

## Department of Housing and Urban Development

2419.803–70

asides, certificates of competency, size classification, and any other matter in which the small business program may be involved.

[49 FR 7706, Mar. 1, 1984, as amended at 50 FR 46578, Nov. 8, 1985; 61 FR 19471, May 1, 1996; 77 FR 73528, Dec. 10, 2012]

### Subpart 2419.5—Set-Asides for Small Business

2419.503 [Reserved]

### Subpart 2419.7—The Small Business Subcontracting Program

#### 2419.708 Solicitation provisions and contract clauses.

(b) The contracting officer shall insert clause at 2452.219–73, “Incorporation of Subcontracting Plan,” in solicitations and contracts when a subcontracting plan is required. The contracting officer shall insert the provision at 2452.219–74, “Small Business Subcontracting Goals,” in solicitations for contracts that are required to include the FAR clauses at 52.219–8, “Utilization of Small Business Concerns,” and 52.219–9, “Small Business Subcontracting Plan.”

(d) The contracting officer shall insert the provision at 2452.219–70, Small Business Subcontracting Plan Compliance, in solicitations for contracts that are expected to exceed the dollar thresholds set forth at FAR 19.702 and are required to include the clause at FAR 52.219–9, Small Business Subcontracting Plan.

[77 FR 73528, Dec. 10, 2012]

### Subpart 2419.8—Small Business Administration Section (8)(a) Program

#### 2419.800 General.

(f) By Partnership Agreement between the SBA and HUD, the SBA delegated to HUD’s Senior Procurement Executive its authority under paragraph 8(a)(1)(A) of the Small Business Act (5 U.S.C. 637(a)) to enter into 8(a) prime contracts, and its authority under 8(a)(1)(B) of the Small Business Act to award the performance of those contracts to eligible 8(a) Program participants. Under the Partnership

Agreement, a contract may be awarded directly to an 8(a) firm on either a sole-source or competitive basis. The SBA reserves the right to withdraw the delegation issued as a result of the Partnership Agreement; however, any such withdrawal shall have no effect on contracts already awarded under the Partnership Agreement.

[77 FR 73528, Dec. 10, 2012]

#### 2419.803 Selecting acquisitions for the 8(a) Program.

#### 2419.803–70 Procedures for simplified acquisitions under the partnership agreement.

(a) HUD contracting officers may use the procedures of FAR part 13 and HUDAR part 2413 to make purchases not exceeding the simplified acquisition threshold from 8(a) Participants. The following apply to such acquisitions:

(1) Neither offering letters to, nor acceptance letters from the SBA are required.

(2) The contracting officer will use the Central Contractor Registration (CCR) database on the Internet (<http://www.ccr.gov>) to establish that the selected 8(a) firm is a current program participant.

(b) Once an 8(a) contractor has been identified, the contracting officer will establish the price with the selected 8(a) contractor.

(c) For acquisitions requiring an award document (e.g., purchase order), the contracting officer will:

(1) Prepare and issue an award document in accordance with the applicable provisions of FAR part 13 and HUDAR part 2413. The applicable clauses prescribed in 2419.811–3 shall be included in the award document. The contracting officer will issue the award document directly to the 8(a) firm; and

(2) Forward to the SBA District Office serving the 8(a) firm a copy of the award document within 5 days after the award is issued.

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