

VA FSS Newsletter

Your source for VA Federal Supply Schedule (FSS) News and Updates

COVID-19 Acquisition Flexibilities

In response to the ever-increasing healthcare demands surrounding the COVID-19 pandemic, FSS is providing acquisition flexibilities for medical supplies and services to better meet those requirements.

- **State & Local Government Purchasing Authority:** Upon the Presidential declaration of a national emergency, the Stafford Act authorizes state and local governments, including Indian tribal governments and officials, to place orders against FSS contracts. While acceptance of such orders by FSS contractors is optional, we encourage our contractors to participate in this time of need. For more information, view the letter on this topic posted at the top of our [FSS homepage](#) in the news carousel.
- **Market Differentials for Temporary Healthcare Staffing:** On April 10th, FSS issued Mass Modification 0010 (extended by Mass Mod 0011 on July 2nd) for our 621 I Professional and Allied Healthcare Staffing Services contracts to ensure that each ordering activity can acquire urgently needed patient care. Although the awarded FSS hourly ceiling rate, commonly known as the not to exceed (NTE) rate, remains the base contract price, this modification permits ordering activities to add a COVID-19 market differential to that NTE price at time of order when the NTE does not represent current market conditions. Read these modifications on our [Mass Modifications webpage](#) for complete details.

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Inside FSS

News from Director Dan Shearer



Greetings to everyone who has an interest in supporting the medical and healthcare needs of our nation's Veterans and our federal, state and local entities. Since our last update we have continued pursuing improvement to operations and advancement in strategy. In support of Operations we have increased surveillance of Missing Sales Reports and have noted vendors taking more responsibility to meet the quarterly sales reporting requirements. Increased monitoring and interaction have reduced the number of non-compliant vendors to 5%. We can do better, and I ask your recommitment to be disciplined and follow a routine on a quarterly basis, because 1% or less non-compliance is reasonable and reflects the level of dedication that many of you feel in supporting this important mission. Contract awards issued during the week ending July 17, 2020, averaged 114 days processing time which was the first week in almost three years that the awarded contracts came in below the PALT standard. There are several factors that work together to improve processing times, and our vendors play a tremendous role in being timely and responsive to Contracting Officer and OIG requests for

information. In June FSS held its first quarterly review with OIG to identify workload and address any delays or issues. This meeting was added to our normal routine and will continue as we partner to improve timeliness and efficiency. In the area of strategy, FSS has increased engagement with GSA modernization efforts as GSA moves to even more advanced systems. It is too early to identify the impact on operations; however, the linkages for working with GSA continue to move forward. To better support COVID19 procurement efforts across the nation, we issued contract announcement emails directly to thousands of procurement officials across VA as well as through the National Association of State Procurement Officials and our federal government partners, such as GSA, HHS, FEMA, BOP, HIS, DHS, and DOD, to highlight COVID-19 tests and medications added to FSS contracts. Lastly, in all that we do, people make the difference, and we are pleased to share that six new employees joined FSS in June-July with another two hires anticipated in August-September due to competitive promotions from within and retirements. The FSS workforce of today embraces our challenge to be the best, and we welcome our newest team members and ask that you join us in sharing your knowledge with them as they interact with you in ever increasing levels of responsibility in the near future.

What's New with FSS

FSS Pilots Annual Contract Reviews (ACR)

In an effort to improve efficiency of contract administration and to ensure FSS contracts are maintained and kept up to date, the Medical Surgical (Med Surg) Contracting Teams A & B have started a pilot initiative to conduct Annual Contract Reviews (ACRs). On an annual basis, each contract will be reviewed to assess performance, customer support, and data integrity in pricing files as well as to identify any issues and facilitate their resolution, including any necessary modifications. Having started this pilot program in February 2020, progress has been steady with reviews completed on 25% of the contracts administered by the Med Surg B Contracting Team. The Med Surg A Contracting Team's efforts are likewise underway. Some of the issues discovered as a result of the ACR include outdated points of contact and improper/incomplete submissions of Requests for Modification (RFMs). The ACR also opens up a discussion regarding the contract option available after the 5-year base performance period or the submission of a follow-on offer.

The intent of this recurring annual review is to maintain and document a conversation that ensures existing contracts are current, accurate and complete. Performance deficiencies will be documented along with any corrective action taken by the Contractor. As a result of this review, any future actions, such as the exercise of an option, can be processed more efficiently. Your assigned Contract Specialist will send you an email to schedule a time most convenient for you, and the conversation should not exceed an hour depending on how many questions and issues arise. Action items identified as a result of the review will vary. Our partnership is important, and proactive interaction remains essential for all of us; for together we're better.

Web Wisdom

FSS News Carousel

Where can you see the latest news and announcements for FSS? Want to download the most recent FSS Newsletter? Look no further than the carousel at the top of our VA FSS Homepage at <https://www.fss.va.gov/>. Each rotating image has information to the right along with a hyperlink to read more about that topic. You can also utilize the links for each topic in the bar along the bottom of the carousel.

VA Federal Supply Schedule Service

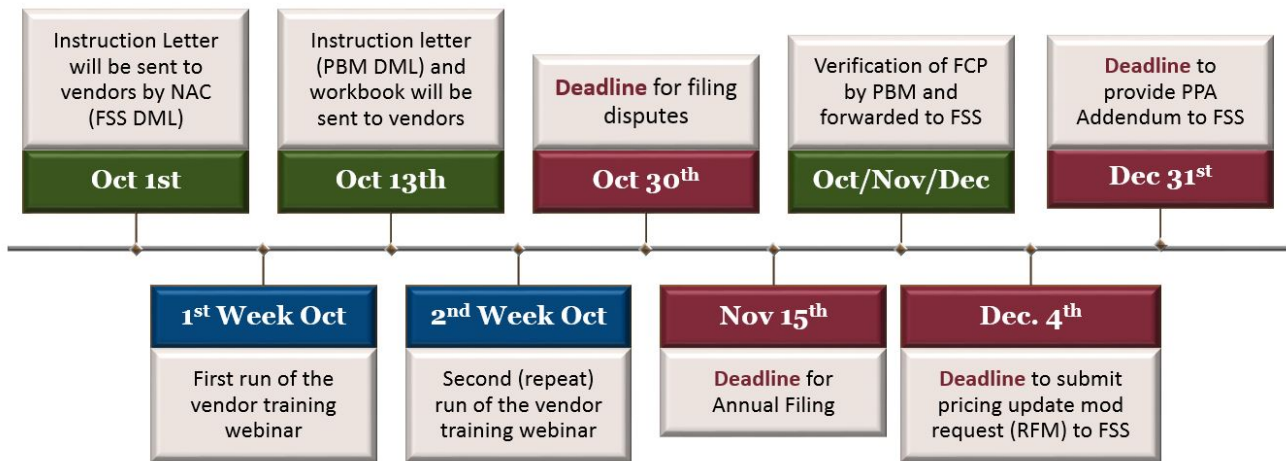
New FAQ
State and Local Governments (SLG) use of Federal Supply Schedule (FSS) contracts under the Disaster Recovery Program.
[Read more »](#)

State and Local Governments Use of FSS Under the Disaster Recovery Program FAQ | April 2020 - VA FSS Newsletter | State and Local Governments Authorized to Use FSS | Rental Notice

Pharm Facts!

Public Law 2021 – Deadline for Changes

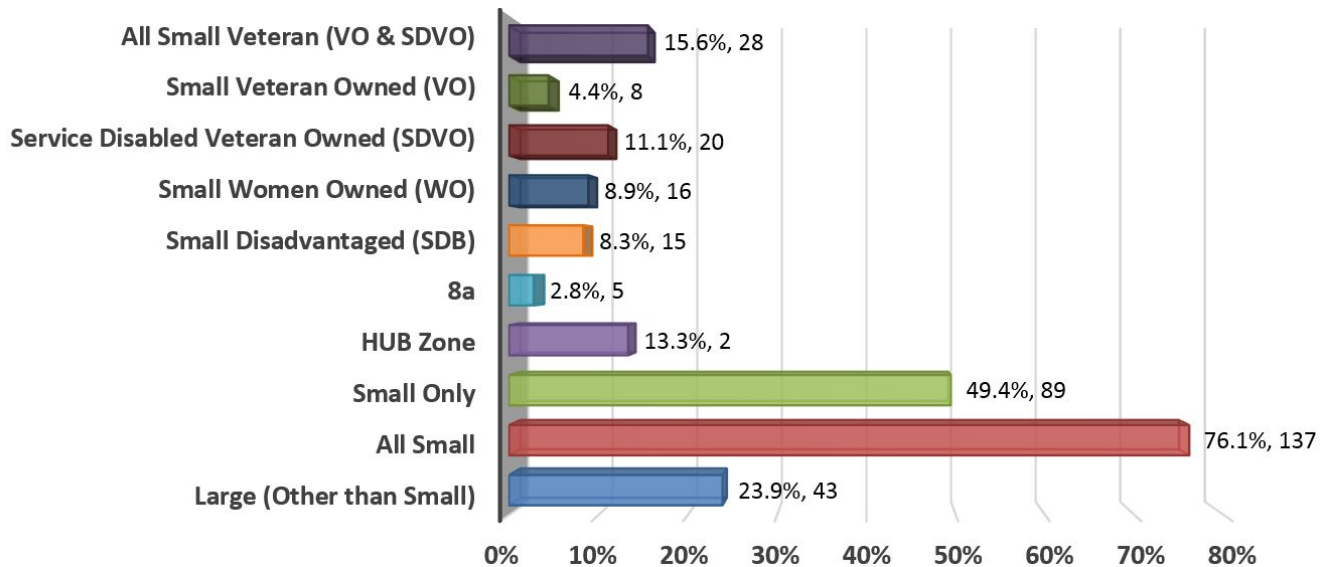
The 2021 Public Law (PL) season is drawing near, and it is that time of year again to take a thorough look at your contract to make sure that everything is up to date. For any covered drug items impacted by the annual PL pricing updates, you will have until September 15th to submit a Request for Modification (RFM) to effect any necessary changes. This deadline provides time for both the contractor and FSS to ensure that your contract is ready for export of the PL workbook used to complete the 2021 annual non-FAMP calculations. Don't forget to attend one of our two Public Law training webinars in October! Specific training dates will be announced on our [training web page](#) and via Constant Contact.



Contract Corner

Contracts Awards - FY 2020 In Progress

Below are our FSS contract awards from the beginning of FY 2020 (October 1, 2019) through July 9, 2020, shown by socioeconomic category as percentages of a total of 180 FSS contract awards, followed by the number of contract awards. Highlights include the award of 137 contracts to small businesses, making up 76% of all contract awards, and the award of 28 contracts (15.6%) to all Veteran-Owned Small Business types. Please note that the percentages below will not add up to 100% as businesses can qualify under more than one category.



FSS FAQ:

Can the Vets First Rule of Two be met with FSS?

Currently FSS has contracts with 215 Veteran Owned Small Businesses (VOSBs) and Service-Disabled Veteran Owned Small Businesses (SDVOSBs), making up nearly 13% of all FSS contractors. FSS can help ordering facilities achieve Vets First Program requirements in two ways.



- 1) **Multiple FSS Contractors Selling Same/Like Items:** As FSS is a Multiple Award Schedule (MAS), there are multiple Veteran contractors selling the same/like items which can meet the Rule of Two.
- 2) **Market Research:** FSS can also help meet the market research requirement of the Vets First Program. Our schedules can assist with determining if Veteran offerings are fair and reasonable and represent the best value, two key requirements of the Vets First Program.

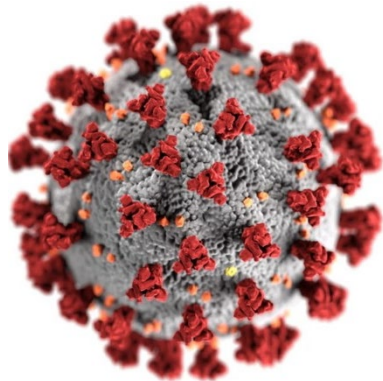
Research our contract offerings on the NAC's [Contract Catalog Search Tool \(CCST\)](#) or at [GSA Advantage!](#) and see how well FSS can meet your acquisition needs!

Around the VA

The VA Responds to COVID-19

Across the VA, efforts to facilitate dealing with the impact of the novel coronavirus have been put into action using multifaceted and innovative measures. In addition to administering over 352,637 COVID-19 tests nationwide, here are a few things the VA is doing to help in this time of need.

- **Federal Interagency Council on COVID-19:** The VA is participating in a federal, interagency council which meets daily to review the government's response to the virus. Along with VA representatives, this collaborative council includes the Centers for Disease Control (CDC), the Department of Defense (DOD), the Federal Emergency Management Agency (FEMA), Health and Human Services (HHS), and the US Public Health Service (PHS).
- **COVID-19 Registry:** To assist in tracking the virus in Veteran populations, a COVID-19 registry has been added to the Clinical Case Registry, an application supporting local and national registries for specific diagnoses and conditions. In addition to providing tracking data, the new registry will aid in understanding patient characteristics and treatments.
- **COVID-19 Screening Tool:** Staff at the Durham VAMC, with input from Veterans and collaboration with the VA's Chief Technology officer, developed the [COVID-19 Screening Tool](#). This tool allows Veterans and VA healthcare employees to complete the screening on their mobile phones prior to entering the facility, thus saving time for frontline screeners, decreasing wait times, and lowering exposure risk.
- **One-Way Ventilator Valve:** Working with a team at the University of Michigan, VA Dr. Kyle VanKoevinger developed a one-way valve device that permits two patients with differing needs to use the same ventilator by customizing air pressure. This overcomes the limitations of the existing "vent-splitter" which requires both patients to have the same ventilator requirements.
- **VA's Fourth Mission:** The VA's missions include Veterans health care, Veterans benefits, national cemeteries, and the "Fourth Mission", which is *to improve the Nation's preparedness for response to war, terrorism, national emergencies, and natural disasters by developing plans and taking actions to ensure continued service to veterans, as well as to support national, state, and local emergency management, public health, safety and homeland security efforts*. Through this mission, the VA is supporting non-VA health care systems that have encountered capacity issues due to COVID-19, committing to make 1,500 beds available to FEMA for non-veteran patients at VA facilities across the country.



Training Center

Who can place orders against VA FSS contracts?

This is a question for which there is no short answer. The GSAR at [552.238-113 Scope of Contract \(Eligible Ordering Activities\)](#) gives a detailed listing of eligible FSS users, providing many caveats which have to be explored in order to truly answer this question. We are providing hyperlinks to the regulatory references below to help you obtain a full understanding.

The following agencies/activities are authorized to use FSS contracts as a source of supply for domestic and/or overseas delivery:

- 1) **Executive agencies** (as defined in [FAR Subpart 2.1](#)) including nonappropriated fund activities as prescribed in [41 CFR 101-26.000](#);
- 2) **Government contractors authorized in writing by a Federal agency** pursuant to [FAR 51.1](#);
- 3) **Mixed ownership Government corporations** (as defined in the [Government Corporation Control Act](#));
- 4) **Federal Agencies**, including establishments in the legislative or judicial branch of government (except the Senate, the House of Representatives and the Architect of the Capitol and any activities under the direction of the Architect of the Capitol);
- 5) **The District of Columbia**;
- 6) **Tribal governments** when authorized under 25 USC 450j(k) (editorially reclassified as [25 USC Section 5324](#));
- 7) **Tribes or tribally designated housing entities** pursuant to [25 U.S.C. 4111\(j\)](#);
- 8) **Qualified Nonprofit Agencies** as authorized under [40 USC 502\(b\)](#); and
- 9) **Organizations**, other than those identified below, **authorized by GSA** pursuant to statute or regulation to use GSA as a source of supply.

Additionally, the following activities may place orders against VA FSS contracts provided that the Contractor accepts the order(s):

- 1) **The American National Red Cross** may place orders in furtherance of the purposes set forth in its Federal charter ([36 U.S.C. 300102](#)).
- 2) **Other qualified organizations, as defined in section 309 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([42 U.S.C. 5152](#))**, may place orders determined to be appropriate to facilitate emergency preparedness and disaster relief and set forth in guidance by the Administrator of General Services in consultation with the Administrator of the Federal Emergency Management Agency.
- 3) **State and local governments** may place orders determined by the Secretary of Homeland Security to facilitate recovery from a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act ([42 U.S.C. 5121, et seq.](#)) to facilitate disaster preparedness or response, or to facilitate recovery from terrorism or nuclear, biological, chemical, or radiological attack.



As you are all aware, on March 13, 2020, the President declared a national emergency in response to COVID-19. Pursuant to the Stafford Act mentioned above, this declaration provides state and local governments, including Indian tribal governments and officials, with full access to place orders against FSS contracts. In FY 2019, state and local governments placed orders of \$10.6 million against FSS contracts, and we expect to see that number greatly rise this FY given the current situation with COVID-19.

Did You Know ...

The micro purchase threshold (MPT) and the simplified acquisition threshold (SAT) are being raised? Effective August 31, 2020, the Federal Acquisition Regulations (FAR) will be revised to reflect the increase of the MPT from \$3,500 to \$10,000 and the increase of the SAT from \$150,000 to \$250,000. The proposed rule for this change, published on October 2, 2019, permitted agencies to issue deviations to the MPT and SAT to increase the thresholds prior to the issuance of the final rule. This final rule, published under FAC 2020-07 in the Federal Register, effectively changes the FAR definitions for these terms at 2.101.



REMINDER!

IFF / Report of Sales Due



3rd quarter FY 2020 sales reports and Industrial Funding Fee (IFF) payments are due starting on July 1, 2020. Sales and IFF not received by August 31, 2020, are considered delinquent and the contract subject to cancellation. All VA FSS contractors are required to submit a report via the [VA Sales Reporting System](#) even if no sales occurred under the contract. 3rd Quarter covers sales from Apr 1 – Jun 30.

For more information, visit our [Sales Reports & IFF](#) page online. For assistance from our VA Sales Desk, please contact us by e-mail at FSSSales.AMMHIN@va.gov.

Upcoming Training & Events

August 26, 2020

[Guide to Commercial Sales Practices Disclosures - Webinar](#)

September 17, 2020

[Electronic Subcontracting Reporting System \(eSRS\) - Webinar](#)

***Fall 2020**

Option to Extend Package Submission Best Practices - Webinar

***October 2020**

Public Law Training

*Dates to be announced via Constant Contact & the [FSS Training Webpage](#)

Useful Links

[FSS Web Portal](#)

[VA Schedule Programs](#)

[FSS Contractors](#)

[FSS Customers Training](#)

[Modification Request Forms \(RFMs\)](#)

[Contractor Responsibilities](#)

[Small Business Subcontracting](#)

[Sales Reports & IFF](#)

Contact Us!

FSS Contractors Inquiries: Please contact your assigned Contract Specialist

FSS Helpdesk: Phone (708)786-7737 E-mail: HelpDesk.ammhinfss@va.gov

FSS Small Business Liaison, Micole Stephens: Micole.Stephens@va.gov, (708)786-5156

IFF/Report of Sales (VA Sales Portal) Inquiries: FSSSales.AMMHIN@va.gov

Pharm A Chief, Trevor Martin: Trevor.Martin@va.gov, (708)786-7708

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