

(5) Small business concerns which do not qualify for any of the foregoing priorities but which will deliver the required end items to the Government from a plant, warehouse, or other establishment in a persistent labor surplus area at which the end items are either produced or available from stocks on hand.

(6) Other concerns which do not qualify for any of the foregoing priorities but which will deliver the required end items to the Government from a plant, warehouse, or other establishment in a persistent labor surplus area at which the end items are either produced or available from stocks on hand.

(7) Small business concerns which do not qualify for any of the foregoing priorities but which will deliver the required end items to the Government from a plant, warehouse, or other establishment in a substantial labor surplus area at which the end items are either produced or available from stocks on hand.

(8) Other concerns which do not qualify for any of the foregoing priorities but which will deliver the required end items to the Government from a plant, warehouse, or other establishment in a substantial labor surplus area at which the end items are either produced or available from stocks on hand.

(9) Other small business concerns.

(10) Any other concern.

(b) If the application of (a) of this § 1-2.407-6 results in two or more bidders being eligible for award, the award shall be made to the bidder who will make the most extensive use of small business subcontractors. If two or more bidders still remain eligible for award, award shall be made by a drawing by lot limited to such bidders. If time permits, the bidders involved shall be given an opportunity to be present at the drawing by lot. Such drawing shall be witnessed by at least three persons and the contract file shall contain the names and addresses of those witnesses.

(c) In each award where preference is to be given under this section, the contracting officer shall, prior to award, obtain from such concern a written statement that it will perform, or cause to be performed, the contract in accordance with the circumstances justifying the priority.

[26 F.R. 6720, July 1961, as amended at 27 F.R. 625, Jan. 20, 1962]

CHAPTER 2—FEDERAL AVIATION AGENCY

SUBPART 2—AGENCY PROCUREMENT REGULATIONS SYSTEM

SUBPART 2-1.7—SMALL BUSINESS CONCERNS

SOURCE: §§ 2-1.710 to 2-1.710-4 appear at 26 F.R. 9675, Oct. 13, 1961.

§ 2-1.710 Subcontracting with small business concerns and labor surplus area concerns.

§ 2-1.710-1 General.

(a) When the contractor is required to establish and conduct a "Small Business and Labor Surplus Area Subcontracting Program", the invitation for bids (IFB) or the request for proposals (RFP) will require that the name of the prospective contractor's designated liaison officer be furnished with the bid or proposal. Immediately after award of contract, the representative of the Small Business Administration serving the area should be given the name of the contractor's liaison officer for small business matters.

(b) The IFB or RFP should also advise prospective contractors that labor surplus areas are listed in the publication "Area Labor Market Trends", copies of which may be secured from the Bureau of Employment Security, Department of Labor, Washington 25, D.C.

§ 2-1.710-4 Responsibility for reviewing subcontracting program.

The contracting officer shall be responsible for the review required by § 1-1.710-4 of this title. A review shall be made as soon as possible after the award of a contract, and periodically thereafter. Written reports of all such reviews shall be included in the contract file.

SUBPART 2-1.8—LABOR SURPLUS AREA CONCERNS

§ 2-1.801 Definitions.

§ 2-1.801-2 Labor surplus area.

To assist Agency procurement offices in identifying labor surplus areas, arrangements have been made for each office to receive, directly from the Department of