PART 1419 - SMALL BUSINESS PROGRAMS

Authority: 40 U.S.C. 121(c); 40 U.S.C. 486(c); and 5 U.S.C. 301.

Source: 84 FR 69344, Dec. 18, 2019, unless otherwise noted.

Subpart 1419.1 [Reserved]

Subpart 1419.2 - Policies

1419.201 General policy.

1419.202 Specific policies.

1419.202-70 Acquisition screening and Small Business Specialist recommendations.

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1419.503 Setting aside a class of acquisitions.

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1419.602 Procedures.

1419.602-1 Referral.

Subpart 1419.7 - [Reserved]

Subpart 1419.8 - Contracting with the Small Business Administration (The 8(a) Program)

1419.803 [Reserved]

1419.810 SBA appeals.

Subparts 1419.9 - 1419.10 [Reserved]

Parent topic: SUBCHAPTER D - SOCIOECONOMIC PROGRAMS

Subpart 1419.1 [Reserved]

Subpart 1419.2 - Policies

1419.201 General policy.

The Director of the Office of Small Disadvantaged Business Utilization (OSDBU) is responsible for

the following:

(a) Developing and maintaining policies, procedures, regulations, and guidelines for the effective administration of the Department's small business and disadvantaged business programs;

(b) The appointment of Small Business Specialists to ensure compliance with all applicable law, regulation, and policy; and

(c) The negotiation of annual small business and subcontracting goals with the Small Business Administration (SBA). The purpose of these goals is to increase participation of small business and disadvantaged small businesses in contract and subcontract opportunities.

1419.202 Specific policies.

1419.202-70 Acquisition screening and Small Business Specialist recommendations.

The Director of the OSDBU is responsible for issuing policy for use of the DI Form 1886 and determining the content of Form DI-1886 “Acquisition Screening and Review Form.”

Subpart 1419.3 - 1419.4 [Reserved]

Subpart 1419.5 - Set-Asides for Small Business

1419.503 Setting aside a class of acquisitions.

1419.503-70 Class set-aside for construction acquisitions.

(a) Acquisitions for construction (as defined in Federal Acquisition Regulation (FAR) 2.101) estimated to cost $2 million or less must be set-aside on a class basis for exclusive participation by small business or disadvantaged business concerns. This class set-aside does not apply when:

(1) The acquisition is procured using simplified acquisition procedures;

(2) A non-competitive acquisition has been approved under the procedures of FAR 6.3;

(3) Work is to be performed outside the U.S.; or

(4) The Bureau Procurement Chief determines that adequate competition is not likely to be obtained if the acquisition is restricted to small business concerns.

(b) [Reserved]

Subpart 1419.6 - Certificates of Competency and Determinations of Responsibility

1419.602 Procedures.

1419.602-1 Referral.

The contracting officer must obtain approval from the Chief of the Contracting Office for all determinations documenting a responsive small business' lack of responsibility prior to submission to the appropriate SBA office. A copy of the determination must be sent to OSDBU within 5 working days of the approval date of the determination.

Subpart 1419.7 - [Reserved]

Subpart 1419.8 - Contracting with the Small Business Administration (The 8(a) Program)

1419.803 [Reserved]

1419.810 SBA appeals.

The Assistant Secretary of Policy Management and Budget, without the power of redelegation, is authorized to issue the decision on an SBA appeal of a Contracting Officer's Section 8(a) decision.

Subparts 1419.9 - 1419.10 [Reserved]