

## 19.804-6 Indefinite delivery contracts.

(a) Separate *offers* and acceptances are not required for individual orders under *multiple-award contracts* (including the Federal Supply Schedules managed by GSA, multi-agency contracts or Governmentwide *acquisition* contracts, or indefinite-delivery, indefinite-quantity (IDIQ) contracts) that have been set aside for exclusive competition among 8(a) contractors, and the individual order is to be competed among all 8(a) contract holders. SBA's acceptance of the original contract is valid for the term of the contract. *Offers* and acceptances are required for individual orders under *multiple-award contracts* that have not been set aside for exclusive competition among 8(a) contractors.

(b) The *contracting officer* may issue an order on a sole source basis when—

(1) The *multiple-award contract* was set aside for exclusive competition among 8(a) participants;

(2) The order has an estimated value less than or equal to the dollar thresholds set forth at 19.805-1(a)(2); and

(3) The offering and acceptance procedures at 19.804-2 and 19.804-3 are followed.

(c) The *contracting officer* may issue an order directly to one 8(a) contractor in accordance with 19.504(c)(1)(ii) when—

(1) The *multiple-award contract* was reserved for 8(a) participants;

(2) The order has an estimated value less than or equal to \$7 million for *acquisitions* assigned manufacturing NAICS codes and \$4.5 million for all other *acquisitions*; and

(3) The offering and acceptance procedures at 19.804-2 and 19.804-3 are followed.

(d) An 8(a) contractor *may* continue to accept new orders under the contract, even if it exits the 8(a) program, or becomes other than small for the NAICS code(s) assigned to the contract.

(e) Agencies *may* continue to take credit toward their prime *contracting* small disadvantaged business or small business goals for orders awarded to 8(a) contractors, even after the contractor's 8(a) program term expires, the contractor otherwise exits the 8(a) program, or the contractor becomes other than small for the NAICS code(s) assigned under the 8(a) contract. However, if an 8(a) contractor rerepresents that it is other than small for the NAICS code(s) assigned under the contract in accordance with 19.301-2 or, where ownership or control of the 8(a) contractor has changed and SBA has granted a waiver to allow the contractor to continue performance (see 13 CFR 124.515), the agency *may* not credit any subsequent orders awarded to the contractor towards its small disadvantaged business or small business goals.

**Parent topic:** 19.804 Evaluation, offering, and acceptance.