

New businesses in the government marketplace will find many procurement-specific phrases and terms not frequently used in the private sector. The following are some of the most commonly used procurement-specific phrases and terms along with their definitions.

Government Contracting Terms & Definitions

8(a) Program - Was created in 1974 to help minority and other small disadvantaged businesses (SDBs) to grow through a program of fed contracting preferences and set-asides. Through the 8(a) Program, eligible firms can be awarded government contracts on a sole-source, noncompetitive basis. The program is named for the section of the Small Business Act that authorizes its policies and procedures.

Acceptance - The act of an authorized government representative (buyer) by which the government assents to ownership of existing and identified supplies approves specific services rendered, as partial or complete performance of a contract.

Acquisition - The acquiring by contract with appropriated funds of supplies or services (including construction) by and for the use of the Federal Government through purchase or lease, whether the supplies or services are already in existence or must be created, developed, demonstrated, and evaluated. Acquisition begins at the point when agency needs are established and includes the description of requirements to satisfy agency needs, solicitation and selection of sources, award of contracts, contract financing, contract performance, contract administration, and those technical management functions directly related to the process of fulfilling agency needs by contract.

Addenda - Supplements to the bid or proposal form as originally issued, covering additions, corrections, or changes in the bidding conditions for the advertised work. Addenda are issued to prospective bidders prior to the date set for opening of proposals.

Affiliates - According to the SBA, affiliation exists when one business controls or has the power to control another or when a third party (or parties) contractor has the power to control both businesses. Control may arise through ownership, management, or other relationships or interactions between parties.

Amendment - A change to a solicitation before contract award.

Award - Any mechanism, signed by a contracting officer, providing government funds or other resources to an offeror that permits expenditure of such government funds or use of such government resources.

Basic Ordering Agreement (BOA) - A Basic Ordering Agreement is a written instrument of understanding, negotiated between an agency, contracting activity, or contracting officer with a contractor, that contains-

(1) terms and clauses applying to future contracts (orders) between the parties during its term, (2) a description, as specific as practicable, of supplies or services to be provided, and (3) methods for pricing, issuing, and delivering future orders under the basic ordering agreement. A basic ordering agreement is not a contract.

Best and Final Offer (BAFO) - For negotiated procurements, a contractor's final offer following the conclusion of discussions/negotiations.

Best Value - A procurement system that looks at factors other than only price, such as quality and expertise, when selecting vendors or contractors.

Bid - An offer to perform the work described in a contract at a specified cost. Government bids are generally cost-specific, based on the cost of labor, materials, profit, and overhead. Bids are normally not negotiated and cannot be changed once accepted by the owner. Bids are time sensitive and are generally good for 30 to 60 days after the bid opening.

Bid Documents - The advertisement or invitation to bid, instructions to bidders, the bid form, and the proposed contract documents including any addenda prior to receipt of bids.

Blanket Purchase Order (BPO) - An arrangement under which a purchaser contracts with a vendor to provide the purchaser's requirements for an item(s) or a service, on a required and over-the-counter basis. Properly prepared, such an arrangement sets a limit on the period of time it is valid and the maximum of money that may be spent at one time or within a specified period and specifically identifies these persons authorized to accept goods. Also known as a Blanket Purchase Agreement (BPA).

Broad Agency Announcement - A general announcement of an agency's research interest including criteria for selecting proposals and soliciting the participation of all offers capable of satisfying the Government's needs.

Bundled Contract - A contract where the requirements have been consolidated by bundling.

Bundling - Consolidating two or more requirements for supplies or services, previously provided or performed under separate smaller contracts, into a solicitation for a single contract that is likely to be unsuitable for award to a small-business concern.

CAGE Code - The Commercial and Government Entity (CAGE) code is a five-character ID number used extensively within the Federal government and administered by Defense Logistics Information Service (DLIS).

Capabilities Statement - A one- or two-page document summarizing a company's background, certifications, experience, capabilities, expertise, past performance and containing pertinent codes such as DUNS, CAGE, etc.

Central Contractor Registration (CCR) database - The primary Government repository for contractor information required for the conduct of business with the Government. It has been replaced by SAM.

Certificate of Competency - A certificate issued by the Small Business Administration (SBA) stating that the holder is "responsible" (in terms of capability, competency, credit, integrity, perseverance, and tenacity) for the purpose of receiving and performing a specific government contract.

Certified 8(a) Firm - A firm owned and operated by socially and economically disadvantaged individuals and eligible to receive federal contracts under the Small Business Administration's 8(a) Business Development Program.

Change Order - A written order, signed by the contracting officer, directing the contractor to make a change that the Changes clause authorizes the contract officer to order without the contractor's consent.

Claim - A written demand or written assertion by one of the contracting parties seeking, as a matter of right, the payment of money in a sum certain adjustment or interpretation of contract terms, or other relief arising under or relating to the contract.

Closeout - The process in which the awarding agency determines that all applicable administrative actions and all required work of the award have been completed by the recipient and the awarding agency.

Commercial off the shelf (COTS) -

- (1) Means any item or supply (including construction material) that is
 - (i) A commercial item (as defined in FAR Part 12);
 - (ii) Sold in substantial quantities in the commercial marketplace; and
 - (iii) Offered to the Government, under a contract or subcontract at any tier, without modification, in the same form in which it is sold in the commercial marketplace.

Commodity - A transportable article of trade or commerce that can be bartered or sold.

Competition - A procurement strategy where more than one contractor that is capable of performing the contract is solicited to submit an offer for supplied services. The successful offeror is selected based on

criteria established by the agency's contracting office and the program offices for which work is to be performed.

Contract - A mutually binding legal relationship obligating the seller to furnish the supplies or services (including construction) and the buyer to pay for it. It includes all types of commitments that obligate the Government to an expenditure of appropriated funds and that, except as otherwise authorized, are in writing. In addition to bilateral instruments, contracts include (but are not limited to) awards and notices of awards; job or task letters issued under basic ordering agreements; letter contracts; orders, such as purchase orders, under which the contract becomes effective by written acceptance or performance; and bilateral contract modifications. Contracts do not include grants and cooperative agreements.

Contract Administration - The management of all actions after the award of a contract that must be taken to assure compliance with the contract; e.g., timely delivery, acceptance, payment, closing contract, etc.

Contract Modification - Any written change in the terms of a contract (after contract award).

Contracting - Purchasing, renting, leasing, or otherwise obtaining supplies or services from nonfederal sources. Contracting includes description (but not determination) of supplies and services required, selection and solicitation of sources, preparation and award of contracts, and all phases of administration. It does not include making grants or cooperative agreements.

Contracting Officer - A person with the authority to enter into, administer, and/or terminate contracts and make related determinations and findings. The term in certain authorized representatives of the contracting officer acting within the limits of their authority as delegated by the contracting officer.

Contracting Officer's Representative (COR) - An individual, including a contracting officer's technical representative (COTR), designated and authorized in writing by the contracting officer to perform specific technical or administrative functions.

Contractor - An individual or vendor that has entered into an agreement to provide goods or services to an agency.

Cooperative Agreement - An assistance instrument used when substantial involvement is anticipated between the Federal government and the state or local government or other recipient during performance of the contemplated activity.

Cost or Pricing Data - All facts that, as of the date of price agreement, or, if applicable, an earlier date agreed upon between the parties that is as close as practical to the date of agreement on price, prudent buyers and sellers would reasonably expect to affect price negotiations significantly. Cost or pricing are

factual, not judgmental; and are verifiable. While they do not indicate the accuracy of the prospective contractor's judgment about estimate future costs or projections, they do include the data forming the basis for that judgment. Cost or pricing data are more than historical account data; they are all the facts that can be reasonably expected to contribute to the soundness of estimates of future costs and to the validity of determinations of costs already incurred.

Cost Reimbursement Contracts - Contracts based on payment by an agency to a contractor of allowable, reasonable and allocable costs incurred in the contract performance extent prescribed in the contract. These contracts may not require completion of the contract work, but rather the best efforts of the contractor. The types of cost reimbursement contracts include: (a) cost, (b) cost sharing, (c) cost-plus-fixed-fee (CPFF), (d) cost-plus incentive fee (CPIF), and plus-award fee (CPAF) contracts.

Cost sharing - An explicit arrangement under which the contractor bears some of the burden of reasonable, allocable, and allowable contract cost.

Cure Notice - A notice, either oral or written, that informs the vendor that he or she is in default and states what the vendor has to do to correct the deficiency.

Data Universal Numbering System (DUNS) Number - The 9-digit number assigned by Dun and Bradstreet, Inc. (D&B), to identify unique business entities, which is used as the identification number for Federal contractors.

Debarment - Action taken by a debarring official to exclude a contractor from Government contracting and Government-approved subcontracting for a reasonable, specified period; a contractor that is excluded is "debarred".

Default - Failure of a vendor to comply with the terms and conditions of a contract.

Deliverable - A report or product that must be delivered to an agency by the contractor (or by the sub to the prime contractor) to satisfy contractual requirements.

Delivery Order - An order for supplies placed against an established contract or with Government sources.

Direct Cost - Any cost that is identified specifically with a particular final cost objective. Direct costs are not limited to items that are incorporated in the e product as material or labor. Costs identified specifically with a contract are direct costs of that contract. All costs identified specifically with final cost objectives of the contractor are direct costs of those cost objectives.

Disadvantaged Business Enterprise (DBE) - An independent small business enterprise which is at least fifty-one percent (51%) owned and controlled by one or more socially and/or economically disadvantaged individuals, or in the case of any publicly owned business, at least fifty-one percent (51%) of the stock of which is owned by one or more socially and economically disadvantaged individuals; and whose management and daily business operations are conducted by one or more of the socially and economically disadvantaged individuals who own it.

Escalation Clause - A contract provision that permits the adjustment of contract prices by an amount or percent if certain specified contingencies occur, such as changes in the vendor's raw material or labor costs.

Excluded Parties List System (EPLS) - An electronic database maintained and posted by the General Services Administration containing the list of all parties suspended, proposed debarment, debarred, declared ineligible, or excluded or disqualified under the non-procurement common rule by agencies, Government corporations, or by the Government Accountability Office.

Federal Acquisition Regulations (FAR) - The body of regulations that are the primary sources of authority governing the Federal government procurement process.

Federal Supply Schedule (FSS) Program - A "simplified" process for procuring commonly used supplies or services by placing delivery orders against Federal Supply Schedule contract have been awarded by the General Services Administration (GSA) for use by numerous Federal agencies.

Fixed Price Contract - A type of contract that provides for a firm price or, under appropriate circumstances, for an adjustable price for the supplies or services being procured. This type of contract typically places the greater risk on the contractor.

F. O. B. Destination - Free on board at destination; i.e., the seller or consignor delivers the goods on seller's or consignor's conveyance at destination. Unless the contract provides otherwise, the seller or consignor is responsible for the cost of shipping and risk of loss.

F. O. B. Origin - Free on board at origin; i.e., the seller or consignor places the goods on the conveyance. Unless the contract provides otherwise, the buyer consignee is responsible for the cost of shipping and risk of loss.

Freedom of Information Act (FOIA) - Provides that information is to be made available to the public either by publishing it in the Federal Register, providing an opportunity to copy records at convenient locations, or upon request, providing a copy of a reasonable described record.

Full and Open Competition - When used with respect to a contract action, means that all responsible sources are permitted to compete.

General and Administrative (G&A) Expense - Any management, financial, and other expense which is incurred by or allocated to a business unit and which is for the general management administration of the business unit as a whole.

Government-wide Acquisition Contract (GWAC) - A task-order or delivery-order contract for information technology established by one agency for Government-wide use.

Government-wide Point of Entry (GPE) - The single point where Government business opportunities greater than \$25,000, including synopses of proposed contract actions, solicitation and associated information, can be accessed electronically by the public. The GPE is located at <http://www.fedbizopps.gov>.

Grant Agreement - An assistance instrument used when substantial involvement is NOT anticipated between the Federal government and the state or local government or other recipient during performance of the contemplated activity. They are typically used in scientific, cultural, and/or philanthropic activities.

HUBZone - A historically underutilized business zone that is an area located within one or more qualified census tracts, qualified nonmetropolitan count lands within the external boundaries of an Indian reservation, qualified base closure areas, or re-designated areas. HUBZone is granted based on Median Household Income (MHI) and Unemployment Rate (UR) thresholds.

HUBZone Contract - A contract awarded to a "HUBZone small business" concern through any of the following procurement methods:

- (1) A sole source award to a HUBZone small business concern.
- (2) Set-aside awards based on competition restricted to HUBZone small business concerns.
- (3) Awards to HUBZone small business concerns through full and open competition after a price evaluation preference in favor of HUBZone business concerns.

HUBZone small business concern - A small business concern that appears on the List of Qualified HUBZone Small Business Concerns maintained by the Small Business Administration.

Indefinite Delivery/Indefinite Quantity Contracts (ID/IQ) - A type of contract in which the exact date of delivery or the exact quantity are not specified until a delivery or task order is issued.

Indirect Cost - Any cost not directly identified with a single final cost objective but identified with two or more final cost objectives or with at least one intermediate cost objective.

Indirect Cost Rate - The percentage or dollar factor that expresses the ratio of indirect expense incurred in a given period to direct labor cost, manufacturing cost or another appropriate base for the same period.

Ineligible - Excluded from Government contracting (and subcontracting, if appropriate) pursuant to statutory, Executive order, or regulatory authority.

Inherently Governmental Function - A function that is so intimately related to the public interest as to mandate performance by Government employees.

Joint Venture - An association of two or more business entities to carry on a single business enterprise for profit for which purpose they combine their prop capital, efforts, skills and knowledge.

Liquidated Damages - A sum stated in a contract to be paid as ascertained damages for failure to perform in accordance with the contract. The damage figure must be a reasonable estimate of the probable loss to the agency and not calculated simply to impose a penalty on the vendor.

Lowest Apparent Bidder - The bidder whose bid is the lowest at a public bid opening. However, the lowest apparent bid must be verified, and the bidder must comply with additional requirements to become the lowest responsible bidder (i.e. the bidder that submits the lowest bid and complies with all prescribe requirements).

Micro-Purchase - An acquisition of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold.

Micro-Purchase Threshold - is an acquisition of supplies or services using simplified acquisition procedures, the aggregate (total) amount of which does not exceed the micro-purchase threshold. *DoD Increases Micro-Purchase Threshold to \$10,000, Effective Immediately. ...* The increase implements Section 821 of the 2019 National Defense Authorization Act.

Multi-Agency Contract (MAC) - A task-order or delivery-order contract established by one agency for use by Government agencies to obtain supplies and services.

North American Industrial Classification System (NAICS) - NAICS (pronounced "Nakes") comprise codes that were developed by the Census Bureau to replace the current SIC Code. It is the standard Federal statistical agencies use in classifying business establishments for the purpose of collecting, analyzing, and publishing statistical data relating to the U.S. business economy.

Novation Agreement - A legal instrument.

- (1) Executed by the —
 - (i) Contractor (transferor);
 - (ii) Successor in interest (transferee); and
 - (iii) Government; and

(2) By which, among other things, the transferor guarantees performance of the contract, the transferee assumes all obligations under the contract and the Government recognizes the transfer of the contract and related assets.

Offer - A response to a solicitation that, if accepted, would bind the offeror to perform the resultant contract. Responses to invitations for bids (sealed bidding) are offers called “bids” or “sealed bids”; responses to requests for proposals (negotiation) are offers called “proposals”; however, responses to requests for quotations (simplified acquisition) are “quotations,” not offers.

Offeror - Means bidder

Online Representations and Certifications Application (ORCA) - The former Government repository for contractor submitted representations and certifications required for the conduct of business with the Government. It has been replaced by SAM.

Option - A unilateral right in a contract by which, for a specified time, the Government may elect to purchase additional supplies or services called for in a contract or may elect to extend the term of the contract.

Organizational Conflict of Interest - That because of other activities or relationships with other persons, a person is unable or potentially unable to render impartial assistance to the Government, or the person’s objectivity in performing the contract work is or might be otherwise impaired, or a person has an unfair competitive advantage.

Partial Termination - The termination of a part, but not all, of the work that has not been completed and accepted under a contract.

Past Performance - An offeror’s or contractor’s performance on active and physically completed contracts.

Performance- Based Acquisition (PBA) - An acquisition structured around the results to be achieved as opposed to the manner by which the work is to be performed.

Performance Work Statement (PWS) - A statement of work for performance-based acquisitions that describes the required results in clear, specific and objective terms with measurement outcomes.

Personal Services Contract - A contract that, by its express terms or as administered, makes the contractor personnel appear to be, in effect, Government employees.

Pre-Award Survey - An evaluation of a prospective contractor's capability to perform a proposed contract.

Pricing - The process of establishing a reasonable amount or amounts to be paid for supplies or services.

Procurement - The procedures for obtaining goods or services, including all activities from the planning steps and preparation and processing of a requisite through receipt and acceptance of delivery and processing of a final invoice for payment.

Procurement Technical Assistance Centers (PTAC) - The Defense Logistics Agency, on behalf of the Secretary of Defense, administers the DoD Procurement Technical Assistance (PTAC) Cooperative Agreement Program. PTA Centers are designed to be a local resource available to provide assistance to business firms in marketing product services to government.

Purchase Order - An offer by the Government to buy supplies or services, including construction and research and development, upon specified terms and conditions, using simplified acquisition procedures.

Qualified Products List (QPL) - A list of products that have been examined, tested, and have satisfied all applicable qualification requirements.

Request for Proposals (RFP) - All documents, whether attached or incorporated by reference, utilized for soliciting proposals; the government RFP process usually require negotiation with offerors as distinguished from competitive bidding when using an invitation for bids.

Request for Quotation (RFQ) - A type of solicitation used typically with small-dollar contracts or purchases but may be used for commercial items up to an agency's prescribed dollar limit. They are typically used to obtain pricing for a specific number of well-defined items.

Requirements Contract - (open-end contracts) A form of contract covering long-term requirements used when the total quantity required cannot be definitely fixed and will be stated as an estimate or within

maximum and minimum limits, with deliveries on demand. Such contracts are usually for one year or more duration.

Requisition - An internal document that a functional department (stores, maintenance, production, etc.) sends to the purchasing department containing materials to meet its needs, replenish stocks or obtain materials for specific jobs or contracts.

Responsible Bidder - A business entity that has the capability in all respects to perform fully the contract requirements and whose integrity and reliability will assure good-faith performance. Factors considered in evaluating responsibility may include financial resources, past performance, delivery capability experience, organization, personnel, technical skills, operations controls, equipment, and facilities.

Responsive Bidder - A person or vendor who has submitted a bid or proposal, which conforms in all material respects to the RFP/RFQ.

Service-Disabled Veteran-Owned Small Business (SDVOSB) Concern - (1) Means a small business concern

(i) Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

(ii) The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

(2) Service-disabled veteran means a veteran, as defined in 38 U.S.C. 101(2), With a disability that is service-connected, as defined in 38 U.S.C. 101(16).

Shall - Means the imperative.

Should - An expected course of action or policy that is to be followed unless inappropriate for a particular circumstance.

Simplified Acquisition Procedures (SAP) - The methods prescribed in FAR Part 13 for making purchases of supplies or services.

Simplified Acquisition Threshold (SAT) - \$150,000, except for acquisitions of supplies or services that, as determined by the head of the agency, are to be used to support a contingency operation or to facilitate defense against or recovery from nuclear, biological, chemical, or radiological attack (41 U.S.C. 428a)

The term means -

(1) \$300,000 for any contract to be awarded and performed, or purchase to be made, inside the United States; and

(2) \$1 million for any contract to be awarded and performed, or purchase to be made, outside the United States.

Small Business Concern - A concern, including its affiliates, that is independently owned and operated, not dominant in the field of operation in which it is bidding on Government contracts, and qualified as a small business under the criteria and size standards in 13 CFR part 121

Such a concern is "not dominant in its field of operation when it does not exercise a controlling or major influence on a national basis in a kind of business activity in which a number of business concern are primarily engaged. In determining whether dominance exists, consideration must be given to all appropriate factors, including volume of business, number of employees, financial resources, competitive status or position, ownership or control of materials, processes, patents, agreements, facilities, sales territory, and nature of business activity.

Small Business Subcontractor - A concern, including affiliates, that for subcontracts valued at -

(1) \$15,000 or less, does not have more than 500 employees; and

(2) More than \$15,000, does not have employees or average annual receipts exceeding the size standard in 13 CFR Part 121

Small Disadvantaged Business Concern - An offeror, that is a small business under the size standard applicable to the acquisition; and either

(1) Is at least 51 percent unconditionally and directly owned (as defined at 13 CFR 124.105) by--

(i) One or more socially disadvantaged (as defined at 13 CFR 124.103) and economically disadvantaged (as defined at 13 CFR 124.104) individual who are citizens of the United States; and

(ii) Each individual claiming economic disadvantage has a net worth not exceeding \$750,000 after taking into account the applicable exclusive forth at 13 CFR 124.104(c)(2); and

(2) The management and daily business operations of which are controlled (as defined at 13 CFR 124.106) by individuals who meet the criteria paragraphs (1)(i) and (ii) of this definition.

Sole Source Acquisition - A contract for the purchase of supplies or services that is entered into or proposed to be entered into by an agency after soliciting and negotiate with only one source.

Solicitation - Any request to submit offers or quotations to the Government. Solicitations under sealed bid procedures are called "invitations for bids." Solicitations under negotiated procedures are called "requests for proposals." Solicitations under simplified acquisition procedures may require submission of either a quotation or an offer.

Solicitation Provision or Provision - A term or condition used only in solicitations and applying only before contract award.

Statement of Objectives (SOO) - A Government-prepared document incorporated into the solicitation that states the overall performance objectives. It is used in solicitations the Government intends to provide the maximum flexibility to each offeror to propose an innovative approach.

Statement of Work (SOW) - That portion of the contract that clearly and concisely defines requirements of the specific work to be accomplished. Statements of work are individually tailored to consider the period of performance, deliverable items, if any, and the desired degree of performance flexibility. In the task-order contracts, the statement of work for the basic contract only defines the scope of the overall contract in general terms. The statement work for each task order must articulate the specific requirement.

Subcontract - An agreement between a prime or general contractor and a subcontractor or subconsultant for the execution of a portion of the contractual obligation of the prime contract to the owner.

Subcontracting Plan - A written plan, submitted by a prime contractor and approved by a contracting officer, that describes goals and actions the contractor plans to use small and small disadvantaged businesses to the maximum practicable extent in performing the contract.

Supplies - All property except land or interest in land. It includes (but is not limited to) public works, buildings, and facilities; ships, floating equipment vessels of every character, type, and description, together with parts and accessories; aircraft and aircraft parts, accessories, and equipment; machine tools; and the alteration or installation of any of the foregoing.

Suspension - Action taken by a suspending official under FAR 9.407 to disqualify a contractor temporarily from Government contracting and Government approved subcontracting; a contractor that is disqualified is "suspended".

Task Order - An order for services placed against an established contract or with Government sources.

Taxpayer Identification Number (TIN) - The number required by the IRS to be used by the offeror in reporting income tax and other returns. The TIN may be either a Social Security Number or an Employer Identification Number.

Termination for Convenience (T 4C) - The exercise of the Government's right to completely or partially terminate performance of work under a contract when it is in the Government interest.

Termination for Default (T 4D) - The exercise of the Government's right to completely or partially terminate a contract because of the contractor's actual or anticipated failure to perform its contractual obligations.

Terms and Conditions - Applied to the rules under which all bids/proposals must be submitted, and the stipulations included in most purchase contracts; often published by the purchasing authorities for the information of all potential vendors.

Time and Materials Contract - A contract providing for the procurement of supplies or services on the basis of direct labor hours at specified fixed hourly rates and material cost, or at some bid percentage discount from manufacturer's catalog or list prices.

Unsolicited Proposal - A written proposal for a new or innovative idea that is submitted to an agency on the initiative of the offeror for the purpose of obtaining a contract with the Government, and that is not in response to a request for proposals, Broad Agency Announcement, Small Business Innovation Research topic, Small Business Technology Transfer Research topic, Program Research and Development Announcement, or any other Government-initiative.

Veteran-Owned Small Business Concern - A small business concern

- (1) Not less than 51 percent of which is owned by one or more veterans (as defined at 38 U.S.C. 101(2) or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more veterans; and
- (2) The management and daily business operations of which are controlled by one or more veterans.

Warranty - A promise or affirmation given by a contractor to the Government regarding the nature, usefulness, or condition of the supplies or performance services furnished under the contract.

Women-Owned Small Business (WOSB) Concern –

- (1) A small business concern -
 - (i) That is at least 51 percent owned by one or more women; or, in the case of any publicly owned business, at least 51 percent of the stock is owned by one or more women; and
 - (ii) Whose management and daily business operations are controlled by one or more women; or
- (2) A small business concern eligible under the Women-Owned Small Business Program in accordance with 13 CFR part 127(see subpart 1)

Women-Owned Small Business (WOSB) Program -

- (1) "Women-Owned Small Business Program (WOSB Program)" means a program that authorizes contracting officers to limit competition to

(i) Eligible economically disadvantaged women-owned small business concerns for Federal contracts assigned a North American Industry Classification Systems (NAICS) code in an industry in which the Small Business Administration (SBA) has determined that WOSB concerns a underrepresented in Federal procurement; and

(ii) Eligible WOSB concerns eligible under the WOSB Program for Federal contracts assigned a NAICS code in an industry in which SBA has determined that WOSB concerns are substantially underrepresented in Federal procurement.

(2) "Economically disadvantaged women-owned small business (EDWOSB) concern" means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women citizens of the United States and who are economically disadvantaged in accordance with 13 CFR part 127. It automatically qualifies as a woman owned small business concern eligible under the WOSB Program.

(3) "Women-owned small business (WOSB) concern eligible under the WOSB Program" (in accordance with 13 CFR part 127) means a small business concern that is at least 51 percent directly and unconditionally owned by, and the management and daily business operations of which are controlled by, one or more women who are citizens of the United States.