

LETTER OF SUPPLY TEMPLATE

Offerors/Contractors - Please note this **Letter of Commitment/Supply Template** is the GSA template. Please forward this approved letter to your supplier with the appropriate **Solicitation number** (if for a new offer) or **Contract number** (if adding a new product or product line or contract extension) Please note: all Letters of Supply/Commitment must specify the items (brand, product line, and/or manufacturer) being supplied.

[Submit on Supplier** Letterhead]

[Date (must be within 12 months of offer submittal)]

[Offeror Name]

[Offeror Point of Contact (POC)]

[Address]

Re: Letter of Supply

Dear [Offeror POC],

This Letter of Supply is in reference to the offer that [Offeror Name] submitted in response to the General Services Administration's Solicitation [enter Solicitation Number if a new offer] or Contract number [enter Contract number if existing contract].

In the event the [Offeror Name] has been or is awarded a Multiple Award Schedule (MAS) contract under the aforementioned solicitation/contract number, [Supplier Name] will assure an uninterrupted source of supply, with sufficient quantities of product to satisfy the Government's requirements, for the duration of the contract period (to include option periods) provided said contractor remains in good standing with (supplier's name) and is adhering to all OEM Partner Agreements. Reseller contractor agrees to purchase product from only "authorized" OEM distributors. . Please see the attached list of brands, product lines, and/or manufacturers [Supplier Name] agrees to supply. OR [Supplier Name] agrees to supply the following brands, product lines, and/or manufacturers' products:

[Supplier Name] understands that all products and services offered on [Offeror Name]'s MAS contract must be compliant with the Trade Agreements Act (TAA)(19U.S.C. 2501, et seq.). Further, while we understand that responsibility for TAA compliance resides with [Offeror Name], [Supplier Name] agrees to work and cooperate with [Offeror Name] to support "contractor/reseller" to support the "contractors/reseller's) TAA compliance of items proposed on this contract and provide country of origin information. "Supplier's name" will provide a country of origin information on our website and update on a quarterly basis so that said contractor will always have current up to date information. (Offeror Name) understands the receipt of this LOS in OEM authorization program is not transferable to any partner/APD/teamed organization.

"Contractor/reseller" understands that product purchased from "Supplier's Name" at the inception of the contract/award "contractors/reseller's name" met or exceeded the minimum content levels established under the Comprehensive Procurement Guidelines. (CPG's) program. Any subsequent changes to the CPG Guidelines will be the responsibility of the "contractor/reseller's name" to understand and ensure said products continues to meet or exceed the prescribed guidelines. "Supplier's name" can only certify those "initial" products at award purchased from "Supplier's Name". "Contractor/Reseller's name" may display the appropriate environmental icons on its GSA contract for items supplied by "Supplier's name". We will provide upon request % recycled content and post-consumer materials of any product extended by "Supplier's Name". "Contractor/Reseller's name" will need to ensure with "Supplier's Name" assistance, said products continue to meet the CPG guidelines and not the responsibility of the "Supplier's Name". In order for [Offeror Name] to display the appropriate environmental attributes on its GSA Contract for the item, [Offeror Name] must retain proof in the form of a copy of the certification from the manufacturer or a copy of the environmental organization's certification or be able to obtain such proof from [Supplier Name] on request. A

document showing the percentage of the recovered materials and post-consumer materials in the item offered must also be retained by [Offeror Name] or be available from [Supplier Name] to [Offeror Name] upon request. Accordingly, [Offeror Name] and [Supplier Name] will mutually agree on a process to facilitate [Offeror Name's] compliance with its EPA/CPG obligations under the Contract.

[Supplier Name] understands that if no proof of the environmental attributes being claimed is provided then [Offeror Name] will not be allowed to display the applicable environmental attribute icon.

[Offeror Name] (Reseller) acknowledges that the following manufacturers have a Reseller Authorization Program: i.e. HP, Lexmark, Xerox, Ricoh, Brother, Kyocera, Epson, and Clover. [Offeror Name] (Reseller) understands that [Offeror Name] must be authorized by the above listed manufacturers to offer those manufacturers imaging supplies (ink or toner cartridges) product(s) on MAS. [Offeror Name] understands that their Reseller Authorization status may change at any time, and any such changes may be reported by the manufacturer directly to the GSA. Should the manufacturer deem [Offeror Name] no longer meets the OEM's Partner Program, (Offer Name) acknowledges your authorization to resell said product will cease immediately. [Offeror Name] (Reseller) may contact the manufacturer directly for information regarding their Reseller Authorization status.

The person whose signature appears below is authorized to make the commitments noted above.

Sincerely,

[Signed by a company official authorized to make the commitment]

*The letter of commitment/supply is a template and will constitute the first page of the letter. Although the content herein is sufficient, Suppliers may provide additional verbiage in subsequent pages as long as the verbiage does not contradict the statements made in the above information.

**Please note that "Supplier" name is synonymous with "Manufacturer" and/or "Distributor."

***The EPA maintains a list of EPA-designated products in their CPGs to provide Federal agencies purchasing recommendations on specific products in several Recovered Materials Advisory Notices (RMANs). Each RMAN contains recommended recovered and post-consumer material content levels for the specific products designated by EPA (40 CFR part 247 and EO 13423: Strengthening Federal Environmental, Energy, and Transportation Management). Visit the CPG web site at <http://www.epa.gov/cpg> to view the current list of products that must comply with Comprehensive Procurement Guidelines (CPGs). Also, CPG supporting documentations and background information (such as RMANs) can be found at <http://epa.gov/cpg/backgrnd.htm>.

Offeror (reseller) acknowledges that the following manufacturers have a Federal Authorization Program: HP, Lexmark, Xerox, Ricoh, Brother, Kyocera, Epson and Clover. Offeror must be a member of a given manufacturer's Federal program in order to offer that manufacturer's product on their MAS or FSSI contract subject to quarterly validation."

The master roster of Wholesale Agents and Dealers segregated by OEM, Clover, and other legitimate factories would be featured on a landing page hosted by the www.BusinessSolutionsAssociation.com. The landing page could be updated daily through an Application Programming Interface (API).

OEM's, Clover, and other legitimate factories, will authorize wholesaler agents and dealers to insure that GSA can host a secure supply chain.

Whoever issues the LoS has standing - Mfr. or Wholesale Agent - with the dealer. That issuing party would be responsible for notifying the dealer that their LoS has been canceled. The source of the LoS has the authority to revoke the LoS.

Proactive communication will be included in the LoS to level set expectations and consequences. For example, the LoS would confirm that it is the responsibility of the dealer to correctly identify if a sku is TAA compliant. Delinquency to the discipline of accurate TAA reporting will be considered a dereliction, and therefore represents grounds for the revocation of the LoS by the issuing party.