

## 48 CFR § 52.219-27 - Notice of Service-Disabled Veteran-Owned Small Business Set-Aside.

CFR

### **52.219-27 Notice of Service-Disabled Veteran-Owned Small Business Set-Aside.**

Link to an amendment published at 84 FR 47864, September 10, 2019.

As prescribed in 19.1407, insert the following clause:

#### **NOTICE OF SERVICE-DISABLED VETERAN-OWNED SMALL BUSINESS SET-ASIDE (NOV 2011)**

##### ***(a) Definition. Service-disabled veteran-owned small business concern -***

**(1)** Means a small business concern -

**(i)** Not less than 51 percent of which is owned by one or more service-disabled veterans or, in the case of any publicly owned business, not less than 51 percent of the stock of which is owned by one or more service-disabled veterans; and

**(ii)** The management and daily business operations of which are controlled by one or more service-disabled veterans or, in the case of a service-disabled veteran with permanent and severe disability, the spouse or permanent caregiver of such veteran.

**(2) *Service-disabled veteran*** means a veteran, as defined in 38 U.S.C. 101(2), with a disability that is service-connected, as defined in 38 U.S.C. 101(16).

**(b) *Applicability.*** This clause applies only to -

**(1)** Contracts that have been set aside or reserved for service-disabled veteran-owned small business concerns;

**(2)** Part or parts of a multiple-award contract that have been set aside for service-disabled veteran-owned small business concerns; and

**(3)** Orders set aside for service-disabled veteran-owned small business concerns under multiple-award contracts as described in 8.405-5 and 16.505(b)(2)(i)(F).

**(c) *General.***

**(1)** Offers are solicited only from service-disabled veteran-owned small business concerns. Offers received from concerns that are not service-disabled veteran-owned small business concerns shall not be considered.

**(2)** Any award resulting from this solicitation will be made to a service-disabled veteran-owned small business concern.

**(d) *Agreement.*** A service-disabled veteran-owned small business concern agrees that in the performance of the contract, in the case of a contract for -

**(1)** Services (except construction), at least 50 percent of the cost of personnel for contract performance will be spent for employees of the concern or employees of other service-disabled veteran-owned small business concerns;

**(2)** Supplies (other than acquisition from a nonmanufacturer of the supplies), at least 50 percent of the cost of manufacturing, excluding the cost of materials, will be performed by the concern or other service-disabled veteran-owned small business concerns;

**(3)** General construction, at least 15 percent of the cost of the contract performance incurred for personnel will be spent on the concern's employees or the employees of other service-disabled veteran-owned small business concerns; or

**(4)** Construction by special trade contractors, at least 25 percent of the cost of the contract performance incurred for personnel will be spent on the concern's employees or the employees of other service-disabled veteran-owned small business concerns.

**(e)** A joint venture may be considered a service-disabled veteran owned small business concern if -

**(1)** At least one member of the joint venture is a service-disabled veteran-owned small business concern, and makes the following representations: That it is a service-disabled veteran-owned small business concern, and that it is a small business concern under the North American Industry Classification Systems (NAICS) code assigned to the procurement;

**(2)** Each other concern is small under the size standard corresponding to the NAICS code assigned to the procurement; and

**(3)** The joint venture meets the requirements of paragraph 7 of the explanation of Affiliates in 19.101 of the Federal Acquisition Regulation.

**(4)** The joint venture meets the requirements of 13 CFR 125.15(b)

**(f)** Any service-disabled veteran-owned small business concern (nonmanufacturer) must meet the requirements in 19.102(f) of the Federal Acquisition Regulation to receive a benefit under this program.

**(End of clause)**

[69 FR 25279, May 5, 2004, as amended at 76 FR 68037, Nov. 2, 2011]

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