52.219-18 Notification of Competition Limited to Eligible 8(a) Participants (DEVIATION 2023-O0007).

The contracting officer shall insert the following clause in competitive solicitations and contracts when the acquisition is accomplished using the procedures of FAR 19.805 and is not processed in accordance with the Partnership Agreement cited in DFARS 219.800. Use the following clause with its Alternate I when competition is to be limited to 8(a) participants within one or more specific SBA districts pursuant to FAR 19.804-2.

NOTIFICATION OF COMPETITION LIMITED TO ELIGIBLE 8(A) PARTICIPANTS

(AUG 2023) (DEVIATION 2023-O0007)

 (a) Awards will only be made to—

 (1) Small business concerns that are expressly certified by the Small Business Administration (SBA) for participation in 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)](https://www.ecfr.gov/current/title-13/section-124.513#p-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)](https://www.ecfr.gov/current/title-13/section-124.513#p-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 to the Small Business Administration, which will subcontract performance to the successful 8(a) offeror selected through the evaluation criteria set forth in this solicitation. 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)](https://www.ecfr.gov/current/title-13/section-124.501#p-124.501(g)) for SBA's determination of participant eligibility.

 (d) The \_\_\_\_\_\_\_\_\_\_ [*insert name of SBA's contractor*] shall 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.

(End of clause)

*Alternate I* (MAR 2023). 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*].