

## Small Business Administration

## § 121.603

### **§ 121.508 What are the size standards and other requirements for the purchase of Government-owned Special Salvage Timber?**

(a) In order to purchase Government-owned Special Salvage Timber from the United States Forest Service or the Bureau of Land Management as a small business, a concern must:

(1) Be primarily engaged in the logging or forest product industry;

(2) Have, together with its affiliates, no more than twenty-five employees during any pay period for the last twelve months; and

(3) If it does not intend at the time of offer to resell the timber—

(i) Agree that it will manufacture a significant portion of the logs with its own employees; and

(ii) Agree that it will log the timber only with its own employees or with employees of another business which is eligible for award of a Special Salvage Timber sales contract; or

(4) If it intends at the time of offer to resell the timber, agree that it will perform a significant portion of timber logging with its own employees and that it will subcontract the remainder of the timber logging to a concern which is eligible for award of a Special Salvage Timber sales contract.

### **§ 121.509 What is the size standard for leasing of Government land for coal mining?**

A concern is small for this purpose if it:

(a) Together with its affiliates, does not have more than 250 employees;

(b) Maintains management and control of the actual mining operations of the tract; and

(c) Agrees that if it subleases the Government land, it will be to another small business, and that it will require its sublessors to agree to the same.

### **§ 121.510 What is the size standard for leasing of Government land for uranium mining?**

A concern is small for this purpose if it, together with its affiliates, does not have more than 100 employees.

### **§ 121.511 What is the size standard for buying Government-owned petroleum?**

A concern is small for this purpose if it is primarily engaged in petroleum refining and meets the size standard for a petroleum refining business.

### **§ 121.512 What is the size standard for stockpile purchases?**

A concern is small for this purpose if:

(a) It is primarily engaged in the purchase of materials which are not domestic products; and

(b) Its annual receipts, together with its affiliates, do not exceed \$48.5 million.

[61 FR 3286, Jan. 31, 1996, as amended at 67 FR 3056, Jan. 23, 2002]

## SIZE ELIGIBILITY REQUIREMENTS FOR THE 8 (a) BUSINESS DEVELOPMENT PROGRAM

### **§ 121.601 What is a small business for purposes of admission to SBA's 8(a) Business Development program?**

An applicant must not exceed the size standard corresponding to its primary industry classification in order to qualify for admission to SBA's 8(a) Business Development Program.

[69 FR 29205, May 21, 2004]

### **§ 121.602 At what point in time must a 8(a) BD applicant be small?**

A 8(a) BD applicant must be small for its primary industry at the time SBA certifies it for admission into the program.

[61 FR 3286, Jan. 31, 1996, as amended at 69 FR 29206, May 21, 2004]

### **§ 121.603 How does SBA determine whether a Participant is small for a particular 8(a) BD subcontract?**

(a) *Self certification by Participant.* A 8(a) BD Participant must certify that it qualifies as a small business under the NAICS code assigned to a particular 8(a) BD subcontract as part of its initial offer including price to the procuring agency. The Participant also must submit a copy of its offer, including its self-certification as to size, to the appropriate SBA district office at the same time it submits the offer to the procuring agency. *See* §121.404 for