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****(USE BELOW IN SOLICITATIONS AS APPROPRIATE.)****

Any contract resulting from this RFP will contain the following Article:

ARTICLE I.5. SMALL BUSINESS ADMINISTRATION - 8(a) PROGRAM

This contract has been awarded in accordance with the program established in Section 8(a) of the Small Business Act (15 U.S.C. 637(a)) and the Partnership Agreement (PA) between the U.S. Small Business Administration (SBA) and the U.S. Department of Health and Human Services (HHS) effective October 23, 2012 until amended. The following clauses are hereby incorporated and made a part of this contract. All clauses incorporated by reference have the same force and effect as if they were given full text. Upon request, the Contracting Officer will make their full text available.

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****(USE BELOW IN ALL COMPETITIVE 8(a) SOLICITATIONS AND CONTRACTS.)****

NOTE: The clauses below are those prescribed by the "Direct 8(a) Contracting Model Coverage" developed by the CAAC under CAAC Letter 98-3 to implement and supplement the Partnership Agreement between SBA and DHHS effective October 23, 2012 until amended.

- a. FAR Clause **52.219-18, Notification Of Competition Limited To Eligible 8(a) Participants** (Oct 2022) **with Alternate For Acquisitions Under FAR 19.800 (Deviation)** (HHS/SBA PA - October 23, 2012 until amended)

(a) Offers are solicited only from -

(1) Small business concerns expressly certified by the Small Business Administration (SBA) for participation in the SBA's 8(a) Program and which meet the following criteria at the time of submission of offer--

- (i) The Offeror is in conformance with the 8(a) support limitation set forth in its approved business plan; and
- (ii) The Offeror is in conformance with the Business Activity Targets set forth in its approved business plan or any remedial action directed by SBA.

(2) A joint venture, in which at least one of the 8(a) program participants that is a party to the joint venture complies with the criteria set forth in paragraph (a)(1) of this clause, that complies with 13 CFR 124-513(c); or

(3) A joint venture -

(i) That is comprised of a mentor and an 8(a) protégé with an approved mentor-protégé agreement under the 8(a) program;

(ii) In which at least one of the 8(a) program participants that is a party to the joint venture complies with the criteria set forth in paragraph (a)(1) of this clause; and

(iii) That complies with 13 CFR 124-513(c)

(b) By submission of its offer, the Offeror represents that it meets the applicable criteria set forth in paragraph (a) of this clause.

(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.

(d) The _____ [*insert name of SBA's contractor*] will notify the _____ [*insert name of contracting agency*] Contracting Officer in writing immediately upon entering an agreement (either oral or written) to transfer all or part of its stock. A contracting officer may consider a joint venture for contract award. SBA does not approve joint ventures for competitive awards but see 13 CFR 124-501(g) for SBA's determination of participant eligibility.

(End of clause).

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**** (USE BELOW WHEN COMPETITION IS LIMITED TO 8(a) PARTICIPANTS WITHIN ONE OR MORE SPECIFIC SBA DISTRICT(S)/REGION(S) PURSUANT TO 19.804-3.) ****

- b. **Alternate I**, (Mar 2023) is added to FAR Clause **52.219-18, Notification of Competition Limited to Eligible 8(a) Participants** (Oct 2022) as follows:

If the competition is to be limited to 8(a) participants within one or more specific SBA regions or districts, add the following paragraph (a)(1)(iii) to paragraph (a) of the clause:

(iii) The offeror's approved business plan is on the file and serviced by _____ [Contracting Officer completes by inserting the appropriate SBA District and/or Area Office(s) as identified by the SBA].