19.800 General.

(a) Section 8(a) of the Small Business Act (15 U.S.C.637(a)) established a program that authorizes the Small Business Administration (SBA) to enter into all types of contracts with other agencies and award subcontracts for performing those contracts to firms eligible for program participation. This program is the "8(a) Business Development Program," commonly referred to as the "8(a) program." A small business that is accepted into the 8(a) program is known as a "participant." SBA's subcontractors are referred to as "8(a) contractors." As used in this subpart, an 8(a) contractor is an 8(a) participant that is currently performing on a Federal contract or order that was set aside for 8(a) participants.

(b) Contracts *may* be awarded to the SBA for performance by eligible 8(a) participants on either a sole source or competitive basis.

(c) Acting under the authority of the program, the SBA certifies to an agency that SBA is competent and responsible to perform a specific contract. The *contracting officer* has the discretion to award the contract to the SBA based upon mutually agreeable terms and conditions.

(d) The *contracting officer shall* comply with 19.203 before deciding to *offer* an *acquisition* to a small business *concern* under the 8(a) program. For *acquisitions* above the *simplified acquisition threshold*, the *contracting officer shall* consider 8(a) set-asides or sole source awards before considering small business set-asides.

(e) When SBA has delegated its 8(a) program contract execution authority to an agency, the *contracting officer must* refer to its agency supplement or other policy directives for appropriate guidance.

Parent topic: Subpart 19.8 - Contracting with the Small Business Administration (The 8(a) Program)