

## **19.502-9 Withdrawing or modifying small business set-asides.**

(a) If, before award of a contract involving a total or partial small business set-aside, the *contracting officer* considers that award would be detrimental to the public interest (e.g., payment of more than a *fair market price*), the *contracting officer* may withdraw the small business set-aside, whether it was unilateral or joint. The *contracting officer* shall initiate a withdrawal of an individual total or partial small business set-aside, by giving written notice to the agency small business specialist and the SBA PCR (or, if a PCR is not assigned, see [19.402\(a\)](#)) stating the reasons. In a similar manner, the *contracting officer* may modify a unilateral or joint class small business set-aside to withdraw one or more individual *acquisitions*.

(b) If the agency small business specialist does not agree to a withdrawal or modification, the case shall be promptly referred to the SBA PCR (or, if a PCR is not assigned, see [19.402\(a\)](#)) for review.

(c) The *contracting officer* shall prepare a written statement supporting any withdrawal or modification of a small business set-aside and include it in the contract file.

**Parent topic:** [19.502 Setting aside acquisitions.](#)