19.1506 Women-Owned Small Business Program sole-source awards.

(a) A *contracting officer shall* consider a contract award to an EDWOSB *concern* on a sole-source basis (see 6.302-5(b)(7)) before considering small business set-asides (see 19.203 and subpart 19.5) provided none of the exclusions at 19.1504 apply and-

(1) The *acquisition* is assigned a NAICS code in which SBA has determined that WOSB *concerns* are underrepresented in Federal *procurement*;

(2) The *contracting officer* does not have a reasonable expectation that *offers* would be received from two or more EDWOSB *concerns*; and

(3) The conditions in paragraph (c) of this section exist.

(b) A *contracting officer shall* consider a contract award to a WOSB *concern* (including EDWOSB *concerns*) eligible under the WOSB Program on a sole-source basis (see 6.302-5(b)(7)) before considering small business set-asides (see 19.203 and subpart 19.5) provided none of the exclusions at 19.1504 apply and-

(1) The *acquisition* is assigned a NAICS code in which SBA has determined that WOSB *concerns* are substantially underrepresented in Federal *procurement*;

(2) The *contracting officer* does not have a reasonable expectation that *offers* would be received from two or more WOSB *concerns* (including EDWOSB *concerns*); and

(3) The conditions in paragraph (c) of this section exist.

(c)

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

(i) $8.5 million for a requirement within the NAICS codes for manufacturing; or

(ii) $5.5 million for a requirement within any other NAICS codes.

(2) The EDWOSB *concern* or WOSB *concern* has been determined to be a responsible contractor with respect to performance.

(3) The award can be made at a fair and reasonable price.

(d) A *contracting officer shall* only award a sole-source contract to a *concern* that has been certified pursuant to 13 CFR 127.300 as an EDWOSB or WOSB eligible under the WOSB program. *Contracting officers shall* not request a status determination from SBA on pending applications for certification for EDWOSB or WOSB sole-source awards.

(e) The SBA has the right to appeal the *contracting officer*'s decision not to make a sole-source award to either an EDWOSB *concern* or WOSB *concern* eligible under the WOSB program.

Parent topic: Subpart 19.15 - Women-Owned Small Business Program.