

# 52.226-5 Restrictions on Subcontracting Outside Disaster or Emergency Area.

As prescribed in [26.206\(c\)](#), insert the following clause:

Restrictions on Subcontracting Outside Disaster or *Emergency* Area (Nov 2007)

(a) *Definitions*. The definitions of the following terms used in this clause are found in the Small Business Administration regulations at 13 CFR 125.6(e): cost of the contract, cost of contract performance incurred for personnel, cost of manufacturing, cost of materials, personnel, and subcontracting.

(b) The Contractor agrees that in performance of the contract in the case of a contract for-

(1) *Services (except construction)*. At least 50 percent of the cost of contract performance incurred for personnel *shall* be expended for employees of the Contractor or employees of other businesses residing or primarily doing business in the area designated in the clause at FAR [52.226-4](#), Notice of Disaster or *Emergency* Area Set-Aside;

(2) *Supplies (other than procurement from a nonmanufacturer of such supplies)*. The Contractor or employees of other businesses residing or primarily doing business in the set-aside area *shall* perform work for at least 50 percent of the cost of manufacturing the *supplies*, not including the cost of materials;

(3) *General construction*. The Contractor will perform at least 15 percent of the cost of the contract, not including the cost of materials, with its own employees or employees of other businesses residing or primarily doing business in the set-aside area; or

(4) *Construction by special trade Contractors*. The Contractor will perform at least 25 percent of the cost of the contract, not including the cost of materials, with its own employees or employees of other businesses residing or primarily doing business in the set-aside area.

(End of clause)

**Parent topic:** [52.226 \[Reserved\]](#)