

SPECIAL PROVISIONS CONCERNING
NONCOMPETITIVE AWARDS TO SMALL
DISADVANTAGED BUSINESS CONCERNS (7-94)

(a) Energy Systems has been authorized by DOE to make noncompetitive awards to small disadvantaged business concerns certified by SBA for participation in the 8(a) program, so long as those awards are at fair market prices and are for work under a Standard Industrial Classification (SIC) Code appearing in the concern's "business plan" (see 13 DRF 124.301).

(b) Offerors are strongly encouraged to exercise the same authority in preparing the plan and goals required by the clause of this solicitation entitled "Small Business and Small Disadvantaged Business Subcontracting Plan (Negotiated)." Failure to do so may in appropriate cases warrant an inference that proposed goals do not represent good faith efforts to use small disadvantaged subcontractors to the maximum practicable extent.