



For veteran-owned firms, the CVE reverification process is not as simple as advertised

By Peter B. Ford, Associate, PilieroMazza PLLC

The Department of Veterans Affairs (VA) Veterans First Contracting Program continues to attract more and more veteran-owned small businesses (VOSBs) and service-disabled veteran-owned small businesses (SDVOSBs). Indeed, the ability to gain access to VA contracts set aside for VOSBs and SDVOSBs remains an incredibly popular tool among small businesses in the veteran contracting community. Much to the dismay of many potentially eligible firms, the process of applying to the VA, Center for Verification and Evaluation (CVE) to be verified as an eligible VOSB or SDVOSB is still not a cakewalk, and for good reason. The VA has a legitimate interest in ensuring that VOSB and SDVOSB set-aside contracts are awarded to firms that are eligible to participate in the Veterans First Contracting Program, and eliminating fraud and abuse requires that VOSBs and SDVOSBs be thoroughly vetted by CVE.

Nevertheless, previously-verified VOSBs and SDVOSBs, i.e., firms that have already undergone a complete CVE examination, are finding CVE's reverification process to be no less cumbersome than the first go-around. Reverification is not a simple process, at least not as simple as CVE would have you believe. Moreover, a previously-verified VOSB or SDVOSB will no longer be visible in the VA Vendor Information Pages (VIP) database if the firm's verification period expires while in the reverification process, meaning the VOSB or SDVOSB would no longer be eligible to bid on and/or be awarded contracts through the Veterans First Contracting Program. Therefore, it is critical that a reverification application be processed and approved prior to a firm's verification expiration date. To that end, the following summarizes a few steps that previously-verified VOSBs and SDVOSBs should take in order to stay verified and visible as they navigate the CVE reverification process.

Start the Reverification Process Early

A VOSB or SDVOSB that waits until the last minute to begin the CVE reverification process is almost guaranteed to have its verified status ticket punched. Thus, beginning the reverification process early is key to ensuring that a previously-verified firm does not get removed from the VIP database. In this regard, CVE will send courtesy notifications to the email address listed on a firm's VIP profile 120, 90 and 30 days prior to its verification expiration date. This means that VOSBs and SDVOSBs can submit a reverification application as early as 120 days prior to their verification expiring.



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Staying verified and visible does not necessarily require that VOSBs and SDVOSBs have all of the documentation uploaded to their VIP profile and submitted to CVE at the 120-day mark. Rather, previously-verified firms should view the first notification from CVE as a signal to start preparing a reverification roadmap. VOSBs and SDVOSBs should begin by familiarizing themselves with how the reverification process works and what it all entails. Previously-verified firms should also give careful consideration to any recent changes in ownership or control. In addition, they should revisit the CVE document rationale matrix to determine what, if any, required documents will need to be updated and uploaded.

Update and Upload all Necessary Documentation

As part of the reverification process, VOSBs and SDVOSBs are required to provide CVE with updated documentation. In other words, any documents in a previously-verified firm's VIP profile that have been revised or amended since the prior verification need to be uploaded again in their current form. Thus, if a firm's governing documents (e.g., bylaws) have changed over the past two years, the most recent versions will need to be provided to CVE. Note, however, that the requirement to provide current information extends well-beyond just corporate documents. Among other things, updated resumes, previously unavailable business and personal tax returns, and current (i.e., unexpired) licenses and certifications will also need to be provided as part of the reverification process. In addition, previously-verified firms will again need to upload copies of recent checks and contracts.

In compiling all of the necessary documentation, VOSBs and SDVOSBs should also go back and review old correspondence from CVE to see if there were any issues raised, or clarification requested, during the prior verification process that now needs to be readdressed through a detailed letter of explanation (DLOE). For example, if CVE previously questioned how the qualifying owner of a VOSB or SDVOSB could engage in outside employment and still meet the full-time devotion requirement under the VA regulations, then, to the extent that outside employment continues to exist, this eligibility issue should be addressed again in a new DLOE to be uploaded as part of the initial reverification application submission. The goal should be to make the reverification process as smooth as possible. Thus, previously-verified VOSBs and SDVOSBs must be proactive in order to reduce the number of post-submission CVE information and documentation requests.

Stand by and Be Quick to Respond

Even if a previously-verified firm submits a perfect reverification application, in all likelihood, CVE will still come back and ask for some (hopefully, not much) additional information or documentation. Unfortunately, that is just how the process works. That being the case, VOSBs and SDVOSBs should closely monitor their email accounts so that any CVE



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correspondence does not fall through the cracks or otherwise go unnoticed or, even worse, unanswered. Also, when a request from CVE is made, previously-verified firms should respond as quickly as possible. While the correspondence from CVE may specify a 30, 15 or 10-day deadline for the VOSB or SDVOSB to submit a response, the sooner the requested information or documentation is provided to CVE, the sooner CVE can continue processing the reverification application.

In closing, the CVE reverification process is not as simple as advertised, and the consequences of being removed from the VIP database are potentially disastrous. Therefore, VOSBs and SDVOSBs must take measures to ensure that they always remain verified and visible.

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