

# Subpart 5119.5 - Set-Asides for Small Business

**Parent topic:** [Part 5119 - Small Business Programs](#)

## **5119.502 Setting aside acquisitions.**

### **5119.502-3 Partial set-asides.**

(a)(5) The head of the contracting activity shall authorize actions as described in FAR 19.502-3. See Appendix GG for further delegation.

### **5119.502-8 Rejecting Small Business Administration recommendations.**

(b) The head of the contracting activity shall make the decision as described in FAR 19.505(b). See Appendix GG for further delegation.

(d)(i) Process appeals, on a case-by-case basis, in accordance with the appropriate FAR section (19.502-8, 19.810, 19.1305, 19.1405, 19.1505, or 19.506) and in accordance with instructions from the Director, HQDA OSBP. The contracting officer will prepare and submit the case file documents by email to the HQDA, OSBP Program Manager through contracting and small business channels. The files shall be coordinated with the Associate Director (AD), prior to contracting officer release to HQDA.

(ii) The small business specialist at each level must review the case. The case file must include -

(A) A statement of attempts to resolve the matter;

(B) A response to each issue raised by SBA in its appeal;

(C) Supporting documents related to controversial aspects; and

(iii) Suspension of all actions on the requirement pending outcome of the appeal.

### **5119.502-9 Withdrawing or modifying small business set-asides.**

(b) If a SBA representative is not assigned or available, the AD shall refer disagreements to the small business professional's appointing authority for resolution. ([See AFARS PGI 5119.201](#)).