



U.S. SMALL BUSINESS ADMINISTRATION
WASHINGTON, D.C. 20416

MAY 14 2009

Mr. Darren L. Brown
Contracting Officer
Federal Lands Highway Program
U.S. Department of Transportation
Federal Highway Administration
1200 New Jersey Avenue, S.E.
Washington, DC 20590

Dear Mr. Brown:

This is in response to your request for approval of a blanket waiver to compete a requirement for several construction requirements below the competitive threshold. Specifically, the requirement is for "Repair of Roads and Bridges," in all 50 states, the District of Columbia, and two U.S. territories. A firm-fixed price contract is anticipated. The assigned NAICS Code is 237310. The applicable dollar threshold could reach \$200M on the award of 90 construction projects in 50 states. The period of performance is effective immediately upon offer and acceptance of these requirements into the 8(a) Business Development (BD) Program by the district office.

Your request for a blanket waiver is being approved pursuant to the American Recovery and Reinvestment Act of 2009. The U.S. Small Business Administration (SBA) has reserved this authority solely for "contracts funded by the Recovery Act, for competition for construction and information technology services below the competition thresholds."

As stated, the Department of Transportation, Federal Highway Administration/Federal Lands Highway Program intends to award 90 8(a) construction projects nationwide. As such, the procuring agency's contracting officer should forward the offer letter to the district office serving the geographical area in which the work is to be performed. That SBA district office will provide an acceptance letter. While below the threshold for this requirement is being waived under the authority of the American Recovery and Reinvestment Act of 2009, 8(a) construction requirements are to be competed only among those participants having a bona fide place of business within the geographical boundaries of one or more district offices within the state and nearby areas.

A copy of this letter should be included in the offering package when you submit your offer letter to the respective district office.

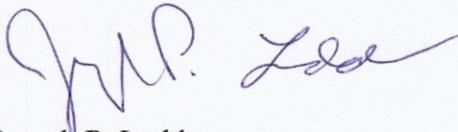


Mr. Darren L. Brown
Page 2

Should you have any further questions regarding this procurement, please contact Carol L. Thompson, Director, Office of Management and Technical Assistance at 202-619-1624.

Thank you for your continued support of the 8(a) Business Development Program.

Sincerely,

A handwritten signature in blue ink, appearing to read "J.P. Loddo". The signature is written in a cursive style with a large initial "J" and a long horizontal flourish at the end.

Joseph P. Loddo
Associate Administrator
Office of Business Development