

Agenda

SBA 8(a) Training for Governing Bodies of Alaska Native Corporations (ANCs), Tribes, and Native Hawaiian Organizations (NHOs)

**Presented by
Holland & Knight LLP
And
C2North, LLC**

1:00 PM Special Government Contracts Programs Available to ANCs, Tribes, and NHOs – An Overview

- This portion of the training will provide a brief overview of the SBA's Section 8(a) Business Development Program and its advantages, including the potential for multiple subsidiaries, common ownership, management, and shared administrative services, resulting in efficiencies and economies of scale.
- Attention will also be given to small business contract opportunities for 8(a) participants and eligibility for the HUBZone program.

1:30 PM Key SBA Eligibility Requirements and Evolving Expectations

- This portion of the training will address the differences between the requirements for ANCs, Tribes, and NHOs within the 8(a) program and, in particular, the SBA's requirements with respect to ownership and management. Training will be provided in the SBA's affiliation rules and common pitfalls. Attention will also be given to the SBA's evolving expectations with respect to sole source awards and management of 8(a) participants.

2:30 PM Structuring Considerations

- This portion of the presentation shall address corporate structure and choice of entity considerations applicable to 8(a) participants, with a focus on key governance issues, day-to-day management, and shared services.
- Attention shall also be given to entity issues in pursuing business opportunities, including mentor-protégé agreements and joint ventures (including the All Small Mentor Protégé program), compliance and reporting requirements, and business succession planning.

3:45 PM Break

4:00 PM Issues arising in Bidding and Contract Performance

- This portion of the training will address common issues and pitfalls in bidding and contract performance. Attention will be given to contract-specific affiliation

considerations, the ostensible subcontractor rule, sister company past performance, limitations on subcontracting, and NAICS code considerations.

- This portion of the training will also provide a brief overview of other contract opportunities available to Native-owned entities outside the context of the SBA's 8(a) Business Development Program, including opportunities under the Buy Indian Act and the Indian Incentive Program.

5:00 PM **Program Concludes**

FACULTY:

Robert Tompkins – Bob Tompkins is a partner in Holland & Knight's Washington, D.C., office and co-chair of the firm's National Government Contracts Group. Mr. Tompkins provides strategic advice and counsel to government contractors, their management and investors. He is experienced in government contract protests and disputes, government investigations and related proceedings, mergers and acquisitions, suspension and debarment matters, and matters related to the U.S. Small Business Administration (SBA) government contracting programs and providing general counseling to clients.

Walter Featherly – Walter T. Featherly is the executive partner of Holland & Knight's Anchorage office and a member of the firm's Corporate, M&A and Securities Practice Group. Mr. Featherly focuses his practice on Alaska Native- and Native American-owned corporations and their businesses. He regularly counsels boards of directors and executives on corporate law and governance, business, and compliance matters.

Robert J. Misulich – Robert J. Misulich is an associate attorney in Holland & Knight's Anchorage, Alaska office and a member of the firm's Corporate, M&A, and Securities Practice Group. Mr. Misulich regularly represents Alaska Native Corporations as outside corporate counsel in a broad range of matters, including corporate governance, shareholder meetings, proxy solicitations, business transactions, compliance, and government contracting matters.

Rodney M. Perry – Rodney M. Perry is an associate in Holland & Knight's Washington, D.C. office and a member of the firm's Government Contracts Team. Mr. Perry's practice encompasses all areas of government contracting, which includes providing counsel on SBAs government contracting programs.

Melanie Roller -- Melanie Roller is the owner of C2 North, LLC a consulting firm that specializes in small business certifications with an emphasis on Alaska Native Corporations and Tribes. Ms. Roller has extensive experience in navigating the complex application and recertification requirements with expertise in the areas of program evaluation and strategy; program training and compliance; initial certification and compliance reporting as well as associated procurement advantages.