



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
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WASHINGTON, D.C. 20350-1000

SECNAVINST 4380.9
OSBP
23 Jul 2018

SECNAV INSTRUCTION 4380.9

From: Secretary of the Navy

Subj: GOVERNANCE OF THE DEPARTMENT OF THE NAVY'S OFFICE OF
SMALL BUSINESS PROGRAMS, SMALL BUSINESS INNOVATION
RESEARCH, AND SMALL BUSINESS TECHNOLOGY TRANSFER PROGRAMS

Ref: (a) 15 U.S.C. §631-657(s)
(b) 10 U.S.C. §144 note
(c) Federal Acquisition Regulation, Parts 19 and 26
(d) Defense Federal Acquisition Regulation Supplement
(e) DoD Instruction 4205.01 of 13 September 2017
(f) Navy/Marine Corps Acquisition Regulation Supplement
(g) 15 U.S.C. §638
(h) 77 FR 46805-46855
(i) 77 FR 46855-46889
(j) SECNAVINST 5210.16
(k) 10 U.S.C. §5013-5016
(l) 10 U.S.C. §5028
(m) DoD Instruction 5000.66 of 27 July 2017
(n) DoD Guide for AT&L Workforce Management of 10 Jan
2006
(o) DON Small Business Professional Career Guidebook of
February 2018
(p) SECNAVINST 5430.7R
(q) 15 U.S.C. §644(k)

Encl: (1) Definitions
(2) Responsibilities and Authorities
(3) DON Small Business Innovation Research/Small
Business Technology Transfer Program Funding
(4) DON Office of Small Business Programs Insourcing
Review Process
(5) Appointments of Small Business Professionals
(6) Small Business Professional Authorized Representative
Appointment Template

1. Purpose

a. The Department of the Navy (DON) Office of Small Business Programs (OSBP) performs the duties of the Department of Defense (DoD) Director of Small and Disadvantaged Business Utilization under reference (a). For DoD, the Office of Small and Disadvantaged Business Utilization has been re-designated as the DoD OSBP.

b. The Chief of Naval Research (CNR) implements the DON Small Business Innovation Research (SBIR) and Small Business Technology Research (STTR) programs in coordination with the DON OSBP and assigns relevant responsibilities.

2. Cancellation. SECNAVINST 4380.7B and SECNAVINST 4380.8C.

3. Definitions. See enclosure (1).

4. Applicability. This instruction applies to the DON.

5. Policy. To provide a fair proportion of total DON purchases, contracts, subcontracts, grants, agreements, and other transactions for products, services, and solutions, with small business concerns as prime contractors and subcontractors and strengthen the role of innovative small business concerns in Federally-funded research or research and development (R/R&D) as set forth in references (a) through (f) DON OSBP and references (g) through (j) for the DON SBIR and STTR programs.

6. Responsibilities and Authorities. See enclosure (2)

7. DON SBIR/STTR Program Funding. See enclosure (3).

8. DON OSBP Insourcing Review Process. See enclosure (4).

9. Organizational Relationships

a. Secretary of the Navy (SECNAV), pursuant to reference (k), has all legal authority necessary to conduct the affairs of the DON. The Secretariat, Chief of Naval Operations, and the Commandant of the Marine Corps perform their functions subject to the authority, direction, and control of the SECNAV.

b. Reference (1) requires the DON to establish the OSBP, and designate an employee within such office to serve as its director. The OSBP Director is responsible for providing guidance, and overseeing the execution of all small business programs for the DON. SECNAV retains ultimate responsibility for all policies related to the DON. Within its area of responsibility, the OSBP issues official guidance to ensure implementation of those policies. The OSBP Director reports to the SECNAV through the Under Secretary of the Navy and is the chief advisor on all small business matters, except that DON OSBP will coordinate with CNR's designee, the program director for SBIR and STTR, in SBIR and STTR matters.

c. Under references (c), (d), and (e), DON OSBP will appoint Small Business Professionals (SBPs). Under references (a) and (d) each DON Contracting Activity must appoint a small business technical advisor for the activity. Small business technical advisors shall:

(1) Be someone other than the SBP, employed full-time by the contracting activity, well qualified, technically trained, and familiar with the supplies or services contracted for;

(2) Assist the Small Business Administration (SBA) assigned representative with performing the functions and duties relating to sections 637, 644, and 657a of reference (a).

d. The SBA counsels and assists small business concerns and assists contracting personnel to ensure that a fair proportion of contracts for supplies and services are placed with small business. Consequently, upon their request and subject to applicable acquisition and security regulations, contracting officers shall give SBA procurement center representatives (PCR) access to all reasonably obtainable contract information that is directly pertinent to their official duties.

10. Secretariat Appeal Process

a. Reference (c) specifies certain situations where the SBA may appeal the Head of Contracting Activity's (HCA) rejection of an SBA recommendation to set aside an acquisition, or the contracting officer's rejection of an 8(a) award to the Secretary. Upon learning of an appeal to the Secretary, the contracting officer shall immediately inform the DON's OSBP director and send the OSBP director the following:

(1) A notice summarizing the issues; and

(2) An appeal file, documenting the contracting activity's position.

b. The OSBP Director will determine whether the DON will grant or deny the appeal per the requirements of reference (c) and notify the SBA of the department's intent.

11. Appointments of SBPs, SBP Alternates, and SBP Authorized Representative (SBPAR). See reference (e) for appointment authority and enclosures (5) and (6) regarding the DON OSBP process to make such appointments.

12. SBIR and STTR Programs

a. The SBIR and STTR programs engage small business in the accomplishment of the DON's acquisition technology mission. Funding for these programs is outlined in enclosure (3).

b. The SBIR and STTR program management (policy and execution) is best aligned within the auspices of the office of the Assistant Secretary of the Navy (Research, Development and Acquisition) and is delineated under the CNR in enclosure (2).

13. Records Management

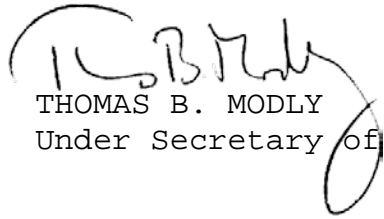
a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned according to the records disposition schedules found on the Directives and Records Management Division (DRMD) portal page:

<https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/SitePages/Home.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition schedules, please contact your local Records Manager or the DRMD program office.

23 Jul 2018

14. Reports. Reporting requirements contained within enclosure (2) of this instruction are exempt from reports control per SECNAV M-5214.1, part IV, paragraph 7n.



THOMAS B. MODLY
Under Secretary of the Navy

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<https://doni.documentservices.dla.mil/>.

DEFINITIONS

1. OSBP Definitions

a. Competency. An observable, measurable set of skills, knowledge, abilities, behaviors, and other characteristics needed to perform work roles or occupational functions.

b. Contracting Activities. DON activities listed in subpart 202.101 of reference (d) Procedures, Guidance, and Information.

c. Contracting Offices. DON offices not considered contracting activities, with procurement authority of \$25,000 or more.

d. Direct Reporting Elements. Any DON command other than contracting activities that directly reports to the ASN and utilizes the DON contracting activities to award contracts.

e. Major Contracting Offices. DON contracting offices whose total annual contract actions with U.S. business concerns exceed \$100 million in value.

f. Navy Small Business Council. The council, whose membership is comprised of the OSBP director and associate directors of small business, responsible for management and implementation of the DON OSBP.

2. DON SBIR/STTR Definitions

a. SBIR/STTR Program Director. The official appointed by the CNR whose duties are described by references (g) through (i), responsible for management of the DON SBIR/STTR Programs.

b. SBIR Program. The program under which a portion of a Federal agency's extramural R/R&D effort is reserved for award to small business concerns through a uniform competitive process in compliance with reference (g) and (h).

c. STTR Program. The program under which a portion of a Federal agency's extramural R/R&D effort is reserved for award to small business concerns for cooperative research and

development through a uniform competitive process in compliance with references (g) and (i).

d. Commercialization Readiness Program (CRP). The program to accelerate the transition of technologies, products, and services developed under the SBIR Program or STTR Program to Phase III, including the acquisition process in compliance with reference (g).

e. Federal Agency. An executive agency as defined in Section 105 of Title 5 or a military department as defined in Section 102 of such Title, except that it does not include any agency within the Intelligence Community (as the term is defined in section 3.4(f) of Executive Order 12333 or its successor orders).

f. Extramural Budget. The sum of the total obligations for Research, Development, Testing, and Evaluation (RDT&E) minus amounts obligated for RDT&E activities by employees of a Federal agency in or through Government-owned, Government-operated facilities, except that for the Department of Energy it shall not include amounts obligated for atomic energy defense programs solely for weapons activities or for naval reactor programs per reference (g).

g. Systems Command (SYSCOM) SBIR Program Manager (PM). The lead official, appointed by a SYSCOM, who is responsible and has authority for management of SBIR/STTR funds and activities within that SYSCOM and associated Program Executive Offices.

RESPONSIBILITIES AND AUTHORITIES

1. OSBP Responsibilities

a. The OSBP Director shall:

(1) Serve as principal advocate within the DON for executing DoD and DON policy regarding all small business programs as mandated by Executive Orders, statutes, and regulations including small business, veteran-owned small business (VOSB), service-disabled VOSB, historically underutilized business zone small business, small disadvantaged business, women-owned small business, DoD Pilot Mentor-Protégé Program, and the Indian Incentive Program;

(2) Assist small business concerns to obtain payments, required late payment interest penalties, or information regarding payments due to such concerns from an executive agency or a contractor, or any other protection for contractors or subcontractors (including suppliers) that is subject to reference (c), (d), and (f);

(3) Cooperate, and consult on a regular basis, with SBA;

(4) Make recommendations to Contracting Officers as to whether a particular contract requirement should be awarded pursuant to reference (a) sections 637, 644, 657a, or 657f of this title;

(5) Develop strategic plans, goals, and objectives for the proper execution and management of the OSBP;

(6) Conduct quarterly analysis and provide semi-annual assessments of the program's performance to SECNAV;

(7) Develop the SECNAV's response to SBA appeals to the Secretariat;

(8) Serve as the Department representative to the SBA for commissions, task forces, and other functional assignments necessary to carry out the duties and responsibilities described by this instruction;

(9) Serve as the SBP community manager and develop the competencies for establishing duties, training, and education criteria necessary for SBPs to properly counsel their buying commands in the execution of their small business program responsibilities. Establish centralized training to ensure that the community is kept current on policy, legislative changes, or Executive Orders that could affect the execution of programs under their responsibility;

(10) Utilize policies and guidance provided in references (m) through (n) to establish training, education, and career development criteria necessary for SBPs and submit required reports to the Committee on Small Business of the United States House of Representatives and the Committee on Small Business and Entrepreneurship of the United States Senate;

(11) Negotiate the HCA small business targets that support and promote the Department's overall attainment of meeting DoD established requirements;

(12) Appoint SBPs after obtaining concurrence coordination with the accountable HCA OSBP;

(13) Serve as Chair of the DON Small Business Council; represent DON on the Federal Small Business Council; and represent OSBP on the Naval Contracting Council;

(14) Support the small business program segment of the Procurement Performance Management and Assessment Program (PPMAP), annual reviews, or audits per reference (d), part 219, and reference (f);

(15) Initiate, review, or provide comments on all proposed legislation and regulations related to small business programs;

(16) Provide input to performance appraisals for associate directors;

(17) If notified prior to the close of a solicitation, request for proposal (RFP), or request for quotation (RFQ) that a small business concern believes a given solicitation, RFP, or RFQ unduly restricts its ability to compete for the award, shall:

(a) Submit the notice of the small business concern to the contracting officer and, if needed, recommend options in which the solicitation, RFP, or RFQ may be altered to increase the opportunity for competition;

(b) Inform the agency advocate for competition of such notice;

(c) Ensure that the small business concern is aware of other resources and processes available to address unduly restrictive provisions in a solicitation, RFP, or RFQ, even if such resources and processes are provided by such agency, the Administration, Comptroller General, or a procurement technical assistance program established under Chapter 142 of Title 10.

(18) Review and advise on any decision to convert an activity performed by a small business to an activity performed by a federal employee. Notify the DoD OSBP of any such decision and provide any related documentation;

(19) Advise acquisition officials to ensure acquisition strategies are structured to facilitate small business participation throughout a program's life cycle via direct participation (prime contracts) or, where such participation is not practicable, through subcontracting;

(20) Advise and assist in acquisition planning activities to identify small business sources and assist in formulating business strategies. Review and make recommendations on acquisition plans via DD Form 2579, bundling and consolidation determinations, subcontracting strategies, and participation requirements.

b. HCAs, commanders, and commanding officers of activities with warranted contracting authority shall:

(1) Be accountable and responsible for the successful execution of the small business program within their level of procurement authority;

(2) Coordinate with OSBP in the appointment of SBPs;

(3) Ensure that the SBP is a direct report to the HCA, the executive director of an activity, or the commanding officer of the activity and shall not be subject to the direction of contracting or technical personnel. Although not subject to the direction of contracting or technical personnel, senior acquisition personnel shall promote and provide support of SBP participation in the development of acquisition strategies and market research, early and throughout the acquisition cycle;

(4) Establish appropriate small business program performance objectives at the senior level for all acquisition personnel;

(5) Issue policy throughout the command that addresses and promotes maximum practicable opportunity for small business;

(6) Assign an alternate SBP where there is only one SBP appointed. The alternate SBP, which may be on a part-time basis, will not have the same level of responsibilities required as the primary SBP, but shall also be officially appointed with advice and concurrence of OSBP Director.

(7) Ensure the SBP is a member of the acquisition corps, is at a grade commensurate with the commander's other senior acquisition directors for effective advocacy, management and oversight, including interactions with subordinate units, higher headquarters, external agencies, members of Congress, civic leaders, and industry.

c. SBPs shall:

(1) Be designated as associate directors at HCA echelon 2 commands, as deputy directors at echelon 3 (that are not HCAs), or as assistant deputy director at echelon 4, with duties and responsibilities as delineated in this instruction;

(2) Have the requisite training for their position as described in reference (o); or be able to complete training requirements within 24 months of their appointment;

(3) Be a member of the acquisition corps; be at a grade commensurate with the commander's other senior acquisition directors; be a direct report only to the HCA, the executive

director or commanding officer of the activity, and not subject to the direction of contracting or technical personnel;

(4) Attend annual training as established by the OSBP Director in order to maintain proficiency on matters affecting program execution. Alternate SBPs are not required to attend this annual training;

(5) Serve as chief advisor on small business matters to the activity head recommending opportunities to increase access for small business, advising on acquisition strategies or procurements that may be appealed by the SBA, representing the command in outreach events, and serving as the single point of contact for their activity's small business matters;

(6) Appoint SBPAR, as appropriate, at subordinate commands to act in a limited capacity, to advise acquisition personnel throughout the acquisition cycle in the development of strategies and market research to ensure maximum feasible opportunity for small businesses. See enclosure (6) for appointment template.

d. Associate directors (echelon 2) and assistant deputy directors of small business programs (echelon 4) shall:

(1) Develop the plans, scope, and program management necessary for the HCA to produce the desired objectives throughout the command and provide direction to field activities in support of the overall DON program;

(2) Assist and advise contracting, program, and project personnel, to include program executive officers and direct reporting elements, on OSBP related regulatory, policy, and directive requirements;

(3) Support the small business segment of the PPMAP reviews, annual reviews, or audits per reference (d), part 219, and reference (f), and submit required reports to the OSBP Director;

(4) Participate in the selection of, and provide concurrence with, recommendations for appointments of SBPs at subordinate activities, and provide input on their performance appraisals for subordinate activity SBPs;

(5) Participate on the DON Small Business Council and on special projects as assigned by DON OSBP;

(6) Ensure accurate Key Performance Indicator reporting by Major Command and subordinate command SBPs on the DON OSBP's Knowledge Management Portal.

e. Deputy directors of Small Business Programs (echelon 3) shall develop the plans, scope, and program management necessary for the activity to produce the desired objectives throughout the command and provide direction to field activities in support of the overall HCA program. They shall:

(1) Support the small business segment of the PPMAP reviews, annual reviews, or audits per reference (d), part 219, and reference (f), and submit reports to the OSBP Director;

(2) Provide input to the command on performance appraisals for subordinate activity SBPs;

(3) Participate in the selection of SBPs and provide concurrence with individual appointments of SBPs at subordinate activities.

f. The SBPAR shall:

(1) Be appointed in writing by an SBP per enclosure (6) and have completed, at minimum, the Defense Acquisition University's Fundamentals of Small Business for the Acquisition Workforce course as a pre-requisite training prior to appointment;

(2) Perform duties as authorized by the SBP, in a limited capacity, to advise and assist contracting officers, PMs, requirement developers, and all other acquisition personnel early and throughout the acquisition cycle in the development of strategies and market research to ensure maximum practicable opportunity for small businesses;

(3) When acting in the capacity of SBPAR, have as their primary responsibility, the role of SBP, whose duties shall take precedence over any other assigned duties; be a direct report to the activity head, executive director, or commanding officer of

the activity on small business program matters and have their performance evaluated by same.

g. Alternate SBPs shall:

(1) Meet the same training requirements specified in reference (o), the Small Business Professional Career Guide, for regular SBPs prior to their appointment;

(2) Serve during the absence of the primary advisor in order to provide appropriate reviews and advisories and support procurement acquisition lead-time objectives;

(3) Receive supplemental training from the primary SBPs and serve in additional small business supporting roles as determined by the activity head.

2. Delegation of Responsibility for SBIR/STTR Program Implementation

a. The CNR designates the DON SBIR/STTR Program Director as the individual responsible for implementing the DON SBIR/STTR Programs in compliance with references (g) through (h). The DON SBIR/STTR Program Director shall:

(1) Manage the DON SBIR/STTR programs per references (g) through (j) and guidance or goals provided by DON Leadership;

(2) Exercise management judgement on the determination of what activities, projects, pilots, and other optional authorities the DON SBIR/STTR should participate in;

(3) Establish criteria and determine projects for designation as participation in the CRP program;

(4) Serve as DON liaison to all Committees, Panels, Working Groups, and other bodies where participation by agency SBIR/STTR PMS is expected;

(5) Coordinate activities with DON OSBP to ensure that the goals of DON SBIR/STTR and DON Small Business Program participation DON-wide are being met; and

(6) Maintain the electronic systems and tools needed for the operation, management, and required reporting of the DON SBIR/STTR Programs as well as maintain the DON's public SBIR/STTR website.

(7) Oversee administration of DON SBIR/STTR funds and obligations including:

(a) Coordination with the Office of Naval Research Comptroller, Code 08, for the calculation of the SBIR/STTR Program funding each Fiscal Year;

(b) Allocation of funding for program execution across DON SBIR/STTR program management offices;

(c) Monitoring funds execution to ensure compliance with all statutory requirements for program obligations;

(d) Preparation and submission of detailed reports concerning program funding; maintaining program information as required for public access; and submit electronic reports per references (g) through (h);

(e) Establish guidance for and monitor technical progress of the execution of contracts; and

(f) Foster effective mechanisms for commercialization and transition planning, support, and tracking.

b. SYSCOM SBIR/STTR PM Responsibilities

(1) The DON SBIR/STTR Program Director assigns the following duties to the designated SYSCOM SBIR/STTR PMs at all participating SYSCOMs:

(a) Execute all allocated SBIR/STTR program funds to ensure proper obligation and expenditure per specified program purposes during their period of availability;

(b) Submit, for inclusion in the DON portion of the DoD SBIR/STTR Broad Agency Announcement (BAA), topics of research interest that support technology developments in support of SYSCOM-related DON/DoD needs;

(c) Manage the evaluation and selection process for proposals submitted in response to SYSCOM topics per the requirements of references (g) through (j), the applicable BAA, and established DON SBIR/STTR Program procedures;

(d) Submit requests for waivers, if required, concerning: exceeding the time for selection of proposals and/or the time for contract award; requests for approval to use another agency's topic/award; and requests to exceed the award guidelines by greater than 50 percent;

(e) Approve, for all SYSCOM awards, the selection of Technical Points of Contact/post-award Technical Contract Monitors with the requisite qualifications, including technical expertise, program knowledge, and conflict of interest restrictions per established DON SBIR/STTR procedures;

(f) Provide the management required to ensure that contract actions for Phase I/II awards are initiated and accomplished in compliance with references (g) through (j), and that contracting officials are provided adequate information;

(g) Ensure the collection, data entry, and timely submission of reports and information related to SYSCOM efforts as required by references (g) through (j) and such other ad hoc inquiries as may be required concerning the DON SBIR/STTR programs that may involve the SYSCOM; and

(h) Participate in all other activities to the extent appropriate and practicable at the DON, SYSCOM, and other levels - both inside and outside the Federal Government - that could reasonably be interpreted to advance the DON SBIR/STTR programs as set forth in references (h) and (i) and the overall DON Small Business Program goals.

(2) Unless specifically authorized in writing by the DON SBIR/STTR Program Director, the below actions are not authorized to be performed by the SYSCOM SBIR/STTR PM:

(a) Use of any DON SBIR/STTR "administrative" funding (i.e., DON SBIR/STTR Program Administrative funds, DON CRP Administrative funds, and any other administrative funds that may be authorized for use specifically for the SBIR/STTR

programs) on a contract for the performance of effort under a SBIR/STTR Phase I/II/III contract;

(b) Direct submission of topics for inclusion into the DON portion of the DoD SBIR/STTR BAA without prior review/approval;

(c) Approval of projects for final designation within the DON CRP; and

(d) Execution of the SYSCOM SBIR/STTR Program in a manner in violation of the requirements of references (g) through (j) and DON SBIR/STTR implementation procedures established and distributed by the DON SBIR/STTR Program Director.

3. Responsibility for Management of DON SBIR/STTR Programs. Per reference (p), the CNR is assigned management responsibility of the DON SBIR/STTR Programs, to include all actions not specifically withheld for action by the Secretary or Under Secretary of the Navy for their action; and to coordinate with the DON OSBP.

a. The SBIR/STTR programs engage small business in the accomplishment of DON's acquisition technology mission;

b. This collaboration should include outreach events, website linkage, and cross training of program personnel where both OSBP and SBIR is in residence, coordination of policy, and further actions, where appropriate, as determined by the directors of OSBP, SBIR, and STTR;

c. A consolidated annual small business report to the SECNAV, submitted through OSBP, will include SBIR, STTR, and OSBP efforts and achievements.

**DON SMALL BUSINESS INNOVATION RESEARCH/SMALL BUSINESS TECHNOLOGY
TRANSFER PROGRAM FUNDING**

1. DON SBIR Program contract funds result from an assessment of a percentage of extramural RDT&E Budget Activities 6.1 through 6.7 as set forth in references (h) and (i).
2. DON STTR Program contract funds result from an assessment of a percentage of extramural RDT&E Budget Activities 6.1 through 6.7 as set forth in references (h) and (i).
3. DON SBIR/STTR Programs Administrative funds are equivalent to 6.5 percent of the DON SBIR Budget and are the result of an additional assessment of extramural RDT&E Budget Activities 6.1 through 6.7 as set forth in references (h) and (i); must be used solely for the purpose of administering the DON SBIR/STTR Programs; and must be approved and distributed by the DON Comptroller.
4. DON CRP Program Administrative funds are no more than 1 percent of the DON SBIR Budget as set forth in references (h) and (i).
5. Any other funding added by references (g) through (j) whether designated for pilot or permanent efforts.

DON OFFICE OF SMALL BUSINESS PROGRAMS INSOURCING REVIEW PROCESS

1. DON OSBP is required to review and advise on any decisions to convert an activity performed by a small business concern to an activity performed by a federal employee per reference (q).

2. The following should be submitted to OSBP for review prior to initiating any action which could result in insourcing:

a. A full description and rationale of the proposed insourcing action identifying the basis of the insourcing with a Plan of Actions and Milestones for Human Resource actions to on-board new government personnel;

b. Applicable acquisition history addressing if the proposed insourced services were ever performed previously by government personnel and subsequently outsourced as a result of an A-76 Study or other determination. Include any relevant information relating to the decisions made to previously out-source;

c. Cost Analysis that relates to the insourcing decision;

d. Impact to the command's small business performance goals and identification of trade-offs. The impact statement must also provide an analysis of the impact on health of the affected small business industrial base;

e. Analysis of similar work being performed by Other-Than-Small-Business or Small Business elsewhere within the Command, Navy or Marine Corps;

f. Breakdown of Prime and Subcontracting allocation of assets under the proposed contract to be insourced;

g. Confirmation that the local SBA Procurement Center PCR has been notified of the potential action;

h. Legal opinions by the command's general counsel supporting the insourcing action.

3. OSBP will provide an advisory to the requesting command within 30 business days from the receipt of all required information/documentation.

APPOINTMENTS OF SMALL BUSINESS PROFESSIONALS

1. The authority to appoint an individual as an SBP or Alternate SBP rests with the OSBP Director with advice and concurrence of the applicable HCA associate director.
2. Commanders and commanding officers shall provide the OSBP Director the below information with each appointment request:
 - a. Name of proposed appointee with series, grade level, or rank, and contact information including e-mail address;
 - b. Unit Identification Code, Billet Identification Number, and name of person the new appointee is replacing or note if this is a new position;
 - c. Activity mailing address with DoD organizational code;
 - d. DoD activity level of procurement authority;
 - e. Copy of the appointee's resume and notation if candidate meets the requisite training of the position as identified in reference (o) or will complete the training within 24 months of appointment;
 - f. Copy of command organizational chart showing the appropriate chain of command.
3. If approved by DON OSBP, an endorsement of the appointment request shall be routed to the applicable HCA associate director for presentation to the newly appointed SBP.
4. SBPs may appoint a SBPAR and authorize their actions utilizing the template found in enclosure (6).

SECNAVINST 4380.9
23 Jul 2018

**SMALL BUSINESS PROFESSIONAL AUTHORIZED REPRESENTATIVE
APPOINTMENT TEMPLATE**

(date)

From: COMMAND NAME, LOCATION

To: NAME, COMMAND, OFFICE LOCATION

Subj: APPOINTMENT AS SMALL BUSINESS PROFESSIONAL AUTHORIZED
REPRESENTATIVE (SBPAR)

Ref: (a) SECNAVINST 4380.9

1. Per reference (a), you are hereby appointed as a Small Business Professional Authorized Representative (SBPAR) for this command. The Small Business Professional (SBP) will assign and manage your authority which is limited to the duties and responsibilities identified below. This authority expires upon transfer, termination, or by written revocation.

2. Your authority is subject to review and signature, concur or non-concur, of proposed acquisition strategies with an estimated value not to exceed (dollar amount set by command). Should any situations arise that question your authority, you must consult with the SBP. Your authority includes the following responsibilities:

a. Review proposed acquisition strategies and prepare recommendations for acquisitions (including orders placed against Federal Supply Schedule contracts) over \$10,000, except those under the simplified acquisition threshold that are totally set aside for small business concerns per FAR 19.502-2, and document recommendation on the DD Form 2579, Small Business Coordination Record.

b. Provide support and assistance to the contracting officer in evaluating the small business utilization factor (FAR Part 15), review proposed subcontracting plan, contractor performance, and compliance with subcontracting plan(s).

c. Attend Industry Day and any local outreach events as authorized; provide counseling and guidance to small businesses seeking information concerning contracting and subcontracting opportunities within their command.

Enclosure (6)

3. The SBP shall:

a. Meet with the SBPAR to discuss the command's established small business targets, progression to date in meeting and achieving their targets, small business related regulations and/or policy changes, updates, and any information regarding the Navy's Small Business Programs.

b. Retain ultimate authority for any and all decisions, and/or actions, relating to the administration of the command's small business program.

4. You are expected to exercise sound business judgment and observe the highest standards of personal and professional conduct while performing these duties. The exercise of SBPAR authority will be reviewed quarterly by the SBP.

5. You must acknowledge receipt of your appointment and provide a copy of this letter to the Contracts Support Office and the SBP for retention. Your signature certifies you have read and understand the contents of reference (a), have completed the Defense Acquisition University's Fundamentals of Small Business for the Acquisition Workforce course, and have read, understand, and accept all the duties and responsibilities stated herein.

NAME

Receipt of this appointment is hereby acknowledged:

SIGNATURE

DATE

NAME (Print)

TITLE

TELEPHONE NUMBER

Copy to:
Command SBP
Contract Support Office
DON OSBP