



# VA Acquisition Regulation Update

October 15, 2021

Number 2008-31

1. **Material Transmitted:** The attached pages contain revisions to the Department of Veterans Affairs Acquisition Regulation (VAAR) part 819, Small Business Programs, and 852, Solicitation Provisions and Contract Clauses.

2. **Summary of Changes:** This VAAR update implements requirements of P.Law 116-183 to amend 28 U.S.C. 8127. It adds: 1) language at 819.7001 regarding responsibilities and the requirement for certifications; 2) compliance with limitations on subcontracting (LOS) requirements for eligibility at 819.7003; 3) prescriptions for two new VAAR classes at 819.7009; and, 4) the two new clauses at 852.219-77 and 852.219-78.

a. Text revisions are listed and summarized below:

VAAR Part/Subpart	Title	Change Summary
819.7001(e) through (g)	General	Adds language regarding VA monitoring responsibilities, compliance, and penalties regarding the SDVOSB/VOSB LOS certification requirements.

<b>VAAR Part/Subpart</b>	<b>Title</b>	<b>Change Summary</b>
819.7003	Eligibility	Adds language that contracting officer must obtain the LOS certification from the offeror before awarding a contract.
819.7009(b) and (c)	Contract Clauses.	Adds prescriptions for two new clauses at 852.219-77 and 852.219-78.
852.219-77	VA Notice of Limitations on Subcontracting—Certificate of Compliance for Services and Construction.	Adds new clause.
852.219-78	VA Notice of Limitations on Subcontracting—Certificate of Compliance for Supplies and Products.	Adds new clause.

**3. Filing Instructions:**

<b>Remove pages:</b>	<b>Insert Pages:</b>
819-1 thru 819-30	819-1 thru 819-32
852-1 thru 852-88	852-1 thru 852-94

**Effective date:** September 15, 2021.