

## **Instructions for Federal Supply Schedule (FSS) Contractors to add Non-TAA Compliant Products to your Schedule Contract**

In response to COVID-19 and the increased demand for essential products, the GSA Senior Procurement Executive (SPE) issued a memo to temporarily allow non-TAA compliant products on Schedule. Products are limited to specific Federal Supply Classification (FSC) groups which are outlined in [SPE Memo 2020-11](#). These FSC groups are subject to change. Please refer to the SPE memo for the most up to date FSC groups and time frame for offering goods.

To ensure compliance and an expedited review of your modification request, contractors adding non-TAA compliant products in accordance with the SPE memo, shall follow the guidance below.

1. Submit a stand alone modification request via the eMod system. The request may include one or more Special Item Number (SIN) additions and one or more products, but the products must all be part of the authorized FSC groups and in direct support of COVID-19. The request shall not include other proposed product/service offerings, economic price adjustments, etc.
2. Complete and upload the Modification Request Letter Template to Add non-TAA Compliant Products via eMod. This template includes the required steps to update your representations and certifications for non-TAA compliant products, as outlined below:
  - a. Submit an updated representation in FAR 52.212-3 paragraph (b)(2) reflecting that paragraph (g)(5) differs from SAM for the purposes of this solicitation/contract and,
  - b. Complete and submit paragraph (g)(5) Trade Agreements Certificate paragraph (ii) after inserting, "See Price Proposal Template."

Contractors do NOT need to update their representations and certifications in SAM. Template can be found at [www.gsa.gov/mascontractrequirements](http://www.gsa.gov/mascontractrequirements)

3. Identify non-TAA compliant products in the required Price Proposal Template (PPT) for adding non-TAA compliant products. Non-TAA compliant items must have a valid part number entered in the PPT. Contractors shall also identify the eligible FSC and the correct Country of Origin (COO). Template can be found at [www.gsa.gov/mascontractrequirements](http://www.gsa.gov/mascontractrequirements)
4. To ensure expedited processing, notify your Procurement Contracting Officer (PCO) that you have submitted a modification request to add

non-TAA compliant product(s) to your Schedule. You can find your PCO on [gsaelibrary.gsa.gov](https://gsaelibrary.gsa.gov) by searching your contract number or company name.

5. Execution of the modification is contingent on acceptance of the following terms and conditions:
  - a. The contractor agrees it has been provided the 30-calendar-day written notice required by GSAR clause 552.238-79 Cancellation.
  - b. All non-TAA compliant products will be removed from the contract effective immediately upon Government issuance of the unilateral Cancellation modification.
  - c. The Government has the unilateral right to remove non-TAA compliant products from GSA Advantage!.
  - d. The date of removal is one calendar day after the end date of the exception authority outlined in SPE Memo 2020-11. Orders shall be for as short of duration as is feasible to ensure an adequate supply is obtained.

After **modification acceptance and award**, the following requirements apply:

1. Upload a SIP/EDI change file to update your GSA Advantage! product catalog to include the awarded non-TAA compliant products. You do not need to resubmit your entire catalog.
2. Include the following notice in the product description for all non-TAA compliant products awarded and uploaded to your product catalog on GSA Advantage!:

“ATTENTION: This non-TAA compliant product is only available for orders supporting the Government’s COVID-19 response efforts and subject to unilateral and immediate removal by GSA. There is no dollar limit on FSS orders for this non-TAA compliant product, however, FSS orders that include these items must be issued no later than the end date of the exception authority as outlined in SPE Memo 2020-11. Orders shall be for as short of duration as is feasible to ensure an adequate supply is obtained.”
3. All non-TAA compliant products awarded must be clearly identified as “non-TAA compliant” when responding to a Request for Quote (RFQ).
4. Contractors will be responsible for immediately removing non-TAA compliant products from their catalog as soon as GSA issues the unilateral modification to remove the products from your contract.