

112TH CONGRESS  
1ST SESSION

# H. R. 1812

To direct the Administrator of General Services to establish a small business growth pilot program, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2011

Mr. CONNOLLY of Virginia introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To direct the Administrator of General Services to establish a small business growth pilot program, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Small Business Growth  
5 Act”.

6 **SEC. 2. SMALL BUSINESS GROWTH PILOT PROGRAM.**

7 (a) ESTABLISHMENT.—Not later than one year after  
8 the date of enactment of this Act, the Administrator of  
9 General Services shall establish a small business growth

1 pilot program (in this section referred to as the “pro-  
2 gram”).

3 (b) RESTRICTED COMPETITION FOR CERTAIN CON-  
4 TRACTS.—Under the program, a contracting officer for  
5 the General Services Administration may award a contract  
6 on the basis of competition restricted to program partici-  
7 pants determined eligible under subsection (c) if—

8 (1) the anticipated award price of the contract  
9 (including options) is reasonably expected to exceed  
10 the simplified acquisition threshold;

11 (2) the Administrator determines that, if the  
12 contract were not awarded under the program, the  
13 contract would likely be awarded to an entity other  
14 than a small business concern;

15 (3) there is a reasonable expectation that at  
16 least 2 program participants determined eligible  
17 under subsection (c) will submit offers with respect  
18 to the contract; and

19 (4) the contract award can be made at a fair  
20 market price.

21 (c) PROGRAM PARTICIPANT ELIGIBILITY.—The Ad-  
22 ministrator shall determine an entity to be a participant  
23 in the program and eligible to be awarded a contract under  
24 subsection (b) if the entity—

1           (1) is enrolling as a mentor in or is partici-  
2           pating as a mentor in the Mentor-Protege Program  
3           of the Administration related to contracting;

4           (2) if participating as a mentor in the Mentor-  
5           Protege Program, has at least one protege that is a  
6           small business concern under that program;

7           (3) has fewer than 1,500 employees; and

8           (4) is not a small business concern.

9           (d) CONSIDERATION REQUIRED.—

10           (1) IN GENERAL.—A contracting officer for the  
11           Administration shall consider awarding a contract  
12           under subsection (b) before awarding that contract  
13           on the basis of full and open competition.

14           (2) REPORT TO ADMINISTRATOR.—At the re-  
15           quest of the Administrator, a contracting officer  
16           shall submit to the Administrator a report on the  
17           reasons a contract was or was not awarded on the  
18           basis of competition restricted to program partici-  
19           pants determined eligible under subsection (c).

20           (e) NOTICE TO THE PUBLIC.—With respect to a con-  
21           tract opportunity determined to meet the criteria specified  
22           in paragraphs (1) through (4) of subsection (b), a con-  
23           tracting officer for the Administration may provide notice  
24           of the contract opportunity on the Web site of the Admin-  
25           istration and on any other appropriate Federal Web site

1 relating to contracting. The contracting officer shall en-  
2 sure that the notice includes the eligibility requirements  
3 specified in subsection (c).

4 (f) REPORT TO CONGRESS.—Not later than one year  
5 after the date on which the program is established, and  
6 annually thereafter, the Administrator shall submit to  
7 Congress a report on the program, which shall include the  
8 number of contracts awarded in the prior year on the basis  
9 of competition restricted to program participants deter-  
10 mined eligible under subsection (c), the value of the con-  
11 tracts, a description of the work carried out under the con-  
12 tracts, and the number of program participants deter-  
13 mined eligible under subsection (c).

14 (g) TERMINATION.—The program shall terminate on  
15 the date that is 5 years after the date on which the pro-  
16 gram is established.

17 (h) DEFINITIONS.—In this section, the following defi-  
18 nitions apply:

19 (1) CONTRACTING OFFICER.—The term “con-  
20 tracting officer” has the meaning given that term in  
21 section 2101(1) of title 41, United States Code.

22 (2) FULL AND OPEN COMPETITION.—The term  
23 “full and open competition” has the meaning given  
24 that term in section 107 of title 41, United States  
25 Code.

1           (3) SIMPLIFIED ACQUISITION THRESHOLD.—

2           The term “simplified acquisition threshold” has the  
3           meaning given that term in section 134 of title 41,  
4           United States Code.

5           (4) SMALL BUSINESS CONCERN.—The term

6           “small business concern” has the meaning given  
7           that term in section 3(a) of the Small Business Act  
8           (15 U.S.C. 632(a)).

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