



# Acquisition & Assistance Policy Directive

(AAPD)

From the Director, Office of Acquisition and Assistance

Issued: September 10, 2004

## AAPD 04-12

### USAID Procedures for Partnership Agreement Between SBA and USAID for Expedited 8(a) Awards

**Subject Category:** Acquisition Management (AM)  
**Type:** Procedure

AAPDs provide information of significance to all agency personnel and partners involved in the Acquisition and Assistance process. Information includes (but is not limited to): advance notification of changes in acquisition or assistance regulations; reminders; procedures; and general information. Also, AAPDs may be used to implement new requirements on short-notice, pending formal amendment of acquisition or assistance regulations.

AAPDs are **EFFECTIVE AS OF THE ISSUED DATE** unless otherwise noted in the guidance below; the directives remain in effect until this office issues a notice of cancellation.

**This AAPD:**  Is New  Replaces/  Amends  
CIB/AAPD No: 01-20

**Precedes change to:**  AIDAR Part(s)  Appendix   
 US AID Automated Directives System (ADS) Chapters   
 Code of Federal Regulations   
 Other   
 No change to regulations

**Applicable to:**  Existing awards; Modification required:  
 Effective immediately  
 No later than   
 As noted in guidance below

RFPs/RFAs issued on or after the effective date of this AAPD; all other Pending Awards, i.e., 8(a), sole source...

Other or N/A  New 8(a) Awards Only

**New Provision/Clause Provided Herein:**  Yes; Scheduled update to Prodoc:

No

(Signature on File)  
Timothy T. Beans

**PURPOSE :**

The purpose of this AAPD is to inform USAID Contracting Officers that SBA and USAID have entered into the attached Partnership Agreement (PA) to expedite the award of 8(a) contracts and purchase orders and to redelegate the authority to enter into these contracts to them.

**BACKGROUND :**

USAID and SBA had entered into a PA for expediting prime contract awards and purchase orders that are made under Section 8(a) of the Small Business Act and procedures for using the PA were addressed under CIB 01-20. That PA expired June 30, 2003, and it has been succeeded by one dated May 21, 2004. In the interim, SBA informally accepted offerings under the terms of the expired PA.

**GUIDANCE :**

The PA covers the basic procedures for expediting prime contract awards and purchase orders that are made under Section 8(a) of the Small Business Act.

Delegation: In the PA, SBA delegates to USAID's Deputy Administrator, in his alter-ego capacity to act as "head of the Agency", SBA's authority\* to enter into 8(a) prime contracts. AIDAR 701.601(a)(1) designates the Director of the Office of Procurement (now Office of Acquisition and Assistance) to also act as "head of the Agency" for this purpose. Accordingly, I hereby redelegate this authority to all warranted USAID contracting officers.

Summary of Partnership Agreement: The term of the PA covers the period May 21, 2004 through September 30, 2006. It encompasses all competitive and non-competitive acquisitions offered by USAID and accepted by the SBA into the 8(a) program.

[FAR 19.804-2](#) and the PA's paragraphs IV.b.3 and IV.b.4 contain the offering procedures, for submitting the offering letter to the appropriate SBA office. When you have identified an 8(a) participant to perform the contract, submit the offering letter to the SBA District Office serving its geographical area. The addresses of SBA District Offices may be found at:

U.S. Mail: <http://www.sba.gov/regions/states.html>

E-mail: <http://www.sba.gov/asksba/addresses.html>.

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\* Section 8(a)(1)(A) of the Small Business Act

When an 8(a) participant has not been identified, submit the offering letter as follows:

1. USAID/W contracting offices:

To SBA Washington, DC District Office:

U.S. Small Business Administration  
1110 Vermont Avenue, NW., 9th Floor  
Washington, D.C. 20005  
Phone: (202) 606-4000  
FAX: (202) 481-0398  
E-mail: [dcofferletters@sba.gov](mailto:dcofferletters@sba.gov)

2. Mission contracting offices:

SBA Headquarters

Associate Deputy Administrator for  
Government Contracting and Business Development  
U.S. Small Business Administration  
409 3rd Street, SW, Room 8000  
Washington, DC 20416  
Phone: (202) 205-6459  
FAX: (202) 481-1645  
E-mail: [patricia.white@sba.gov](mailto:patricia.white@sba.gov) and  
[maurice.swinton@sba.gov](mailto:maurice.swinton@sba.gov)  
with "Attn: M&TA" in the subject line  
cc: [Albert.Stubblefield@sba.gov](mailto:Albert.Stubblefield@sba.gov)

**Provide a copy of all offering letters and purchase orders to OSDBU** (E-mail: [osdbu@usaid.gov](mailto:osdbu@usaid.gov)). We recommend that you forward the offering letter to the appropriate SBA office through OSDBU whenever time permits.

No offering letter is required for simplified acquisitions, but the purchase order must delay the beginning of performance for at least two working days, and you must furnish a copy of the signed purchase order to SBA immediately (see attached PA, section IV.a.3.(c)).

**The PA revises the SBA acceptance procedures:**

1. It shortens the timeframe for SBA's acceptance or notification of rejection in FAR 19.804-3 from ten (10) to five (5) working days of receipt of an offering letter. This current agreement does not contain the provision contained in the former one that acceptance of USAID's offering letter may be assumed on the sixth working day if a letter of rejection is not received by the fifth working day. If SBA does not respond to your offering letter within five days, you may seek acceptance through the SBA's Associate Administrator, Government Contracting and Business Development, [(AA)/8(a)BD]. Please coordinate this recourse with the OSDBU contact listed below. Withdrawal of your offering letter is your option if an exigency requirement does not allow delay.

2. Absent receipt of a negative determination from SBA, acceptance of a simplified acquisition may be assumed after two (2) working days from its receipt of a signed purchase order.

**Review all the RESPONSIBILITIES in Section IV and the procedures for CONTRACT EXECUTION in Section V.** SBA's responsibilities are covered in paragraph IV.a., while USAID's responsibilities are in paragraph IV.b. USAID's responsibilities fall on the contracting officer, either in cooperation with the OSDBU or as the responsible contracting officer for an award--except for OSDBU's responsibility, in IV.b.13., not to count unaccepted offers in USAID's reports on 8(a) business development goals.

**POINTS OF CONTACT:**

Please direct concerns with the procedures addressed in the Partnership Agreement to:

Ms. Rhoda Isaac, OSDBU  
E-mail: [risaac@usaid.gov](mailto:risaac@usaid.gov), Phone: (202) 712-1500

She has assumed this function from Ms. Marilyn Marton, who is listed in the agreement.

Please direct concerns with the issuance of this AAPD to:

Mr. Kenneth Monsess, M/OAA/PE  
E-mail: [kmonsess@usaid.gov](mailto:kmonsess@usaid.gov), Phone: (202) 712-4913

**ATTACHMENT:**

[SBA-USAID Partnership Agreement 05-21-04.pdf](#)

Clearances for AAPD on USAID Procedures for Partnership Agreement Between SBA and USAID for Expedited 8(a) Awards:

M/OAA/PE, D. Howard	_____	Date	_____
M/OAA/PE, R. Powell	_____	Date	_____
OSDBU/MRC, L. Drummond	_____	Date	_____
GC/CCM, J. Niemeyer	_____	Date	_____
M/OAA/OD, L. Kopala	_____	Date	_____