



SAM Registration - It's a Whole New Ballgame

Presented by: Dave Pease, Program Manager
New Hampshire PTAC
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Find your PTAC at www.aptac-us.org

A Word About the PTACs & APTAC

- Procurement Technical Assistance Centers were authorized by Congress in 1985 to provide assistance to companies with government contracting. The goal – grow and sustain government supply chains & enhance competition and innovation.
- The structure: cooperative agreements between a local government, university or non-profit and DoD
- Soon after the first PTACs were formed, an association was established by the PTACs. APTAC's purpose: to meet our unique training needs and facilitate knowledge sharing.
- 36 years later, there are 94 PTACs employing ~600 professional counselors.

System for Award Management (SAM)

- An evolving system to consolidate ten distinct databases used by government and non-government entities in the transaction of business. Key goals:
 - A single, common, secure point of entry
 - Consistent look, feel and functionality across many diverse uses & users
- **CAUTION!**
 - The consolidation is not 100% complete
 - A major step in the consolidation became effective last Monday, 5/24/2021

Functions Now Consolidated in SAM

- From SAM.gov
 - Entity registration
 - Exclusions
 - Entity reporting (SCR and BioPreferred)
 - Disaster response registry
- From beta.SAM.gov
 - Contract opportunities
 - Contract data reports
 - Wage determinations
 - Assistance listings
 - Federal hierarchy

SAM Registration

We're going to cover one of the 10 components of SAM today

- SAM registration is required of all federal government contractors, and SAM information is often also used by companies as well as government agencies.
- In this presentation we'll outline how the SAM system is used (and sometimes misused) to compile key information about firms.
- We'll also provide a brief outline of how SAM interfaces with other databases, including DUNS, CAGE, DSBS, PIEE and SPRS.

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Tips on using www.login.gov:

- Access to SAM is via Login.gov
- Keep your email address current!
- Establish multiple two-factor authentication pathways
 - Text(s)
 - Phone(s)
 - Emails(s)
 - App
- Multiple people should have login.gov accounts.

Recent SAM Changes!!

- SAM cutover to beta.SAM
 - Last week, GSA integrated SAM.gov into beta.SAM.gov.
 - As of May 24, beta.SAM dropped the “beta” and SAM.gov now contains all current SAM functions.
- Shift from DUNS# to Government-supplied UEID
 - The change is underway, but no worries
 - Your new ID appears automatically in your SAM
 - DUNS won't go away, yet (target date is in 2022)

SAM Look-alikes – they just won't go away

- Look at the email address – if it's not from a .gov or .mil, it's probably a scam.
- Read the fine print.
- If they ask for a credit card number, **run!**
- When in doubt, forward it to your local PTAC. They'll give you a professional opinion.

DUNS #, Address Stuff, Secretary of State & IRS Consistency

Until it changes (and change is in the works, to be completed in 2022), DUNS is where SAM gets your address. DUNS is also where you change your address in SAM.

Close agreement with IRS and State (usually the Secretary of State or Department of Corporations) is important.

Email addresses – they're really important:

- Changing your email address, for whatever reason, should set off alarm bells in your head. Who do you have to notify?
Everybody.
- A key email address may change when someone **leaves the business.**

SAM Registration Roles

- Every SAM account has an Entity Administrator
 - Appointed by management
 - Documented in a **notarized letter**
 - Can update SAM
 - Can appoint others and bestow privileges
 - **Must** appoint a successor – requires a new notarized letter.

Timely update/renewal
(at least 2 weeks before expiration*)
or
whenever you have a *material change*

- Physical move
- Add NAICs codes; change primary NAICS
- New Entity Administrator or POC
- Ownership/Affiliation change
- Any change that might affect size determination

*current 180-day extension for renewals – lack of clarity in SAM

MPIN & Changing your MPIN

- You establish your MPIN in SAM – you will (rarely) use it for certain critical signatures.
- **Don't lose your MPIN**
 - You don't need it very often - when updating SAM, applying for WOSB.
 - You can reset it in SAM, but often you can't when you most need to.

Size Matters in SAM

- SAM makes a determination of your business size It generally uses one of two criteria:
 - Number of Employees (12* month average)
 - Average annual revenue (3 or 5 year average – you choose until 1/6/2022) per 13 CFR 121.104
 - Moving to 5 year average on January 7, 2022
- SAM compares these data to the size standards for each of your NAICS codes.

*This is likely to increase soon.

NAICS & PSC; primary NAICS selection

- Look up your NAICS codes [here](#). Choose as many as make sense for your products/services.
- Don't rely on the wholesale or retail codes – they're not supposed to be used in government contracting.
- Pick your **primary** – the one that best describes where the largest component of your revenue comes from.
- Pick your PSC/FSC code(s) [here](#).

SAM Points of Contact & Notarized Letter

- Ideally, have at least two different POCs.
- You can use the clever “copy” feature to populate the different POC fields.
- You are allowed to have a number of POC types. You must have at least an Electronic Business POC and an Accounts Receivable POC – can be the same person.
- You may have several additional types of POC (e.g: Past Performance) plus alternates.
- Reminder: An Entity Administrator must be appointed. This currently requires a hard copy, notarized letter submittal. SAM provides a template for the letter. Changing your Entity Administrator will require a new notarized letter.

Small Disadvantaged Businesses (SDB)

- About half of all businesses that think they are SDBs actually don't qualify
- Most of them meet the economic disadvantage criteria,
but:
- **You also must be socially disadvantaged.**
- Women-owned and veteran-owned businesses **are not** on the socially-disadvantaged list.

The following individuals are presumed to be socially disadvantaged:

- **Black Americans**
- **Hispanic Americans**
- **Native Americans** (Alaska Natives, Native Hawaiians, or enrolled members of a Federally or State recognized Indian Tribe)
- **Asian Pacific Americans** (persons with origins from Burma, Thailand, Malaysia, Indonesia, Singapore, Brunei, Japan, China (including Hong Kong), Taiwan, Laos, Cambodia (Kampuchea), Vietnam, Korea, The Philippines, U.S. Trust Territory of the Pacific Islands (Republic of Palau), Republic of the Marshall Islands, Federated States of Micronesia, the Commonwealth of the Northern Mariana Islands, Guam, Samoa, Macao, Fiji, Tonga, Kiribati, Tuvalu, or Nauru)
- **Subcontinent Asian Americans** (persons with origins from India, Pakistan, Bangladesh, Sri Lanka, Bhutan, the Maldives Islands or Nepal)
- **Being born in a country does not, by itself, suffice to make the birth country** an individual's country of origin for purposes of being included within a designated group.
- **(2) An individual must demonstrate that he or she has held himself or herself out, and is currently identified by others, as a member of a designated group if SBA requires it.**

FAR and DFARS Clauses

- What are they?
- Why are they important?
- Let's take a look at a few.

Key FAR & DFARS Topics Will Vary by Company

- Some Clause topics:
 - Ownership – Immediate owner, foreign owner, inversion, affiliation
 - Telecom equipment – selling/possessing/using certain Chinese-made equipment
 - Data Rights – Specifically, what data rights will the government own?
 - Labor Laws – EEO, Affirmative Action, SCA, Davis-Bacon etc.
 - Buy American/Trade Agreements Act
 - Cybersecurity requirements (FAR and DFARS) – CMMC Levels 1 & 3 **and**
NIST 800-171

Many, many more

Ownership

- FAR 52.204-3 Common Parent
- FAR 52.209-10 *Becoming “inverted” during contract. Payment ceases. Inverted = US company that shifted to offshore entity (where it doesn’t have major operations), usually to avoid taxes.*
- DFARS 252.225-7050 not owned or controlled by State sponsor of terrorism; must disclose.
- FAR 52.204-3 *Disclose TIN, type of organization and **common parent** – (files consolidated tax return).*
- FAR 52.204-17 Immediate Owner - Immediate owner means an entity, other than the offeror, that has direct control of the offeror. Indicators of control include, but are not limited to, one or more of the following: Ownership or interlocking management, identity of interests among family members, shared facilities and equipment, and the common use of employees

Ownership Continued

- FAR 52.204-20 *Must identify predecessors with government contracts, if any.*
- FAR 52.209-2 *Must disclose if you're an inverted domestic corporation*
- FAR 52.219.1 Small business status representations – *Declare your status.*
- DFARS 252.209-7002 Disclosure of ownership by a foreign government – Includes direct or indirect ownership/control. *Requires 1) disclosure and 2) no "Proscribed Information"*

Telecom equipment

- FAR 52.204-26 Covered Telecommunications Equipment
- DFARS 252.204-7016 Covered defense telecommunications equipment or services

Data Rights

- FAR 52.227-15 Limited Rights Data & Restricted Computer Software-
Matters if you are selling data/software to the government. If so, must understand your rights/their rights

Labor Laws

- FAR 52.219-2 [Labor Surplus Area](#)
- FAR 52.222-18 Child Labor Certification
- FAR 52.222-48 SCA Exemption – Maintenance, Calibration & Repair of certain equipment
- FAR 52.222.50 Combating Trafficking in Persons - Must have policy & training – **Compliance Plan.**
- FAR 52.222-56 – Certification regarding trafficking – must submit if non-COTS supplies or services will be acquired outside the US and value will exceed \$500,000.. **Compliance Plan.**
- FAR 52.222-38 Veterans' Employment Reporting – *hinges on whether FAR 52.222-37 is in contract. Should be there if contract is over \$150,000. Must flow down to subs if subcontract is over \$150,000. Requires annual VETS-4212 by 9/30 each year.*

Labor Laws Continued

- FAR 52.219-2 Labor Surplus areas and equal low bids – *only applies to labor surplus areas.*
- FAR 52.222-18 Forced or indentured child labor – check list:
<https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>
- FAR 52.222-22 Equal Opportunity compliance *50 or more employees and federal contract for \$50K or more triggers plan & reporting.*
- FAR 52.222-25 Affirmative Action compliance – *50 or more employees and federal contract for \$50K or more triggers plan & reporting.*
- FAR 52.222-48 Certification for exemption from SCA for maintenance, repair and calibration of certain equipment.
- FAR 52.222-52 Exemption from SCA for employees who work less than 20% of time on federal contracts.

Buy American/Trade Agreements Act

- FAR 52.225-2 Buy American, Foreign (nondomestic) end products
- FAR 52.225-4 BAFTA, Israeli Trade Act
- FAR 52.225-6 Trade Agreements Act
- DFARS 252.225-7000 Buy American – Balance of Payments Program Certificate
- DFARS 252.225-7020 Trade Agreements Act Certificate
- DFARS 252.225-7035 Buy American – Balance of Payments Program Certificate

Buy American/Trade Agreements Act Continued

- DFARS 252.7031 *Cannot act in support of Secondary Boycott of Israel*
- FAR 52.225-2 Buy American – *Everything must be a domestic end product, foreign end products must be listed with country of origin. COTS products may be treated differently.*
- FAR 52.225-4 Buy American for Free Trade Agreements Act/Israeli products.
 - *Australia; ~~Bahrain~~; Chile; Colombia; DR-CAFTA: Costa Rica, Dominican Republic, El Salvador, Guatemala, Honduras, & Nicaragua; Israel; Jordan; Korea; ~~Morocco~~; NAFTA: Canada & Mexico; ~~Oman~~; ~~Panama~~; ~~Peru~~; and Singapore.*
- FAR 52.225-6 Trade Agreements Act – *Must list products that are not US made or designated country end products*

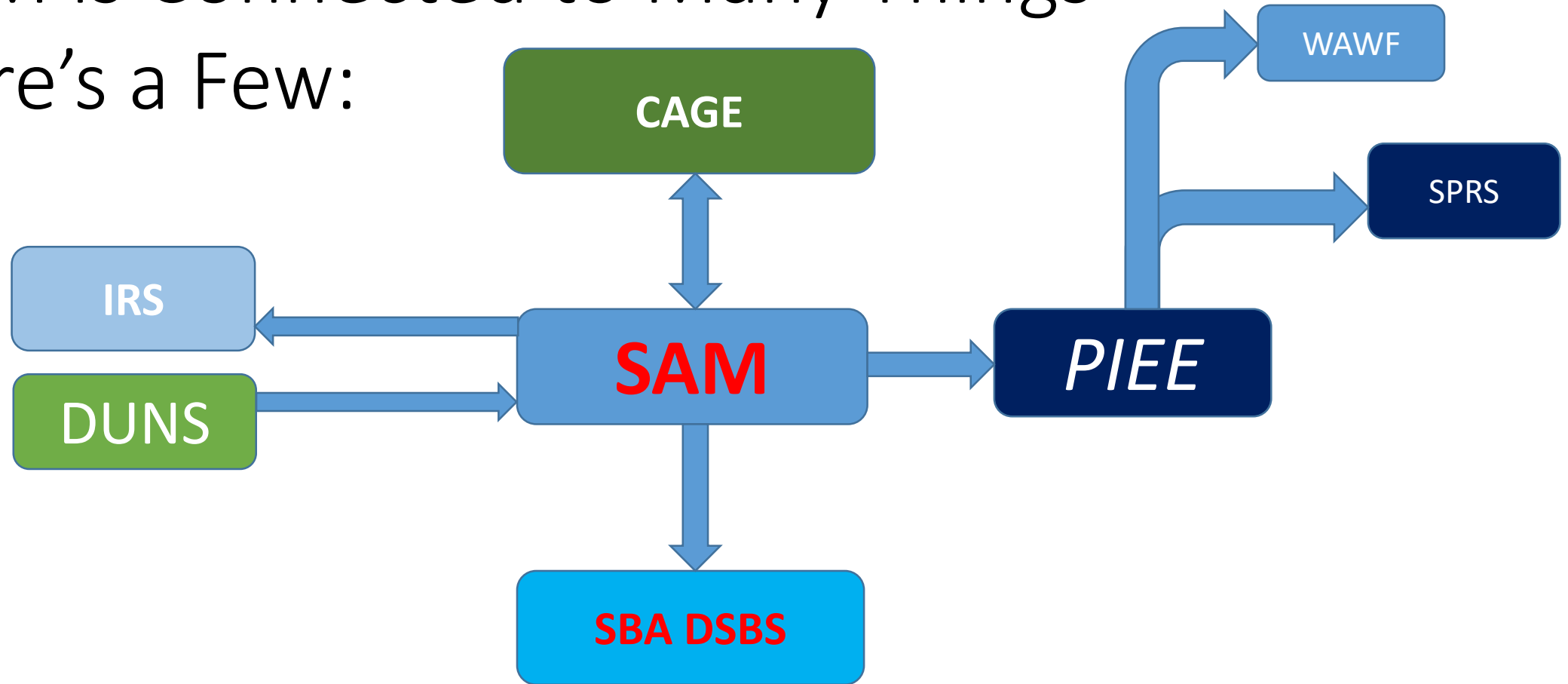
Buy American/Trade Agreements Act Continued

- DFARS 252.225-7000 Buy American – Balance of Payments Program *Must disclose origin of products – domestic end product, qualifying country, other foreign. Applies differently for COTS*
- DFARS 252.225-7020 Trade Agreements Certification – *Must list exceptions to U.S.-made, qualifying country or designated country end products.*
- DFARS 252.225-7035 BAA-TAA-FTA - Balance of Payments – *Another broadly applicable trade agreements clause – must know origins of products and must disclose if not U.S.*
- DFARS 252.225-7049 *No foreign commercial satellite services – read details if this is a potential issue.*
- DFARS 252.247-7022 Transportation by sea – *U.S. flag vessels must be used. Subcontractors must also use U.S. flag. There are exceptions – read in detail if this is an issue.*

Recommended Coping Strategy

- Do at least one detailed run-through of the Reps & Certs.
 - On your own, with your attorney, or with your PTAC
 - Categorize the many clauses based on their applicability to you:
 - The “Now” clauses – must comply now
 - The “Watch” clauses - monitor, because they may turn into “Now” clauses
 - The “Ignore – for now” clauses – they clearly don’t apply to your business as configured now or in the foreseeable future.
 - Invest the effort in understanding and complying with the “Now” clauses.
 - Diligently monitor the “Watch” clauses for changes or threshold events
 - Periodically review the “Ignore – for now” list
- Monitor for brand-new Reps & Certs.

SAM is Connected to Many Things – Here's a Few:



The Dynamic Small Business Search

- Outstanding tool for Market Research
- Free advertising!
- Devote some time and thought to what you put in the DSBS
 - Capabilities Narrative
 - Keywords
 - References?
 - Exports?

Dynamic Small Business Search (DSBS)

- SBA provides this separate, but attached database
- Its purpose is to enable searches for small businesses that are registered in SAM
- You can search by:
 - Geography
 - Certifications -
 - NAICS codes **or keywords**
 - Sector (manufacturer, construction etc.)
 - Bonding, QA, Size
 - DUNS, CAGE, Name
- Important to fill this out, particularly the **Capabilities Narrative**
- **FREE ADVERTISING!**



SBA Search Results

View	Name and Trade Name of Firm	Contact	Address and City, State Zip	Capabilities Narrative
1	Howarth Granite Holdings LLC Elegantly Set In Stone	Susanne Howarth	2703 PHILADELPHIA PIKE STE D CLAYMONT, DE 19703-2571	
2	Humphrey House Studios LLC	Malika Humphrey	17 Cheswold Blvd Apt 2d Newark, DE 19713-4128	
3	NFN BRAIN CONNECTIONS, INC.	Natashia Brown	1057 S Bradford St Dover, DE 19904-4141	
4	Blue Ocean Systems LLC	ELEANOR S. Wu	3511 SILVERSIDE RD STE 204 WILMINGTON, DE 19810-4902	
5	IT Resources Inc.	Harish Koya	220 Continental Dr Ste 104 Newark, DE 19713-4304	
6	Married to the Ring, LLC. Tanya Williamson & Associates	Tanya E Williamson	401 JUSTISON ST APT 222 WILMINGTON, DE 19801-5291	A women-owned business that provides comprehensive training designed to help couples and singles achieve their goals in relationship and family. And we also provide comprehensive training on how to nurture and build successful, productive professional relationships in the workplace.
7	DATA SOLUTION CENTRAL INC	AMY Silfen	103 FOULK RD STE 202 WILMINGTON, DE 19803-3742	Computer Equipment Computer Peripherals Computer Accessories
8	Interjet West, Inc.	Holly Czapich	1013 Centre Rd Ste 403a Wilmington, DE 19805-1270	
9	Happy Helpers Home & Office Services, LLC.	Kendra Perry	961 Janvier Ct Middletown, DE 19709-1744	Woman-Owned Commercial and residential janitorial services company that specializes in vacancy clean- outs, laundry services and janitorial services.

Links to Key Resources:

- SAM: <https://www.sam.gov/SAM/>
- Login.gov: <https://www.login.gov/>
- Federal SAM User Guide:
[https://sam.gov/SAM/transcript/SAM Federal User Guide.pdf](https://sam.gov/SAM/transcript/SAM_Federal_User_Guide.pdf)
- DSBS: https://web.sba.gov/pro-net/search/dsp_dsbs.cfm

Shameless Commercial:

- PTACs offer free assistance with all this & more.
- You must have a physical presence in the PTAC's service area
- You have to sign up online.
- To continue “active client” status, you have to use them as a resource.

Find Your PTAC:

Find a PTAC

Find a Procurement Technical Assistance Center
Click on the map below or select your state above to find the Procurement Technical Assistance Center nearest you.
[Find American Indian PTACs »](#)





Dave Pease, Program Manager
New Hampshire PTAC

david.n.pease@livefree.nh.gov

www.nheconomy.com/ptac

(603) 568-8485

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New Hampshire

PROCUREMENT TECHNICAL
ASSISTANCE CENTER