

19.504 Orders under multiple-award contracts.

(a) *General.* In accordance with section 1331 of the Small Business Jobs Act of 2010 ([15 U.S.C. 644\(r\)\(2\)](#)), contracting officers may, at their discretion, set aside orders placed under multiple-award contracts for any of the small business concerns identified in [19.000\(a\)\(3\)](#).

(1) The contracting officer shall state in the solicitation and resulting contract whether order set-asides will be discretionary or mandatory when the conditions in [19.502-2](#) are met at the time of order set-aside, and the specific program eligibility requirements, as applicable, are also then met.

(2) When setting aside an order at or below the simplified acquisition threshold, the contracting officer may set aside the order for any of the small business concerns identified in [19.000\(a\)\(3\)](#).

(3) When setting aside an order above the simplified acquisition threshold, the contracting officer shall first consider setting aside the order for the small business socioeconomic contracting programs (*i.e.*, 8(a), HUBZone, service-disabled veteran-owned small business, and women-owned small business) before considering a small business set-aside.

(4) The contracting officer shall comply with the specific program eligibility requirements identified in this part in addition to the ordering procedures for a multiple-award contract (for orders placed under the Federal Supply Schedules Program, see [8.405-5](#); for orders placed under all other multiple-award contracts, see [16.505](#)).

(b) *Orders under partial set-aside contracts.*

(1) Only small business concerns awarded contracts for the portion(s) that were set aside under the solicitation for the multiple-award contract may compete for orders issued under those portion(s).

(2) Small business awardees may compete against other than small business awardees for an order issued under the portion of the multiple-award contract that was not set aside, if the small business received a contract award for the non-set-aside portion.

(c) *Orders under reserves.*

(1) The contracting officer may—

(i) Set aside orders for any of the small business concerns identified in [19.000\(a\)\(3\)](#) when there are two or more contract awards for that type of small business concern; or

(ii) Issue orders directly to one small business concern for work that it can perform when there is only one contract award to any one type of small business concern identified in [19.000\(a\)\(3\)](#).

(2) Small business awardees may compete against other than small business awardees for an order that is not set aside if the small business received a contract award for the supplies or services being ordered.

Parent topic: [Subpart 19.5 Subpart 19.5 - Small Business Total Set-Asides, Partial Set-Asides, and Reserves](#)