

3.6.1-8 Notification of Competition Limited to Eligible SDB Concerns (February 2003)

(a) Offers are solicited only from "eligible small disadvantaged business (SDB)" concerns. As used herein, an "eligible SDB" concern is a small business concern expressly certified by the Small Business Administration (SBA) for participation in one of SBA's set-aside programs and which meets the following criteria at the time of release of the initial RFI/RFP or public announcement (if issued), whichever is first:

(1) The offeror is in conformance with the small disadvantaged business support limitation set forth in its approved business plan; and

(2) The offeror is in conformance with the Business Activity Targets set forth in its approved business plan or any remedial action direct by the SBA.

(b) By submission of its offer, the offeror certifies that it meets all of the criteria set forth in paragraph (a) of this clause.

(c) (1) Agreement. A manufacturer or regular dealer submitting an offer in its own name agrees to furnish, in performing the contract, only end items manufactured or produced by small business concerns inside the United States, its territories or possessions, the Commonwealth of Puerto Rico, or the Trust Territory of the Pacific Islands. However, this requirement does not apply in connection with construction or service contracts.

(2) The [Offeror insert name here] will notify the [Insert name of TSA Contracting Officer] in writing immediately upon entering an agreement (either oral or written) to transfer all or part of its stock or other ownership interest to any other party.

(End of clause)

PRESCRIPTION

Shall be used in RFI/RFP's and contracts set-aside for competition among small disadvantaged business (SDB) concerns. The Contracting Officer should insert appropriate information in the clause.