

# Office of Acquisition and Property Management

February 10, 2005

## Department of the Interior Acquisition Policy Release (DIAPR) 2005-01

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

#### 1. *Purpose:*

The purpose of this DIAPR is to update the policy that re-delegates to warranted contracting officers the authority to contract directly with Section 8(a) businesses. It includes a revised *Partnership Agreement* document between the Department and the Small Business Administration (see attachment), which replaces the agreement put into effect by DIAPR 2002-1. This authorization is conditioned upon full compliance with the *Agreement*.

This policy release supersedes DIAPR 2002 – 1 (accessible at: <http://www.doi.gov/pam/diapr.html>).

#### 2. *Effective Date:*

Effective upon issuance.

#### 3. *Expiration:*

September 30, 2006

#### 4. *Background and Explanation:*

On May 6, 1998, the Department and the SBA executed a *Memorandum of Understanding* (MOU) setting forth the 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.

On December 6, 2000, the heads of both agencies executed a new memorandum, now called a *Partnership Agreement*, which essentially carried over the terms and conditions of the original MOU. The latest version of the *Partnership Agreement* attached hereto updates those terms and conditions.

#### 5. *Action Required:*

Immediate distribution of this policy release to all contracting officers. While the essential framework and procedures of the previous agreement are carried over to the new *Partnership Agreement*, contracting officials should note the following changes:

- a. Under *DOI actions*: The DOI shall not include in its 8(a) negotiated goals contracts that have not been offered to and accepted by the SBA into SBA's 8(a) program portfolio;
- b. Under *DOI actions*: The previous requirement to provide any additional agency procedures over and above the Civilian Agency Acquisition Council regulations is dropped;
- c. Under *terms of amendment*: The parties authorized to amend the Agreement have been changed—they are now SBA's Associate Deputy Administrator for Government Contracting and Business Development and DOI's Director, OSDDBU;
- d. Under *terms for termination*: The required amount of time for advance notice of termination has been increased from 30 days to 90 days; and
- e. The need for a *FAR deviation* and attendant contract clauses is eliminated.

6. *Contacts*:

General questions about this policy release may be directed to Pat Corrigan on (202) 208 1906 or Frank Gisondi, OSDDBU, on (202) 208 4907.

[Attachment](#)

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