**May XX, 2018 Number 2008-06**

1. **Material Transmitted:** The attached pages contain revisions to the Department of Veterans Affairs Acquisition Regulation (VAAR) Parts 803, 814, 822 and affected parts 801, 802, 812, and 852.

2. **Summary of Changes:** This VA Acquisition Update provides:

1. Revisions to the VAAR that were published in a Federal Register Notice as a final rule at 83 FR 16206 (document number 2018-07833) on April 16, 2018, and which adopted as a final rule the proposed rule published on May 17, 2017.
2. Text revisions are listed and summarized below:

| **VAAR Part/Subpart** | **Title** | **Change Summary** |
| --- | --- | --- |
| 801.106 | OMB approval under the Paperwork Reduction Act. | Amended |
| 802 | Definitions of Words and Terms. | Revised |
| 802.101 | Definitions. | Amended |
| 803 | Improper business practices and personal conflicts. | Revised |
| 803.1 | Safeguards. | Removed and reserved |
| 803.3 | Reports of suspected antitrust violations. | Removed and reserved |
| 803.4 | Contingent fees. | Removed and reserved |
| 803.502 | Subcontractor kickbacks. | Removed |
| 803.570-1 | Policy. | Added |
| 803.6 | Contracts with Government Employees or Organizations Owned or Controlled by Them | Removed and reserved |
| 803.7 | Voiding and Rescinding Contracts | Removed and reserved |
| 803.8 | Limitation on the Payment of Funds to Influence Federal Transactions | Removed and reserved |
| 803.11 | Preventing personal conflicts of interest for contractor employees performing acquisition functions. | Added |
| 803.1103 | Procedures. | Added |
| 803.70 | Contractor Responsibility to Avoid Improper Business Practices | Removed and reserved |
| 812 | Acquisition of Commercial Items | Revised |
| 812.301 | Solicitations provisions and contract clauses for the acquisition of commercial items. | Amended |
| 814 | Sealed Bidding | Revised |
| 814.1 | Use of Sealed Bidding | Removed and reserved |
| 814.201 | Preparation of invitations for bids. | Added |
| 814.201-1 | Part I—The Schedule | Added |
| 814.201-6 | Solicitation provisions. | Added |
| 814.202 | General rules for solicitation of bids. | Added |
| 814.202-4 | Bid samples. | Added |
| 814.203 | Methods of soliciting bids. | Removed |
| 814.203-1 | Transmittal to prospective bidders. | Removed |
| 814.204 | Records of invitations for bids and records of bids. | Removed |
| 814.208 | Amendment of invitation for bids. | Removed |
| 814.301 | Responsiveness of bids. | Removed |
| 814.302 | Bid submission. | Removed |
| 814.304 | Submission, modification, and withdrawal of bids. | Revised |
| 814.4 | Opening of Bids and Award of Contract | Removed and reserved |
| 822 | Application of Labor Laws to Government Acquisitions | Revised |
| 822.304 | Variations, tolerances, and exemptions. | Added |
| 822.305 | Contract clause. | Revised |
| 822.4 | Labor Standards for Contracts Involving Construction | Removed and reserved |
| 852.203-70 | Commercial advertising. | Revised |
| 852.203-71 | Display of Department of Veterans Affairs hotline poster. | Removed and reserved |
| 852.214-70 | Caution to Bidders—bid envelopes. | Removed and reserved |
| 852.214-71 | Restrictions on alternate item(s). | Revised |
| 852.214-72 | Alternate item(s). | Revised |
| 852.214-73 | Alternate packaging and packing. | Revised |
| 852.214-74 | Marking of bid samples. | Revised |
| 852.222.70 | Contract work-hours and safety standards—nursing home care for veterans. | Revised |

3. **Filing Instructions:**

| **Remove pages:** | **Insert Pages:** |
| --- | --- |
| 801-1 thru 801-2 | 801-1 thru 801-2 |
| 801-4 thru 801-5 | 801-4 thru 801-5 |
| 802-1 thru 802-6 | 802-1 thru 802-6 |
| 803-1 thru 801-10 | 803-1 thru 803-4 |
| 812-1 thru 812-6 | 812-1 thru 812-6 |
| 814-1 thru 814-12 | 814-1 thru 814-6 |
| 822-1 thru 822-4 | 822-1 thru 822-4 |
| 852-1 thru 852-80 | 852-1 thru 852-78 |

**Effective date:** May 16, 2018.