

GSA to Apply Vaccine Mandate to All GSA Schedule Contracts – Including Those for Products

Litigation Alert

10.08.2021

The General Services Administration (GSA) has issued [Class Deviation CD-2021-13](#) to implement the new vaccine mandate clause in GSA contracts. We have discussed the new vaccine mandate in earlier alerts [here](#) and [here](#). Significantly, the GSA class deviation provides:

- The new clause will be included in all new and existing Federal Supply Schedule (FSS) contracts above the micro-purchase threshold (\$10,000 per FAR 2.101), **both for services and products**. GSA is thus applying the requirement more broadly than mandated by the [Executive Order](#) or the [Task Force guidance](#), which had only strongly encouraged agencies to apply the requirement to prime contracts for products.
- GSA contracting officers are required to begin incorporating the clause into other contracting vehicles, such as Blanket Purchase Agreements (BPAs), Government-wide Acquisition Contracts (GWACs), Multi-Agency Contracts (MACs), and Agency-specific indefinite delivery, indefinite quantity (IDIQ) contracts, including those exclusively for products.
- The GSA class deviation clause pushes contracting officers to complete as many modifications as possible before November 14, 2021, with direction to initiate bilateral modifications on all existing contracts starting immediately.

We will continue to monitor and report on the developments in COVID-19-related requirements for contractors and subcontractors. In the meantime, if you have questions about the COVID-19 safety requirements for federal contractors and subcontractors, please contact one of the Miller & Chevalier attorneys listed below.

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