



SOLE SOURCE CONTRACTING

OVERVIEW

8(a) SOLE SOURCE CONTRACTING

Padron, an 8(a) Small Business, is eligible to receive non-competitive, sole source contract awards, pursuant to FAR 19.8. 8(a) sole source authority is an important tool and provides clients the ability to obtain services in a streamlined and shortened timeframe.

Each year, the federal government sets a goal to award five percent of all contracting dollars to small disadvantaged businesses, including 8(a) business. In accordance with the FAR, an agency may award a sole source 8(a) contract once they identify a responsible 8(a), a fair market price, and the government estimate for the work does not exceed \$4 million. Both the SBA regulations and the FAR require an agency to first consider programs, like the 8(a) program, for set-aside contracts.

8(a) SOLE SOURCE BENEFITS

- **Streamlined acquisition** – Eliminates the time-consuming process of developing a detailed RFP, posting the solicitation, awaiting contractor responses, and evaluating all submissions while mitigating potential protests.
- **Reduced decision cycle** – Time required to award an 8(a) sole source contract is usually within days, not months.
- **Decreased administrative costs** – Procurement process and time are reduced to a minimum.
- **Prices reflecting the best value** – Agency negotiates with the firm directly to obtain the best value.
- **8(a) business credits** – 8(a) sole source awards count toward the Agency's small disadvantaged goal as negotiated with the U.S. Small Business Administration.

THE 8(a) SOLE SOURCE PROCESS

The 8(a) Sole Source Authority is a great tool in the Contracting Officer's toolkit to acquire necessary services and solutions in a streamlined fashion.

- The 8(a) Sole Source process requires the Contract Officer to send an **Offer Letter** to the cognizant SBA District Office outlining the work proposed work (see attachment for Offer Letter requirements).
- The SBA has five days to accept, reject or seek additional information to the **Offer Letter**.
- If the SBA does not respond within 5 days, the work is accepted in the 8(a) program and the Contracting Officer may proceed with contract negotiations/award.

Contracting Officers responsibilities in connection with the 8(a) program are outlined in CFR 13 Part 124 Subpart A and the FAR Part 19.

Padron works closely with agencies to help acquire necessary services and solutions using the streamlined 8(a) Sole Source process. For more information, go to www.padronusa.com.

Elements To Include in an 8(a) Offer Letter to SBA:

- A description of the work to be performed
- NAICS Code
- Period of Performance
- Anticipated dollar value including options if any
- Any special restrictions or geographical limitations on the requirement
- Any special capabilities or disciplines needed for contract performance
- The type of contract to be awarded (FFP or T&M)
- The acquisition history, if any, of the requirement
- The names and addresses of any small business contractors which have performed on this requirement during the previous 24 months
- A statement that prior to the offering no solicitation for the specific acquisition has been issued as a small business set-aside, or as a small disadvantaged business set-aside if applicable, and that no other public communication (such as a notice in the Commerce Business Daily/FBO) has been made showing the procuring activity's clear intent to use any of these means of procurement
- Identification of any specific participant that the procuring activity contracting officer nominates for award of a sole source 8(a) contract, if appropriate, including a brief justification for the nomination
- Identification of all Participants which have expressed an interest in being considered for the acquisition
- Identification of all SBA field offices which have requested that the requirement be awarded through the 8(a) BD Program
- Statement of Work (SOW)
- Contract Officer's name and phone number

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