

VA National Acquisition Center's (NAC)

# FEDERAL SUPPLY SCHEDULE (FSS)

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## Final "Verify" Rule

### Veteran Owned Small Businesses Must Prove Their Status

On January 3, 2011, the Department of Veterans Affairs (VA) announced that more than 13,000 veteran-owned small businesses (VOSB) would have to submit documentation to verify their veteran status in accordance with the [Veterans Benefits Act of 2010](#) (Public Law 111-275). In a statement included in the news release, VA Secretary Eric Shinseki stated that "although the verification process may initially be a challenge to some small business owners and to VA, it's a necessary step to eliminate misrepresentation by firms trying to receive contracts that should go to service-disabled and other veteran-owned vendors."



In Section 104 of the Veterans Benefits Act, entitled the [Veterans Small Business Verification Act](#), VA's requirement to verify the status of a business as owned and operated by a veteran or an eligible surviving spouse is expanded in order to prevent unqualified firms from winning contracts designated for VOSBs.

Through the [Vendor Information Pages \(VIP\) of the VetBiz Registry](#), VA maintains a list of qualified VOSBs, which helps VA contracting officials determine eligible companies for set aside contracting opportunities. Previously, VOSBs could self-certify their veteran status within the VetBiz Registry. However now, officials with the Center for Veterans Enterprise that manage the registry must verify a combination of documents from the VOSBs in accordance with the [final rule](#) that was published in the federal registry, which details the new steps that a VOSB must take in order to prove their veteran status. The final rule also:

- o Defines the eligibility requirements for businesses to obtain verified status;
- o Explains examination procedures;
- o Establishes records, retention, and review processes;
- o Implements a new requirement that eligible owners work full-time in the business for which they have applied for acceptance in the verification program;
- o Changes the time period for issuance of reconsideration decisions from 30 to 60 days.

As background, the Government Accountability Office (GAO) audit in 2009 was one of the factors that led to VA revising the requirements for VOSBs. GAO issued an [audit report](#) based on its audit of 10 firms and found that ineligible companies were awarded millions of dollars in set-aside and sole source contracts designated for VOSBs.

- [Read the News Release](#)
- [Important Information about the VOSB Verification Act](#)
- [Verification Act Frequently Asked Questions](#)
- [Veteran Business Status Verification Instructions](#)

## Training Topic

### Federal Awardee Performance & Integrity Information System (FAPIS)

#### 1) What is a FAPIS?

[FAPIS](#) is a centralized database that consolidates information on the integrity and performance of contractors across the federal Government. FAPIS was designed to "significantly enhance the Government's ability to evaluate the business ethics and quality of prospective contractors competing for federal contracts and to protect taxpayers from doing business with contractors that are not responsible sources."

#### 2) When did FAPIS become effective?

FAPIS became effective April 22, 2010, under a [final rule](#) published in the federal registry on March 23, 2010. The final rule amends the Federal Acquisition Regulation (FAR) and implements a directive issued by Congress (the [Duncan Hunter National Defense Authorization Act](#)) for Fiscal Year 2009. The new FAR clauses can be seen in Parts [52.209-7](#) and [52.209-9](#).

#### 3) What information can be found in FAPIS?

FAPIS contains information from several sources since the database integrates existing Government databases and collects new information, such as:

- o Debarment and suspension information, from the [Excluded Parties List System](#);
- o Past performance data (detailing contractors' performance on previous Government contracts) from the [Past Performance Information Retrieval System](#) (PPIRS) and the [Contractor Performance Assessment Reporting System](#) (CPARS);
- o Non-responsibility determinations of Contracting Officers (CO);
- o Contract terminations for default or cause, also from COs;
- o Certain self-reported criminal convictions, civil findings of liability, and adverse administrative actions.

#### 4) What does FAPIS mean for prospective/current contractors?

For any procurement expected to exceed \$500,000, the solicitation must include FAR 52.209-7, which requires the offeror to represent in the [Central Contractor Registration](#) (CCR) whether it has more than \$10 million in active federal contracts/grants. If the offeror has less than \$10 million in active federal contracts/grants, no further action is necessary. If the offeror does have more than \$10 million in active contracts/grants, then the resulting contract must contain FAR clause 52.209-9, which requires the contractor to update FAPIS through CCR semiannually for the life of the contract. Please note that all information posted in FAPIS on or after April 15, 2011, except past performance reviews, will be available to the public (in accordance with FAR clause 52.209-9).

#### 5) What does FAPIS mean for a CO?

CO's are required to use FAPIS when making determinations of responsibility for any contract valued over the simplified acquisition threshold (\$150,000). Through FAPIS, a CO has access to the decisions and actions taken by COs across the federal Government.

- [FAPIS User Manual](#)
- [FAPIS FAQs](#)

## 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) is now collecting quarterly sales report figures and Industrial Funding Fee (IFF) quarterly payments through a new GSA/VA Sales Portal: <https://vasalesportal.gsa.gov/>. As such, all VA FSS contractors are required to use this new portal in order to submit their quarterly sales, which streamlines the sales reporting process and ensures 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 should have registered with the VA Sales Portal and reported their 1<sup>st</sup> quarter sales for FY 2011 (October 1, 2010 – December 31, 2010). FSS contractors are **NOT** required to remit their firm's IFF payment through the online portal. However, we are no longer accepting checks from VA FSS contractors in order to pay their IFF. Thus, FSS contractors are **required** to remit their IFF with an electronic payment.

- Please direct all IFF and sales reporting related questions to the VA Sales Helpdesk at [fsssales.ammhin@va.gov](mailto:fsssales.ammhin@va.gov).

### VA FSS in Action

The FSS Service has been making huge strides in handling offers, extensions, and modification requests, since receiving valuable input from our vendors at the [October 2010 vendor forum](#). As of January 28, 2011, the FSS Service has completed **1,512** modification actions and **175** new contract awards or extensions. That is a lot of work, which was accomplished through two holidays!!!

The FSS Service has also taken positive action to staff the FSS Helpdesk with our Senior Contract Specialists, Assistant Directors, and Director on a rotational basis to ensure that timely and expert assistance is provided. Also, the team is continuing to plan to reconnect vendors with specifically assigned Contract Specialists, which will provide greater continuity and knowledge sharing. More information about this initiative and others will be discussed during the upcoming [VA NAC Industry Conference](#) that will be held here in Chicago on March 15<sup>th</sup> and 16<sup>th</sup>. We look forward to seeing you there. For specific information about the conference, please visit <http://vanac.eventiveinc.com/>.

If you are 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](mailto: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](mailto:Craig.Robinson@va.gov).

Thank you for your continued support and suggestions.

## 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 was [one declaration](#) by President Obama during the month of January 2011, which can be seen below.

#### Major Disaster Declarations (January 2011)

Number	Date	State	Disaster Type	Designated Counties
1952	1/26	CA	Winter Storms, Flooding, & Debris & Mud Flows	

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

## Upcoming Events

### VA NAC INDUSTRY DAY

#### Acquisitions in a Transitional World



The National Acquisition Center (NAC) Industry Day Conference will be held on March 15 – 16, 2011 at the [InterContinental Chicago O'Hare](#). This year's theme is "Acquisitions in a Transitional World," so please bring your questions and suggestions, and be prepared to discuss how we can all help the NAC provide quality

healthcare products/services in a transitional world!!! In order to obtain specific information about the conference, such as presentation topics and a copy of the agenda, please review the [NAC's homepage](#).

### 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](mailto:Veronica.Hazen@va.gov).
- FSS Personnel will be attending the following conferences:
  - 2011 FAH Public Policy Conference and Business Exposition – Washington, DC (February 27 – March 1, 2011)
  - ASAP 4th Annual National Training Conference – Las Vegas, NV (March 6 – 9, 2011)

## Recently Awarded FSS Contracts (January 2011)

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

- Harris Pharmaceuticals, Inc.: V797P-5217B (Small Pharmaceutical Business)
- Guerbet, LLC.: V797P-5072B (Large Pharmaceutical Business)
- Affordable Pharmaceuticals, LLC.: V797P-5107B (Small Pharmaceutical Business)
- Impax Laboratories, Inc.: V797P-5146B (Large Pharmaceutical Business)
- Wockhardt USA, LLC.: V797P-5194B (Large Pharmaceutical Business)
- Braintree Laboratories, Inc.: V797P-5220B (Large Pharmaceutical Business)
- Zanafel Laboratories, Inc.: V797P-5223B (Small Pharmaceutical Business)
- Falls Tech, Inc. DBA Midwest Dental Equipment and Supplies: V797P-3226M (Small Dental Business)
- NHD, Inc.: V797P-3225M (Small X-Ray Equipment/Supplies Business)
- At Home Assessments, Inc.: V797P-3224M (Small, Woman Owned Patient Mobility Business)
- Allstate Medical: V797P-3228M (Small Patient Mobility Business)
- TiSport, LLC.: V797P-3227M (Small Patient Mobility Business)
- Broda Enterprises USA, Inc.: V797P-3229M (Small Patient Mobility Business)

### Medical/Surgical Equipment:

- CircAid Medical Products, Inc.: V797P-4373B (Small, Woman Owned Med/Surg Business)
- Artisan Medical: V797P-4368B (Small, Veteran Owned Med/Surg Business)
- Alps South, LLC.: V797P-4380B (Small Med/Surg Business)
- GYN Disposables, Inc.: V797P-4377B (Small Med/Surg Business)
- Amedia Corporation: V797P-4384B (Small Med/Surg Business)
- Wrap It Bandages, LLC.: V797P-4381B (Small Med/Surg Business)
- Amico Clinical Solutions Corporation: V797P-4378B (Small Med/Surg Business)
- Arch Molds, LLC.: V797P-4386B (Small Med/Surg Business)
- Medex Supply Distributors, Inc.: V797P-4376B (Small, Woman Owned Med/Surg Business)
- Distribution Systems International, Inc.: V797P-4388B (Small, 8(A) Med/Surg Business)
- DRE, Inc.: V797P-4385B (Small Med/Surg Business)
- Marina Home Health, LLC. DBA Marina Medical: V797P-4391B (Small, Woman Owned Med/Surg Business)
- Urologix, Inc.: V797P-4393B (Small Med/Surg Business)
- Mobile Aspects, Inc.: V797P-4389B (Small Med/Surg Business)

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

- KDK Management, LLC. DBA Pharmsource: V797P-7307A (Small, Woman Owned Professional Medical Healthcare Services Business)
- Skilled Nursing, Staffing, & Search, Inc.: V797P-7308A (Small, Disabled Veteran Owned Professional Medical Healthcare Services Business)
- Sym, Inc.: V797P-7309A (Small, Woman Owned Professional Medical Healthcare Services Business)
- Nationwide Medical Staffing, Inc.: V797P-7310A (Small Disadvantaged Professional Medical Healthcare Services Business)
- RPh Temp Services, Inc.: V797P-7312A (Small Disadvantaged, Woman Owned Professional Medical Healthcare Services Business)
- Josephine's Personnel Services, Inc.: V797P-7313A (Small Disadvantaged, Woman Owned Professional Medical Healthcare Services Business)
- Westways Staffing Services, Inc.: V797P-7314A (Large Professional Medical Healthcare Services Business)
- Med Staff Oklahoma, LLC.: V797P-7315A (Small Professional Medical Healthcare Services Business)
- BJM & Associates: V797P-7316A (Small, Woman Owned Professional Medical Healthcare Services Business)
- Lawrence Recruiting Specialists DBA LRS Healthcare: V797P-7317A (Small, Woman Owned Professional Medical Healthcare Services Business)
- Choctaw Enterprises DBA Choctaw Professional Resources: V797P-7319A (Small Disadvantaged, 8(A), HubZone Professional Medical Healthcare Services Business)
- New Directions, Inc.: V797P-7318X (Small Professional Medical Healthcare Services Business)
- Healthy and Happy America (HAHA): V797P-7320A (Small, 8(A) 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](mailto:helpdesk.ammhinfss@va.gov).**