to qualify for admission to SBA’s 8(a) Business Development Program.

§ 121.701 What SBIR programs are subject to size determinations?
(a) These sections apply to size status for award of a funding agreement pursuant to the Small Business Innovation Development Act of 1982 (Pub. L. 97-219, 15 U.S.C. 638(e) through (k)).
(b) Funding agreement officer means a contracting officer, a grants officer, or a cooperative agreement officer.
(c) Funding agreement means any contract, grant or cooperative agreement

§ 121.602 At what point in time must a 8(a) BD applicant be small?
A 8(a) BD applicant must be small for its primary industry at the time SBA certifies it for admission into the program.

§ 121.603 How does SBA determine whether a Participant is small for a particular 8(a) BD subcontract?
(a) Self certification by Participant. A 8(a) BD Participant must certify that it qualifies as a small business under the NAICS code assigned to a particular 8(a) BD subcontract as part of its initial offer including price to the procuring agency. The Participant also must submit a copy of its offer, including its self-certification as to size, to the appropriate SBA district office at the same time it submits the offer to the procuring agency. See §121.404 for the time at which size is determined for, and §121.406 for the applicability of the nonmanufacturer rule to, 8(a) BD procurements.
(b) Verification of size by SBA. Within 30 days of its receipt of a Participant’s size self-certification for a particular 8(a) BD subcontract, the SBA district office serving the geographic area in which the Participant’s principal office is located will review the Participant’s self-certification and determine if it is small for purposes of that subcontract. The SBA district office will review the Participant’s most recent financial statements and other relevant data and then notify the Participant of its decision.
(c) Changes in size between date of self-certification and date of award. The concern must recertify its size status, and SBA must verify the new certification before award can occur.
(d) Finding Participant to be other than small. (1) A Participant may request a formal size determination (pursuant to §§121.1001 through 121.1009) with the SBA Government Contracting Area Office serving the geographic area in which the principal office of the Participant is located within 5 working days of its receipt of notice from the SBA district office that it is not small for a particular 8(a) BD subcontract.
(2) Where the Participant does not timely request a formal size determination, SBA may accept the procurement in support of another Participant, or may rescind its acceptance of the offer for the 8(a) BD program, as appropriate.

§ 121.604 Are 8(a) BD Participants considered small for purposes of other SBA assistance?
A concern which SBA determines to be a small business for the award of a 8(a) BD subcontract will be considered to have met applicable size eligibility requirements of other SBA programs where that assistance directly and primarily relates to the performance of the 8(a) BD subcontract in question.