DEPARTMENT OF VETERANS AFFAIRS
Office of Acquisition and Logistics
National Acquisition Center
Federal Supply Schedule Service
P. O. Box 76, 1st Avenue, One Block North of 22nd St
Hines, IL 60141

March 20, 2020

VA Federal Supply Schedule Vendors

SUBJ: Presidential Declaration of National Emergency COVID-19 – State and Local Government Ordering Procedures

1. On March 13, 2020, the President declared the ongoing Coronavirus Disease 2019 (COVID-19) pandemic of sufficient severity and magnitude to warrant an emergency declaration for all states, tribes, territories, and the District of Columbia pursuant to section 501 (b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5207 (the "Stafford Act"). Based upon this declaration, full access to order against Federal Supply Schedules, including VA Schedules, is available to State and Local Governments.

- **Information on the GSA Disaster Program**: https://www.gsa.gov/buying-selling/purchasing-programs/gsa-schedules/schedule-buyers/state-and-local-governments/state-and-local-disaster-purchasing

2. Parameters for understanding and enabling successful fulfillment and administration of Schedule purchases under this authority are:

- **Contractor Participation:** While at time of contract award you may have elected not to participate in Disaster Recovery Purchasing, regulations permit you to accept any orders by State and Local Governments pursuant to this emergency declaration, and we encourage you to do so. However, under the terms of your contract, fulfillment of State and Local Government orders is not mandatory.
- **Order Language:** Please remind State and Local Government buyers that the following language must be included on all FSS orders:

  This order is placed under GSA/VA Schedule number "insert number here" under the authority of the GSA Disaster Purchasing program. The products and services purchased will be used in preparation or response to disasters or recovery from major disaster declared by the President, or recovery from terrorism or nuclear, biological, chemical, or radiological attack."
- **FSS Sales & IFF Remittance:** Report State and local government sales in your quarterly sales report and remit associated IFF.

  Note: Consider maintaining a separate indicator in your records for State and Local Government orders which may be useful in describing how much support you provided to State and Local Governments in response to this Declared National Emergency.
- **National Emergency Purchasing Flexibilities for VA:** Until June 30, 2020, unless otherwise rescinded, modified, or extended, the micro-purchase threshold (MPT) is increased to $20,000 for goods and services purchased in the United States, and the simplified acquisition threshold (SAT) is increased to $750,000 for any contract to be awarded and performed in the United States. Please note that The Davis-Bacon and Service Contract Act (SCA) thresholds are not changed.

- **Regulations:** All FSS contracts include clauses 552.238-113 (formerly 552.238-78) Scope of Contract (Eligible Ordering Activities) and 552.238-114 (formerly 552.238-79) Use of Federal Supply Schedule Contracts by Non-Federal Entities. You can read the full text of these clauses in the solicitation as well as in the online GSAR at https://www.acquisition.gov/content/part-552-solicitation-provisions-and-contract-clauses. Note that GSAR clause 552.238-112 defines a non-federal entity as follows:

  Ordering activity (also called "ordering agency" and "ordering office") means an eligible ordering activity (see 552.238-113), authorized to place orders under Federal Supply Schedule contracts.

3. If you have further questions, please contact your assigned Contract Specialist or the FSS Helpdesk at 708-786-7737 or HelpDesk.AMMHINFSS@va.gov. Please monitor www.fss.va.gov for any newsflashes.

/S/

Daniel H. Shearer

Director, VA Federal Supply Schedules