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

JUN 9 2009

Mr. Robert Fraga
Contracting Officer
Office of the Chief Financial Officer
Office of Contracting and Personal Property Management
Smithsonian Institution
P.O. Box 37012, MRC 1200
Washington, DC 20013-7012

Dear Mr. Fraga:

This is in response to your request for approval of a blanket waiver to compete several construction requirements below the competitive threshold. The requirements are for "Commercial and Institutional Building Construction," to be performed in the States of Virginia, Maryland and District of Columbia.

A firm fixed-price contract is anticipated. The assigned NAICS Code is 236220. The applicable dollar threshold could reach $9.5M on the award of five (**5**) construction projects in the States of Virginia, Maryland and District of Columbia. The period of performance is effective immediately upon offer and acceptance of these requirements into the 8(a) Business Development (BD) Program by the respective 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 Smithsonian Institution intends to award five (**5**) 8(a) construction projects in the States of Virginia, Maryland and District of Columbia. 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 competition below the threshold for these requirements 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 submitting your official offer letter to the respective district office.

Federal Recycling Program Printed on Recycled Paper

Should you have any further questions regarding the approval of the blanket waiver request, 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,

Joseph P. Loddo
Associate Administrator
Office of Business Development