Subpart 1219.8—Contracting With the Small Business Administration (the 8(a) Program)

Parent topic: PART 1219—SMALL BUSINESS PROGRAMS

1219.800 General.

(e) The Small Business Administration (SBA) and Department of Transportation (DOT) have entered into a Partnership Agreement (PA) delegating SBA's contract execution and administrative functions to DOT. Contracting officers shall follow the alternate procedures in this subpart, as applicable, to award 8(a) contracts under the PA. (*See* *https://www.transportation.gov/sites/dot.dev/files/docs/Department%20of…*.)

(1) The SBA delegates only the authority to sign contracts on its behalf. Consistent with the provisions of the PA, the SBA remains the prime contractor on all 8(a) contracts, continues to determine eligibility of concerns for contract award, and retains appeal rights under FAR 19.810.

(2) The PA sets forth the delegation of authority and establishes the basic procedures for expediting the award of 8(a) contract requirements as reflected in this subpart.

(3) Contracts awarded under the PA may be awarded directly to the 8(a) participant on either a sole source or competitive basis. An SBA signature on the contract is not required. *See* FAR 19.811–3 for contract clauses to use.

1219.815 Release for non-8(a) procurement.

(b) Contracting officers requesting the release of a requirement for a non-8(a) procurement will follow procedures prescribed at FAR 19.815 and submit requests through the DOT OSDBU Director. The OSDBU Director will submit the request to SBA's Associate Administrator for Business Development for consideration.