

**Acquisition Letter MV-21-03, Waiver of Experience and Annual Financial Statement Requirements under the Multiple Award Schedule (MAS) Solicitation for COVID-19**

**Frequently Asked Questions (FAQs)**

Acquisition Letter [MV-21-03](#) and its [Supplement 1](#) were issued by GSA’s Senior Procurement Executive (SPE) and FAS’ Assistant Commissioner for Policy and Compliance to support America’s response to the Novel Coronavirus Disease 2019 (COVID-19) pandemic.

The Letter temporarily waives three requirements in MAS solicitation provision SCP-FSS-001, *Instructions Applicable to All Offerors*, when the offeror/existing MAS contractor is proposing commercial products / services / solutions to directly support the Government’s COVID-19 efforts. This temporary waiver does not apply to non-COVID-19 related offerings.

**The Letter waives the following MAS solicitation SCP-FSS-001 provision requirements:**

<b>Table 1 - Solicitation Provision Requirements Temporarily Waived by MV-21-03</b>	
<b>Solicitation Provision Requirement</b>	<b>SCP-FSS-001 paragraph</b>
<ul style="list-style-type: none"> <li>• Possess two (2) years of corporate experience</li> </ul>	(j)(2)(i)(A)
<ul style="list-style-type: none"> <li>• Relevant Project Experience for each SIN proposed</li> </ul>	(j)(2)(iv)
<ul style="list-style-type: none"> <li>• Annual financial statements for the previous two years</li> </ul>	(j)(1)(v)

**The Letter does not waive any other solicitation requirements, such as but not limited to:**

<b>Table 2 - Solicitation Provision Requirements not Waived by MV-21-03</b>	
<b>Solicitation Provision Requirement</b>	<b>SCP-FSS-001 paragraph</b>

<ul style="list-style-type: none"> <li>Requirement to demonstrate adequate financial resources to perform the contract, or the ability to obtain them</li> </ul>	(j)(1)(v)
<ul style="list-style-type: none"> <li>Letter of Commitment/Supply (products)</li> </ul>	(j)(1)(xi)
<ul style="list-style-type: none"> <li>Corporate Experience Narrative</li> </ul>	(j)(2)(i)
<ul style="list-style-type: none"> <li>Verification of three (3) or more assessment reports in CPARS that meet solicitation requirements</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>Relevant Customer References/Past Performance Questionnaires</li> </ul>	(j)(2)(ii)(A)  (j)(2)(ii)(C)
<ul style="list-style-type: none"> <li>Quality Control Plan</li> </ul>	(j)(2)(iii)
<ul style="list-style-type: none"> <li>Labor Category/Service Descriptions (services)</li> </ul>	(j)(3)(ix)
<ul style="list-style-type: none"> <li>Professional Compensation Plan (services)</li> </ul>	(j)(3)(x)

Note: The Letter does not diminish a Contracting Officer’s overarching responsibilities, such as determining fair and reasonable pricing, ensuring an offeror’s compliance with solicitation requirements, and making a responsibility determination in accordance with FAR subpart 9.1.

**General**

**1. Will industry be issued additional guidance on the Letter?**

Yes, industry guidance has been posted on the [MAS Roadmap](#) on GSA.gov and the MAS solicitation will be updated when it is refreshed in May 2021.

Note: The temporarily waived requirements for companies proposing products, services and solutions that directly support COVID-19 efforts will not be removed from the SCP-FSS-001 solicitation provision when it is refreshed in May 2021, as

they remain generally applicable.

The waiver will instead be highlighted in the MAS solicitation as an SCP-FSS-001 solicitation provision note that directs companies to the [Acquisition Letter](#) and [MAS Roadmap](#) on GSA.gov for guidance.

**2. What does a company need to do in order for the waiver to apply to their offer/modification request?**

The Offeror/Existing Contractor must:

- Upload a Cover letter with the required statement and explanation in the offer or modification request in order to be reviewed using the procedures outlined in MV-21-03.
- Include the following statement in the cover letter of their offer/modification request:

“<Insert Company Name> confirms that Acquisition Letter, MV-21-03 applies to this offer/modification request as it only includes products, services, and/or solutions that directly support COVID-19 efforts.”

- Provide an explanation on how the proposed product(s), service(s), or solution(s) directly support COVID-19 efforts.

Note: There are several websites to reference when researching whether your proposed products, services and/or solutions are being procured to support COVID-19 efforts, such as [USASPENDING.gov](#).

**3. Can a company propose both COVID-19 and non-COVID-19 products, services and solutions in the same offer or modification request?**

No, an offer or modification request must be limited to products, services, and solutions that directly support COVID-19 efforts. Companies must submit a stand alone modification request after contract award to add SINS, products, services or solutions that are not directly related to COVID-19.

**4. Will the eOffer/eMod system be updated to support FAS' implementation of the Letter?**

No, the eOffer/eMod system will not be updated as the Letter is a temporary measure taken to support COVID-19 efforts. Companies submitting under the authority of the Letter must proceed as follows:

<b>Table 3 - eOffer/eMod</b>	
<b>When prompted to:</b>	<b>Upload and or state the following (as applicable)</b>
Enter years of corporate experience	Enter the required information
Add a Project Experience for a SIN	Upload a pdf or word document with the following statement (or comparable)  <i>Requirement is temporarily waived by Acquisition Letter, MV-21-03 as the offered services and/or solutions directly support COVID-19 efforts</i>
Complete the Project Experience fields	Enter the following statement in required fields  <i>Requirement waived by Acquisition Letter, MV-21-03</i>
Upload Financial Documents	Upload documents that demonstrate adequate financial resources to perform the contract or the ability to obtain them  Include the following statement (or comparable) if <u>not</u> submitting two (2) years of Financial Statements:  <i>Requirement to submit two (2) years of Financial Statements is temporarily waived by Acquisition Letter, MV-21-03 as the offered products, services and/or solutions directly support COVID-19 efforts</i>

Upload Documents	Upload Cover Letter with required statement and explanation
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**Waiver Applicability**

**5. Does the Letter apply to the nine Multiple Award Schedules administered by the Department of Veterans Affairs (VA)?**

No, the Letter does not apply to the VA Multiple Award Schedules for medical equipment, supply, pharmaceutical and services.

**6. How does the Letter apply to new offerors and existing MAS contractors?**

For new offerors the Letter only applies to offerors proposing products, services, and solutions which directly support COVID-19 efforts.

For existing MAS contractors the Letter would apply as follows:

<b>Table 4 - Scenarios for existing MAS contractors</b>	
<b>Scenario</b>	<b>Solicitation Provision Requirements Waived by Letter</b>
Existing Contractors (adding service SINs)	<ul style="list-style-type: none"> <li>Relevant Project Experiences for each SIN proposed</li> </ul> <p>Reminder: The additional category/SIN specific technical requirements outlined in the MAS Solicitation category attachments are not waived</p>
Existing Contractors (adding product SINs)	<ul style="list-style-type: none"> <li>None of the waived requirements apply to existing contractors proposing to add product SINs</li> </ul>
Existing Contractors (adding services/products to SINs previously awarded to the contractor)	<ul style="list-style-type: none"> <li>None of the waived requirements apply to existing contractors proposing to add services/products under <u>currently</u></li> </ul>

	<u>awarded</u> SINs
Blanket Purchase Agreements (BPA)	<ul style="list-style-type: none"> <li>None of the waived requirements apply to Schedule BPAs</li> </ul>

**7. Does the Letter temporarily waive the same SCP-FSS-001 solicitation provision requirements for Joint Venture offerors proposing products, services, and solutions that directly support COVID-19 efforts?**

Yes, the Letter applies to all offerors proposing products, services, and solutions which directly support COVID-19 efforts.

**8. Is the Corporate Experience technical factor waived in its entirety for companies proposing products or services that directly support COVID-19 efforts?**

No, only the requirement for a company to possess a minimum of two (2) years corporate experience (see paragraph (j)(2)(i)(A)) is waived when a company is proposing products, services, and solutions that directly support COVID-19. Companies must submit the [required statement and explanation](#) in order for the waiver to apply.

Note: The two (2) year minimum Corporate Experience SCP-FSS-001 solicitation provision requirement does not apply to existing MAS contractors.

**9. Does the Letter waive all of the Relevant Project Experience requirements in the MAS solicitation?**

No, the Letter only waives the Relevant Project Experience requirement outlined in the SCP-FSS-001 solicitation provision for companies proposing products, services, and solutions that directly support COVID-19 efforts.

As per footnote 1 in MV-21-03 Supplement 1, the Letter does not waive the additional category / SIN specific technical requirements outlined in the MAS Solicitation category attachments.

**10. Does the Letter apply to all MAS solicitation categories, Special Item Numbers (SINs), Product Services Codes (PSC), North American Industry Classification System (NAICS), or Federal Supply Codes (FSC)?**

Yes, the Letter applies to all MAS solicitation categories, SINs, PSCs, NAICS,

and FSCs.

**11. Are offers/modification requests submitted prior to the issuance of the Letter covered?**

Yes, the Letter can be used to process in-house offers and modification requests to add services SINs submitted by existing MAS contractors.

**12. Will COs reject an offer / modification request submitted under the waiver if the company includes non-COVID 19 products, services and solutions?**

Yes, offers / modifications submitted under the authority of the Letter must be limited to products, services, or solutions that directly support COVID-19 efforts.

Companies must submit a stand alone modification request for any SINs, products, services, or solutions that are not directly related to COVID-19 efforts.

**13. Does the Letter waive the FAR requirement for a CO to determine a prospective contractor responsible in accordance with FAR subpart 9.1?**

No, a CO is still required to make, and document the contract file with an affirmative determination of responsibility in accordance with FAR subpart 9.1.

**14. Are MAS contracts awarded under the Letter exempted from any MAS contract terms and conditions?**

No, MAS contracts awarded under the Letter are not exempt from the standard MAS contract terms and conditions.

**15. Will MAS contracts awarded under the Letter be cancelled when the Letter is cancelled or the COVID-19 national emergency declaration ends?**

No, any MAS contracts awarded under the Letter are not subject to immediate cancellation when the Letter is cancelled or the COVID-19 national emergency declaration ends.

The reason is because these MAS contracts are the same as any other MAS contracts. For example these contracts,

- (1) Incorporate the same standard MAS contract terms and conditions as any other MAS contract; and
- (2) Are subject to the same contract administration procedures that FAS uses to ensure contractor compliance with MAS contract terms and conditions.

**Resources**

## **16. Where can I send questions on this Letter?**

Please refer to the [MAS Roadmap](#) GSA.gov page for additional guidance on this Letter. Industry questions that are not addressed in the guidance posted on GSA Interact, GSA.gov or the MAS solicitation may be directed to [opcpolicymailbox@gsa.gov](mailto:opcpolicymailbox@gsa.gov).

Questions regarding the content of the Letter and Supplement should be sent to [GSARPolicy@gsa.gov](mailto:GSARPolicy@gsa.gov).