

Subpart 1319.8 - Contracting With the Small Business Administration (the 8(a) Program)

Parent topic: [PART 1319 - SMALL BUSINESS PROGRAMS](#)

1319.800 General.

(a) By Partnership Agreement between the Small Business Administration (SBA) and the Department of Commerce, the SBA delegated authority to the Senior Procurement Executive to enter into 8(a) prime contracts and purchase orders. To implement this authority, the Senior Procurement Executive has authorized a class FAR deviation to applicable portions of FAR Subpart 19.8 and FAR Part 52. Under the class deviation, the authority to enter into 8(a) prime contracts and purchase orders is re-delegated to contracting officers.

(b) When awarding 8(a) contracts and purchase orders, contracting officers shall operate in accordance with the terms of the Partnership Agreement and take full advantage of the streamlined procedures in the agreement. Contracting officers shall review the responsibilities and procedures for 8(a) awards as outlined in the Partnership Agreement and work closely with their respective Small Business Specialists and the OSDBU.

(c) The Partnership Agreement contains the procedures for submitting an offer letter to the appropriate SBA office. Contracting officers shall provide a copy of all offering letters to the OSDBU when they are transmitted to SBA.

1319.811 Preparing the contracts.

1319.811-3 Contract clauses.

(a) The contracting officer shall insert the clause 1352.219-70, *Section 8(a) Direct Award (Deviation)*, in direct contracts and purchase orders processed under the Partnership Agreement. The clauses at FAR 52.219-11, Special 8(a) Contract Conditions, 52.219-12, Special 8(a) Subcontract Conditions, and 52.219-17, Section 8(a) Award, *shall not be used*.

(b) The contracting officer shall insert the clause 1352.219-71, *Notification to Delay Performance (Deviation)*, in solicitations and purchase orders issued under the Partnership Agreement.

(c) The contracting officer shall insert the clause 1352.219-72, *Notification of Competition Limited to Eligible 8(a) Concerns, Alternate III (Deviation)*, when the acquisition is processed under the Partnership Agreement.

1319.812 Contract administration.

Awards under the Partnership Agreement are subject to 15 U.S.C. 637(a)(21). These contracts shall

contain the clause 1352.219-70, *Section 8(a) Direct Award (Deviation)*, which requires the contractor to notify the SBA and the contracting officer when ownership of the firm is being transferred.