

## PART 52

### SOLICITATION PROVISIONS AND CONTRACT CLAUSES

#### **52.219-18 ALTERNATE FOR ACQUISITIONS UNDER 19.800**

**(Deviation) (date)**

When the acquisition is processed under the PA cited in 19.800, substitute the following for paragraph c in 52.219-18:

(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.

#### **SECTION 8 (A) DIRECT AWARDS.**

As prescribed in 19.8 (f), insert the following clause:

#### **SECTION 8(A) DIRECT AWARD (DATE)**

(a) This contract is issued as a direct award between the contracting activity and the 8 (a) contractor pursuant to the Partnership Agreement between the Small Business Administration (SBA) and the Department of Health and Human Services. SBA does retain responsibility for 8 (a) certification, 8 (a) eligibility determinations and related issues, and providing counseling and assistance to the 8 (a) contractor under the 8 (a) program. Notwithstanding any other term and condition set forth in this contract, SBA is prime contractor. The cognizant SBA district office is:

*[To be completed by Contracting Officer at time of award]*

(b) The contracting activity is responsible for administering the contract and taking any action on behalf of the Government under the terms and conditions of the contract. However, the contracting activity shall give advance notice to the SBA before it issues a final notice terminating performance, either in whole or in part, under the contract. The contracting activity shall also coordinate with SBA prior to processing any novation agreement. The contacting activity may assign contract administration functions to a contract administration office.

(c) The contractor agrees:

(1) to notify the Contracting Officer, simultaneous with its notification to SBA (as required by SBA's 8 (a) regulations), when the owner or owners upon whom 8 (a) eligibility is based plan to relinquish ownership or control of the concern. Consistent with 15 U.S.C. 637(a)(21), transfer of ownership or controls shall result in termination of the contract for convenience, unless SBA waives the requirement for termination prior to the actual relinquishing of ownership and control.

(2) it will adhere to the requirements of 52.219-14,

Limitations on Subcontracting.

**(END OF CLAUSE)**