19.503 Reserves.

(a) In accordance with section 1331 of the Small Business Jobs Act of 2010 (15 U.S.C. 644(r)(3)) and 13 CFR 125.2(e)(4), *contracting officers may*, at their discretion when conducting multiple-award *procurements* using *full and open competition*, reserve one or more contract awards for any of the small business *concerns* identified in 19.000(a)(3), when *market research* indicates—

(1) A total set-aside is not feasible because there is no reasonable expectation of receiving *offers* that are competitive in terms of *fair market prices*, quality, and delivery from at least two responsible small business *concerns* identified in 19.000(a)(3), that can perform the entire requirement; and

(2) A partial set-aside is not feasible because—

(i) The *contracting officer* is unable to divide the requirement into distinct portions; or

(ii) There is no reasonable expectation that at least two responsible small business *concerns* identified in 19.000(a)(3) can perform any portion of the requirement competitively in terms of *fair market price*, quality, and delivery.

(b) A reserve will result in one of the following:

(1) One or more contract awards to any one or more types of small business *concerns* identified in 19.000(a)(3).

(2) In the case of a *solicitation* of a bundled requirement that will result in a *multiple-award contract*, an award to one or more small businesses with a *Small Business Teaming Arrangement*.

(c) The specific program eligibility requirements identified in this part apply.

(d) The limitations on subcontracting and the nonmanufacturer rule (see 19.505) do not apply to reserves at the contract level, but *shall* apply to orders that are set aside or issued directly to one small business *concern* under 19.504(c)(1)(ii).

Parent topic: Subpart 19.5 - Small Business Total Set-Asides, Partial Set-Asides, and Reserves