



**DEFENSE LOGISTICS AGENCY
DEFENSE ENERGY SUPPORT CENTER
8725 JOHN J. KINGMAN ROAD, SUITE 4950
FORT BELVOIR, VIRGINIA 22060-6222**

IN REPLY
REFER TO

DESC-CPA

JUL 12 2004

CONTRACTING INSTRUCTION (CI): 04-13
MEMORANDUM FOR CI DISTRIBUTION

**SUBJECT: Newly Established Clauses – L21, Small Business Reservation, and L64,
Cascading 8(a) Competitive Reservations/Small Business Set-Aside
Preference**

This informational CI is to bring to your attention two newly established DESC clauses as numbered and titled above. They are currently available for use on the T drive at: T:\solicit\L-PROVISIONS.

These new clauses are attached in their entirety. Also included are their instruction lines, suggested Notice to Offerors (DD Form 1707 or similar document), and Synopsis/FEDBIZOPPS Notice.

This CI is informational only and expires upon dissemination. Point of Contact is Ms. Yolanda Moore, DESC-DU, (703) 767-9704 or DSN 427-9704.

GABRIELLA M. EARHARDT
Center Senior Procurement Official

Attachment



L21

INSTRUCTION LINE: L21/52.219-9F00 SMALL BUSINESS RESERVATION.

For use in solicitations when more than one award is anticipated and one or more of these awards will be reserved for eligible and qualified small businesses under applicable North American Industry Classification System (NAICS) Codes. **Requires buyer fill-in.**

CLAUSE:

L21 SMALL BUSINESS RESERVATION (DESC JUN 2004) (REV)

This solicitation is being issued on an unrestricted basis. However, the Government is reserving _____ award(s) for eligible small business(es) under the applicable North American Industry Classification System (NAICS) Codes. This reservation will only be applied to the extent that a sufficient number of responsible small business firms submit technically acceptable proposals. The Government reserves the right to make additional awards. This requirement is being classified under NAICS Code _____.

(DESC 52.219-9F00)

NOTICE IN SOLICITATION: This solicitation is being issued on an unrestricted basis. However, the Government is reserving _____ award(s) for an eligible small business(es) under the applicable North American Industry Classification System (NAICS) Code. This reservation will only be applied to the extent that a sufficient number of responsible small business firms submit technically acceptable proposals. The Government reserves the right to make additional awards. This requirement is being classified under NAICS Code _____.

SYNOPSIS/FEDBIZOPPS: This solicitation is being issued on an unrestricted basis. However, the Government is reserving ___ award(s) for an eligible small business(es) under the applicable North American Industry Classification System (NAICS) Code. This reservation will only be applied to the extent that a sufficient number of responsible small business firms submit technically acceptable proposals. The Government reserves the right to make additional awards. This requirement is being classified under NAICS Code _____.

L64

INSTRUCTION LINE: L64/52.219-9F70 CASCADING 8(a) COMPETITIVE RESERVATIONS/SMALL BUSINESS SET-ASIDE PREFERENCE. For use in solicitations when two or more competitive offers are anticipated to be received from eligible 8(a) business concerns, or when two or more offers from qualified small business concerns are anticipated to be received. **NOTE:** This solicitation shall be converted to a competitive 8(a) or a 100 percent set-aside for small business, respectively, for the geographic area covered by the solicitation.

CLAUSE:

L64 CASCADING 8(a) COMPETITIVE RESERVATIONS/SMALL BUSINESS SET-ASIDE PREFERENCE (DESC JUN 2004)

(a) All potential offerors should submit proposals under this solicitation.

(b) (1) In accordance with Federal Acquisition Regulation (FAR) Subpart 19.8, any award(s) under this solicitation will be made on a competitive basis to eligible Section 8(a) business concerns, provided that a minimum of two competitive, technically acceptable offers are received from responsible and eligible Section 8(a) business concerns.

(2) If a minimum of two competitive, technically acceptable offers from eligible and responsible Section 8(a) business concerns are not received, any award(s) under this solicitation will be made on a competitive basis (100 percent set-aside) to responsible and eligible small business concerns, provided that a minimum of two competitive, technically acceptable offers are received in accordance with FAR 19.508 and FAR clause 52.219-6, NOTICE OF TOTAL SMALL BUSINESS SET-ASIDE. In such event, FAR clause 52.219-6 shall be considered incorporated by reference.

(3) If a minimum of two competitive, technically acceptable offers from eligible and responsible small business concerns are not received, any award(s) under this solicitation will be made on the basis of full and open competition from among all responsible business concerns submitting offers.

(DESC 52.219-9F70)

NOTICE IN SOLICITATION: All potential offerors should submit proposals under this solicitation. This solicitation is being issued in accordance with Federal Acquisition Regulation (FAR) Subpart 19.8. Any award(s) under this solicitation will be made on a competitive basis to eligible Section 8(a) business concerns, when two or more competitive 8(a), technically acceptable offers are received. If two or more competitive 8(a) technically acceptable offers are not received, then this solicitation shall be converted to a 100 percent set-aside for small business. If a minimum of two competitive, technically acceptable offers from eligible and responsible small business concerns are not received, any award(s) under this solicitation will be made on the basis of full and open competition from among all responsible business concerns submitting offers.

SYNOPSIS/FEBIZOPPS: All potential offerors should submit proposals under this solicitation. This solicitation is being issued under FAR Subpart 19.8 because two or more competitive offers are anticipated to be received from eligible 8(a) business concerns. Any award(s) under this solicitation will be made on a competitive basis to eligible Section 8(a) business concerns, if two or more competitive 8(a), technically acceptable offers are received. If two or more competitive 8(a), technically acceptable offers are not received, this solicitation shall be converted to a 100 percent set-aside for small business, for the geographic area covered by the solicitation. If a minimum of two competitive, technically acceptable offers from eligible and responsible small business concerns are not received, any award(s) under this solicitation will be made on the basis of full and open competition from among all responsible business concerns submitting offers.