Department of Veterans Affairs
Office of Procurement, Acquisition and Logistics
National Acquisition Center
Federal Supply Schedule Service

July 15, 2021

Subject: Acquisition Flexibilities for Certain COVID-19 Tests

Dear Vendors and Government Ordering Activities:

On March 13, 2020, the President of the United States declared a National Emergency concerning the Novel Coronavirus Disease (COVID-19) outbreak. Accordingly, actions have being taken across the federal government to ensure a robust COVID-19 response that addresses the health and safety needs of the American people. Through effective government/industry collaboration, the FSS program has been a valuable resource in the Nation's fight against COVID-19. Federal, state, and local governments, as well as Indian tribal governments and officials, have used the FSS to satisfy their requirements for medical supplies and services. To ensure our customers have access to the widest selection of products and services, we have taken proactive steps to streamline or remove barriers to using Schedules.

Our customers, particularly, the Veterans Health Administration and the White House COVID-19 Response Supply Chain Task Force, informed us of the importance of having multiple COVID-19 rapid diagnostic and serology/antibody tests available under the FSS to ensure healthcare providers have needed supplies to adequately function and mitigate the impact of COVID-19.

Therefore, we requested, and effective 06/24/2021, we received limited approval from the Office of Acquisition, Logistics and Construction Chief Acquisition Officer (CAO) authorizing FSS to evaluate the addition of **COVID-19 rapid diagnostic and serology/antibody tests that are neither U.S.-made nor designated country end products (pursuant to clause 52.225-5 Trade Agreements)** under Schedule 65 VII. The CAO's approval is limited to Schedule 65 VII, Invitro Diagnostics, Reagents, Test Kits and Test Sets, and the authority is limited through 12/31/2021, unless extended.

We encourage all manufacturers of COVID-19 rapid diagnostic and serology/antibody tests to offer items under Schedule 65 VII to our office for evaluation even if the tests are not U.S.-made or designated country end products.

Vendors with a current FSS contract should follow the terms of your contract and the guidance below to submit a request for modification (RFM) to add the item(s). If you do not have a current contract under Schedule 65 VII, please submit an offer following the guidance below. Our goal is to prioritize actions for expedited processing once a complete and responsive package is received.

Modifying Your VA FSS Contract

1. Review the requirements of submitting a request for modification (RFM) at Modifying Your VA FSS Contract - Office of Procurement, Acquisition and Logistics (OPAL).
2. Obtain the RFM form "Product Addition Request Package" for VA FSS Commodities Schedules at Modification Request Forms - Office of Procurement, Acquisition and Logistics (OPAL) (va.gov)
3. Applicable Special Item Numbers (SINs) are 555-2 and 555-8
4. Submit the completed package to **FSS.help@va.gov.**
5. Recommend informing your assigned Contract Specialist the RFM is in support of COVID-19 response so he/she may prioritize the evaluation of the proposal.

Submitting an Offer:

1. Review the requirements of submitting an offer at Electronic Acceptance of FSS Offers/Proposals - Office of Procurement, Acquisition and Logistics (OPAL) (va.gov).
2. Download a copy of the current solicitation at Schedule 65 VII In Vitro Diagnostics, Reagents, Test Kits, & Test Sets - Office of Procurement, Acquisition and Logistics (OPAL) (va.gov)
3. Applicable Special Item Numbers (SINs) are 555-2 and 555-8.
4. Submit the offer to **FSSOffersandExtensions@va.gov**. **No hardcopies are accepted.**
5. Questions may be directed to FSS.help@va.gov**.**

Additional Requirements:

1. COVID-19 rapid diagnostic and serology/antibody tests must be FDA approved or have been issued an Emergency Use Authorization (EUA).
2. Commercial Sales Practice (CSP) data is still required and must be disclosed. Although we are committed to expediting the review process, the contracting officer is still charged with awarding contracts with terms deemed fair and reasonable and in the best interest of the Government.

The authority to add tests that are non-U.S.-made or are not designated country end products is limited through 12/31/2021, unless extended. If the CAO does not extend the authority, non-Trade Agreements clause compliant products will be deleted from the FSS with an effective date of 01/01/2022, by the assigned contracting officer. Our office will reassess the necessity of this authority beginning in November 2021 in anticipation of a decision by 12/15/2021, regarding any extensions.

If you have any questions, please contact Bob Satterfield, Services Team Chief, at William.Satterfield@va.gov or 708-305-9974 (cell) or Aretha Spurlock, Team Lead, at Aretha.Spurlock@va.gov or 708-786-7793 who will act as focal points for issues and will offer initial guidance. You may also submit questions using our helpdesk, FSS.help@va.gov.

We appreciate your interest in the FSS program and your continued efforts in the fight against COVID-19.

Respectfully,

/s/ Daniel H. Shearer
Director
VA Federal Supply Schedules Service