19.1306 HUBZone sole-source awards.

(a) A *contracting officer shall* consider a contract award to a *HUBZone* small business *concern* on a sole-source basis (see 6.302-5(b)(5)) before considering a small business set-aside (see 19.203 and subpart 19.5), provided none of the exclusions at 19.1304 apply; and-

(1) The *contracting officer* does not have a reasonable expectation that *offers* would be received from two or more *HUBZone* small business *concerns*;

(2) The anticipated price of the contract, including *options*, will not exceed-

(i) $8.5 million for a requirement within the North American *Industry* Classification System (NAICS) codes for manufacturing; or

(ii) $5.5 million for a requirement within all other NAICS codes;

(3) The requirement is not currently being performed by an 8(a) participant under the provisions of subpart 19.8 or has been accepted as a requirement by SBA under subpart 19.8;

(4) The *HUBZone* small business *concern* has been determined to be a responsible contractor with respect to performance; and

(5) Award can be made at a fair and reasonable price.

(b) The SBA has the right to appeal the *contracting officer*'s decision not to make a *HUBZone* sole-source award (see 13 CFR 126.610).

Parent topic: Subpart 19.13 - Historically Underutilized Business Zone (HUBZone) Program