the following language in Section L, under the evaluation factor for Relevancy of Past Experience Projects Tab 1a:

*“The Offeror shall submit information on **no more or less than eight (8) projects** to demonstrate the organization's / team's recent and relevant experience.*

...

*b. **At least two (2) of the eight (8) submitted projects must each have a value of at least \$1M;***

*c. **At least four (4) of the eight (8) submitted projects must be performed by the Offeror as the Prime** (reference definition below); ...*

*e. **Ensure each submitted project meets the definition of a ‘project’, as defined below; AND***

f. Submitted projects shall be 100% completed, or at least 75% physically completed, not amount invoiced, within the last 5 years prior to the proposal due date. 75% physically completed means at least 75% of the contractual requirements have been accomplished.

...

NOTE: If an Offeror's two (2) projects of at least \$1M (criteria b, above) are performed by the Offeror as the Prime, those two (2) projects can also count toward

meeting at least four (4) projects being performed by the Offeror as the Prime (criteria c above).

...

In order to be deemed a 'project', it must meet one, and only one, of the following:

- a. 1 single Task Order against an IDC (a "D" contract) covering work performed at one single site;***
- b. 1 single Task Order against an IDC (a "D" contract) covering work at multiple sites within one single installation or facility;***
- c. 1 single "C" type contract (not a "D" contract) covering work performed at one single site (the following also will qualify as a non-'D'-type: a Cooperative Agreement or Grant; single BPA/BOA Call; single order against a GSA Schedule; or Purchase Order);***
- d. 1 single "C" type contract (not a "D" contract) covering work performed at multiple sites within one single installation or facility (the following also will qualify as a non-'D'-type: a Cooperative Agreement or Grant; single BPA/BOA Call; single order against a GSA Schedule; or Purchase Order);***
- e. 1 single Task Order against an IDC (a "D" contract) covering work performed at multiple but separate installations, meaning the installations are in different cities, states, etc.; OR***
- f. 1 single "C" type contract (not a "D" contract) covering work performed at multiple but separate installations, meaning the installations are in different cities, states, etc. (the following also will qualify as a non-'D'-type: a Cooperative Agreement or Grant; single BPA/BOA Call; single order against a GSA Schedule; or Purchase Order)."***

- W912PL21R0009 (Unrestricted – Issued by USACE Los Angeles District on 7/16/2021). Section L, Volume I, Factor 4 – Past Performance:

“A project is defined as: Work performed pursuant to one specific task order of an indefinite delivery / indefinite quantity (IDIQ) type contract at one site or multiple sites at a single installation or facility or work performed pursuant to a site-specific contract for one site or multiple sites within a single installation or facility. An ID/IQ type contract or the performance of work pursuant to multiple task orders of an ID/IQ type contract does not represent a "project" within this definition.

...

projects must be paid to date at no less than 60% of the current project value within the last five (5) years to be considered as a project.

...

*Only submit recent projects that were **physically completed or accepted by the customer within five (5) years of the issue date of this solicitation, or which are nearing completion (e.g., are substantially complete).***”

- N6247020R2004 (Small Business Set-Aside – Issued by Department of Navy, Naval Facilities Engineering Command Atlantic on 5/6/2021). Section L, Factor 1 Corporate Experience:

*“Offerors shall submit a maximum of three (3) recent, relevant example projects that best demonstrate experience as a corporate type enterprise. Example **projects are defined as either standalone contracts, IDIQ contracts or individual task orders.** For standalone contracts or individual task orders, **recent projects are those completed or substantially completed within 3 years of the issuance date of this solicitation.** For IDIQ contracts, **recent projects are those awarded within 8 years of the issuance date of this solicitation, with substantial munitions response field work performed under the contract within the last 3 years.** “Completed” refers to projects that are **physically 100% Complete**, but the project does not have to be contractually or administratively closed out. “Substantial completion” refers to projects where the majority of the essential work has been completed.*

...

*Size – **At least one example project must be a cost reimbursable or hybrid (cost and fixed price) IDIQ contract with awarded task orders cumulatively valued at \$10 million or greater, including cost reimbursable task order(s) cumulatively valued at \$5 million or greater.***

...

Projects must have been performed by the Offeror as the prime contractor or as a member of a JV, as opposed to performance as a subcontractor under another firm’s contract. Offerors may not include projects performed by key subcontractors.”

Attachment A is a list of RFPs under NAICS 541620 and 562910 found on SAM.gov from Fiscal Year 2019 forward, with excerpts of factors and criteria used to evaluate capabilities, experience, and/or past performance.

3.2.3 The language in the RFPs cited above and in Attachment A are particularly limiting to small businesses that during the pandemic had Federal projects suspended and stopped only to be later terminated for convenience due to changed administration priorities or lack of funding. For seventeen (17) months projects have been in a state of suspended work, stopped work, or since terminated for convenience. Language in the most current RFPs raise the following questions from the small business community –

- Does the Federal Government recognize the impacts of suspended, stop-work, and terminated contracts on the small business community in terms of their ability to qualify for new Federal opportunities?
- How do Federal agencies expect small businesses to document partial or incomplete experience gained on Federal projects in progress prior to suspensions / stop-work orders and terminations for convenience give the restrictive parameters outlined in RFPs?
 - Will small businesses receive credit for this work in the evaluation of capabilities, experience, and past performance of new RFPs?
 - Will Federal agencies consider expanded timeframes for recency of experience?
 - Will Federal agencies loosen the definitions of a “project” or “completed project” to account for partially completed projects, through no fault of the contractor?
 - If not, how are small businesses--particularly women-owned small businesses as the most severely impacted segment of industry--expected to be competitive going forward?
- How will Federal agencies account for partially completed projects in its market research and acquisition planning for future RFPs?
 - How will the Federal Government mitigate the lack of small business responses under unduly restrictive Sources Sought, Requests for Information (RFI), and RFPs so it does not result in market research that points to fewer full or partial SBSAs going forward?

3.2.4 Agencies must be accountable for the use of unduly restrictive language, evaluation factors, and evaluation criteria in solicitations which hinders the ability of small businesses to remain competitive. Calls to Small Business Administration (SBA) Advocates, agency Small Business Specialists, and agency Competition Advocates routinely go unreturned and there is no formal resolution process for small businesses. Small businesses rely heavily on these entities to advocate and do their due diligence in the review and concurrence on new acquisitions. When these entities do not respond, few avenues remain. Small businesses who report unduly restrictive proposal or evaluation language or challenge agency requirements as restrictive are frequently labeled as “troublemakers.”

3.2.5 Federal agencies presently define capabilities, experience, and past performance parameters in such way small businesses are unable to meet agency expectations set forth in recent Sources Sought Notices and Requests for Information (RFIs) under NAICS 541620 and 562910. Agencies use responses to these notices and opportunities to inform future acquisition strategies and SBSA decisions. Poor response from small businesses will subsequently result in less SBSA opportunities going forward. Using restrictive criteria results in effectively removing high-dollar complex requirements from consideration for SBSAs and severely limiting consideration of small businesses in out years. Federal agencies must place emphasis on reimagining the evaluation of requirements. Penalizing small

businesses during evaluation because of suspended, stopped, or terminated projects does not aid small businesses—particularly WOSBs—in their ability to remain competitive for Federal prime contract dollars while waiting for economic recovery to occur.

3.3 POLICY

3.3.1 In October 2020, the U.S. Small Business Administration (SBA) published a final rule⁶ regarding the consolidation of Mentor-Protégé programs and other amendments in the Federal Register (85 FR 66146) effective November 16, 2020. The proposed rule required contracting officers to consider capabilities and past performance of first-tier subcontractors only when statutorily required for bundled or consolidated contracts and for multiple award contracts valued above the substantial bundling threshold of the Federal agency. However, due to industry support, the final rule shifted to cover all contracts. Agencies must now consider the capabilities and past performance of first-tier small business subcontractors specifically identified by name in the proposal and when the small business prime does not independently demonstrate capabilities and past performance necessary for award. The final rule created 13 C.F.R § 125.2(g)⁷ and reads –

“(g) Capabilities, past performance, and experience. When an offer of a small business prime contractor includes a proposed team of small business subcontractors and specifically identifies the first-tier subcontractor(s) in the proposal, the head of the agency must consider the capabilities, past performance, and experience of each first tier subcontractor that is part of the team as the capabilities, past performance, and experience of the small business prime contractor if the capabilities, past performance, and experience of the small business prime does not independently demonstrate capabilities and past performance necessary for award.”

3.3.2 As evidenced by the most recent solicitations for multiple-award RFPs under NAICS 541620 and 561920 presented under Section 3.2.2 above, consideration is not yet being afforded to small businesses. Over nine (9) months after the final rule, FAR Case 2021-011 is pending review per the status reports made public, and not yet incorporated into FAR. This comes too late for small businesses hardest hit by the pandemic to realize any relief in Fiscal Year (FY) 2021 or early FY 2022 since RFPs for award during that timeframe are already on the street. Agencies can still set their own parameters for consideration of capabilities, experience, and past performance, ignoring this guidance. Agencies can and should now proactively including this language in new RFPs, allowing small businesses more equal competition opportunities in the short-term and furthering economic recovery at the lowest levels.

4.0 RECOMMENDATIONS

4.1 IMPLEMENTATION.

Act to immediately implement the SBA’s final rule effective November 16, 2020 and incorporate this rule into FAR via FAR Case 2021-011 no later than September 30, 2021. This will allow small businesses to be competitive for Federal dollars under RFPs starting in the new FY. Training contracting officers and contract specialists who develop instructions to offerors and train technical evaluation boards is vitally important, so all parties involved in the source selection phase of a procurement understand the rules for evaluation of capabilities, experience, and past performance of small business primes and first-tier small business subcontractors.

4.2 ACCOUNTABILITY AND ACTION

The Department of Energy (DOE) OSDBU has a website⁸ for small businesses to report the use of language that may unduly restrict the ability of a small business to compete for an award. Notices on the DOE OSDBU’s webpage makes clear the commitment the agency and the OSDBU has to the small business community by providing an avenue for meaningful dialogue. Each agency must institute a similar reporting channel for small businesses to allow review of concerns related to use of unduly restrictive language in solicitations. Such portals and reporting channels must –

- reside at a level in the agency where oversight can occur by agency officials responsible for identifying agency trends and formulation of agency policy and procedures.
- include the option for small businesses to submit anonymously.
- provide a feedback loop for timely resolution and further discussion with the agency, if desired by the entity reporting the concern.
- result in semi-annual reports sent to the head of the agency, SBA, Congress, and published for review by the small business community and segregated by Department of Defense Activity Address Code (DoDAAC) or Activity Address Code (AAC).

4.3 EXPAND COMPETITION

During the pandemic and for a period of at least three (3) years post-pandemic (“post-pandemic” defined as declared by the appropriate Federal authority), Federal agencies should create additional avenues for consideration of small business capabilities, experience, and past performance to include –

- (1) Expand timeframes used to determine recency of capabilities, experience, and past performance. Expand timeframes for consideration of capabilities, experience, and past performance from “the past three (3) years” or “the past five (5) years” to “not less than the past eight (8) years.” This will allow small businesses to utilize relevant experience gained prior to the pandemic and not penalize small businesses for experience lost because of Federal projects suspended, stopped, or terminated for convenience.

- (2) Definitions of a “Project.” Allow capture of all relevant project experience based on scope in the definition of a “project.” Eliminate unduly restrictive language that defines a project based on the type of contract vehicle versus the work performed. Simplify evaluation factors and criteria to “work of a similar size and scope” to increase competition by small businesses under both set-aside and unrestricted solicitations.
- (3) Definitions of “Completed Project.” Consider all projects on hold due to Government-issued suspension or stop-work orders and/or partially completed but terminated at the convenience of the Government, not only completed or near-complete projects. Although projects may not “substantially complete” the work performed must receive partial credit as a relevant and recent project in the evaluation of capabilities, experience, and past performance.

5.0 CONCLUSIONS

Small businesses are dealing with obstacles that could take decades to overcome, particularly for WOSBs. The system is failing small businesses; it is not individual failures. Representation from small businesses will decrease in Federal procurement without implementation of the specific recommendations outlined in this paper. These recommendations will inculcate a renewed sense of urgency for Federal agencies to address the very real concerns of small businesses in the near-term and viability and competitiveness in a post-pandemic era. The alternative is leaving small businesses at a distinct and continued disadvantage for current and future Federal opportunities, outside the bullseye of economic recovery. The Federal Government cannot afford to allow that to happen when it relies on small businesses to conduct its vital mission for the public and our military.

¹ <https://markets.businessinsider.com/news/stocks/warren-buffett-berkshire-hathaway-12-quotes-coronavirus-coke-market-crashes-2020-3>

² <https://abcnews.go.com/GMA/Living/video/shark-tanks-daymond-john-kevin-oleary-offer-advice-69869029>

³ <https://www.babson.edu/academics/centers-and-institutes/center-for-womens-entrepreneurial-leadership/diana-international-research-institute/research/>

⁴ “Sources: 2019 State of Women Owned Businesses Report | American Express, 2018 Annual Business Survey | U.S. Census Bureau – March 2020 Release, An Investigation of Women Business Owners, Industry Concentration, and Family Composition | SBA Office of Advocacy – March 2020, The impact of COVID-10 on Small Business Owners: Evidence of Early Stage Losses from the April 2020 Current Population Survey – Working Paper | National Bureau of Economic Research – June 2020, Small Business Pulse Survey | U.S. Census Bureau. American Express’ (AMEX) projections utilize 2012 Survey of Business Owners data from the U.S. Census Bureau as a foundation. Numbers are then adjusted for each year by the annual gross domestic product (GDP) estimates as of January of the current year at the national, state, and metropolitan levels and by industry.” AMEX did not release a 2020 report due to the fluidity of the U.S. economy because of the COVID-19 pandemic.

⁵ https://porter.house.gov/uploadedfiles/final-women_in_the_workforce.pdf

⁶ <https://www.federalregister.gov/documents/2020/10/16/2020-19428/consolidation-of-mentor-protg-programs-and-other-government-contracting-amendments>

⁷ <https://www.govinfo.gov/content/pkg/CFR-2014-title13-vol1/pdf/CFR-2014-title13-vol1-sec125-2.pdf>

⁸ <https://www.energy.gov/osdbu/small-business-toolbox/submit-notice-alleged-undue-restriction>