19.808-1 Sole source.

(a) The SBA *may* not accept for negotiation a sole-source 8(a) contract that exceeds $30 million unless the *requesting agency* has completed a justification in accordance with the requirements of 6.303.

(b) The SBA is responsible for initiating negotiations with the agency within the time established by the agency. If the SBA does not initiate negotiations within the agreed time and the agency cannot allow additional time, the agency *may*, after notifying the SBA, proceed with the *acquisition* from other sources.

(c) The SBA *should* participate, whenever practicable, in negotiating the *contracting* terms. When mutually agreeable, the SBA *may* authorize the *contracting officer* to negotiate directly with the 8(a) participant. Whether or not direct negotiations take place, the SBA is responsible for approving the resulting contract before award.

(d) An 8(a) participant *must* represent that it is a small business in accordance with the size standard corresponding to the NAICS code assigned to the contract.

(e) A *concern must* be a current participant in the 8(a) program at the time of an 8(a) sole-source award.

(f) An 8(a) participant owned by an Alaska Native Corporation, Indian Tribe, Native Hawaiian Organization, or Community Development Corporation *may* not receive an 8(a) sole-source award that is a follow-on contract to an 8(a) contract, if the predecessor contract was performed by another 8(a) participant (or former 8(a) participant) owned by the same Alaska Native Corporation, Indian Tribe, Native Hawaiian Organization, or Community Development Corporation (See 13 CFR 124.109 through 124.111).

Parent topic: 19.808 Contract negotiation.