



# Contracting Opportunities and Processes for Native-owned businesses under the American Recovery and Reinvestment Act

April 1, 2009



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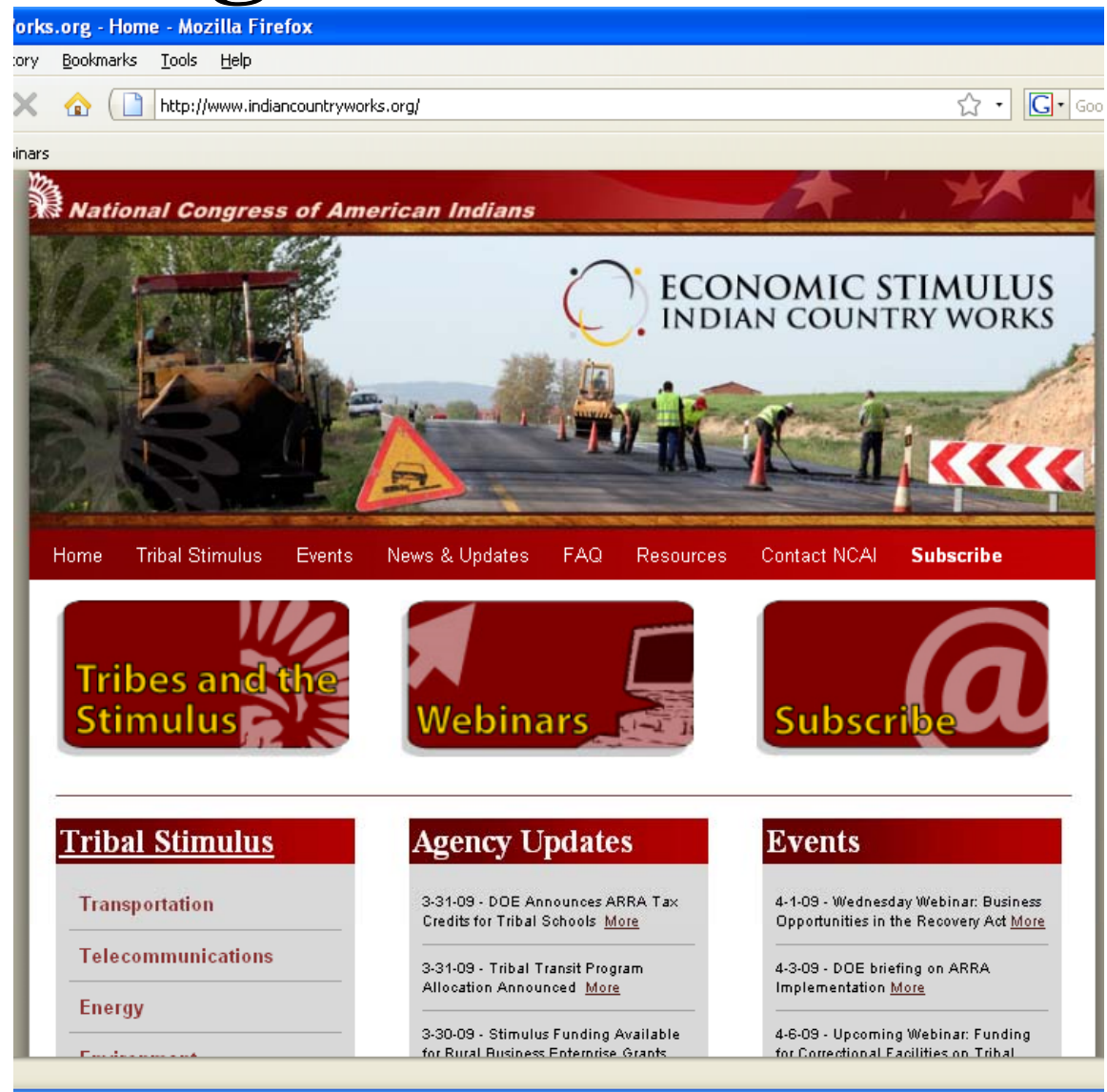
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# www.ncai.org/stimulus

Information on the website is continually being updated with information as it becomes available, so check back often.

Please send questions and comments to:

**stimulus@ncai.org**



# NCAI Economic Stimulus Update


NCAI Economic Stimulus Update 3-23-09 - Message (HTML)

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From: Jacqueline Johnson Pata [jjohnson@ncai.org] Sent: Mon 3/23/2009 4:21 PM  
To: Michael Hahn  
Cc:  
Subject: NCAI Economic Stimulus Update 3-23-09


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**News, Tools and Resources From**  
**NCAI** National Congress of American Indians



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Monday, March 23, 2009

**Upcoming Teleconference:  
Recovery Funds for Tribal Public  
Safety & Violence Against  
Women**

**Upcoming Webinar:  
Community Development  
Financial Institution  
Funding**

Thursday, March 26, 2 p.m.  
EASTERN



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**Agency Updates**

- 3-31-09 - DOE Announces ARRA Tax Credits for Tribal Schools [More](#)
- 3-31-09 - Tribal Transit Program Allocation Announced [More](#)
- 3-30-09 - Stimulus Funding Available for Rural Business Enterprise Grants

**Events**

- 4-1-09 - Wednesday Webinar: Business Opportunities in the Recovery Act [More](#)
- 4-3-09 - DOE briefing on ARRA Implementation [More](#)
- 4-6-09 - Upcoming Webinar: Funding for Correctional Facilities on Tribal

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### Tribal Stimulus

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<a href="#">Transportation</a>	Agency	Funding	Type	Eligibility	Notes	Last Updated
<a href="#">Indian Reservation Roads Program</a>	Transportation	\$310 million	Formula	Tribes		4-1-2009
<a href="#">BIA Construction, Road and Bridge Maintenance</a>	Transportation	\$143 million	Formula	Tribes	NCAI estimate based on Senate report language. Allocation of funds at Secretary of Interior's discretion.	3-15-2009
<a href="#">Tribal Transit Grant Program</a>	Transportation, FTA	\$17.25 million	Tribal set-aside	Tribes		3-15-2009
<a href="#">Housing and Community Development</a>	Agency	Funding	Type	Eligibility	Notes	Last Updated
<a href="#">Native American Housing Block Grants (NAHASDA)</a>	Housing	\$510 million	Formula	Tribes	At least \$255 million will be distributed according to the 2008 formula; \$255 million may be awarded competitively	3-15-2009
<a href="#">Community Development Block Grants</a>	Housing	\$10 million	Formula grants	Tribes, States, Local governments, Others	\$100 million total appropriated; tribal statutory 1% set-aside which is \$10 million.	4-1-2009
<a href="#">Housing Improvement Program</a>	Interior, BIA	\$20 million	Direct grants	Tribes, Tribal organizations	NCAI estimate based on Senate report language. Allocation of funds at	4-1-2009



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3-27-09 - CDFI Fund Publishes Amended Notice for New Markets Tax Credit Program to Expedite Implementation of the Recovery Act [More](#)

3-20-09 - Recovery Act CDFI Fund Implementation increases eligibility, reduces requirements [More](#)

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#### Events

4-1-09 - Wednesday Webinar: Business Opportunities in the Recovery Act [More](#)

4-21-09 - NREL Energy Business Development for Tribes [More](#)

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Economic, Business & Workforce Development	Agency	Funding	Type	Eligibility	Notes	Last Updated
Indian Guaranteed Loan Program	Interior, BIA	\$10 million	Tribal program	Indian-owned businesses		4-1-2009
BIA Workforce Construction Training	Interior, BIA	\$6 million			NCAI estimate based on Senate report language. Allocation of funds at Secretary of Interior's discretion.	3-15-2009
Tribal Economic	Treasury	\$2	Bond	Tribes	Secretary of the Treasury will	4-1-2009



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Economic, Business and Workforce Development

## Indian Guaranteed Loan Program

**Department & Agency:**  
Department of the Interior – Bureau of Indian Affairs

**Administering Agency:**  
Bureau of Indian Affairs – Office of Indian Energy and Economic Development

**Agency Contact:**  
Dr. Robert Middleton, Director  
Office of Indian Energy and Economic Development  
[Bob\\_Middleton@ios.doi.gov](mailto:Bob_Middleton@ios.doi.gov)  
(202) 208-5462

**Stimulus Funding:**  
\$10 million

**Eligibility and Type:**  
Tribes and Tribal Organizations, individual American Indians and Alaska Natives  
Formula and Project Grants

**Program Description:**  
The Indian Guaranteed Loan Program, established under the Indian Financing Act of 1974, as amended, helps Indian people to gain access to capital by guaranteeing and insuring loans from lenders in the private sector to promote economic development for tribes, Native American organizations, and individual American Indians and Alaska Natives through Indian-owned businesses on or near reservations. The program leverages appropriated monies by a ratio of 13 to 1.

Done





# Dr. Robert Middleton

Director, Office of Indian Energy and Economic Development  
U.S. Department of Interior



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# Summary of ARRA

- Provides up to \$787 billion in “stimulus” money
- \$212 billion of this is in the form of tax relief
- The rest (\$575 billion) will be spent directly by the federal government through contracts or indirectly by recipients of grants (state, local, tribal governments, for example)



# Overview of this Presentation

This Presentation discusses how Native-owned businesses can:

- Prepare to pursue Stimulus-funded projects
- Find potential contracting opportunities
- Pursue those opportunities
- Prepare for post-award scrutiny and compliance requirements



# Preparing to chase stimulus money

- Make sure your company has all its required registrations and certifications (CCR, etc.)
- Identify other “differentiators” and qualifications that may be helpful (i.e. Native-owned and 8(a) status)
- Prepare a 1-2 page “capabilities statement”
- Assess bonding capabilities
- Determine if you have any existing contract vehicles (IDIQ contracts, MATOC, GSA Schedule, etc.)
- Take an inventory of potential teaming partners – large businesses, small businesses, Tribes and other entities, including those that might be eligible for grants



# Where to Look for Opportunities

- [www.Recovery.gov](http://www.Recovery.gov)
- [www.Fedbizopps.gov](http://www.Fedbizopps.gov)
- [www.grants.gov](http://www.grants.gov)
- Specific Agency websites (discussed below)
- Existing Project lists (discussed below)
- Don't delay – the ARRA calls for 50% of the money to be obligated within 120 days of passage and most of the rest by September 2010



# Preparing to chase work

- Pick a manageable number of agencies or potential programs
- Each program has different goals, requirements, processes, etc.  
-- make sure you understand them
- Tailor your capabilities statement to the program
- Understand how the government is likely to spend the money --  
Do you have a contracting vehicle that would facilitate spending of stimulus money for the particular program?
- Do you need a partner to
  - Perform the substantive requirements?
  - Provide bonding?
  - Gain access to an existing contract vehicle?



# Pursuing Work – specific Agency Programs

- There are numerous specific programs opportunities for Tribes and/or Native-owned businesses, including:
  - BIA, numerous programs
  - Federal Highway Administration, Indian Reservation Roads (IRR)
  - Department of Energy (tribal energy, renewable energy, energy efficiency)
  - Just to name a few



# Pursuing Work – General Programs and Preferences for Native-owned Businesses

- 8(a) and HUBZone contracting programs are permitted under the Stimulus; Note: the *Rothe* case does NOT affect the 8(a), HUBZone, ANC, Tribal or NHO contracting!!!
- Sole source contracts, though not preferred, are still permitted, even under the Stimulus
- Buy Indian Act preferences (and set-aside potential) creates opportunities
- 638 contracting



# What to Watch Out For

- New levels of disclosure and audits
  - new rules issued March 31 require disclosure of prime and first-tier subcontracts, create new audit rights for the Government, require quarterly reporting by the contractor of jobs created (and potentially executive compensation!!!) – be prepared and expect to be audited.
- The speed of spending means mistakes are likely to be made – be proactive in identifying, disclosing and correcting mistakes.
- Preference for “fixed price” contracts puts the risk of cost-overruns on the contractor.
- Special labor requirements – Davis Bacon.
- New procurement regulations require mandatory disclosure by contractors if they find “credible evidence” of fraud, etc. – applies to all contracting not just stimulus-funded.



# Questions and Answers

Please type in your questions online (Q&A tab above) or press \*1 on your phone to ask a question.

