

GSA ORDER

Subject: General Services Administration Acquisition Manual (GSAM), GSAM Case 2011-G501, GSAM Subpart 519.10, Repeal of the Small Business Competitiveness Demonstration Program (Change 49)

1. Purpose. This order transmits a revision to the General Services Administration Acquisition Manual.
2. Background. The General Services Administration (GSA) is amending GSAM Part 519, Small Business Programs, to delete subpart 519.10, Small Business Competitiveness Demonstration Program. This change will also remove GSAM policies and procedures associated with the Small Business Competitiveness Demonstration Program, and will update the GSA Form 2689, Small Business Analysis Record.

This change is necessary to comply with the Federal Acquisition Regulation (FAR), which removed FAR coverage of the Small Business Competitiveness Demonstration Program at FAR subpart 19.10 on December 30, 2010 (75 FR 82567) to comply with the requirements of Section 1335 of the Small Business Jobs Act of 2010 (Pub. L. 111-240), enacted September 27, 2010.

Section 1335 of the Act amended the Business Opportunity Development Reform Act of 1988 (Public Law 100-656) by striking Title VII (15 U.S.C. 644 note). Title VII of the Business Opportunity Development Reform Act of 1988 established the Small Business Competitiveness Demonstration Program. Striking Title VII repealed in its entirety the Small Business Competitiveness Demonstration Program effective upon enactment of the Act.

3. Effective date. June 28, 2011.
Applicability date. June 28, 2011.
4. Explanation of changes. The GSAM is amended by revising and updating references and titles and deleting redundant supplementary material. Outdated material is deleted, and other material in this part is updated and clarified. Revisions include:

GSAM 519.202-1, Encouraging small business participation in acquisitions

- The title of the GSA Form 2689 was changed from “Procurement Not Set Aside” to “Small Business Analysis Record.”

- Deleted references to HUBZone preferences over other socioeconomic programs (Parity rule).
- Updated contract bundling references and threshold.
- Deleted Reference to Appendix (F) as it contained outdated material.
- Added paragraph (b)(2)(i) and (ii) to address using the GSA Form 2689 to coordinate with the Small Business Technical Advisor and the Office of Small Business Utilization.

GSAM 519.502 Setting aside acquisitions

- Delete references to the Small Business Competitiveness Demonstration Program.
- Added the FAR references to the 8(a) Business Development Program, Historically Underutilized Business Zone Program, Women-Owned Small Business Program, and the Service-Disabled Veteran-Owned Small Business Procurement Program.

GSAM 519.502-70 Review of non-set-aside determinations.

- Update references to the GSA Form 2689.
- Update small business set-aside dollar threshold.

GSAM 519.10 Small Business Competitiveness Demonstration Program

- Delete in its entirety and reserve.

The GSA Form 2689, Small Business Analysis Record (formerly named “*Procurement Not Set Aside.*”)

- References to the GSA Form 2689, Small Business Analysis Record, were renamed.
- Revised to delete references to the Small Business Competitiveness Demonstration Program.
- Updated GSA forms inventory to reflect the revised GSA Form 2689, Small Business Analysis Record.

GSAM 553.370-2689, Procurement Not Set Aside (Rev. 3-84)

- Replace GSAM 553.370-2689, Small Business Analysis Record (05/2011) with revised page to direct contractors to GSA Forms website <http://www.gsa.gov/forms>.
- Contracting officers are to use the revised GSA Form 2689, Small Business Analysis Record (05/2011), available on line at the GSA Forms database (<http://www.gsa.gov/forms>).

5. Cancellations and Rescissions. Acquisition Letter MV-11-02, Repeal of the Small Business Competitiveness Demonstration Program; MV-10-07 and MV-10-07 Supplement 1, GSA Form 2689, Small Business Analysis Record; MV-10-03 and MV-

10-03 Supplement 1, Implementation of the Small Business Competitiveness Demonstration Program.

6. Filing instructions. Insert the following pages to the GSAM:

Remove Pages

General Structure
pp. v and vi

Part 519 TOC
pp. 519-i and 519-ii
519-1 thru 519-4
519-9 thru 519-18

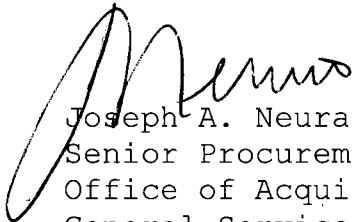
Part 553 TOC
pp. 553-i and 553-ii
553-1 and 553-2
553-21 and 553-22

Insert Pages

General Structure
pp. v and vi

Part 519 TOC
pp. 519-i and 519-ii
519-1 thru 519-4
519-9 thru 519-16

Part 553 TOC
pp. 553-i and 553-ii
553-1 and 553-2
553-21 and 553-22



Joseph A. Neurauter
Senior Procurement Executive,
Office of Acquisition Policy,
General Services Administration.

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PART 516—TYPES OF CONTRACTS

- 516.2 Fixed Price Contracts
- 516.4 Incentive Contracts
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- 516.6 Time-and-Materials, Labor-Hour, and Letter Contracts

PART 517—SPECIAL CONTRACTING METHODS

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- 519.3 Determination of Small Business Status for Small Business Programs
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- 519.11 [Reserved]
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- Appendix 519D [Removed and Reserved]
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519.1201	General.	519.7011	Application review.
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519.1203	Incentive subcontracting with small disadvantaged business concerns.	519.7015	Reports.
		519.7016	Program review.
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519.1305	HUBZone set-aside procedures.		Appendix 519B—Subcontracting Plan Evaluation Checklist
	Subpart 519.14—Service-Disabled Veteran-Owned Small Business Procurement Program		Appendix 519C—[Removed and Reserved]
519.1405	Service-disabled veteran-owned small business set-aside procedures.		Appendix 519D—[Removed and Reserved]
519.1405-70	Additional Responsibilities—Service Disabled Veteran Executive Order		Appendix 519E—[Reserved]
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PART 519—SMALL BUSINESS PROGRAMS

519.001 Definitions.

“Office of Small Business Utilization staff” is the staff with responsibility for supporting small business activities. In Central Office, this is the Office of Small Business Utilization, (OSBU) (E) and the Small Business Technical Advisors (SBTAs). In the Regions, this staff may be a separate office (e.g., Small Business Utilization Centers (SBUCs).

Subpart 519.2—Policies

519.201 General policy.

(a) The Associate Administrator, Office of Small Business Utilization (AAOSBU) is the Director of Small and Disadvantaged Business Utilization in GSA.

(b) The Office of Small Business Utilization, (OSBU) (E) appoints small business technical advisors (SBTAs), in writing, after consultation with HCAs. Each Central Office Service and each Region has at least one SBTA. All references to SBTA in this part refer to the SBTA designated to support his/her service or region, whichever is applicable.

519.202 Specific policies.

519.202-1 Encouraging small business participation in acquisitions.

(a) The acquisition planner is required to coordinate with the Small Business Technical Advisor (SBTA) or Small Business Specialist assigned to the specific region, service or central office staff office on any acquisition plans that:

- (1) Requires submission of a GSA Form 2689, Small Business Analysis Record, under GSAM [519.502-70](#).
- (2) Involves contract bundling (see FAR 19.202-1(e)) and paragraph (b)(2) of this section.
- (3) Is \$6,000,000 or more (See FAR 7.104(d)(2)).

(b) Bundled acquisitions.

(1) If the planner and contracting officer have failed to recognize that the acquisition is bundled, the small business specialist shall notify the Associate Administrator for the Office of Small Business Utilization (AAOSBU).

(2) When bundling is contemplated (see FAR 7.107, coordination with the SBTA and the, Office of Small Business Utilization is required.

(i) Use the GSA Form 2689 to coordinate with the SBTA and the Office of Small Business Utilization (see 19.202-1(e)).

(ii) When substantial bundling is contemplated use the GSA Form 2689 to also coordinate with the Associate Administrator for the Office of Small Business Utilization (see FAR 7.107(e) and 19.202-1(e)).

519.202-2 Locating small business sources.

(a) Confer with the appropriate SBTA when you need help to identify additional small business, veteran-owned small

business, service-disabled veteran-owned small business, HUBZone small business, small disadvantaged business, and women-owned small business concern sources to solicit for a requirement. The SBTA will coordinate with the Small Business Administration (SBA) Procurement Center Representative (PCR).

(b) The SBTA should query Central Contractor Registration (CCR) database link, “Dynamic Small Business Search,” at www.ccr.gov.

Subpart 519.3—Determination of Small Business Status for Small Business Programs

519.302 Protesting a small business representation.

If SBA determines that an offeror is not a small business concern and there is evidence that the offeror knowingly misrepresented itself as a small business concern:

(a) Contracting activities in Central Office must refer the matter to the Inspector General (J).

(b) Regional contracting activities must refer the matter to the Regional Inspector General.

519.305 Protesting a representation of disadvantaged business status.

If SBA determines that a small business concern is not disadvantaged and there is evidence that the offeror knowingly misrepresented its disadvantaged status:

(a) Contracting activities in Central Office must refer the matter to the Inspector General (J).

(b) Regional contracting activities must refer the matter to the Regional Inspector General.

519.306 Protesting a firm’s status as a HUBZone small business concern.

If SBA determines that an offeror is not a HUBZone small business concern and there is evidence that the offeror knowingly misrepresented itself as such:

(a) Contracting activities in Central Office must refer the matter to the Inspector General (J).

(b) Regional contracting activities must refer the matter to the Regional Inspector General.

519.307 Protesting a firm’s status as a Service-Disabled Veteran-Owned small business concern.

If SBA determines that an offeror is not a service-disabled veteran-owned small business concern and there is evidence that the offeror knowingly misrepresented itself as such:

(a) Contracting activities in Central Office must refer the matter to the Inspector General (J).

(b) Regional contracting activities must refer the matter to the Regional Inspector General.

Subpart 519.4—Cooperation With the Small Business Administration

The Associate Administrator for the Office of Small Business Utilization is the focal point for interfacing with SBA. Refer issues relating to small business programs through the designated SBTA.

Subpart 519.5—Set-asides for Small Business

519.502 Setting aside acquisitions.

519.502-1 Requirements for setting aside acquisitions.

(a) You may make awards under the 8(a) Business Development Program (see FAR 19.8), or set aside for the Historically Underutilized Business Zone (HUBZone) Program (see FAR 19.13, Women-Owned Small Business (WOSB) Program (see FAR 19.15), or Service-Disabled Veteran-Owned Small Business (SDVOSB) Procurement Program (see FAR 19.14).

(b) Once a contracting activity acquires a product or service successfully on the basis of a set-aside, the activity must acquire all future requirements for that product or service using set-aside procedures. If you determine that you no longer can reasonably expect to receive offers from at least two responsible small business concerns and make awards at fair market prices, use the procedures in FAR 19.506 to withdraw a repetitive set-aside. However, the availability of Federal Prison Industries, Inc. and Nonprofit Agencies Employing People Who Are Blind or Severely Disabled (JWOD) mandatory sources which may not have existed at the time of the original requirement are sufficient reason to discontinue setting aside a continuing requirement.

519.502-70 Review of non-set-aside determinations.

Acquisition expected to exceed \$150,000.

(a) *GSA Form 2689, Small Business Analysis Record.* The GSA Form 2689 is used to record evidence that consideration has been given to small business and small disadvantaged business concerns; to document that small businesses received an equitable opportunity to participate in a proposed acquisition; and, for instances of contract bundling (including substantial bundling). The GSA Form 2689 shall be required for all acquisitions over \$150,000 when:

(1) A determination is made not to set-aside an acquisition for small business, the 8(a), HUBZone, WOSB, or SDVOSB programs; or,

(2) Contract bundling (including substantial bundling) is contemplated.

(b) Include all pertinent documents with the GSA Form 2689 to support the proposed acquisition strategy (*i.e.*, PWS, SOW, J&A etc).

(c) The GSA Form 2689 is not required for orders placed against Multiple Award Schedule contracts (see FAR 38.101(e)) or Blanket Purchase Agreements under Multiple

Awards Schedule contracts (see FAR 8.404), unless the proposed acquisitions meeting the dollar thresholds established for contract bundling (including substantial bundling) review and approval (see FAR 7.104).

(d) The GSA Form 2689, Small Business Analysis Record, may be used in place of a “Memo to File” for unrestricted acquisitions with a dollar value expected to exceed \$3,000, but not over \$150,000, if a determination is made that there is not a reasonable expectation of obtaining offers from two or more responsible small business concerns that are competitive in terms of market price, quality and delivery.

(e) Record your decision on GSA Form 2689. Submit the form to the SBTA for review.

(f) *Reviews and timeframes.*

If...	Then...
(1) The acquisition meets any one of the following conditions: (i) It will be a multiple award schedule contract. (ii) The estimated value does not exceed \$500 million, including options. (iii) The contract will cover only one region or designated locations in one region (at any dollar value).	The SBTA provides a copy of the GSA Form 2689 to the SBA representative for review. The SBTA and the SBA representative must complete their review within 5 workdays after the SBTA receives the Form, or request an extension from you.
(2) The acquisition, excluding multiple award schedule contracts, meets either one of the following conditions: (i) The estimated value exceeds \$500 million (including options) and contract performance will occur in two or more regions. (ii) Based on political sensitivity or importance to GSA, the Associate Administrator for the Office of Small Business Utilization designates the acquisition for review.	The SBTA provides a copy of the GSA Form 2689 to the AAOSBU for review and comment on the decision. After the AAOSBU review, the SBTA submits the GSA Form 2689 to the SBA representative for review. The AAOSBU and SBTA each have 5 workdays to review the decision. All reviews and comments must be completed within 10 workdays after the SBTA receives the Form, or the SBTA must request a time extension from you.

(g) *Disagreements.* If a reviewing official disagrees with your decision not to set-aside an acquisition, the SBTA must provide you the rationale for the disagreement or provide you with additional small business sources that are interested in and capable of fulfilling the requirement. Review and consider any information provided by the SBTA before making a decision.

(h) *Resolving disagreements.* The Contracting Director in the applicable Central Office and/or Regional Service resolves disagreements between you and the SBTA. To resolve disagreements with the SBA representative, see FAR 19.505.

519.503 Setting aside a class of acquisitions for small business.

(a) *Definition.* A class set-aside is an item (or service), a group of related items under a Federal Supply Class (FSC), or a whole FSC set aside for exclusive small business participation on more than a one-time basis. If the item or group of items constitute only a small portion of an FSC, this definition still applies.

(b) *Determinations.* If you have procurement responsibility for the class of items or services involved, prepare the determination required by FAR 19.503. The determination can apply to either a total or partial set-aside.

519.506 Withdrawing or modifying small business set-asides.

If you and the SBTA disagree over the withdrawal or modification of a set-aside, the SBTA must notify the AAOSBU at the same time the matter is referred to the SBA PCR.

519.508 Solicitation provisions and contract clauses.

Insert [552.219-70](#), Allocation of Orders—Partially Set-Aside Items, in solicitations and requirements type supply contracts that are partially set aside for small business.

Subpart 519.6—Certificates of Competency and Determinations of Responsibility**519.602 Procedures.****519.602-3 Resolving differences between the agency and the Small Business Administration.**

(a) Within 5 business days after requesting the SBA Area Office to refer an intention to issue a Certificate of Competency to SBA Headquarters for review, forward the information in paragraphs (a)(1) and (a)(2) of this subsection to the AAOSBU through your designated SBTA. This period may be extended by mutual agreement.

(1) Copies of all correspondence between GSA and SBA concerning the case. Include the initial referral notice of nonresponsibility.

(2) Copies of all technical documents sent to SBA (for example, the solicitation, preaward surveys, or any abstract of offers). Include any new information and justify your decision to continue the appeal.

(b) After considering all the facts and conferring with the applicable contracting activity, the AAOSBU will decide whether or not to file a formal appeal. Before deciding not to appeal, the AAOSBU must notify the concerned activity. The AAOSBU also must notify you of the OSBU decision regarding the appeal.

(c) For decisions on cases over \$25,000,000, the AAOSBU shall confer with the contracting activity before

responding to SBA regarding either of the options in FAR 19.602-3(b)(1)(i) and (ii).

Subpart 519.7—The Small Business Subcontracting Program**519.700-70 Additional responsibilities.**

In addition to FAR 19.705 responsibilities, your preaward responsibilities include:

(a) Developing target goals for sealed bid solicitations when practicable.

(b) Following FAR 15.306, conducting discussions with individual offerors, as appropriate, concerning the subcontracting plans submitted for a negotiated solicitation.

519.702 Statutory Requirements.

In addition to the exemptions in FAR 19.702(b), other exemptions to the requirement for subcontracting plans include contracts with:

(a) Unicor (Federal Prison Industries).

(b) Nonprofit agencies of the National Industries for the Blind (NIB) and NISH awarded under the provisions of the Javits-Wagner-O'Day Act.

519.705 Responsibilities of the contracting officer under the subcontracting assistance program.**519.705-2 Determining the need for a subcontracting plan.**

(a) When you calculate the applicable threshold, consider the actual or estimated value of the contract for the entire term of the contract, including any option period(s). This also applies to schedule contracts and other indefinite delivery type contracts. Consider the estimated value of all orders expected to be placed during the term plus all options.

(b) FAR 19.705-2(d) permits you to require submission of subcontracting plans with initial offers under a negotiated acquisition. You must require all offerors (other than small business concerns) to submit subcontracting plans with their initial offers when a negotiated acquisition meets all conditions listed below:

(1) You anticipate receiving individual subcontracting plans (not commercial plans).

(2) You will award on the basis of trade-offs among cost or price and technical and/or management factors under FAR 15.101-1.

(3) The acquisition is not a commercial item acquisition.

(4) The acquisition offers more than minimal subcontracting opportunities.

(5) An offeror's subcontracting plan is identified as an evaluation factor in the solicitation.

(c) Nothing in paragraph (b) above limits your ability to request subcontracting plans with initial offers under other negotiated acquisitions when you decide such action is appropriate under FAR 19.705-2(d). For example, such action may be appropriate for multiple award schedules where GSA may have responsibility for negotiating commercial plans.

(d) Notify the AAOSBU after receipt of offers if you determine that an apparent successful offeror's proposal has no subcontracting opportunities.

(1) Coordinate the notice through your Small Business Technical Advisor. In a regional contracting activity, also coordinate the notice through the regional small business staff.

(2) Obtain AAOSBU concurrence on the determination prior to contract award.

519.705-3 Preparing the solicitation.

(a) If an acquisition, excluding any multiple award schedule contract, will cover two or more Regions and is estimated to exceed \$500 million (including options):

(1) In addition to the SBA PCR, provide the SBTA and Office of Small Business Utilization (E) a reasonable period of time to review any solicitation requiring submission of a subcontracting plan and to submit advisory findings before issuing the solicitation. Ensure that evaluation criteria contained in the solicitation do not unnecessarily limit subcontracting opportunities for small, HUBZone small, small disadvantaged, women-owned small, veteran-owned, and service-disabled veteran-owned small business concerns.

(2) For a negotiated acquisition, if you believe that the acquisition provides substantial subcontracting opportunities, consider including the offeror's subcontracting plan as an evaluation factor for award. This may be most appropriate in acquisitions when you expect individual plans or master plans. You should consult with your SBTA or regional SBUC to obtain any needed assistance with developing subcontracting plan evaluation criteria before incorporating the plan into the solicitation as an evaluation factor.

Target goals in sealed bidding

(b) Unrealistic target goals tend to inhibit competition or increase acquisition costs if goals are too high. Target goals that offer no challenge to potential contractors reflect poorly on GSA's commitment to ensure maximum practicable use of small, HUBZone small, small disadvantaged, women-owned small, veteran-owned, and service-disabled veteran-owned small business concerns as subcontractors.

(c) In establishing target goals for sealed bid solicitations, avoid using mechanical formulas or similar approaches that may be considered arbitrary. Reviewing historical performance by contractors performing similar work is valid, but you should consider each solicitation independently in terms

of the potential for subcontracting. Use as many information sources as practical, including your own knowledge of the supplies or services. Factors to consider in setting targets include:

- (1) Manufacturing processes involved.
- (2) Availability and location of potential subcontractors.
- (3) The basis for establishing subcontracting relationships.
- (4) The diversity in prevailing economic conditions in the place of contract performance.

(d) If you cannot establish realistic target goals, do not state specific targets in the solicitation.

(1) Establishing realistic target goals is likely to be a problem in contracting for supplies because the place of contract performance may not be known prior to contract award.

(2) Even if you can predict the area of contract performance because a particular industry is concentrated there, the diversity of manufacturing processes may affect the amount of subcontracting and how subcontracting relationships are established. For example, some manufacturers may use formal teaming arrangements or long term relationships versus nonrepetitive purchase orders.

519.705-4 Reviewing the subcontracting plan.

(a) You may provide offerors a model subcontracting plan when you determine it appropriate, *e.g.*, when it may facilitate evaluation or negotiation. You may use the model plan developed by the Office of Small Business Utilization (E) in [Appendix 519A](#). Include the following notice on the transmittal, if you provide a model in response to a single request, or in the solicitation, if you include it as an attachment:

Notice to Offerors: "GSA provides this model plan as a tool. You must adapt this model plan to fit your subcontracting situation. The plan is NOT a fill-in-the-blank form and you must remove instructional language. This model does not establish minimum requirements for an acceptable plan. The model reflects objectives GSA encourages contractors to adopt."

(b) Performance under other contracts is an indicator of an offeror's understanding of the reasons for the law and benefits of the program.

(1) If an offeror prepared a subcontracting plan for another contract, contact the contracting officer responsible for administering the earlier plan to determine if the offeror met the plan's objectives and submitted required reports in a timely manner.

(2) Consider overall compliance in your evaluation, not just whether or not the offeror met the goals established in the plan.

(3) Submission of timely reports is an indication the offeror takes its responsibilities seriously.

(c) Use CCR “Dynamic Small Business Search” to establish that the selected 8(a) firm is a current program participant.

(d) Establish the price with the selected 8(a) firm and prepare and issue a purchase order or contract in accordance with FAR Part 13.

(e) Forward to the SBA District Office serving the 8(a) firm a copy of the purchase order or contract within 5 days after the order is issued.

519.870-3 Acquisitions exceeding the SAT.

(a) In addition to the requirements of FAR 19.804-2, the offering letter must:

(1) State that the requirement is being offered under the GSA/SBA Memorandum of Understanding.

(2) Ask SBA to fax or e-mail its acceptance letter to you.

(b) SBA will determine the eligibility of the firm(s) and advise you within 5 working days of the receipt of the request. If SBA determines the firm is ineligible, then submit information on the next low offeror or next apparent successful offeror (as applicable) to the cognizant SBA district office.

(c) SBA must transmit its decision whether to accept the requirement to you in writing within 5 working days of receipt of the offering letter.

(d) If you do not receive an acceptance or rejection of the offering from SBA within 5 days of SBA’s receipt of the offering letter, you may assume that SBA has accepted the requirement and proceed with the acquisition.

(e) The acceptance letter includes all elements of eligibility (e.g., determination of adverse impact, North American Industry Classification System code appropriateness, and program eligibility) of the recommended 8(a) contractor. SBA will make a final determination of size eligibility for the procurement as of the date of the 8(a) concern’s initial offer which includes price.

(f) When required by FAR 15.4, obtain cost or pricing data directly from the 8(a) contractor.

519.870-4 Sole source requirements.

(a) For a sole source 8(a) requirement over the simplified acquisition threshold, the selected contractor is responsible for negotiating with you within the time you establish. If the 8(a) contractor does not negotiate within the established time and you cannot allow additional time, notify SBA. When you receive SBA’s approval, proceed with the acquisition from other sources.

(b) You have authority to negotiate directly with the 8(a) participant. However, if requested by the 8(a) participant, the SBA may participate in negotiations.

(c) Prepare the contract award or order to the 8(a) firm using your contracting activity’s normal, non-8(a) procedures

for similar acquisitions (e.g., contract type and dollar amount), except for the following:

(1) The award form must cite 41 U.S.C. 253(c)(5) and 15 U.S.C. 637(a) as the authority for use of other than full and open competition.

(2) Include SBA’s requirement number on the contract for acquisitions exceeding the SAT.

(3) Use a single award document between GSA and the 8(a) contractor. As such, a single signature by the Contracting Officer who is identified as having concurrent authority under the MOU to enter into 8(a) contracts will suffice (i.e., an SBA signature is not required). The “Issued by” block must identify the awarding GSA office. Your title must include SBA and the appropriate GSA business line, as illustrated below:

Contracting Officer for

SBA and GSA/(Name of Business Line)

(4) For a contract, have the 8(a) contractor sign the award document as the prime contractor. Place the 8(a) contractor’s name and address in the “awarded to” or “contractor name” block on the appropriate forms. At your discretion, you may also have the contractor sign a purchase order (See FAR 13.302-3).

519.870-5 Competitive requirements.

(a) Advertise competitive 8(a) acquisitions in Government Point of Entry (GPE), <http://www.fedbizopps.gov> in accordance with FAR 5.101(a)(1) and GSAR [505.101](#). Provide a copy of the announcement to the SBA’s coordinating office.

(b) Prepare the contract or order, and signatures, using the procedures in [519.870-4\(c\)](#).

519.870-6 Contract administration.

(a) Awards under the MOU are subject to 15 U.S.C. 637(a)(21). These contracts and orders contain the clause at [552.219-74](#), Section 8(a) Direct Award, that requires the 8(a) contractor to notify the SBA and the Contracting Officer when ownership of the firm is being transferred.

(b) For any contract or purchase order awarded pursuant to this MOU, you must coordinate contract termination and novation proceedings with SBA prior to initiating action.

519.870-7 Reporting.

(a) Under the MOU, GSA must report quarterly to SBA on direct (8) actions. GSA will make these reports to SBA through the Office of Small Business Utilization (E).

(b) Each business line (FSS, FTS, PBS)) will be responsible for electronically reporting to E within 10 days at the close of each fiscal year quarter the following information for each direct 8(a) contract, order, and modification:

(1) Contractor’s name.

(2) Contract number.

(3) SBA requirement number (for new contract awards only).

(4) Dollar amount obligated.

(5) Contract type.

(6) Contract period.

(7) If applicable, the modification number, modification award date, modification dollar amount.

(c) To facilitate reporting and avoid duplication of effort, GSA has developed a pre-programmed retrieval from the Federal Procurement Data System-Next Generation (FPDS-NG). Each business line must designate a point of contact to access the system and retrieve the report. The report will have all of the required data fields except the “requirement number” which is provided by SBA to the contracting officer for new contract awards (not modifications or orders) over the SAT. The designated point of contact will need to obtain the “requirement number” for new actions that appear on the report and add the “requirement number” in the blank field provided for any new contracts over the SAT.

519.870-8 Contract clauses.

(a) Insert the following clauses in solicitations, contracts, and orders issued under the MOU:

(1) Insert the clause at [552.219-74](#), Section 8(a) Direct Award.

(2) Insert the clause at FAR 52.219-14, Limitation on Subcontracting.

(3) Insert the clause at FAR 52.219-18, Notification of Competition Limited to Eligible 8(a) Concerns. Substitute the paragraph below for paragraph (c) of the clause. Add the word “Deviation” at the end of the clause title.

“(c) Any award resulting from this solicitation will be made directly by the Contracting Officer to the successful 8(a) offeror selected through the evaluation criteria set forth in this solicitation.”

(b) Do not use the clauses at FAR 52.219-11, Special 8(a) Contract Conditions, FAR 52.219-12, Special 8(a) Subcontract Conditions, or FAR 52.219-17, Section 8(a) Award.

Subpart 519.10—[Reserved]

Subpart 519.11—[Reserved]

Subpart 519.12—Small Disadvantaged Business Participation Program

519.1201 General.

A solicitation may separately contain source selection evaluation factors or subfactors for small and women-owned small business concerns. However, any factor or subfactor for SDB concerns must comply with FAR 19.12 and this subpart.

519.1202 Evaluation factor or subfactor.

519.1202-2 Applicability

In addition to the exceptions in FAR 19.1202-2, do not evaluate the extent of participation of SDB concerns in performance of multiple award schedule contracts when all fair and reasonable offers from responsible sources are accepted.

519.1202-4 Procedures.

An offeror may receive credit under the evaluation factor only for proposed SDB participation by a prime contractor, joint venture partner, teaming arrangement member, or subcontractor in the authorized North American Industry Classification System (NAICS) Industry Subsectors.

519.1203 Incentive subcontracting with small disadvantaged business concerns.

(a) To include monetary incentives in a contract under FAR 19.1203, you must have funds available for the incentives and obligate these at the time of contract award.

(b) Do not provide for monetary incentives under FAR 19.1203 in a contract that includes an award fee.

Subpart 519.13—Historically Underutilized Business Zone (HUBZone) Program

519.1305 HUBZone set-aside procedures.

(a) *Reviews and timeframes.* For an acquisition that exceeds the simplified acquisition threshold, if you decide not to set the acquisition aside for HUBZone Small Businesses,

submit your written decision to the SBTA for review. The following reviews and timeframes apply:

If...	Then...
<p>(1) The acquisition meets any one of the following conditions:</p> <p>(i) It will be a multiple award schedule contract.</p> <p>(ii) The estimated value does not exceed \$500 million, including options.</p> <p>(iii) The contract will cover only one region or designated locations in one region (at any dollar value).</p>	<p>The SBTA provides a copy of the decision not to set aside for HUBZone small business concerns to the SBA representative for review. The SBTA and the SBA representative must complete their review within 5 workdays after the SBTA receives the decision, or request an extension from you.</p>
<p>(2) The acquisition, excluding multiple award schedule contracts, meets either one of the following conditions:</p> <p>(i) The estimated value exceeds \$500 million (including options) and contract performance will occur in two or more regions.</p> <p>(ii) Based on political sensitivity or importance to GSA, the Associate Administrator for the Office of Small Business Utilization designates the acquisition for review.</p>	<p>The SBTA provides a copy of the decision to the AAOSBU for review and comment. After the AAOSBU review, the SBTA submits the decision to the SBA representative for review. The AAOSBU and SBTA each have 5 workdays to review the decision. All reviews and comments must be completed within 10 workdays after the SBTA receives the decision, or the SBTA must request a time extension from you.</p>

(b) *Disagreements.* If a reviewing official disagrees with your decision not to set-aside an acquisition, the SBTA must provide you the rationale for the disagreement or provide you with additional HUBZone small business sources that are interested in and capable of fulfilling the requirement. Review and consider any information provided by the SBTA before making a decision.

(c) *Resolving disagreements.* The Contracting Director resolves disagreements between you and the SBTA. Disagreements with the SBA representative, are resolved consistent with FAR 19.1305(e).

(d) *Setting aside a class of acquisitions.* (1) *Definition.* A HUBZone small business class set-aside means an item, a group of related items under a Federal Supply Class (FSC), or a whole FSC set aside for exclusive HUBZone small business participation on more than a one-time basis. If the item or group of items constitute only a small portion of an FSC, this definition still applies.

(2) *Determination.* If you have procurement responsibility for the class of items involved, prepare the determination required by FAR 19.503.

(3) *Withdrawing or modifying HUBZone small business concern set-asides:* If you and the SBTA disagree over

the withdrawal or modification of a HUBZone small business set-aside, the SBTA must notify the AAOSBU at the same time the matter is referred to the SBA PCR.

Subpart 519.14—Service-Disabled Veteran-Owned Small Business Procurement Program

519.1405 Service-disabled veteran-owned small business set-aside procedures.

(a) Setting aside a class of acquisitions.

(1) *Definition.* A SDVOSB class set-aside means an item, a group of related items under a Federal Supply Class (FSC), or a whole FSC set aside for exclusive SDVOSB participation on more than a one-time basis, including an item or group of items which constitute only a small portion of an FSC.

(2) *Determination.* If you have procurement responsibility for the class of items involved, prepare the determination required by FAR 19.503.

(b) Withdrawing or modifying *SDVOSB* concern set-asides: If you and the SBTA disagree over the withdrawal or modification of a SDVOSB set-aside, the SBTA must notify the AAOSBU at the same time the matter is referred to the SBA PCR.

519.1405-70 Additional Responsibilities—Service Disabled Veteran Executive Order

Executive Order 13360 (69 FR 62549, October 26, 2004) gives additional responsibilities to GSA to:

(a) Develop a strategy to implement the policy set forth in Executive Order 13360. This policy states that agencies shall provide the opportunity for service-disabled veteran businesses to significantly increase the Federal contracting and subcontracting of such businesses. To achieve that objective, agencies shall more effectively implement section 15(g) of the Small Business Act (15 U.S.C. 644(g)), which provides that the President must establish a goal of not less than 3 percent for participation by service-disabled veteran businesses in Federal contracting, and section 36 of that Act (15 U.S.C. 657f), which gives agency contracting officers the authority to reserve certain procurements for service-disabled veteran businesses.

(b) GSA must make its strategy publicly available and report annually to the Administrator of the Small Business Administration on implementation of the agency's strategy.

(c) The Administrator of General Services Administration shall:

(1) Establish a Government-wide Acquisition Contract reserved for participation by service-disabled veteran businesses; and

(2) Assist service-disabled veteran businesses to be included in Federal Supply Schedules.

(d) GSA maintains a service-disabled veteran-owned small business website, (www.gsa.gov/service-disabled.) This website targets the GSA acquisition community and service-disabled veteran-owned small businesses by providing current information about the program and other information such as Frequently Asked Questions

Subpart 519.70—GSA Mentor-Protégé Program

519.7001 Scope of subpart.

The GSA Mentor-Protégé Program is designed to encourage and motivate GSA prime contractors to assist small businesses concerns, small disadvantaged businesses concerns, women-owned small businesses concerns, veteran-owned small business concerns, service-disabled veteran-owned small businesses concerns, and HUBZone small businesses concerns, and enhance their capability of performing successfully on GSA contracts and subcontracts, foster the establishment of long-term business relationships between these small business entities and GSA prime contractors, and increase the overall number of small business entities that receive GSA contract and subcontract awards.

519.7002 Definitions.

The definitions of small business concern, small disadvantaged business concern, HUBZone small business concern, women-owned small business concern, veteran-owned small business concern, and service-disabled veteran-owned small business concern are the same as found in FAR 2.101. Also see 13 CFR 121, 124, 125 and 126.

(a) “Mentor” as used in the GSA Mentor-Protégé Program, is a prime contractor that elects, on a specific GSA contract, to promote and develop small business subcontractors by providing developmental assistance designed to enhance the business success of the protégé.

(b) “Mentor-Protégé Program Manager” means an employee in the Office of Small Business Utilization (OSBU) (E) designated by the Associate Administrator of OSBU to manage the Mentor-Protégé Program.

(c) “Protégé” as used in the GSA Mentor-Protégé Program is a small business concern that is the recipient of developmental assistance pursuant to a mentor-protégé arrangement on a specific GSA contract.

519.7003 General Policy.

(a) A large business prime contractor that meets the requirements at section [519.7006](#), and is approved as a mentor firm by the Mentor-Protégé Program Manager, may enter into an Agreement with a small business concern, small disadvantaged business concern, women-owned small business concern, veteran-owned small business concern, service-disabled veteran-owned small business concern or HUBZone small business concern that meets the requirements for being a protégé (see [519.7007](#)) in order to provide appropriate developmental assistance to enhance the capabilities of the protégé to perform successfully as a subcontractor and supplier.

(b) A small business prime contractor that is capable of providing developmental assistance to protégés, may also be approved as a mentor.

(c) An active mentor-protégé arrangement requires the protégé to either be a current or newly selected subcontractor under the mentor’s prime contract with GSA.

(d) A small business concern’s status as a protégé under a GSA contract shall not have an effect on its ability to seek other prime contracts or subcontracts.

(e) Potential Mentors may submit an application for admittance to the Mentor-Protégé Program at any time as long as the requirements at section [519.7006](#) are met.

(f) The determination of affiliation is a function of the SBA.

519.7004 Incentives for prime contractors.

(a) Under the Small Business Act, 15 U.S.C. 637(d)(4)(E), the GSA is authorized to provide appropriate incentives to prime contractors in order to encourage subcontracting opportunities for small business concerns consistent with the efficient and economical performance of the contract. This authority is limited to negotiated procurements, including the GSA Multiple Award Schedule contracts and the GSA Governmentwide Acquisition Contracts. It does not include orders under any GSA contracts.

(b) Costs incurred by a mentor to provide developmental assistance, as described in section [519.7012](#) to fulfill the terms of their agreement(s) with a protégé firm(s), are not reimbursable as a direct cost under a GSA contract. If GSA is the mentor’s responsible audit agency under FAR 42.703-1, GSA will consider these costs in determining indirect cost rates. If GSA is not the responsible audit agency, mentors are encouraged to enter into an advance agreement with their responsible audit agency on the treatment of such costs when determining indirect cost rates.

(c) In addition to paragraph (b) of this section, contracting officers may give mentors evaluation credit during the source selection process for subcontracts awarded under their subcontracting plans pursuant to their Mentor-Protégé Agreements. (See FAR 15.101-1). Therefore:

(1) Contracting officers may evaluate proposals with subcontracting plans containing Mentor-Protégé Agreements more favorably than proposals with subcontracting plans that do not include Mentor-Protégé Agreements; and

(2) Contracting officers may assess the prime contractor's compliance with the subcontracting plans submitted in previous contracts as a factor in evaluating past performance under certain circumstances (see FAR 15.304(c)(3) and 15.305(a)(2)(v)) and determining contractor responsibility FAR section 19.705-5(a)(1).

(d) *OSBU Mentoring Award*. A non-monetary award may be presented annually to the mentoring firm providing the most effective developmental support of a protégé. The Mentor-Protégé Program Manager will recommend an award winner to the Administrator of GSA.

(e) *OSBU Mentor-Protégé Annual Conference*. At the conclusion of each year in the Mentor-Protégé Program, mentor firms will be invited to brief contracting officers, program leaders, office directors, and other guests on their experience and progress under the Program. Participation is voluntary.

519.7005 Measurement of program success.

The overall success of the GSA Mentor-Protégé Program encompassing all participating mentors and protégés will be measured by the extent to which it results in:

(a) An increase in the number, dollar value, and percentage of subcontracts awarded to protégés by mentor firms under GSA contracts since the date of entry into the Program. The baseline that demonstrates an increase is determined by comparing the number and total dollar amount of subcontract awards made to the identified protégé firm(s) during the two preceding fiscal years (if any) that are listed in application;

(b) An increase in the number and dollar value of contract and subcontract awards (including percentage of subcontract awards) to protégé firms since the date of the protégé's entry into the Program (under GSA contracts and contracts awarded by other Federal agencies);

(c) An increase in the number and dollar value of subcontracts awarded to a protégé firm by its mentor firm; and

(d) An increase in subcontracting with protégé firms in industry categories where they have not traditionally participated within the mentor firm's activity (i.e., the protégé is expanding its field of expertise or is increasing its opportunities in areas where it has not traditionally performed).

(e) Assessments of the semi-annual reports submitted by the mentors and "Lessons Learned" evaluation submitted by the mentors and protégés to the GSA Mentor-Protégé Program Manager.

519.7006 Mentor firms.

(a) Mentors must be:

(1) A large business prime contractor that is currently performing under an approved subcontracting plan as required by FAR 19.7 - Small business mentors are exempted; or

(2) A small business prime contractor that can provide developmental assistance to enhance the capabilities of protégés to perform as contractors, subcontractors, and suppliers;

(b) Must be eligible (not listed in the "Excluded Parties List System") for U.S. Government contracts and not excluded from the Mentor-Protégé Program under section [519.7014\(b\)](#);

(c) Must be able to provide developmental assistance that will enhance the ability of protégés to perform as contractors and subcontractors; and

(d) Must provide semi-annual reports detailing the assistance provided and the cost incurred in supporting protégés.

519.7007 Protégé firms.

(a) For selection as a protégé, a firm must be:

(1) A small business concern, small disadvantaged business concern, veteran-owned small business concern, service-disabled veteran-owned small business concern, HUB-Zone small business concern, or women-owned small business concern;

(2) Small for the NAICS code the prime contractor/mentor assigns to the subcontract; and

(3) Eligible (not listed in the "Excluded Parties List System") for U.S. Government contracts and not excluded from the Mentor-Protégé Program under section [519.7014\(b\)](#).

(b) A protégé firm may self-represent to a mentor firm that it meets the requirements set forth in paragraph (a) of this section. Mentors may check the Central Contractor Registration (CCR) at www.ccr.gov to verify that the self-representation of the potential protégé meets the specified small business and socioeconomic category eligibility requirements (see FAR 19.703(b) and (d)). HUBZone and small disadvantaged business status eligibility and documentation requirements are determined according to 13 CFR Parts 124 and 126.

(c) A protégé firm must not have another formal, active mentor-protégé relationship under GSA's Mentor-Protégé Program but may have an active mentor-protégé relationship under another agency's program.

519.7008 Selection of protégé firms.

(a) Mentor firms will be solely responsible for selecting protégé firms. Mentors are encouraged to select from a broad base of small business concerns including small disadvantaged business concerns, women-owned small business concerns, veteran-owned small business concerns, service-disabled veteran-owned small business concerns, and HUBZone small business concerns. A protégé must be either a current subcontractor or a newly selected subcontractor for the prime contractor's GSA contract.

(b) Mentor firms may have more than one protégé. GSA reserves the right to limit the number of protégés participating under each mentor firm.

(c) The selection of protégé firms by mentor firms is not protestable, except for a protest regarding the size or eligibility status of an entity selected by a mentor to be a protégé. Such protests shall be handled in accordance with FAR 19.703(b). The contracting officer shall notify the Office of Small Business Utilization (OSBU) of the protest.

519.7009 Application process.

(a) Prime contractors interested in becoming a mentor firm must apply in writing by submitting the GSA Form 3695 to the GSA Mentor-Protégé Program Manager, at GSA Office of Small Business Utilization (E), Washington, DC 20405. The Application shall include the Mentor-Protégé Agreement and will be evaluated for approval based on the extent to which the company plans to provide developmental assistance.

(b) The application must contain:

(1) A statement that the mentor firm is currently performing under at least one active approved subcontracting plan (small business exempted) and the firm is eligible, as of the date of Application, for the award of Federal contracts;

(2) The number of proposed protégé arrangements;

(3) Data on all current GSA contracts, and subcontracts including the contract/subcontract number(s), type of contract(s), period of performance (including options), contract/subcontract value(s) including options, technical program effort(s) (program title), name of GSA Project Manager or Contracting Officer's Representative (including contact information), name of contracting officer(s) and contact information, and awarding GSA installation;

(4) Data on total number and dollar value of subcontracts awarded under GSA prime contracts within the past 2 years and the number and dollar value of such subcontracts awarded to entities who are proposed protégés;

(5) Information on the proposed types of developmental assistance. For each proposed mentor-protégé relationship include information on the company's ability to provide developmental assistance to the identified protégé firm and how that assistance will potentially increase subcontracting opportunities for the protégé firm, including subcontracting opportunities in industry categories where these entities are not dominant in the company's current subcontractor base; and

(6) Agreement information as listed in [519.7010](#).

519.7010 Agreement contents.

The contents of the Agreement must contain:

(a) Names, addresses (including facsimile, e-mail, and homepage) and telephone numbers of mentor and protégé firms and the name, telephone number, and position title within both firms of the person who will oversee the Agreement.

(b) An eligibility statement from the protégé stating that it is a small business, its primary NAICS code, and when applicable the type of small business (small disadvantaged business concern, HUBZone small business concern, women-owned small business concern, veteran-owned small business concern, or service-disabled veteran-owned small business concern).

(c) A description of the type of developmental assistance that will be provided by the mentor firm to the protégé firm (see [519.7012](#)).

(d) Milestones for providing the identified developmental assistance.

(e) Factors to assess the protégé firm's developmental progress under the Program.

(f) The anticipated dollar value and type of subcontracts that may be awarded to the protégé firm consistent with the extent and nature of mentor firm's business, and the period of time over which they may be awarded.

(g) Program participation term: State the period of time over which the developmental assistance will be performed.

(h) *Mentor termination procedures*: Describe the procedures applicable to the mentor firm when notifying the Protégé firm, in writing and at least 30 days in advance, of the mentor firm's intent to voluntarily withdraw its participation in the Program, or to terminate the Agreement.

(i) *Protégé termination procedures*: Describe the procedures applicable to the protégé firm when notifying the mentor firm, in writing at least 30 days in advance, of the protégé firm's intent to terminate the Mentor-Protégé Agreement.

(j) Plan for accomplishing contract work should the Mentor-Protégé Agreement be terminated or a party excluded under [519.7014\(b\)](#). The mentor's prime contract with GSA continues even if the Mentor-Protégé Agreement or the Mentor-Protégé Program is discontinued.

(k) The protégé must agree to provide input into the mentor firm's semi-annual reports (see [519.7015](#)). The protégé must submit a "Lessons Learned" evaluation along with the mentor firm at the conclusion of the Mentor-Protégé agreement.

(1) Other terms and conditions as specified by the Mentor-Protégé Manager on a case-by-case basis.

519.7011 Application review.

(a) The Mentor-Protégé Program Manager will review the information specified in section [519.7009\(b\)](#) and [519.7010](#) to establish the Mentor's and Protégé's eligibility and to ensure all necessary information is included. If the application relates to a specific contract, then the Mentor-Protégé Program Manager will consult with the applicable contracting officer regarding the adequacy of the proposed Agreement, as appropriate. The Mentor-Protégé Program Manager will complete its review no later than 30 days after receipt of the application. The contracting officer must provide feedback to the Program Manager no later than 10 days after receipt of the application.

(b) After the Mentor-Protégé Program Manager completes its review and provides written approval, the Mentor may execute the Agreement and implement the developmental assistance as provided under the Agreement. The Mentor-Protégé Program Manager will provide a copy of the Mentor-Protégé Agreement to the GSA contracting officer for any GSA contracts affected by the Agreement.

(c) The Agreement defines the relationship between the Mentor and the Protégé firms only. The Agreement itself does not create any privity of contract or contractual relationship between the Mentor and GSA nor the Protégé and GSA.

(d) If the Agreement is disapproved, the Mentor may provide additional information for reconsideration. The Mentor-Protégé Program Manager will complete the review of any supplemental information no later than 30 days after its receipt. Upon finding deficiencies that GSA considers correctable, the Mentor-Protégé Program Manager will notify the Mentor and Protégé and request correction of the deficiencies to be provided within 15 days.

519.7012 Developmental assistance.

The forms of developmental assistance a mentor can provide to a protégé include:

(a) Management guidance relating to—

- (1) Financial management;
- (2) Organizational management;
- (3) Overall business management/planning; and
- (4) Business development.

(b) Engineering and other technical assistance.

(c) Loans.

(d) Rent-free use of facilities and/or equipment.

(e) Temporary assignment of personnel to the protégé for purpose of training.

(f) Any other types of developmental assistance approved by the GSA Mentor-Protégé Program Manager.

519.7013 Obligation.

(a) The mentor or protégé may terminate the Agreement in accordance with [519.7010](#). The mentor will notify the Mentor-Protégé Program Manager and the contracting officer, in writing, at least 30 days in advance of the mentor firm's intent to voluntarily withdraw from the Program or to terminate the Agreement, or upon receipt of a protégé's notice to withdraw from the Program.

(b) Mentor and protégé firms will submit a "Lessons Learned" evaluation to the GSA Mentor-Protégé Program Manager at the conclusion or termination of each Mentor-Protégé Agreement or withdrawal from the Mentor-Protégé program.

519.7014 Internal controls.

(a) The GSA Mentor-Protégé Program Manager will manage the Program. Internal controls will be established by the Mentor-Protégé Program Manager to achieve the stated Program objectives (by serving as checks and balances against undesired actions or consequences) such as:

(1) Reviewing and evaluating mentor Applications for realism, validity and accuracy of provided information;

(2) Monitoring each Mentor-Protégé Agreement by reviewing semi-annual progress reports submitted by mentors and protégés on protégé development to measure protégé progress against the master plan contained in the approved Agreement;

(3) Monitoring milestones in the Agreement (see [519.7010](#)); and

(4) Evaluating "Lessons Learned" submitted by the Mentor and the Protégé as required by section [519.7013](#) to improve the GSA Mentor-Protégé Program.

(b) (1) GSA has the authority to exclude mentor or protégé firms from participating in the GSA Program.

(2) GSA may rescind approval of an existing Mentor-Protégé Agreement if it determines that such action is in GSA's best interest. The rescission shall be in writing and sent to the Mentor and protégé after approval by the Director of OSBU. Rescission of an Agreement does not change the terms of any subcontract between the Mentor and the Protégé.

(3) Exclusion from the Program does not constitute a termination of the subcontract between the mentor and the protégé.

519.7015 Reports.

(a) Semi-annual reports shall be submitted by the mentor to the GSA Mentor-Protégé Program manager to include information as outlined in section [552.219-76\(c\)](#).

(b) Protégés must agree to provide input into the mentor firm's semi-annual reports detailing the assistance provided and goals achieved since agreement inception. However, for cost reimbursable contracts, costs associated with the preparation of these reports are unallowable costs under these Government contracts and will not be reimbursed by the Government.

(c) The GSA contracting officer, or if applicable the technical program manager, shall include an assessment of the prime contractor's (mentor's) performance in the Mentor-Pro

tégé Program in a quarterly "Strengths and Weaknesses" evaluation report. A copy of this assessment will be provided to the Mentor-Protégé Program Manager and to the mentor and protégé.

519.7016 Program review.

At the conclusion of each year in the Mentor-Protégé Program (anniversary date of the Mentor-Protégé Program), the prime contractor and protégé, as appropriate, will formally brief the GSA Mentor-Protégé Program Manager, the technical program manager, and the contracting officer regarding Mentor-Protégé Program accomplishments pertaining to the approved Agreement.

519.7017 Contract clauses.

(a) The contracting officer shall insert the clause at [552.219-75](#), GSA Mentor-Protégé Program, in all unrestricted solicitations (not set aside) and contracts that exceed the simplified acquisition threshold that offer subcontracting opportunities or in the case of a small business, that can offer developmental assistance to a small business protégé.

(b) The contracting officer shall insert the clause at [552.219-76](#), Mentor Requirements and Evaluation, in contracts anticipated to exceed the simplified acquisition threshold where the prime contractor has signed a Mentor-Protégé Agreement with GSA.

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PART 553—FORMS

Sec.

Subpart 553.1—General		
553.101	Requirements for use of forms.	553.370-1766 GSA Form 1766, Structured Approach Profit/Fee Objective.
553.102	Current editions.	
553.170	Establishing and revising GSA Forms.	553.370-2728 GSA Form 2728, Procurement Contract Register.
Subpart 553.3—Illustrations of Forms		
553.300	Scope of subpart.	553.370-3186 GSA Form 3186, Order for Supplies or Services.
553.300-70	Forms not illustrated.	553.370-3186B GSA Form 3186B, Order for Supplies or Services (EDI).
553.370-618D	[Removed]	553.370-3410 GSA Form 3410, Request for Appointment.
553.370-1378	GSA Form 1378, Record of, and Receipt for, Bids and Responses.	553.370-3471 GSA Form 3471, Abstract of Offers.
553.370-1458	GSA Form 1458, Motor Vehicle Shop Work Order, Repair and Purchase Order.	553.370-3521 Blanket Purchase Agreement.
553.370-1535A	GSA Form 1535A, Recommendation for Award(s) (Continuation).	553.370-3577 [Removed]
553.370-1602	GSA Form 1602, Notice Concerning Solicitation.	553.370-3611 GSA Form 3611, Cover Page Source Selection Information.
553.370-1678	GSA Form 1678, Status Report of Orders and Shipments.	553.370-8002A GSA Form 8002A, Motor Vehicle Requisition Status.
553.370-1720	GSA Form 1720, Request for Release of Classified Information to U.S. Industry.	553.370-8002B GSA Form 8002B, Motor Vehicle Delivery Order.

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PART 553—FORMS

Subpart 553.1—General

553.101 Requirements for use of forms.

Parts 501–552 and 570 prescribe the requirements for use of GSA forms illustrated or referenced in this part. You may identify the prescription as follows:

(a) *Forms available on-line.* The list of forms available on-line in 553.370-1 identifies the basic prescription for each referenced form.

(b) *Illustrated forms.* The prescription for each illustrated form is identified by a cross-reference shown on the illustration. When a form is mentioned in more than one place in this regulation, the section referenced on the illustration is the section that contains the basic prescription.

553.102 Current editions.

You must use the current edition of the forms identified in [Subpart 553.3](#) unless otherwise authorized under this regulation.

553.170 Establishing and revising GSA Forms.

(a) If two or more GSA Services or Offices use a GSA form, the Office of Acquisition Policy maintains the form.

(b) If only one GSA Service or Office uses a GSA form or if the form is used for a contract type unique to one Service or Office (e.g., construction contracts), that Service or Office is responsible for maintaining the form.

(c) Any proposed new or revised GSA acquisition related form must be submitted to the Office of Acquisition Policy for review and concurrence.

Subpart 553.3—Illustrations of Forms

553.300 Scope of subpart.

This subpart illustrates standard and GSA forms prescribed or referenced in Parts 501–551 and 570. Instructions on completing a form, if included, are identified by the suffix “I” after the GSAR section number.

553.300-70 Forms not illustrated.

This subpart does not illustrate either:

(a) Standard forms illustrated in the FAR.

(b) Forms available on-line. You can access the forms listed below at the location indicated.

Reference	Form No.	Title	On-line Location
570.701	Standard Form 2	U.S. Government Lease for Real Property	http://www.gsa.gov/pbs/pe/stancla/stancla.htm
552.238-74	GSA Form 72A	Contractor’s Report of Sales	http://vsc.gsa.gov
570.702(b)	GSA Form 276	Supplemental Lease Agreement	http://www.gsa.gov/forms
513.302-70(b)	GSA Form 300	Order for Supplies and Services	http://www.gsa.gov/forms
513.302-70(a)(3)	GSA Form 300A	Order for Supplies and Services (Continuation)	http://www.gsa.gov/forms
509.105-1(a)	GSA Form 527	Contractor’s Qualifications and Financial Information	http://www.gsa.gov/forms
532.905-71(a)	GSA Form 1142	Release of Claims	http://www.gsa.gov/forms
570.802(c)	GSA Form 1364	Proposal to Lease Space	http://www.gsa.gov/forms
570.802(d)	GSA Form 1217	Lessor’s Annual Cost Statement	http://www.gsa.gov/forms
514.407-72	GSA Form 1535	Recommendation for Award(s)	http://www.gsa.gov/forms
513.106-3	GSA Form 2010	Small Purchase Tabulation Source List/Abstract	http://www.gsa.gov/forms
532.905-70	GSA Form 2419	Certification of Progress Payments Under Fixed-Price Construction Contracts	http://www.gsa.gov/forms
519.502-70	GSA Form 2689	Small Business Analysis Record	http://www.gsa.gov/forms
501.603-3(e)(1)	GSA Form 3409	Personal Qualifications Statement for Appointment as Contracting Officer	http://www.gsa.gov/forms
504.803(b)	GSA Form 3420	Contract/Modification File Checklist File Format (Award)	http://www.gsa.gov/forms
503.104-4	GSA Form 3617	Record of Authorization of Access to Proprietary or Source Selection Information	http://www.gsa.gov/forms
570.702(a)	GSA Form 3626	U.S. Government Lease for Real Property (Short Form)	http://www.gsa.gov/pbs/pe/stancla/stancla.htm
519.7009(a)	GSA Form 3695	Mentor-Protégé Program Application	http://www.gsa.gov/forms

553.370-1766 GSA Form 1766, Structured Approach Profit/Fee Objective.

STRUCTURED APPROACH PROFIT/FEE OBJECTIVE				
CONTRACTOR			RFP/CONTRACT NO.	
BUSINESS UNIT [515.404-4(e)]			CONTRACT TYPE	
ADDRESS				
CONTRACTOR EFFORT				
1. COST CATEGORY	GOVERNMENT'S COST OBJECTIVE	WEIGHT RANGE	ASSIGNED WEIGHT	WEIGHTED PROFIT/FEE ((a) x (c))
	(a)	(b)	(c)	(d)
MATERIAL ACQUISITION		1% TO 4%		
DIRECT LABOR		4% TO 12%		
OVERHEAD		3% TO 8%		
OTHER COSTS		1% TO 3%		
GENERAL MANAGEMENT (G & A)		4% TO 8%		
1A. TOTAL				
OTHER FACTORS				
2. FACTOR	MEASUREMENT BASE	WEIGHT RANGE	ASSIGNED WEIGHT	WEIGHTED PROFIT/FEE 1.A (a) x (c)
	(a)	(b)	(c)	(d)
COST RISK	TOTAL COST OBJECTIVE 1.A (a)	0 TO 7%		
INVESTMENT		-2% TO +2%		
PERFORMANCE		-2% TO +2%		
SOCIO-ECONOMIC PROGRAMS		-.5% TO +.5%		
SPECIAL SITUATIONS		-2% TO +2%		
2A TOTAL OTHER FACTORS				
3. SUBTOTAL PROFIT/FEE LINES (1.A) + (2.A)				
4. LESS FACILITIES CAPITAL COST OF MONEY				-
5. TOTAL PROFIT/FEE OBJECTIVE LINE (3) - (4)				

CHANGE 49 JUNE 28, 2011

553.370-2689

GENERAL SERVICES ADMINISTRATION ACQUISITION MANUAL

553.370-2689 Small Business Analysis Record.

[Go to <http://www.gsa.gov/forms> to access form.]