

National Aeronautics and Space Admin.**§ 1204.401****Subpart 4—Small Business Policy**

Sec.

- 1204.400 Scope of subpart.
- 1204.401 Policy.
- 1204.402 Responsibilities.
- 1204.403 General requirements.

Subpart 5—Delegations and Designations

- 1204.500 Scope of subpart.
- 1204.501 Delegation of authority—to take actions in real estate and related matters.
- 1204.502 [Reserved]
- 1204.503 Delegation of authority to grant easements.
- 1204.504 Delegation of authority to grant leaseholds, permits, and licenses in real property.
- 1204.505 Delegation of authority to execute certificates of full faith and credit.
- 1204.506–1204.507 [Reserved]
- 1204.508 Delegation of authority of certain civil rights functions to Department of Health, Education, and Welfare.
- 1204.509 Delegation of authority to take action regarding “liquidated damage” assessments under the Contract Work Hours and Safety Standards Act, and associated labor statutes.

Subparts 6–9 [Reserved]**Subpart 10—Inspection of Persons and Personal Effects at NASA Installations or on NASA Property; Trespass or Unauthorized Introduction of Weapons or Dangerous Materials**

- 1204.1000 Scope of subpart.
- 1204.1001 Policy.
- 1204.1002 Responsibility.
- 1204.1003 Procedures.
- 1204.1004 Trespass.
- 1204.1005 Unauthorized introduction of firearms or weapons, explosives, or other dangerous materials.
- 1204.1006 Violations.

Subparts 11–13 [Reserved]**Subpart 14—Use of NASA Airfield Facilities by Aircraft Not Operated for the Benefit of the Federal Government**

- 1204.1400 Scope.
- 1204.1401 Definitions.
- 1204.1402 Policy.
- 1204.1403 Available airport facilities.
- 1204.1404 Requests for use of NASA airfield facilities.
- 1204.1405 Approving authority.
- 1204.1406 Procedures in the event of a declared in-flight emergency.

1204.1407 Procedure in the event of an unauthorized use.

Subpart 15—Intergovernmental Review of National Aeronautics and Space Administration Programs and Activities

- 1204.1501 Purpose.
- 1204.1502 Definitions.
- 1204.1503 Programs and activities subject to these regulations.
- 1204.1504 [Reserved]
- 1204.1505 Federal interagency coordination.
- 1204.1506 Procedures for selecting programs and activities under these regulations.
- 1204.1507 Communicating with State and local officials concerning the Agency's programs and activities.
- 1204.1508 Time limitations for receiving comments on proposed direct Federal development.
- 1204.1509 Receiving and responding to comments.
- 1204.1510 Efforts to accommodate intergovernmental concerns.
- 1204.1511 Coordination in interstate situations.
- 1204.1512 [Reserved]
- 1204.1513 Waivers of provisions of these regulations.

Subpart 16—Temporary Duty Travel—Issuance of Motor Vehicle for Home-to-Work Transportation

1204.1600 Issuance of motor vehicle for home-to-work.

APPENDIX A TO PART 1204—ITEMS TO COVER IN MEMORANDA OF AGREEMENT

Subparts 1–3 [Reserved]**Subpart 4—Small Business Policy**

AUTHORITY: 42 U.S.C. 2473(c)(5); 42 U.S.C. 2473b; Public Law 101–507, the VA/HUD/Indep. Agencies Appropriation Act for FY 1991, at 104 Stat. 1380 (Nov. 5, 1990); and 15 U.S.C. 631–650.

SOURCE: 58 FR 43554, Aug. 17, 1993, unless otherwise noted.

§ 1204.400 Scope of subpart.

This subpart establishes NASA's small business policy and outlines the delegation of authority in implementing this policy as required by Federal law.

§ 1204.401 Policy.

(a) It is the policy of NASA to enable small business concerns (including

§ 1204.402

small women-owned businesses), Historically Black Colleges and Universities, and other minority educational institutions the opportunity to participate equitably and proportionately in its total purchases and contracts consistent with NASA's needs to execute its missions.

(b) In carrying out the NASA procurement program, the primary consideration shall be that of securing contract performance, including obtaining deliveries of required items or services at the time, in the quantity and of the quality prescribed. In the area of research and development contracts, the general policy of NASA is to award such contracts to those organizations determined by responsible personnel to have a high degree of competence in the specific branch of science or technology required for the successful conduct of the work. It is in the interest of the civilian space program that the number of firms engaged in research and development work for NASA be expanded and that there be an increase in the extent of participation in such work by competent small and small disadvantaged business firms.

§ 1204.402 Responsibilities.

(a) *Office of Small and Disadvantaged Business Utilization (OSDBU).* The Associate Administrator for Small and Disadvantaged Business Utilization, NASA Headquarters, is responsible for the development, supervision, and coordination of the NASA Small Business Program. The Associate Administrator is also responsible for formulating policy and procedures relating to small business, and representing NASA before other Government agencies on matters primarily affecting small business.

(b) *NASA Headquarters and Field Installations.* The Directors of Field Installations and the Associate Administrator for Procurement at Headquarters will designate a qualified individual as a "Small Business Specialist" to provide a central point of contact to which small and small disadvantaged business concerns may direct inquiries concerning participation in the NASA procurement program, or secure assistance in submitting bids or proposals and performance of contracts. Where the Director of the Field

14 CFR Ch. V (1-1-13 Edition)

Installation considers that the volume of procurement at the Installation does not warrant a full-time Small Business Specialist, the Director may assign such duties to qualified procurement personnel on a part-time basis. NASA Field Installations shall establish and maintain liaison with the Small Business Administration (SBA) Procurement Center Representative (PCR) or the appropriate Small Business Administration Regional Office in matters relating to Field Installation procurement activities. A Small Business Technical Advisor shall be assigned to each contracting activity within the agency to which the SBA has assigned a PCR.

§ 1204.403 General requirements.

(a) All proposed procurement transactions in excess of \$25,000 shall be examined by a Small Business Specialist prior to issuance of bids or requests for proposals to determine suitability for small participation or set-asides, unless the transaction has already been set-aside for small business by the contracting officer.

(b) The appropriate office of the Small Business Administration (assigned PCR) shall be informed of proposed procurements estimated to exceed \$25,000.

(c) A Bidder's list shall be maintained at each Field Installation on a current basis and reviewed to ensure that small business firms are given an equitable opportunity to participate in those procurements suitable for performance by such firms. Installations may use, at their option, the SBA Procurement Automated Source System (PASS) in lieu of the separate Center Bidder's list, if resources can be conserved.

(d) NASA Small Business Specialists shall acquire descriptive data, brochures, or other information concerning small business firms that appear competent to perform research and development (R&D) work in fields in which NASA is interested and furnish such information to appropriate NASA personnel for consideration of these firms in future R&D procurements. The Small Business Specialists at Headquarters and Field Installations shall assist and consult, as necessary,

National Aeronautics and Space Admin.**§ 1204.501**

with NASA technical personnel in analyzing such information, arranging field inspection of facilities, making appointments for technical personnel with representatives of small business firms, and obtaining from other agencies appraisals of work performance by such firms. When feasible, Small Business Specialists shall conduct or participate in outreach conferences and training sessions to inform small businesses of contracting opportunities with the Agency.

(e) In accordance with Public Law 95-507, NASA will require contractors having contracts in excess of \$1 million for the construction of any public facility, and in excess of \$500,000 for all other contracts, and of such nature as to afford opportunities for subcontracting in substantial amounts, to establish and conduct small business subcontracting programs. Such programs will be periodically reviewed by NASA Small Business Specialists to evaluate their adequacy.

(f) NASA will encourage competent small business concerns to submit unsolicited proposals for research and development work in areas within NASA's responsibility, which may lead to contracts for such work. The formation of contractor pools or joint ventures to perform research and development work will also be encouraged.

(g) NASA Small Business Specialists will disseminate to small business concerns information concerning inventions for which NASA holds patents on behalf of the United States and under which it is NASA policy to grant licenses.

(h) Small business participation in NASA procurement shall be accurately measured, recorded, and publicized.

(i) NASA small business personnel shall assist small business concerns to obtain payments under their contracts, late payment interest penalties, or information due to such concerns.

tions of, National Aeronautics and Space Administration officials and other Government officials acting on behalf of the agency to carry out prescribed functions of the National Aeronautics and Space Administration.

[30 FR 3378, Mar. 13, 1965]

§ 1204.501 Delegation of authority—to take actions in real estate and related matters.

(a) *Delegation of authority.* The Associate Administrator for Management Systems and Facilities and the Director, Facilities Engineering Division, are delegated authority, in accordance with applicable laws and regulations, and subject to conditions imposed by immediate superiors, to:

(1) Prescribe agency real estate policies, procedures, and regulations;

(2) Enter into and take other actions including, but not limited to, the following:

(i) Acquire (by purchase, lease, condemnation, or otherwise) fee and lesser interests in real property and, in the case of acquisition by condemnation, to sign declarations of taking.

(ii) Use, with their consent, the facilities of Federal and other agencies with or without reimbursement.

(iii) Determine entitlement to and quantum of, financial compensation under, and otherwise exercise the authority contained in the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (42 U.S.C. 4601), and regulations in implementation thereof.

(iv) Grant easements, leaseholds, licenses, permits, or other interests (wherever located) controlled by NASA.

(v) Grant the use of NASA-controlled real property and approve the acquisition and use of nongovernment owned real property for any NASA-related, nonappropriated fund activity purpose with the concurrence of the NASA Comptroller.

(vi) Sell and otherwise dispose of real property in accordance with the provisions of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471, et seq.).

(vii) Exercise control over the acquisition, utilization, and disposal of movable/relocatable structures including

Subpart 5—Delegations and Designations

AUTHORITY: 51 U.S.C. 20113.

§ 1204.500 Scope of subpart.

This subpart establishes various delegations of authority to, and designa-