

**1819.705-2**

recommended appeal action, the Assistant Administrator for Procurement shall forward the appeal through the Office of Small and Disadvantaged Business Utilization (Code K) to SBA Headquarters.

**Subpart 1819.7—The Small Business Subcontracting Program**

**1819.705-2 Determining the need for a subcontracting plan. (NASA supplements paragraph (d))**

(d) Solicitations for competitive negotiated acquisitions shall require proposed subcontracting plans with initial proposals (see 1819.708(b)(1)). For sole source negotiated acquisitions, the contractor shall be required to submit a proposed subcontracting plan with the proposal.

**1819.705-4 Reviewing the subcontracting plan.**

**1819.705-470 Acquisition-specific subcontracting goals.**

Section 1819.201 addresses Agency-wide goals at the combined prime and subcontract levels. Appropriate subcontracting goals for an individual acquisition, however, are to be independently determined on the basis of the specific circumstances of the acquisition, consistent with FAR 19.705-4 and 1819.7002(b), and not on the basis of an Agencywide or center goal. Acquisition-specific subcontracting goals should reflect maximum practicable opportunities for all categories of small business concerns to participate in NASA programs, consistent with efficient performance. The methods outlined in NASA Policy Directive (NPD) 5000.2, Uniform Methodology for Determination of Small Disadvantaged Subcontracting Goals, may also be useful in establishing reasonable subcontracting goals for small, veteran-owned small business, service-disabled veteran-owned small business, HUBZone, and women-owned small business concerns.

[62 FR 36707, July 9, 1997, as amended at 64 FR 25215, May 11, 1999; 66 FR 53547, Oct. 23, 2001]

**48 CFR Ch. 18 (10-1-02 Edition)**

**1819.708 Contract clauses. (NASA supplements paragraph (b))**

(b)(1) The contracting officer shall use the clause at FAR 52.219-9 with its Alternate II when contracting by negotiation.

**1819.708-70 NASA solicitation provision and contract clause.**

(a) The contracting officer shall insert the provision at 1852.219-73, Small Business Subcontracting Plan, in invitations for bids containing the clause at FAR 52.219-9 with its Alternate I. Insert in the last sentence the number of calendar days after request that the offeror must submit a complete plan.

(b) The contracting officer shall insert the clause at 1852.21975, Small Business Subcontracting Reporting, in solicitations and contracts containing the clause at FAR 52.219-9, except for contracts covered by an approved commercial plan.

[64 FR 25215, May 11, 1999]

**Subpart 1819.8—Contracting With the Small Business Administration (the 8(a) Program)**

**1819.804 Evaluation, offering, and acceptance.**

**1819.804-1 Agency evaluation.**

The small business specialist shall review and evaluate all acquisition requirements to determine their suitability for offering to SBA for 8(a) acceptance and make a recommendation to the contracting officer concerning award to SBA.

**Subpart 1819.10—Small Business Competitiveness Demonstration Program**

**1819.1005 Applicability.**

(b) The targeted industry categories for NASA and their North American Industry Classification System (NAICS) codes are:

NAICS code	Industry category
334111 .....	Electronic Computer Manufacturing.

**National Aeronautics and Space Administration**

**1819.7103**

NAICS code	Industry category
334418 .....	Printed Circuit Assembly (Electronic Assembly) Manufacturing.
334613 .....	Magnetic and Optical Recording Media Manufacturing.
334119 .....	Other Computer Peripheral Equipment Manufacturing.
33422 .....	Radio and Television Broadcasting and Wireless Communication Equipment Manufacturing.
336415 .....	Guided Missile and Space Vehicle Propulsion Unit and Propulsion Unit Parts Manufacturing.
336419 .....	Other Guided Missile and Space Vehicle Parts and Auxiliary Equipment Manufacturing.
334511 .....	Search, Detection, Navigation, Guidance, Aeronautical, and Nautical Systems and Instrument Manufacturing.
333314 .....	Optical Instrument and Lens Manufacturing.
541511 .....	Custom Computer Programming Services.
541512 .....	Computer Systems Design Services.
51421 .....	Data Processing Services.
541519 .....	Other Computer Related Services.

[65 FR 58932, Oct. 3, 2000, as amended at 67 FR 50824, Aug. 6, 2002]

**Subpart 1819.70—NASA 8 Percent Goal**

**1819.7000 General.**

Public Laws 101-144, 101-507, and 102-389 require the NASA Administrator to ensure, to the fullest extent possible, that at least 8% of Federal funding for prime and subcontracts awarded in support of authorized programs, including the space station by the time operational status is obtained, be made available to small disadvantaged business concerns, Historically Black Colleges and Universities, minority institutions, and women-owned small business concerns.

**1819.7002 Contracting officer responsibility.**

(a) Contracting officers must seek out as potential sources entities identified in 1819.7001 and give full consideration to these entities to satisfy NASA requirements. The participation of NASA prime contractors is also essential to meeting the Agency's 8 percent goal.

(b) NASA Policy Directive (NPD) 5000.2, Uniform Methodology for Determination of Small Disadvantaged Subcontracting Goals, contains guidance on developing realistic goals. It is applicable to acquisitions expected to exceed \$50 million, including options. The methodology may be used for lesser value acquisitions.

**1819.7003 Contract clause.**

The contracting officer shall insert the clause at 1852.219-76, NASA 8 Percent Goal, in all solicitations and contracts other than those below the sim-

plified acquisition threshold or when the contract, together with all its subcontracts, is to be performed entirely outside of any State, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the Trust Territory of the Pacific Islands.

**Subpart 1819.71—NASA Rural Area Small Business Plan**

**1819.7101 Definition.**

*Rural area* means a county with a population of fewer than twenty thousand individuals.

**1819.7102 General.**

Pursuant to Public Law 100-590, NASA established a Rural Area Business Enterprise Development Plan, including methods for encouraging prime and subcontractors to use small business concerns located in rural areas as subcontractors and suppliers. One method is to encourage the contractor to use its best efforts to comply with the intent of the statute.

**1819.7103 Solicitation provision and contract clause.**

The contracting officer shall insert the clause at 1852.219-74, Use of Rural Area Small Businesses, in solicitations and contracts that offer subcontracting possibilities or that are expected to exceed \$500,000 (\$1,000,000 for construction of public facility) unless the contract, together with all its subcontracts, is to be performed entirely outside of any State, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico,