

VA National Acquisition Center's (NAC)

FEDERAL SUPPLY SCHEDULE (FSS)

Our mission is to provide world class healthcare products & services to the federal marketplace

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Expanding Access

SBA Finalizes Women-Owned Small Business Rule

On October 7, 2010, the [Small Business Administration](#) (SBA) published [a final rule](#) to govern its women-owned small business (WOSB) federal contracting program with the intent of expanding opportunities for small businesses to compete for federal contracts, in particular those owned by women. In addition to opening up more opportunities for WOSBs, the rule is also another tool to help achieve the statutory goal that 5% of federal contracting dollars go to WOSBs.

Under the new procurement program, Contracting Officers in the federal Government may restrict competition to WOSB companies if the following conditions are met:

- The WOSB is or has been underrepresented or substantially underrepresented in Federal procurement, and fits one of the [83 designated](#) North American Industry Classification System (NAICS) codes. For instance, NAICS code 3391 (Medical Equipment & Supplies Manufacturing) is designated.
- At least two or more small business concerns owned and operated by women can submit a proposal.
- The contract award price cannot exceed \$5 million for contracts that involve manufacturing and \$3 million for all other contracts.
- The award can be made at a fair and reasonable price.

The creation of a rule to increase federal contracting opportunities for WOSBs was authorized by Congress in 2000 under [Section 811](#) of the Small Business Reauthorization Act ([Public Law 106-554](#)). Since that time, SBA took a number of steps to study and analyze the market, including looking at participation by WOSBs across all industries. Some of the components of the WOSB final rule include:

- To be eligible, a firm must be 51% owned and controlled by one or more women, and primarily managed by one or more women, all of whom must be U.S. citizens.
- The final rule removes the requirement, set forth in a prior proposed version, that each federal agency certify that it had engaged in discrimination against WOSBs in order for the program to apply to contracting by that agency.
- The proposed rule allows women-owned small businesses to self-certify as "WOSBs" or to be certified by third-party certifiers, including government entities and private certification groups.

Please note that set-aside authorities for any socio-economic concern **DO NOT** apply to orders or Blanket Purchase Agreements issued under FSS contracts

- [A Guide to Considering Using Small Businesses When Using Federal Supply Schedules](#)
- [WOSB Contracting Program FAQ](#)
- [WOSB Program Fact Sheet](#)

Training Topic

The Buy American Act

1) What is Buy American Act?

Passed on March 3, 1933, the [Buy American Act](#) provides preferential treatment for domestic sources. Under the Act, it is the policy of the federal Government to only procure "unmanufactured articles that have been mined or produced in the U.S. or manufactured articles that were made substantially of articles or materials mined or produced in the U.S.," if:

- The supply contract exceeds the \$3,000 micro-purchase threshold; or
- The supply portion of a contract for services that involves the furnishing of supplies exceeds the micro-purchase threshold.

2) What are the exceptions from the Buy American Act?

In accordance with Federal Acquisition Regulation (FAR) [25.103](#), there are five exceptions to the Buy American Act.

- 1) The Act does not apply when domestic preference would not be in the best interest of the public (e.g. This applies when an agency has an agreement with a foreign Government that provides a blanket exception to the Act).
- 2) The Act does not apply if the price of the domestic product is deemed unreasonable.
- 3) The act exempts products that are not manufactured in the U.S. in sufficient (commercial) quantities and of satisfactory quality.
- 4) The act does not apply if products are purchased specifically for commissary resale.
- 5) The restriction on purchasing foreign end products does not apply to the acquisition of information technology that is a commercial item, when using fiscal year 2004 or subsequent fiscal year funds

3) What statutes/regulations apply to the Buy American Act?

- [Executive Order 10582](#): December 1954
- [FAR Part 25](#): Foreign Acquisitions and [FAR Clause 52.225](#): Buy American Act - Supplies
- [The National Defense Authorization Act of FY 1997](#): requires the Secretary of Defense to submit a report to Congress detailing the amount of purchases from foreign entities each year.
- The [Trade Agreements Act](#): per [FAR Clause 25.402](#), the Trade Agreements Act waives the Buy American Act for eligible products purchased from countries that have signed an international trade agreement with the U.S.

The Buy American Act does not apply to the VA FSS since the TAA is the enabling statute for the Service

- [American Recovery & Reinvestment Act's Buy American Mandate](#)

VA FSS Working For You

VA Online Sales Reporting System

In partnership with the General Services Administration (GSA), the Department of Veterans Affairs (VA) Federal Supply Schedule (FSS) will now collect quarterly sales report figures and Industrial Funding Fee (IFF) quarterly payments through a new GSA/VA Sales Online Portal: <https://vasalesportal.gsa.gov/>. As such, VA FSS contractors will be transitioning to use this new portal in order to submit their sales reports and IFF payments electronically, which will streamline the sales reporting process and ensure more efficiency in the management of the VA FSS program. Please note that VA FSS contractors will not incur any charges for reporting or submitting payments through the electronic Sales Portal.

At this time, all VA FSS contractors under the FSS schedules shown below should have registered and reported their firm's 4th quarter sales through the online portal. FSS contract holders under the 65IIA Medical Equipment & Supplies schedule will be able to register and report their 1st quarter sales for FY 2011 on January 1, 2011.

65IB - Drugs, Pharmaceuticals, & Hematology Related Products

65IIC - Dental Equipment & Supplies

65IIF - Patient Mobility Devices

65VA X-Ray - Equipment & Supplies

65VII - Invitro Diagnostics, Reagents, Test Kits, & Test Sets

66III - Cost-Per-Test, Clinical Laboratory Analyzers

621I - Professional & Allied Healthcare Staffing Services

621II - Medical Laboratory Testing & Analysis Services

Helpful Info:

FSS contractors are **NOT** required to remit their firm's IFF payment through the online portal. FSS contractors may submit a check in order to pay their IFF for the 4th quarter, but the 4th quarter is the last quarter that we will be accepting checks. Beginning with the 1st quarter of FY 2011, FSS contractors will be **required** to remit their IFF with an electronic payment (i.e. payment through the online portal, an ACH payment, wire transfer, etc.). If you plan to make an electronic payment (outside of the sales portal) and you need the Government's banking information, please contact the FSS Sales Helpdesk at fsssales.amhnh@va.gov.

If you attempt to register with the online Sales Reporting System prior to your firm's applicable quarter, you will **NOT** be granted access. However if your firm volunteered to participate in the Sales Reporting Pilot and you have already registered with the online portal, **PLEASE CONTINUE TO USE THE ELECTRONIC TOOL.**

Please direct all IFF and sales reporting related questions to the VA Sales Helpdesk at fsssales.amhnh@va.gov.

- [View the Online Sales Reporting User Guide and/or Portal Payment User Guide](#)

National News

Recent Emergency & Disaster Declarations

Under the [Disaster Recovery Purchasing Program](#), state and local Government entities may purchase products and services off of FSS contracts in order to facilitate the recovery from a major disaster (e.g. hurricane or a nuclear attack). As such, there were three declarations by President Obama during the month of November 2010, which can be seen below.

Major Disaster Declarations (November 2010)

| Number | Date | State | Disaster Type |
|--------|-------|-------------------|---|
| 1947 | 11/02 | SD | Severe Storms & Flooding |
| 1948 | 11/05 | US Virgin Islands | Severe Storms, Flooding, Mudslides, and Landslides associated with Tropical Storm Otto |
| 1949 | 11/24 | US Virgin Islands | Severe Storms, Flooding, Rockslides, and Mudslides associated with Tropical Storm Tomas |

- [Frequently Asked Questions About the Disaster Recovery Purchasing Program](#)

Upcoming Events

VA NAC INDUSTRY DAY



The [National Acquisition Center \(NAC\) Industry Day](#) Conference has been scheduled and will be held on March 15 – 16, 2011 at the [InterContinental Chicago O'Hare](#). Additional information, such as presentation topics, will be forthcoming in the near future, so please be sure to review the NAC's homepage: <http://www1.va.gov/oamm/oa/nac/index.cfm>.

VA NAC FSS Customer Training

- [FSS Customer Training Schedule](#):
 - We do not currently have any FSS customer training classes scheduled at this time. However if you would like to attend a training session, schedule a new one, or request additional information, please contact Ms. Veronica Hazen at Veronica.Hazen@va.gov. Please note that the FSS Customer Training is **ONLY APPLICABLE TO GOVERNMENT AGENCIES**.
- [Available Online Training For Any Interested Party](#):
 - [Pathway to Success](#) education seminar
 - The [Center for Acquisition Excellence](#) provides online training and resources about General Services Administration (GSA) and VA acquisition vehicles. You can find training on:
 - How to Become a Contractor – includes supplies and services covered by the Schedules program, Schedule solicitations and proposals, and marketing and administering a Schedule contract
 - Government Wide Acquisition Contract (GWAC)
 - Cooperative Purchase Program
 - Blanket Purchase Agreement
 - The [Vendor Support Center](#)

News You Can Use

VA FSS Service Working For You

In response to vendor concerns that were highlighted at the recent VA Supplier Relationship Transformation Forum, the Federal Supply Schedule (FSS) Service has targeted long-standing modification actions for immediate attention and action. Since the beginning of November 2010, the FSS Service has been pressing to complete pending modification requests that are over 120 calendar days old. Due to our concentrated efforts, we have made great strides in completing the pending modification requests. Many vendors would be sure to agree that the service they have recently received is gaining ground on the previous turnaround times. If you are still experiencing any issues, please do not hesitate to contact Ms. Carole O'Brien, Director of the FSS Service, at 708-786-4957 and/or Carole.Obrien@va.gov or Mr. Craig Robinson, Executive Director of the VA National Acquisition Center, at 708-786-5157 and/or Craig.Robinson@va.gov.

The FSS Service has also targeted long-standing offers and extensions for attention and action, so that these proposals can be completed in short order. Moreover, the FSS Service is currently holding planning sessions to rework and retool the previous changes to make sure they are as efficient and effective as possible for the customers, the vendors, and the operations of the VA managed FSS programs. We will be moving forward to firmly establish relationships between individual Contract Specialists and FSS vendors.

While the main focus for December will be the management of the [Public Law](#) pricing changes, which are required by law to be completed and effective by January 1st, the FSS Service will also be continuing to accept modifications for the other schedules and move them forward as quickly as possible. Thank you for your continued support and **HAPPY HOLIDAYS** from the VA's FSS Service.

Open Opportunities with the FSS

Start an exciting career with the FSS Service in Hines, IL!!! In order to ensure we reach our goals and provide the level of service that is expected from the FSS, we are expanding our organization by hiring additional employees. Please view all of the rewarding positions with the Federal Supply Schedule Service below.

- [Contract Specialist](#)
 - Location: Hines, IL
 - Announcement # MPA 10-01-OCVA
 - Series & Grade: GS-1102-07/12
 - Close Date: December 30, 2010

Recently Awarded FSS Contracts (November 2010)

Pharmaceutical, Dental, Patient Mobility, & X-Ray:

- Ferndale Laboratories: V797P-5149B (Small Pharmaceutical Business)
- Merck/Schering-Plough Distribution Services, LLC.: V797P-5198B (Large Pharmaceutical Business)
- VersaPharm, Inc.: V797P-5201B (Small Pharmaceutical Business)
- Acorda Therapeutics: V797P-6000X (Small Pharmaceutical Business)
- Fera Pharmaceuticals, LLC.: V797P-5196B (Large Pharmaceutical Business)
- Intendis, Inc.: V797P-5193B (Large Pharmaceutical Business)
- Johnson & Johnson DBA OraPharma, Inc.: V797P-5197B (Large Pharmaceutical Business)
- Kavo Dental Technologies, Inc.: V797P-3218M (Large Dental Business)
- KAB Incorporated DBA KAB Dental: V797P-3219M (Small Dental Business)
- SpecialMade Goods & Services, Inc.: V797P-3221M (Small Patient Mobility Business)

Medical/Surgical Equipment:

- Veterans Medical Supply, LLC.: V797P-4395B (Small Med/Surg Business)
- Centurion Medical Products: V797P-4340B (Large Med/Surg Business)
- Kimberly-Clark: V797P-4347B (Large Med/Surg Business)
- Surgical Tools, Inc.: V797P-4353B (Small Disadvantaged Med/Surg Business)
- Terras Irradiant DBA Enova Medl. Tech.: V797P-4351B (Small Med/Surg Business)
- Tenacore: V797P-4349B (Small Med/Surg Business)
- Sundaes Novelty, Inc.: V797P-4352B (Small Disadvantaged Med/Surg Business)
- Southeast Medical Supply: V797P-4355B (Small Med/Surg Business)
- J&J Enterprises: V797P-4356B (Small, Woman Owned Med/Surg Business)
- Mindray DS USA, Inc.: V797P-4357B (Large Med/Surg Business)
- Welch Allyn, Inc.: V797P-4333B (Large Med/Surg Business)
- Diagnostic Group, LLC. DBA Maico GSI Interoustics, Tremetric: V797P-4348B (Large Med/Surg Business)
- International Distributors of Electronics of Medicine (IDEM): V797P-4358B (Small Med/Surg Business)

Medical Professional & Laboratory Testing Services & Cost-Per-Test:

- Execu Search, Inc. DBA Execu-Search Group: V797P-7299A (Large Professional Medical Healthcare Services Business)
- Distinctive Home Care, Inc.: V797P-7300A (Small Disadvantaged, 8(A), Woman Owned Professional Medical Healthcare Services Business)
- PrideStaff, Inc. DBA Rx Relief: V797P-7295A (Large Professional Medical Healthcare Services Business)
- Flexibility & Co. DBA FlexRN: V797P-7294A (Small Professional Medical Healthcare Services Business)
- Integrated Healthcare Solutions, LLC.: V797P-7296A (Small Professional Medical Healthcare Services Business)
- Voyage Healthcare, LLC.: V797P-7301A (Small Professional Medical Healthcare Services Business)

In order to obtain pricing information for all of the companies referenced above or any other FSS contractor, please review the [NAC Contract Catalog Search Tool \(CCST\)](#) or [GSA E-Library](#). If you have any questions/concerns or would like to learn more about a specific topic and/or issue, please feel free to contact the FSS helpdesk by phone at (708)786-7737 and/or by e-mail at helpdesk.ammhinfss@va.gov.