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September 5, 2019

Mr. Chris Eischen  
Procurement Center Representative  
U.S. Small Business Administration  
Office of Government Contracting, Area IV  
Kansas City District Office  
1000 Walnut Street, Suite 500  
Kansas City, MO 64106

Re: Past Performance Experience – Period of Performance Change from Five Years to Ten Years

Dear Mr. Eischen:

The members of the Small Environmental Business Action Coalition ([www.SEBC.org](http://www.SEBC.org)) wish to introduce ourselves and express our concerns regarding the Past Performance Experience timeframe criteria when responding to USACE solicitations. Nationally, SEBAC represents the majority by market share of environmental remediation businesses under the NAICS code 562910. SEBAC offers a combined industry voice for small businesses many of which are fully capable of meeting the USACE's requirements for contracts solicited under NAICS 562910.

USACE, and more specifically, the Kansas City District, has historically and is currently contracting with the small and small disadvantaged business community to support cleanup efforts including work under numerous IDIQ contracts. Our members and other Small Business 562910 firms hold some of the largest by dollar value remediation contracts for the US Army Corps of Engineers, many of which are long-term projects executed over at least a five-year period.

Our primary concern is the use of a five-year window for presenting past experience in an industry where major projects of this nature fall off the five-year resume very quickly. Our goal is to expand the past experience timeframe to ten years, not unlike the recent solicitations put out by the Kansas City District for the Welsbach SATOC and the Unrestricted PRAC.

Our concern is predicated on the fact that the five-year time frame of allowable past performance experience that would be deemed technically acceptable, evaluated and

scored creates an imbalance in what skills and experience can be presented. We have seen most recently an expansion to a ten-year window for past performance experience with respect to the small business solicitation #W912DQ19R3009 (Welsbach) and the unrestricted solicitation #W912DQ19R3006 (PRAC). We greatly applaud the effort to expand the past experience window and request this modification become standard practice. The recent amendment posted for that solicitation expanded the acceptability of experience to a ten-year window. For a number of our members this action has moved a pre-determined "No-Bid" to a re-evaluation of that position. We are hopeful that some of these firms can now alter other pursuits to bid this solicitation offering the District the opportunity to receive additional qualified bids from the small business community.

As the Districts procure ID/IQ contracts (typically 5-year period) for various environmental efforts (ERS, PRACs, ECS, MATOCs & SATOCs), there are only so many projects that can be identified to "fit" within the highest scoring criteria of Section L & M that have been completed within a five-year timeframe, further compounded by the fact that most small businesses have only a limited number of projects to choose from when pulling experience from the corporate resume. The required five-year window for eligible projects prejudices the selection criteria toward contract incumbents as they offer recent, relevant experience within the footprint of the solicitation.

With these critical selection criteria many of our members elect to No-Bid thereby limiting the amount of competition. SEBAC members understand and fully support the need for competition. Our request is geared toward leveling the playing field, expanding the universe of qualified firms and providing USACE with best value.

SEBAC would like to request that the District include a ten-year period of performance window for all future solicitations.

Thank you for your time and in advance for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Dwyer", written in a cursive style.

John Dwyer  
President  
SEBAC

cc: Lara E. Beasley, Interim Chief, Environmental Division  
Headquarters, U.S. Army Corps of Engineers