THE PENNSYLVANIA GLOBAL ACCESS PROGRAM

Program Guidelines

STEP 11

pennsylvania
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

Funded in part through a grant with the U.S. Small Business Administration

U.S. Small Business Administration

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Section I – General Information

A. Program Purpose

The **Pennsylvania Global Access Program (GAP)** is designed to enhance the capability of small to mid-sized Pennsylvania companies to increase export sales. GAP is administered by the Pennsylvania Office of International Business Development (OIBD) and provides up to $10,000 per award period to qualifying Pennsylvania companies to reimburse 75% of eligible expenses associated with specific export promotion activities. This program is funded in part through a federal grant with the U.S. Small Business Administration.

The GAP awardees are determined by a competitive process. Funds are limited and subject to availability. Applications will be reviewed by committee and funding decisions rendered on a first come, first-served basis.

The program operates under the authority of Section 3 of the Act of May 10, 1939 (P.L. 111, No. 51), known as the Commerce Law, which authorizes the Department of Community and Economic Development to undertake ways and means of promoting and encouraging the prosperous development of Pennsylvania business, industry and commerce, of expanding markets and promoting and developing new markets for Pennsylvania products, to encourage the location and development of new business, industry and commerce within the Commonwealth, to aid in restoring employment in communities affected by unemployment, and to assist persons, firms, associations, political subdivisions, corporations, cooperative associations and other organizations in the execution of its duties and functions under the Act.

B. Qualification

Assistance is limited to Pennsylvania companies that meet the following criteria:

- Operate a licensed business in Pennsylvania to manufacture, assemble and/or distribute a product, or provide an exportable service;
- Are in good standing with the Pennsylvania Department of Revenue and the IRS;
- Identify one or more specific, achievable, export initiatives requiring financial support;
- Agree to provide their Regional Export Network Partner (REN) with export sales dollars resulting from the GAP-funded initiative on a regular and timely basis;
- Meet the U.S. Small Business Administration's (SBA) definition of an Eligible Small Business Concern (ESBC), which is defined as an entity that:
    1. Is organized or incorporated in the United States;
    2. Is operating in the United States;
    3. Meets
        - The applicable industry-based small business size standard established under section 3 of the Small Business Act; or
        - The alternate size standard applicable to the program under section 7(a) of the Small Business Act and the loan programs under title V of the Small Business Investment Act of 1958 (15 U.S.C. 695 et seq.);

- The U.S. Small Business Administration (SBA) size standards are found in Title 13 Part 121 of the Electronic Code of Federal Regulations (eCFR). Use the following sba.gov link for information on size standards for your business (www.sba.gov/document/support-table-size-standards) eCFR :: 13 CFR Part 121 -- Small Business Size Regulations;

4. Has been in business for not less than 1 year, as of the date on which assistance using GAP funds under this subsection commences; and,
5. Has access to sufficient resources to bear the costs associated with exporting, including the costs of packing, shipping, freight forwarding, and customs brokers.

C. Qualifying Activities

GAP is designed to provide flexibility and encourage the innovative use of funds to meet the specific international needs of Pennsylvania exporters.

Qualifying activities include:

- International Trade Mission Participation
- International Trade Show Exhibition
- Domestic Trade Show Exhibition - additional documentation is required by SBA which is available through the REN.
- Foreign Market Sales Trip
- Federal services that directly support exporting including US Department of Commerce services
- Website Internationalization
- E-commerce
- Design of Digital Marketing Media
- Compliance Testing
- Export Credit Insurance Policy Fees
- Intellectual Property Protection

Qualifying activities must take place during the federal award period, which begins September 30, 2023.

D. Eligible Expenses

Qualifying Expense Categories include the following as determined by SBA:

- Lodging – Room and Taxes only based on federal limits (http://aoprals.state.gov/web920/per_diem.asp)
- Ground transportation and parking fees
- Interpreter fees
- Trade Mission / Trade Show fees including but not limited to: registration fee, booth fee, equipment rental, utilities, and fees for shipping sample products.
- Cost of any Federal service that directly supports exporting, including US Department of Commerce services 2016.export.gov/pennsylvania/ourservices
- Cost of compliance testing an existing product for entry into an export market. (Please inquire to obtain the current list of pre-approved tests by the SBA.)
- Website internationalization, including design and development of website with an international focus, website translation, search engine optimization and localization services

- E-commerce, including online market listing fees, e-commerce platform hosting and maintenance fees and expenses to set-up websites to accept international payments
- Design of Digital International Marketing Media, including design of audio and video media on all forms and channels of social media ad placements and translation of marketing media (including audio and video).
- Cost of Export Credit Insurance Policy Fees
- Cost of Intellectual Property Protection

Only expenses paid during the federal award period are eligible, as evidenced by receipts.

Where applicable, funding is limited to two company employees' participation in the GAP funded activity.

E. Ineligible Expenses

Expense categories ineligible for reimbursement include, but are not limited to:

- Airfare & baggage fees
- Meals
- Compensation, wages, or salary
- Alcoholic beverages
- Hotel amenities
- Phone and Internet usage
- Television or radio production
- Phone cards / SIM cards
- Capital goods, product samples and supplies
- Passport or visa fees
- Immunizations
- Expenses related to entertaining current or prospective clients or government officials
- New product development or alteration of existing products
- Printing materials

Section II – Application Filing Procedures

- All GAP applications must be submitted to a Regional Export Network Partner (REN) prior to the activity for which funding is sought. The REN will forward the application to the GAP Administrator for review/approval.
- All applications must have on file the following three documents with a date of October 1, 2023 or after, required by SBA: "Eligible Small Business Concern" form; "Certification regarding debarment..." form; and the STEP Client Application. These forms can be obtained through your REN contact.
- Approved companies will need to have a current PA vendor number in good standing.
- Only one (1) activity per application.
- No more than two (2) applications per company, per award period, with a maximum of $10,000 per company per award period.
- Reimbursements will be based on completion of activity and all receipts compiled in one submission after the approved activity has occurred.
- GAP funding will reimburse 75% of eligible expenses per application.
- Requests for changes to the approved activities must be submitted through the corresponding REN Partner to the GAP Administrator in writing prior to the newly proposed activity start. The GAP Administrator shall make a decision and notify the REN Partner of approval/denial in writing.

Section III – Reimbursement Procedures

To qualify for reimbursement, all receipts associated with approved activities must be submitted through a REN Partner to the GAP Administrator within thirty (30) days of activity completion. The reimbursement package must include all of the following:

- GAP Expense Reimbursement Form
- Individualized receipts with a proof of payment (wire transfer, credit card, etc.)
- Only payments made during the federal award period are eligible for reimbursement
- For receipts in foreign currency, a screen print-out of the currency conversion from www.oanda.com/currency/converter/ must be attached to EACH individual receipt, using the date of each transaction.
- For lodging, a print-out from www.gsa.gov/travel/plan-book/per-diem-rates displaying the maximum reimbursable lodging rate must be included for each city.
- Completed Post-Activity Survey

Recipients must complete all activities for which they have received funding within the timeframe outlined in the application.

The GAP awardees are determined by a competitive process. Funds are limited and subject to availability. Applications will be reviewed by a committee and funding decisions rendered on a first-come, first-served basis.

When payments are approved by the Office of International Business Development, companies can expect reimbursement within 6-8 weeks if all items are in order.

Assistance is subject to all terms and conditions contained in the GAP Guidelines and the submitted Application. Each year, the Department reviews funding options and guidelines and has the final authority in the allocation of funds. In addition, the U.S. Small Business Administration (SBA) will have an unlimited license to use data and written materials generated under this federal SBA grant, whether or not the materials are copyrighted.

The company agrees to be audited by OIBD if requested by the Commonwealth and will retain all records for a period of three (3) years from the date of activity completion.

The company agrees to report ALL export sales resulting from GAP-funded activities to the REN partner using the Export Sales Confirmation form.

Transactions with Suspended or Debarred Entities
GAP funding is not available for companies that are currently suspended or debarred by the Commonwealth of Pennsylvania or a Federal Agency. OIBD will review and verify that entities are in good standing and not suspended or debarred before they are approved for reimbursement.

Section IV – Contact

For more information about the Pennsylvania Global Access Program, please contact your REN representative or Kate Skopp at DCED, Office of International Business Development.

PA Department of Community & Economic Development
Office of International Business Development
Attn: Kate Skopp
Commonwealth Keystone Building
400 North Street, 4th Floor
Harrisburg, PA 17120-0225

Email: kskopp@pa.gov
Phone: (717) 720-7361

Section V – SBA Nondiscrimination Clauses

GAP recipients shall comply with the following SBA Nondiscrimination Clauses:

13 CFR Part 112 -- Effectuation of Title VI of the Civil Rights Act of 1964.

§ 112.3 Discrimination prohibited.

a. General. No person in the United States shall, on the ground of race, color or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination by any GAP recipient.

b. Specific discriminatory actions prohibited.

1. GAP recipients may not, directly or through contractual or other arrangements, on ground of race, color or national origin:

i. Deny an individual any services, financial aid or other benefit provided by the GAP recipient;

ii. Provide any service, financial aid or other benefit to an individual which is different or is provided in a different manner, from that provided to others by the GAP recipient;

iii. Subject an individual to segregation or separate treatment in any manner related to his receipt of any service, financial aid or other benefit from the GAP recipient;

iv. Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid or other benefit from the GAP recipient;

v. Treat an individual differently from others in determining whether he satisfies any admission, enrollment, quota, eligibility, membership or other requirement or condition which individuals must meet in order to be provided any service, financial aid or other benefit provided by the GAP recipient.

13 CFR Part 113 -- Effectuation of Policies of Federal Government and SBA Administrator.

§ 113.3 Discrimination prohibited.

To the extent not covered or prohibited by Part 112 above, GAP recipients may not:

a. Discriminate with regard to goods, services, or accommodations offered or provided by the GAP recipient, whether or not operated for profit, because of race, color, religion, sex, handicap, or national origin of a person, or fail or refuse to accept a person on a non-segregated basis as a patient, student, visitor, guest, customer, passenger, or patron.

b. With regard to employment practices of the GAP recipient, whether or not operated for profit; fail or refuse, because of race, color, religion, sex or national origin of a person, to seek or retain the person's services, or to provide the person with opportunities for advancement or promotion, or accord an employee the rank and rate of compensation, including fringe benefits, merited by the employee's services and abilities.

c. With regard to employment practices of the GAP recipient, whether or not operated for profit; discriminate against a qualified handicapped person; or because of handicap, fail or refuse to seek or retain the person's services or to provide the person with opportunities for advancement or promotion, or accord an employee the rank and rate of compensation, including fringe benefits, merited by the employee's services and abilities. All employment decisions shall be made in a manner which ensures that discrimination on the basis of handicap does not occur. Such decisions may not limit, segregate, or classify job applicants or employees in any way that adversely affects the opportunities or status of qualified handicapped individuals.

13 CFR Part 117 -- Effectuation of the Age Discrimination Act of 1975, as amended.

§ 117.4 Discrimination prohibited and exceptions.

a. General. No person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any business or activity receiving Federal financial assistance.

b. Specific discriminatory actions prohibited. A GAP recipient may not, directly or through contractual arrangements, on the ground of age:

   1. Deny an individual any services, financial aid or other benefit provided by the grant recipient, except where sanctioned by one of the exceptions stated in § 117.4 (d), (e) or (f) of this section.

   2. Provide any service, financial aid or other benefit, except as sanctioned by one of the exceptions stated below, in such a way as to deny or limit persons in their efforts to participate in federally-assisted programs or activities;

   3. Treat an individual differently from others, except as sanctioned by an exception stated below, in determining whether the person satisfied any admission, enrollment, eligibility, membership, or other requirement or condition which individuals must meet in order to be provided any service, financial aid or other benefit provided by the GAP recipient.

c. The specific forms of prohibited discrimination in paragraph (b) of this section does not limit the generality of the prohibition in paragraph (a) of this section.

d. Exception 1. A GAP recipient is permitted to take an action otherwise prohibited by paragraphs (a) and (b) of this section, if the action reasonably takes into account age as a factor necessary to the normal operation or the achievement of any statutory objective of the GAP recipient. An action reasonably takes into account age as a factor necessary to the normal operation or the achievement of any statutory objective of a business or activity, if:

   1. Age is used as a measure or approximation of one or more other characteristics; and

   2. The other characteristic(s) must be measured or approximated in order for the normal operation of the GAP recipient to continue, or to achieve any statutory objective of the GAP recipient; and

   3. The other characteristic(s) can be reasonably measured or approximated by the use of age; and

   4. The other characteristic(s) are impractical to measure directly on an individual basis.

   Note: All of the above factors must be met in order to exclude a business activity from the provisions of this part.

e. Exception 2. A GAP recipient is permitted to take an action otherwise prohibited by paragraphs (a) and (b) of this section which is based on a factor other than age, even though that action may have a disproportionate effect on persons of different ages. An action may be based on a factor other than age if the factor bears a direct and substantial relationship to the normal operation of the GAP recipient or to the achievement of a statutory objective.

f. Exception 3. A GAP recipient is permitted to take an action otherwise prohibited by paragraphs (a) and (b) of this section if an age distinction is contained in that part of a Federal, State or local statute or ordinance adopted by an elected general purpose legislative body which provides any benefits or assistance to, establishes criteria for participation in, or describes intended beneficiaries or target groups in age-related terms.

g. The burden of proving that an age distinction or other action falls within the exceptions outlined in paragraphs (d), (e), and (f) of this section on the GAP recipient.

Section VI – Program Requirements

A. Nondiscrimination

No assistance shall be awarded to an applicant under this program unless the applicant certifies that the applicant shall not discriminate against any employee or against any person seeking employment by reason of race, gender, creed, color, sexual orientation, gender identity or expression, or in violation of the Pennsylvania Human Relations Act, which prohibits discrimination on the basis of race, color, religious creed, ancestry, age, sex, national origin, handicap or disability, or in violation of any applicable federal laws. All contracts for work to be paid with GAP funds must contain the Commonwealth's official nondiscrimination clause.

B. Worker Safety

Pursuant to Executive Order 2021-06, Worker Protection and Investment (October 21, 2021), the Commonwealth is responsible for ensuring that every Pennsylvania worker has a safe and healthy work environment and the protections afforded them through labor laws. To that end, contractors and grantees of the Commonwealth must certify that they are in compliance with all applicable Pennsylvania state labor and workforce safety laws. Such certification shall be made through the Worker Protection and Investment Certification Form (BOP-2201) and submitted with the bid, proposal or quote.