

# 52.219-11 Special 8(a) Contract Conditions.

As prescribed in 19.811-3(a), insert the following clause:

Special 8(a) Contract Conditions (Jan 2017)

The Small Business Administration (SBA) agrees to the following:

(a) To furnish the *supplies* or services set forth in this contract according to the specifications and the terms and conditions hereof by subcontracting with an eligible concern pursuant to the provisions of section 8(a) of the Small Business Act, as amended (15 U.S.C. 637(a)).

(b) That in the event SBA does not award a subcontract for all or a part of the work hereunder, this contract *may* be terminated either in whole or in part without cost to either party.

(c) Except for *novation agreements*, delegate to the \_\_\_\_\_ [*insert name of contracting agency*] the responsibility for administering the subcontract to be awarded hereunder with complete authority to take any action on behalf of the Government under the terms and conditions of the subcontract; provided, however, that the \_\_\_\_\_ [*insert name of contracting agency*] *shall* give advance notice to the SBA before it issues a final notice terminating the right of a subcontractor to proceed with further performance, either in whole or in part, under the subcontract for default or for the convenience of the Government.

(d) That payments to be made under any subcontract awarded under this contract will be made directly to the subcontractor by the \_\_\_\_\_ [*insert name of contracting agency*].

(e) That the subcontractor awarded a subcontract hereunder *shall* have the right of appeal from decisions of the *Contracting Officer* cognizable under the "Disputes" clause of said subcontract.

(f) To notify the \_\_\_\_\_ [*insert name of contracting agency*] *Contracting Officer* immediately upon notification by the subcontractor that the owner or owners upon whom 8(a) eligibility was based plan to relinquish ownership or control of the concern.

(End of clause)

**Parent topic:** 52.219 [Reserved]