

## Instructions for Vendors Adding Essentially the Same Items to FSS Contracts

### A. Instructions for FSS Contractors.

- a. FSS contractors shall submit a stand-alone modification request via the eMod system when proposing to add ETS products to an FSS contract. The request shall not include other proposed product/service offerings, economic price adjustments etc. This will ensure that the modification request can be processed on an expedited basis.
- b. FSS contractors shall identify all ETS products on the applicable [Price Proposal Template \(PPT\) for ETS items](#) or the [PPT for Non-TAA Compliant ETS items](#). ETS products must have a valid manufacturer name (if other than the Schedule contract holder), manufacturer part number, manufacturer product name, and manufacturer description entered on the PPT. All other required information must also be provided.
- c. [SPE Memo 2020-10, Supplement #1](#) authorized a temporary waiver to the contract clauses requiring that all products be uploaded to GSA Advantage!.<sup>1</sup> Contractors should not submit Schedule Input Program (SIP) files for ETS items awarded. COs will not process SIP files through the Contracting Officer Review System (CORS) if submitted.
- d. All ETS products awarded under a FSS contract must be clearly identified as “ETS” when responding to a Request for Quote (RFQ).
- e. ETS items must meet all applicable contractual requirements including the Trade Agreements Act (TAA). FSS contractors may offer ETS products for NSNs with Procurement Exceptions (PEs) in place from Non-Designated Trade Agreement countries if all the [requirements for awarding Trade Agreements Act \(TAA\) non-compliant products Under Federal Supply Schedule \(FSS\) Contracts](#) pursuant to Senior Procurement Executive (SPE) Class Determination and Findings (D&F) SPE Memo 2020-11, Buying for America - Exception for Non-availability for Trade Agreements and Buy American Statute Clauses, are followed.

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<sup>1</sup> SPE Memo 2020-10, Supplement 1 issued xx-xx-xx provided waivers for GSAM Clause 552.238-88, *GSA Advantage!* (MAY 2019), FSS Clause I-FSS-600, *Contract Price Lists* (OCT 2016), and GSAM Clause 552.238-77, *Submission and Distribution of Authorized Federal Supply Schedule (FSS) Price Lists* (MAY 2019). All of which require upload of new products to GSA Advantage! as well as distribution to customers and the National Customer Service Center (NCSC).

- f. Execution of the modification is contingent on acceptance of the following terms and conditions:
- i. The contractor agrees in the modification to add ETS items that it has waived the 30-calendar-day written notice required by GSAR clause 552.238-79 Cancellation.
  - ii. All ETS products will expire from the contract effective immediately upon the expiration of the PE identified [here](#) - allowing the addition to the Schedule contract.
  - iii. The date of removal is the earlier of the expiration of the PE or July 30, 2020 unless PEs are extended beyond this date by the AB1 Commission. Orders shall be as short of duration as is feasible to ensure an adequate supply is obtained.