

## 9.702 Contracting with pools.

(a) Except as specified in this subpart, a *pool* shall be treated the same as any other prospective or actual contractor.

(b) The *contracting officer* shall not award a contract to a *pool* unless the *offer* leading to the contract is submitted by the *pool* in its own name or by an individual *pool* member expressly stating that the *offer* is on behalf of the *pool*.

(c) Upon receipt of an *offer* submitted by a group representing that it is a *pool*, the *contracting officer* shall verify its approved status with the SBA District Office Director or other approving agency and document the contract file that the verification was made.

(d) *Pools* approved by the SBA under the Small Business Act are entitled to the preferences and privileges accorded to small business concerns. Approval under the Defense Production Act does not confer these preferences and privileges.

(e) Before awarding a contract to an unincorporated *pool*, the *contracting officer* shall require each *pool* member participating in the contract to furnish a certified copy of a *power of attorney* identifying the agent authorized to sign the *offer* or contract on that member's behalf. The *contracting officer* shall attach a copy of each *power of attorney* to each signed copy of the contract retained by the Government.

**Parent topic:** [Subpart 9.7 - Defense Production Pools and Research and Development Pools](#)