




Igniting Opportunities

Is your business ready for growth in 2024?

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Program Introduction


Now Alaska APEX Accelerator!

- Formerly Alaska PTAC 
- Free assistance with all aspects of government contracting, from cradle to grave (start to finish) for federal, state and local purchasing activity
- Free one-on-one appointments
- Free workshops (Special events and extended training session may have registration fees)
- The Alaska APEX is one of 96+ other PTACs across the US, Puerto Rico, & Guam

<https://apexalaska.org/>
<https://www.aptac-us.org/>
<https://www.apexaccelerators.us/#/>




The Alaska PTAC is a program of the UAA Business Enterprise Institute and funded in part through a cooperative agreement with the Department of Defense Office of Small Business Programs




Where Government Contracting Starts

Discussion Topics

- ❖ In the news...
- ❖ Finding Opportunities
- ❖ Teaming Strategies
 - Prime/Sub vs. JVs
 - Teaming agreement → Subcontract agreement
- ❖ Marketing to Potential Owners, Primes & Teaming Partners
 - What are you bringing to the table?
 - What do they need?
 - How are you marketing your company?






Where Government Contracting Starts

In the news...

- ❖ Uncertainty with the Alaska 2024 Statewide Transportation Improvement Plan (STIP) Budget
- ❖ Uncertainty of National Federal Budget & constant Continuing Resolutions (CR)



Legislators get update on fixes for \$5B transportation plan rejected by feds

By Riley Board, KDLL - Soldotna - February 29, 2024


<https://alaskapublic.org/2024/02/29/legislators-get-update-on-fixes-for-5b-transportation-plan-rejected-by-feds/>


Appropriations Watch: FY 2024

MAR 5, 2024 | [OTHER SPENDING](#)

Updated 3/5/2024: The House and Senate Appropriations Committees [released full-year appropriations for six appropriations bills](#) on Sunday, March 3: Agriculture, Energy-Water, Commerce-Justice-Science, Interior-Environment, Military Construction-VA, and Transportation-HUD. Both chambers are expected to vote on the package the week of March 4.

On Friday, March 1, the [President signed the fourth continuing resolution](#) for fiscal year 2024 that [continues the "laddered" approach](#) from earlier CRs. Congressional leaders [announced an agreement](#) on Feb. 28 to complete appropriations for FY 2024 and to avoid a partial [government shutdown](#) at midnight on March 1. The House [passed the fourth FY 2024 CR](#) on Thursday, Feb. 29, and the Senate [passed](#) it later that night.





<https://www.crfb.org/blogs/appropriations-watch-fy-2024>



Where Government Contracting Starts

In the news...

❖ Alaska AGC's 2024 Spending Forecast



January 2024

Alaska's 2024

Construction Spending Forecast

Public Sector Construction Outlook

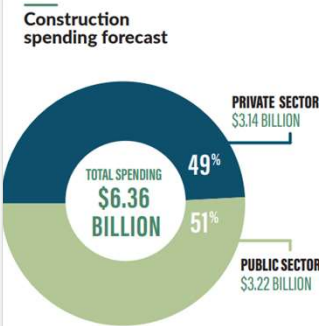


HIGHWAYS & ROADS \$805 MILLION

In 2024, an estimated \$805 million in construction-related spending is expected for highways and roads in Alaska. This increase in spending is driven by short-term federal highway funding increases authorized by IIJA. Notable projects for 2024 include improvements to the Sterling, Alaska, Glenn, Seward, and Richardson Highways, as well as continuing work on the new road from Kotzebue to Cape Blossom.

NATIONAL DEFENSE \$600 MILLION

The U.S. Army Corps of Engineers will continue to focus on restoration and modernization of existing infrastructure in 2024, as well as various civil works projects. Major projects in this category include continuation of the Moose Creek Dam Barrier project near North Pole, Kenai Bluffs bank stabilization, Lowell Creek flood diversion in Seward, coastal erosion mitigation in Utqiagvik, and the JBER Runway Extension. The Coast Guard will continue work at the Kodiak Coast Guard Base. Projects at the base include construction of a new fuel pier, demolition of abandoned infrastructure in Womens Bay, and other site amenities and improvements.



2024 Alaska Construction Spending Forecast Summary (\$ Million)

Category	Total Spending	% of Total Spending
Private Construction Spending	\$3,140	49%
Oil and Gas	\$1,360	18%
Utilities	\$700	11%
Residential	\$405	6%
Hospitals/Health Care	\$260	4%
Mining	\$165	3%
Other Basic Industry	\$90	1%
Other Commercial	\$360	6%
Public Construction Spending	\$3,220	51%
Highways and Roads	\$805	13%
National Defense	\$600	10%
Airports, Ports, and Harbors	\$565	9%
Education	\$335	5%
Other State and Local Government	\$535	8%
Other Federal Government	\$380	6%
TOTAL	\$6,360	100%



ASSOCIATED GENERAL CONTRACTORS OF ALASKA
WWW.AGCAK.ORG

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<https://associatedgeneralcontractorsofalaskaagc.growthzoneapp.com/ap/CloudFile/Download/p5ejmgep>



Where Government Contracting Starts

Finding Opportunities

❖ Looking for the contract – searching for solicitations & bid opportunities

- Federal: SAM.gov → Contract Opportunities
- State of Alaska:
 - Alaska Public Notices
 - IRIS Vendor Self-Service (VSS)
- Municipal, Borough & City purchasing websites
- University, School districts, Police/Fire Departments

❖ Solicitation search software → Alaska APEX BidMatch subscriptions

<https://apexalaska.org/training/featuring-bidmatch-ptacs-solicitation-search-tool-8/>

<https://apexalaska.org/events-services/on-demand-training/>

<https://sam.gov/content/home>

https://www.fpds.gov/fpdsng_cms/index.php/en/

https://web.sba.gov/pro-net/search/dsp_dsbs.cfm

Agency Recurring Procurement Forecasts
<https://www.acquisition.gov/procurement-forecasts>

FAS Schedule Sales Query Plus (SSQ+)
<https://d2d.gsa.gov/report/fas-schedule-sales-query-plus-ssq>

<http://doa.alaska.gov/dof/reports/ckbckonline.html>

Municipality of ANCHORAGE: <https://www.muni.org/Departments/purchasing/pages/bidding.aspx>

Mat-Su Borough: <https://matsugov.usd/department/purchasing>

Fairbanks North Star Borough: <https://fnsb.gov/198/General-Services-Purchasing>

Kenai Peninsula Borough: <https://www.kpb.us/51-borough/purchasing>

Juneau Borough: <https://junau.org/finance/purchasing/bids-rfp>

Teaming Strategies

❖ Competitors vs. Potential Teaming Partners

- Business growth: more employees or strategic partnering?
- What are the business bottlenecks slowing growth?
- Diversification – new locations or new product and/or service lines?

But first, let's define teaming...

“Coming together is a beginning.
 Keeping together is progress.
 Working together is success.”
 -Henry Ford

Teams vs Joint Ventures

Prime/Sub Teams

- ❖ Only one party (prime) performs at the prime contract level and is responsible to the government
- ❖ Subcontractor typically paid on a pre-determined basis
- ❖ No new legal entity created
- ❖ Subcontracting limits apply to prime only (but note similarly situated entity rule)

Joint Ventures

- ❖ Both parties perform at the prime contract level and are responsible for the entire contract
- ❖ Parties typically split profits and losses
- ❖ Parties create a new legal entity (e.g., LLC) & registered in SAM
- ❖ Subcontracting limits apply to JV as a whole



Where Government Contracting Starts

Federal Acquisition Regulations (FAR) Guidance

FAR 9.601 Definition

Contractor team arrangement, as used in this subpart, means an arrangement in which-

- (1) Two or more companies form a partnership or joint venture to act as a potential prime contractor; or
- (2) A potential prime contractor agrees with one or more other companies to have them act as its subcontractors under a specified Government contract or acquisition program.

FAR 9.602 General

(a) Contractor team arrangements may be desirable from both a Government and industry standpoint in order to enable the companies involved to-

- (1) Complement each other's unique capabilities; and
- (2) Offer the Government the best combination of performance, cost, and delivery for the system or product being acquired.

(b) Contractor team arrangements may be particularly appropriate in complex research and development acquisitions, but may be used in other appropriate acquisitions, including production.

(c) The companies involved normally form a contractor team arrangement before submitting an offer. However, they may enter into an arrangement later in the acquisition process, including after contract award.



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Prime/Sub Teams

Prime/Sub Teams – Teaming Agreements

- ❖ **Privity of Contract:** 1 to 1 relationship between government and prime contractor
- ❖ **Teaming Agreements**
 - FAR does not require prime/subcontractor teaming agreements
 - Procuring agencies sometimes (perhaps increasingly) require teaming agreements to be submitted with proposal
 - These agencies may decline to consider a subcontractor's past performance, capabilities, etc. without a teaming agreement
 - Lock-in commitments from prospective teammates
 - Prime doesn't want to rely on prospective subcontractor's qualifications & resources, only to have a subcontractor decline to participate
 - Subcontractor doesn't want to spend time and energy on proposal only to receive no subcontract
 - Establishes rules (if any) for exclusivity
 - Avoid difficult post-award disputes
 - Demonstrate compliance with key requirements



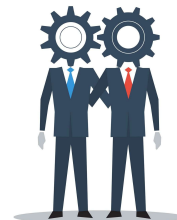
Prime/Sub Teams – Subcontracts

❖ Subcontracts

- Teaming agreements → Subcontracts: Teaming agreement is a “chasing the contract document” and a subcontract is a “performing the contract” document.
- More detailed – project and/or scope specific
- Must include mandatory FAR provisions
 - A flow-down is a provision of a prime contract that the prime contractor includes in a subcontract. FAR required primes to flow-down many clauses – failing to flow-down, when required, is a breach of contract!
- This is a **negotiated agreement** and should be specific to a singular contact activity. Subcontractors should be ready to push back against non-compliant terms
 - Scope of Work should be specific to avoid disputes
 - Payment & invoicing provisions should be included
 - Dispute resolution
 - Termination provisions: Termination for Convenience and Default
 - Non-disclosure provisions
 - Ensured compliance with subcontracting limits
 - Term of subcontract – how will the prime address contract options?



- ❖ **Privity of Contract:** 1 to 1 relationship between government and prime contractor
- ❖ **Form and Registration**
 - SBA Regulations require that a JV:
 - Must be in writing – typically done by way of a joint venture agreement
 - Must register in SAM
 - Must have an EIN, Unique Entity Identifier (UEI) and must be identified as a joint venture
- ❖ Small Business Requirements – a JV qualified as a small business so long as each member of the JV, individually, falls below the applicable size standard. This is a change from the old SBA rule, in which venturers' sizes were sometimes added together for determining size.
- ❖ Affiliation Issues: (13 C.F.R. § 121.103(h))
 - Size of JV – small or other than small
 - Ostensible Contractor Rule
 - <https://smallgovcon.com/sbaohadecisions/back-to-basics-sbas-oha-reminds-area-offices-how-to-apply-the-ostensible-subcontractor-rule/>
- ❖ JVs under Mentor-Protégé Programs





Where Government Contracting Starts

Additional Training

Govology On-Demand Webinars

- ❖ Compliant and Effective Teaming Agreements, Joint Ventures & Subcontracts – 3-Part Series (2023 Update)
<https://govology.com/product/compliant-and-effective-teaming-agreements-joint-ventures-subcontracts-3-part-series/>
- ❖ Advanced Teaming Strategies to Accelerate Small Business Government Revenue (2022 Update)
<https://govology.com/product/advanced-teaming-strategies-accelerate-small-business-government-revenue/>
- ❖ Limitations on Subcontracting: A Step-by-Step Compliance Guide (2023 Update)
<https://govology.com/product/limitations-on-subcontracting-a-step-by-step-compliance-guide/>
- ❖ Still a Game Changer: The SBA Mentor-Protégé Program (2023 Update)
<https://govology.com/product/universal-small-business-mentor-protege-program/>
- ❖ Intro to Teaming (2024 Update)
<https://govology.com/product/intro-to-teaming/>



Where Government Contracting Starts

Marketing to Potential “_____”

- ❖ Before you knock on the door looking for potential teaming partners, ask yourself:
 - What do you need from them?
 - What do you (or your business) bring to the table?
 - How can the teaming relationship benefit the potential teaming partner(s)?

But first, let's assess your business...

“Honesty is the first chapter in the book of wisdom.”
 – Thomas Jefferson

Company Self-Assessment

- ❖ Why team with another company? What do you need to complete the next contract, break a bottleneck, or diversify/expand into another area?)
 - Physical Capital
 - Human Capital
 - Intellectual Capital
 - Financial Benefits

<https://americassbdc.org/8-reasons-to-consider-collaborating-with-another-small-business/>

Before entering into a teamed / contractual business relationship, assess your own company standing.
What does your company need and what can it offer?



Ability, Capacity & Capability

- ❖ **Ability** – the skill, knowledge or power to do something
- ❖ **Capability** – the ability to do something in “either/or” scenarios; The capability of a business refers to its ability to do something when all its resources are optimally employed.
- ❖ **Capacity** – the innate potential; the business capacity refers to the maximum level of output that it can yield and deliver within inherent limitations

Ability	Capability	Capacity (Max level of output)
<ul style="list-style-type: none"> • Staff (People): <ul style="list-style-type: none"> - Management - Key Personnel - W-9 Employees - Subcontractors • Staff Training & Certification • Contingency Plans • Standard Operating Procedures 	<ul style="list-style-type: none"> • Past Performance <ul style="list-style-type: none"> - Completed projects • Existing Master Subcontract Agreements • Contingency Planning & Resources • Accounting Systems <ul style="list-style-type: none"> - Job Codes - Cost tracking mechanisms 	<ul style="list-style-type: none"> • Bonding Capacity <ul style="list-style-type: none"> - Maximums: Ceiling & Project limitations - Available Bond Amount? • Work in Progress <ul style="list-style-type: none"> - Availability of Manpower - Availability of Equipment • Financial Resources • Risk Management Limitations • Contingency Resources • Supply Chain Availability • Inherent Limitations





Where Government Contracting Starts

Looking for potential partners

Where to find potential teaming partners

- ❖ Dynamic Small Business Search (DSBS)
- ❖ System for Award Management (SAM.gov)
- ❖ Federal Procurement Data System (FPDS) Next gen
- ❖ State of Alaska DBE Directory (or other state directories)
- ❖ Professional Organization training or networking events



Vetting potential teaming partners

- ❖ Dynamic Small Business Search (DSBS)
- ❖ Federal Procurement Data System (FPDS) Next gen
- ❖ CPARS – past performance
- ❖ Risk Management concerns
- ❖ Legal concerns



Where Government Contracting Starts

Marketing Your Business

- ❖ How are you marketing your business?
 - Develop a marketing plan – more than just using social media
 - Social Media presence – name and brand recognition
 - Marketing Materials
 - Business Cards
 - Capability Statement
 - Website – what does it say about your business? Who is your audience?

“[Marketing strategy](#) will impact every piece of your business, and it should be tied to every piece of your business.”

– Brandon Andersen



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Marketing Your Business

- ❖ Develop a Marketing Plan
- ❖ Social Media Presence
- ❖ Brand and Name Recognition
- ❖ Website development



<https://aksbdg.org>

Developing a Marketing/Sales Strategy

Marketing/Sales | SBIR Support

No Fee

Watch Now

Developing Your Website Marketing Strategy – Part 1: 2023 Digital Marketing Trends

Marketing/Sales | Social Media

\$25

Watch Now

Developing Your Website Marketing Strategy – Part 2: Anatomy of Modern Websites

Marketing/Sales

\$25

Watch Now


Developing Your Website Marketing Strategy – Part 3: Five Biggest Social Media Myths

Marketing/Sales | Social Media

\$25

Watch Now

<https://aksbdg.org/services/workshops/>




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Marketing Your Business

- ❖ Creating a Capability Statement
 - They're like Pringles – you can't stop at just one
 - Should be written for a targeted reader
 - Should fit the purpose of use
 - Can be anything from 1 page to a detailed catalog
 - Add them to your website

Creating Capability Statements

AUGUST 14, 2023



<https://apexalaska.org/training/creating-capability-statements-2/>



Marketing Your Business

❖ Upcoming Alaska APEX webinars

Business Insurance Market Update

WHEN: March 21, 2024, 12:00 PM - 1:00 PM
 WHERE: Webinar
 COST: Free

SIGN UP <https://akptac.ecenterdirect.com/events/6407>

In a constantly changing market with evolving risks, it's important to understand what the property & casualty insurance markets are doing, to prepare your business better and set yourself up for success. We'll take an in-depth review of the current state of the insurance markets, discussing carrier and market options, hard market conditions leading to increased cost and more restrictive coverage, strategies for operating in this environment, and more.

Presented by Chris Pobieglo, CIC, CRIS with Business Insurance Associates. Chris is a certified risk management professional, holding Alaska resident insurance licenses and non-resident licenses in eleven other states in the Pacific Northwest.

Surety Bonding 101

WHEN: April 9, 2024, 12:00 PM - 1:00 PM
 WHERE: Webinar
 COST: Free

SIGN UP <https://akptac.ecenterdirect.com/events/6408>

Obtaining surety bonds can be critical to any organization wanting to do government contracting. In this session, we will review the basic fundamentals of surety, discuss strategies for establishing a growing a contract surety program, and provide information that will put you on a path to success.

Presented by Chris Pobieglo, CIC, CRIS with Business Insurance Associates. Chris is a certified risk management professional, holding Alaska resident insurance licenses and non-resident licenses in eleven other states in the Pacific Northwest.



Questions?

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How can the Alaska APEX help you?

To request assistance, sign up here: <https://akptac.ecenterdirect.com/signup>