

[2 CFR 200.321](#)

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§ 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a)The non-Federal entity must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

(b)Affirmative steps must include:

- (1)**Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
- (2)**Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
- (3)**Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
- (4)**Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
- (5)**Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
- (6)**Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

Statutory Authority

AUTHORITY NOTE APPLICABLE TO ENTIRE PART:

[31 U.S.C. 503](#)

History

[\[78 FR 78590, 78608, Dec. 26, 2013\]](#)

Annotations

Notes

[EFFECTIVE DATE NOTE:

[78 FR 78590, 78608](#), Dec. 26, 2013, added Part 200, effective Dec. 26, 2013.]

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