

19.803 Selecting acquisitions for the 8(a) Program.

Through their cooperative efforts, the SBA and an agency match the agency's requirements with the capabilities of 8(a) participants to establish a basis for the agency to contract with the SBA under the program. Selection is initiated in one of three ways:

(a) The SBA advises the *contracting activity* of an 8(a) participant's capabilities through a search letter and requests the *contracting activity* to identify *acquisitions* to support the participant's business plans. In these instances, the SBA will provide at a minimum the following information in order to enable the *contracting activity* to match an *acquisition* to the participant's capabilities:

- (1) Identification of the participant and its owners.
- (2) Background information on the participant, including any and all information pertaining to the participant's technical ability and capacity to perform.
- (3) The participant's present production capacity and related facilities.
- (4) The extent to which *contracting* assistance is needed in the present and the future, described in terms that will enable the agency to relate the participant's plans to present and future agency requirements.
- (5) If *construction* is involved, the request *shall* also include the following:
 - (i) A participant's capabilities in and qualifications for accomplishing various categories of *construction* work typically found in North American Industrial Category System subsector 236 (*construction* of buildings), subsector 237 (heavy and civil engineering *construction*), or subsector 238 (specialty trade contractors).
 - (ii) The participant's capacity in each *construction* category in terms of estimated dollar value (*e.g.*, electrical, up to \$100,000).

(b) The SBA identifies a specific requirement for one or more 8(a) participant(s) and sends a requirements letter to the agency's *Office of Small and Disadvantaged Business Utilization*, or for the Department of Defense, Office of Small Business Programs, requesting the *contracting office* offer the *acquisition* to the 8(a) program. In these instances, in addition to the information in paragraph (a) of this section, the SBA will provide-

- (1) A clear identification of the *acquisition* sought; *e.g.*, project name or number;
- (2) A statement as to how the required equipment and real property will be provided in order to ensure that the participant will be fully capable of satisfying the agency's requirements;
- (3) If *construction*, information as to the bonding capability of the participant(s); and
- (4) Either-
 - (i) If a sole source request-

(A) The reasons why the participant is considered suitable for this particular *acquisition*; *e.g.*, previous contracts for the same or similar supply or service; and

(B) A statement that the participant is eligible in terms of its small business size status relative to the assigned NAICS code, business support levels, and business activity targets; or

(ii) If competitive, a statement that at least two 8(a) participants are considered capable of satisfying the agency's requirements and a statement that the participants are also eligible in terms of their small business size status relative to the assigned NAICS code, business support levels, and business activity targets. If requested by the *contracting office*, SBA will identify at least two such participants and provide information concerning the participants' capabilities.

(c) Agencies *may* also review other proposed *acquisitions* for the purpose of identifying requirements which *may* be offered to the SBA. Where agencies independently, or through the self marketing efforts of an 8(a) participant, identify a requirement for the 8(a) program, they *may offer* on behalf of a specific 8(a) participant, for the 8(a) program in general, or for 8(a) competition.

Parent topic: Subpart 19.8 - Contracting with the Small Business Administration (The 8(a) Program)