

April 28, 2010

Mr. Dean Koppel
Assistant Director
Office of Policy and Research
Office of Government Contracting
US Small Business Administration
409 Third Street SW
Washington, DC 20416

RE: Comments to SBA Proposed Rules
Women-Owned Small Business Federal Contract Program (SBA-2010-0001-0001)

Gentlemen:

As a woman with over 25 years of experience in the construction industry, I am pleased that the SBA has published new rules to be implemented by all federal agencies to “help ensure a level playing field on which Women-Owned Small Businesses (WOSBs) can compete for Federal contracting opportunities.” I am a Registered Professional Engineer and have managed both large and small federal construction contracts. I know the many challenges women owned small business have within the male dominated construction industry and I am encouraged and supportive of SBA’s proposed rules as I believe it will promote more opportunities for women in the construction industry. Such regulations will be a very positive step forward in gaining recognition and opportunities for women owned business in industry sectors that traditionally have been very restrictive in terms of opportunities for women.

I am, however, concerned that SBA’s proposed rule in support of WOSB’s needs further review as it now stands. This rule identifies the eligible industries for the WOSB Program by determining those industries in which WOSBs are underrepresented based on NAICS codes. Currently, SBA has identified 83 NAICS codes that under utilize women-owned small businesses. Included within the 83 under represented NAICS codes are industry sectors such as architectural, engineering services and residential construction. **Missing from the current SBA list is NAICS 2362 Non-Residential Building Construction. Falling under 2362 is NAICS Code 236220 - Commercial Building Construction, the code used for the majority of federal construction procurement.** DoD, VA, GSA and other federal agencies procure their construction projects and programs under NAICS code 236220. For example, the BRAC military construction projects were procured under 236220. **It is therefore important that this code be included in SBA’s program if the SBA program is to support women owned small construction businesses.**

It is my belief that NAICS Code 2362 Non-Residential Building Construction should be included in SBA’s proposed rules in support of Women Owned Small Businesses. There is an under-representation of women within the building industry both as business owners as well as company executives. Therefore, SBA’s WOSB program would be a very positive step forward in supporting the entrance and growth of women owned small business and

professionals in an industry that is important to sustainable job growth and the economic recovery of our nation.

SBA acknowledges in their ruling that their method of identifying under-represented industries is not without error and requests comments in sectors where women-owned business appear not to be underrepresented based on SBA's analysis. **Whether in error or due to the data analysis methods used by SBA in preparation of the proposed WOSB plan, SBA should re-evaluate their methodology and include NAICS Code 2362 Non-Residential Building Construction in their final WOSB program. Women owned small businesses are under-represented and utilized in the building construction industry and should be included in the SBA program.** According to SBA's own analysis using CCR data, **less than 0.4% of receipts under NAICS 2362 went to WOSB.** For comparison purposes, SBA has included NAICS Code 2361 – Residential Construction in their proposed program. **Using the same CCR data, WOSBs received 0.5% of receipts under 2361. (Therefore, on a percentage basis, WOSB Residential contractors had higher utilization than WOSB Non-Residential Construction contractors, yet Non-Residential Construction contractors are excluded from SBA's proposed WOSB program.)**

I bring this to your attention as I believe it is a very positive step for SBA to support women owned businesses and equally important that all under-utilized industry sectors be included in the program. Women owned small businesses that perform non-residential construction work (NAICS 236220) for the federal government should be included in SBA's WOSB program to help ensure a level playing field when competing on federal contracting opportunities.

Sincerely,

A handwritten signature in blue ink that reads "Kay Lantrip". The signature is fluid and cursive, with the first name "Kay" being more prominent than the last name "Lantrip".

Kay Lantrip
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