

**SUBCHAPTER F—SPECIAL CATEGORIES OF CONTRACTING**

**PART 837—SERVICE CONTRACTING**

**Subpart M837.1—Service Contracts—General**

Sec.

M837.102	Policy.
M837.102-70	Performance specifications and quality assurance surveillance plans.
M837.102-71	Guidebook for the acquisition of services.
M837.102-72	Market research report guide.
M837.104-70	Certification non-personal service contracts.
M837.107-70	Service contract labor standards wage adjustments.

**Subpart M837.2—Advisory and Assistance Services**

M837.270	Acquisition of audit services.
----------	--------------------------------

**Subpart M837.4—Nonpersonal Health Care Services**

M837.401	Policy.
M837.401-70	Performance specifications and quality assurance surveillance plans for medical services.
M837.401-71	Guidance for health care resources contracting—buying.

**Subpart M837.70—Mortuary Services**

M837.7000	General.
M837.7001	[Reserved]
M837.7002	Method of Acquisition.
M837.7003	Area of performance and distribution of contracts.
M837.7004	Unclaimed remains.

This page intentionally left blank.

SUBCHAPTER F—SPECIAL CATEGORIES OF CONTRACTING

PART M837—SERVICE CONTRACTING

Subpart M837.1—Service Contracts—General

**M837.102 Policy.**

Each head of the contracting activity (HCA) shall ensure that the Integrated Oversight Process, as prescribed in Procurement Policy Memorandum [2017-01](#), is followed to ensure:

- (a) Performance-based Service acquisitions are used to the maximum extent;
- (b) Competition is fully promoted;
- (c) Adequate evaluation factors are utilized including cost/price analysis; and
- (d) Conflicts of interests are avoided.

**M837.102-70 Performance specifications and quality assurance surveillance plans.**

In addition to the information contained in [FAR 37.1](#), additional material on conducting performance-based acquisition and quality assurance surveillance plans for services can be found in the Office of Federal Procurement Policy’s [“Steps to Performance-Based Service Acquisition Guide”](#).

**M837.102-71 Guidebook for the acquisition of services.**

The [Acquisition Center of Excellence for Services](#) was established to provide a clearinghouse of service contract best practices for both the public and private sectors. The Office of Federal Procurement Policy has partnered with the Department of Defense to use the Defense Acquisition University’s Acquisition Community Connection, or Community Hub, [website](#) to comply with the requirement imposed by the Service Acquisition Reform Act. Acquisition personnel are encouraged to use this resource to research best practices, guidance and other internet links.

**M837.102-72 Market research report guide.**

See the [VA Market Research Guide for Acquisition Teams](#) for guidance on use of the Market Research Report to conduct and document market research.

**M837.104-70 Certification of non-personal services contracts.**

The contracting officer shall ensure that the contract file contains a Non-Personal Services Contract Certification, prepared by the program office documenting the analysis that neither the services nor the manner in which they will be managed will result in personal services.

**M837.107-70 Service contract labor standards wage adjustments.**

The contracting officer shall refer to the [Fair Labor Standards Act & Service Contract Labor Standards Price Adjustment Guide](#) for guidance on calculating contract price adjustments resulting from changes in the Service Contract Labor Standards minimum wage rates and fringe benefits or changes in the Fair Labor Standards Act minimum wage.

**Subpart M837.2—Advisory and Assistance Services**

**M837.270 Acquisition of audit services.**

Project offices with an Office of Inspector General shall refer to the [Advisory and Assistance Services—A Practical Reference Guide](#) when developing requirements for advisory and assistance services. This guide was prepared at the request of the President's Council on Integrity and Efficiency Inspection and Evaluation Committee.

**Subpart M837.4—Nonpersonal Health Care Services**

**M837.401 Policy.**

**M837.401-70 Performance specifications and quality assurance surveillance plans for medical services.**

Medical Product and Service Codes Q501-Q527 are exempt from performance work statement (PWS) guidance. However, sample PWS' and quality assurance surveillance plans for Healthcare Procurements are located at the VA Business Intelligence Tool website. Additional samples can be found on the [Defense Acquisition University website](#).

**M837.401-71 Guidance for health care resource services—buying.**

Contracting officers are responsible for procuring health care resources in accordance with the procedures provided in [VA Directive 1663, Health Care Resources Contracting—Buying](#).

## Subpart M837.70—Mortuary Services

### M837.7000 General.

This subpart establishes procedures for the procurement of funeral and burial services for deceased veterans, as provided in 38 U.S.C. 2302, 2303, and 2308 when it is determined that a contract is more efficient and cost-effective than the use of a purchase card.

### M837.7001 Reserved.

### M837.7002 Method of acquisition.

(a) *Requirements type contract.* Each Veterans Health Administration (VHA) Regional Procurement Office of Veterans Benefits Administration (VBA) regional office shall consider using a requirements contract for the estimated requirements of mortuary services for unclaimed veteran remains within their region when the estimated annual requirements for such services are expected to reach ten or more. Use a requirements type contract (see [FAR 16.503](#)).

(b) *Purchase card.* Where no contract exists, use the purchase card to obtain mortuary services. Or, if proceeding with a contract, payment terms should be included to use the purchase card as a method of payment.

### M837.7003 Area of performance and distribution of contracts.

(a) Contracts for mortuary services shall define the geographical area to be covered by the contract by—

Using political boundaries, streets, or other features as demarcation lines; and,

Identifying the carrier terminal to be used as a pickup or delivery point.

(b) Copies of the contract shall be distributed to each facility authorized to use the contract.

### M837.7004 Unclaimed remains.

(a) VBA procedures at [38 CFR 3.1708\(d\)](#) provide burial procedures when a veteran's remains are unclaimed and the Director of the VA regional office in the area in which the veteran died is responsible for completing arrangements for burial.

(b) [VHA Handbook 1601B.04, Decedent Affairs](#), provides burial procedures for situations where the remains of a veteran at a VA facility or a non-VA facility under authorized admission at VA expense are unclaimed and the facility Director is responsible for requesting funeral and burial services.

This page intentionally left blank.