



DEPARTMENT OF VETERANS AFFAIRS
DEPUTY ASSISTANT SECRETARY FOR ACQUISITION AND MATERIEL MANAGEMENT
WASHINGTON DC 20420

IL 049-05-3
October 14, 2004

OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT INFORMATION LETTER

TO: Under Secretaries for Health, Benefits, and Memorial Affairs; Assistant Secretary for Management; Chief Facilities Management Officer, Office of Facilities Management; Veterans Integrated Service Network Directors; Directors, VA Medical Center Activities, Domiciliary, Outpatient Clinics, Medical and Regional Office Centers, and Regional Offices; Directors, Denver Distribution Center, Austin Automation Center, Records Management Center, VBA Benefits Delivery Centers, and VA Health Administration Center; and the Executive Director and Chief Operating Officer, VA National Acquisition Center

ATTN: Head of the Contracting Activity, VA Contracting Officers

SUBJ: Notification to the Government Accountability Office (GAO) when Contract Performance is Authorized Notwithstanding a Protest

1. This Information Letter (IL) clarifies responsibility for notifying GAO when the Department of Veterans Affairs (VA) authorizes contract performance, notwithstanding a protest, as required by Federal Acquisition Regulation (FAR) subpart 33.104(c)(3) and as further required by VA Acquisition Regulation (VAAR) subpart 833.104(c).

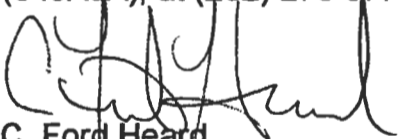
2. VAAR subpart 833.104(c) requires that written findings for authorizing performance under a protest after award must be approved by the Deputy Assistant Secretary for Acquisition and Materiel Management, Acquisition Review Division or the Chief Facilities Management Officer, Office of Facilities Management, as appropriate, and that the GAO must be notified as required by FAR subpart 33.104(c)(3). The Acquisition Review Division is now known as the Acquisition Program Management Division. The requirement to notify GAO is hereby assigned to the Chief, Acquisition Program Management Division (049A5B) or the Chief Facilities Management Officer, as appropriate.

2.

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3. Please direct any questions regarding this IL to Cathy Dailey, Acquisition Policy Division (049A5A), at (202) 273-8774.



C. Ford Heard

Director

Acquisition Resources Service

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