

## 19.811-1 Sole source.

(a) The contract to be awarded by the agency to the SBA *shall* be prepared in accordance with agency procedures and in the same detail as would be required in a contract with a business concern. The *contracting officer shall* use the [Standard Form 26](#) as the award form, except for construction contracts, in which case the [Standard Form 1442](#) *shall* be used as required in [36.701\(a\)](#).

(b) The *contracting officer shall* prepare the contract that the SBA will award to the 8(a) participant in accordance with agency procedures, as if awarding the contract directly to the 8(a) participant, except for the following:

(1) The award form *shall* cite 41 U.S.C. 3304(a)(5) or [10 U.S.C. 3204\(a\)\(5\)](#) (as appropriate) as the authority for use of other than *full and open competition*.

(2) Appropriate clauses *shall* be included, as necessary, to reflect that the contract is between the SBA and the 8(a) contractor.

(3) The following items *shall* be inserted by the SBA:

(i) The SBA contract number.

(ii) The effective date.

(iii) The typed name of the SBA's *contracting officer*.

(iv) The *signature* of the SBA's *contracting officer*.

(v) The date signed.

(4) The SBA will obtain the *signature* of the 8(a) contractor prior to signing and returning the prime contract to the *contracting officer* for *signature*. The SBA will make every effort to obtain *signatures* and return the contract, and any subsequent bilateral modification, to the *contracting officer* within a maximum of 10 working days.

(c) Except in *procurements* where the SBA will make advance payments to its 8(a) contractor, the agency *contracting officer may*, as an alternative to the procedures in paragraphs (a) and (b) of this subsection, use a single contract document for both the prime contract between the agency and the SBA and its 8(a) contractor. The single contract document *shall* contain the information in paragraphs (b) (1), (2), and (3) of this subsection. Appropriate blocks on the [Standard Form \(SF\) 26](#) or 1442 will be asterisked and a continuation sheet appended as a tripartite agreement which includes the following:

(1) Agency *acquisition* office, prime contract number, name of agency *contracting officer* and lines for *signature*, date signed, and effective date.

(2) The SBA office, the SBA contract number, name of the SBA *contracting officer*, and lines for *signature* and date signed.

(3) Name and lines for the 8(a) subcontractor's *signature* and date signed.

(d) For *acquisitions* not exceeding the *simplified acquisition threshold*, the *contracting officer* may use the alternative procedures in paragraph (c) of this subsection with the appropriate simplified *acquisition* forms.

**Parent topic:** 19.811 Preparing the contracts.