

8(a) Offering Letter Guidance

(Reminder: Seek assistance from your local Deputy for Small Business)

Requirements (*FAR 19.804-2; DFARS 219.804-2*):

- Required for 8(a) competitive or sole source acquisitions >simplified acquisition threshold
- Offer and SBA acceptance must be received prior to synopsis, issuance of solicitation, receipt of proposals, negotiations, or award
- Submit signed offering letter to SBA via email or facsimile

[Note: For 8(a) purchase orders less than the simplified acquisition threshold, no offering letter is required. However, a signed copy of the purchase order must be provided to the cognizant SBA the same day it is provided to the 8(a) contractor. (See: DFARS 219.804-2(2))

LETTERHEAD

4200

[Insert date]

Small Business Administration

Competitive 8(a) - submit to SBA District Office serving the geographical area in which the procuring activity is located (*except* for construction, submit to SBA District Office serving the geographical area in which the work is to be performed).

Sole source 8(a) - submit to SBA District Office serving the nominated 8(a) concern. If not nominating a specific firm, submit to SBA District Office serving the geographical area in which the procuring activity is located.

Dear xxxxxxxx,

[Insert activity name] offers the following *[insert sole source or competitive]* requirement to the Small Business Administration (SBA) pursuant to Section 8(a) of the Small Business Act, as amended (15 U.S.C. 637(a)), in accordance with Federal Acquisition Regulation Subpart 19.8, and the current Partnership Agreement between SBA and the Department of Defense.

Description of Work: Include brief description. Also, include quantities, if appropriate.

Estimated Period of Performance: Include base performance period plus option periods (if any)

Place of Performance: Insert place of performance

Estimated Dollar Value (including options): Insert estimated dollar value for base item(s) or base performance period. If options state: "plus \$XX if all options are exercised"

Principal NAICS Code/Size Standard: Insert principal NAICS and applicable size standard. For NAICS 2002 see: <http://www.census.gov/epcd/naics02/>. For table of size standards see: <http://www.sba.gov/size/indextableofsize.html>

Type of Contract: Insert type of contract anticipated

Small Business Awardee(s) in Past 24 months: As applicable, include the following as it applies:
"This is a new offer to the 8(a) Business Development Program."

OR "This is a follow-on 8(a) contract." For each small business awardee in the past 2 years: provide the contract number, company name & address, small business categories of awardee, contract award date, contract expiration date, acquisition strategy (i.e., 8(a) sole source/competitive, full & open, small business set-aside, SD-VOSB set-aside, HUBZone set-aside, etc.). As applicable, state if known that awardee was small business at time of award but is now large business, no longer 8(a) certified, no longer HUBZone certified.

Acquisition History/Prior Solicitation for this Requirement: Insert the following statement: “Prior to this offering as required by Federal Acquisition Regulation 19.804-2(a)(9), no solicitation for this specific acquisition has been issued and no other public communication (e.g., FEDBIZOPPS, Navy Electronic Commerce Online, procuring activity website) has been made showing the procuring activity’s clear intent to use any other means of procurement.”

For sole source 8(a) include the following:

Sole Source 8(a) Nominee & Justification:

Insert company name, address, telephone number, CAGE Code, SBA 8(a) Case Number, 8(a) Exit Date, HUBZone Certification Date (if applicable), list any other small business categories. (*Information available on the Company Profile at <http://www.ccr.gov> and click on “Dynamic Small Business Search”*).

Also, provide justification for the nominated 8(a) firm; such as: (1) the named 8(a) marketed the requirement direct to the procuring activity and caused it to be reserved for the 8(a) Business Development program, (2) the acquisition is a follow-on or renewal contract and the nominated concern is the incumbent, (3) the nominated 8(a) firm meets special experience and/or technical capabilities (identify what they are) required to perform the work.

Include the following statement (or provide details if this statement is untrue.): “No other 8(a) nominees have expressed an interest and no other SBA offices have requested that the requirement be awarded through the 8(a) Program.”

OR for competitive 8(a) include the following:

8(a) Concerns Expressing Interest: Identify any 8(a) concerns that have expressed an interest in the specific requirement. Include capable 8(a) firms as determined from market research.

As prescribed in the SBA/DoD Partnership Agreement, please advise this activity of your acceptance or rejection, preferably via email to [insert email address], within five (5) working days, or sooner if possible. Unless the undersigned and SBA mutually agree to an extension, acceptance will be assumed after five (5) working days of receipt of this letter.

If we can assist you further, please contact [Insert name, title, telephone number, fax number, email address].

Sincerely,

[Insert name]
Contracting Officer

Enclosure: Statement of Work/Statement of Objectives

Copy to:

For I&L buying activities:

Contract file

Deputy for Small Business

SBA Procurement Center Representative (if assigned)

Director, USMC Small Business Program (LK), krncjl@hqmc.usmc.mil

Ms. Shawn Smith, OSN SADBUs office, shawn.smith4@navy.mil (Electronic signed copy; See: NMCARS 5219.804-2)

For MARCORSSYSCOM & MCTSSA buying offices:

Contract file

Deputy for Small Business

SBA Procurement Center Representative (if assigned)

Associate Director, MARCORSSYSCOM Small Business Program (OOY), jeraline.artis@usmc.mil

Ms. Shawn Smith, OSN SADBUs office, shawn.smith4@navy.mil (Electronic signed copy; See: NMCARS 5219.804-2)