

ADM 2851.5 Local Area Small Business Set-Asides in the Gulf Coast

GENERAL SERVICES ADMINISTRATION
Washington, DC 20405

ADM 2851.5
August 30, 2007

GSA ORDER

SUBJECT: Local Area Small Business Set-Asides in the Gulf Coast

1. Purpose. This GSA Order sets forth policy promoting maximum participation of local area concerns in the Gulf Region for acquisitions supporting Hurricane Katrina recovery efforts.
2. Background.
 - a. On August 28 and 29, 2005, President Bush signed major disaster declarations for Florida, Mississippi, Alabama, and Louisiana as a result of Hurricane Katrina under the authority of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([42 U.S.C. 5121](#), *et seq.*). These Declarations remain in effect at this time.
 - b. On April 20, 2006, the Local Community Recovery Act of 2006 was enacted. 42 U.S.C. §5121 note. The Act amended section 307 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. §5150) to provide for contract set-asides to local firms for disaster relief activities undertaken pursuant to the Stafford Act. The requirements of the Act have been implemented in Subpart 6.6 and sections 26.202 and 26.203 of the Federal Acquisition Regulation.
 - c. More than two years after Hurricane Katrina, recovery efforts in the Gulf Coast remain on-going.
3. Effective date. This GSA Order is effective upon issuance.
4. Termination date. This GSA Order will remain in effect until cancelled, or until the Disaster Declarations related to Hurricane Katrina (FEMA-1602-DR, FEMA-1603-DR, FEMA-1604-DR, FEMA-1605-DR) expire or are otherwise terminated, whichever is sooner.
5. Reference to regulations. FAR Subparts 6.6, 26.2 and FAR Part 19.
6. Policy/Instructions.
 - a. It is the policy of GSA to promote, to the maximum extent possible, awards of contracts for goods and services to local firms residing or primarily doing business in the area affected by Hurricane Katrina.
 - b. Contracts for debris clearance, distribution of supplies, reconstruction, and other major disaster or emergency assistance activities, undertaken pursuant to the Stafford Act for disaster assistance and recovery shall, to the maximum extent feasible and practicable, be set-aside for award to local business concerns. This Stafford Act local area set-aside may be used in conjunction with other authorized set-asides, for example, those in FAR Part 19 for small businesses. In particular, the HUBZone program in FAR Subpart 19.13 is an appropriate contract vehicle to use with the local area set-aside since the HUBZone program is designed to increase economic development and there are numerous HUBZone qualified areas

within the Gulf Coast region.

c. With respect to contracts for goods and services below the simplified acquisition threshold, Contracting Officers are to consider for award local small business concerns in the areas covered by the above-referenced Disaster Declarations. Regional GSA Offices of Small Business Utilization can assist in providing information regarding local small business firms capable of meeting specific agency needs.

d. When contracting for these procurements, preference is to be given to businesses that are both small business concerns and are local. Contracts for goods and services in the areas covered by the above-referenced Disaster Declarations that are not set-aside for award to local small business concerns or local concerns shall include a statement of the reasons why set-aside was not feasible or practicable.

LURITA DOAN
Administrator