

Office of Acquisition and Property Management

June 12, 2007

Department of the Interior Acquisition Policy Release (DIAPR) 2007-06

SUBJECT: Authorization of Direct Awards to 8(a) Contractors

Reference: Federal Acquisition Regulation Part 19

1. *Purpose:*

This DIAPR update the policy that allows contracting officers to contract directly with Section 8(a) businesses. This policy release also supersedes DIAPR 2005-01 and its amendment 01.

2. *Effective Date:*

Effective upon issuance.

3. *Expiration Date:*

September 30, 2009.

4. *Background and Explanation:*

On May 6, 1998, the Department and the Small Business Administration (SBA) executed a Memorandum of Understanding (MOU) setting forth the initial terms and conditions for delegation to agency contracting officers the authority to award contracts directly to 8(a) program participants under Section 8(a) of the Small Business Act. Subsequently, DIAPR 1998-5 was issued to authorize use of the new procedures.

Over the years the heads of both agencies executed new MOUs, which came to be called Partnership Agreements (PA), that generally just extended the terms and conditions of the original MOU. The latest version of the PA, attached, replaces the agreement put into effect by DIAPR 2005-01. It carries forth the essential framework and procedures of the previous agreement but does include the following notable changes:

a. **Simplified Acquisitions.** In the new PA, we are still not required to extend an offer letter to SBA for simplified acquisitions. However, the SBA has added a new requirement to obtain an “eligibility determination” from the SBA prior to issuing a simplified acquisition purchase order to an 8(a) participant.

b. **References to 13 CFR.** The new PA makes numerous references to SBA regulations (i.e., 13 CFR) in addition to the Federal Acquisition Regulation.

c. Requirement for training. There is a new requirement that “all contracting officers, etc.” participate in SBA training. However, the SBA has assured the Department that most of this training will be online (i.e. internet-based) and will not be required of all contracting personnel at once.

5. Action Required:

Immediate distribution of this policy release to all contracting officers. Full compliance with the PA is required in order to take advantage of this authorization.

6. Additional Information:

Questions about this policy release may be directed to Delia Emmerich on (202) 208 3348 or Frank Gisondi, OSDBU, on (202) 208 4907.

/ signed Debra E. Sonderman, Director
Office of Acquisition and Property Management