**Letter of Supply**

**SIGNATURES:** This Letter of Supply is submitted by:

**Supplier Signature: Supplier Name**

**Printed Name: Telephone:**

Print name

telephone

**Title: Email: Date:**

date

email

Title

**Vendor Signature:** TD SYNNEX Corporation

**Printed Name:**

**Title: Date:**

|  |  |
| --- | --- |
| **Supplier Name Unique Entity Identifier (UEI):**  | *(enter UEI from SAM.gov or N/A)* |
| **Supplier Name Brand/Manufacturer/Supplied Products:**  | *Manufacturer* |

To: TD SYNNEX Corporation

Attn: Ed Somers, VP, Public Sector

39 Pelham Ridge Drive

Greenville, South Carolina 29615

RE: Letter of Supply, GSA MAS Contract 47QTCA19D00MM

This Letter of Supply is in reference to TD SYNNEX Corporation’s General Services Administration Multiple Award Schedule (MAS) Contract 47QTCA19D00MM.

**LETTER OF SUPPLY: Supplier Name** agrees that it will supply TD SYNNEX Corporation with sufficient quantities of the offered products to meet the Federal Government’s needs for the duration of the MAS contract period and any extensions thereof, provided that TD SYNNEX Corporation remains in good standing with **Supplier Name** and that **Supplier Name** is permitted to sell such products to TD SYNNEX Corporation under **Supplier Name**’s agreements with its vendors.

TD SYNNEX Corporation is responsible for maintaining a current Letter of Supply with **Supplier Name** for the duration of the MAS contract period and any extensions thereof, either directly with the manufacturer or through an authorized partner.

**COMMERCIAL PRODUCT CERTIFICATION:**  **Supplier Name** certifies that all offered products meet the Federal Acquisition Regulation (FAR) 2.101 definition of “commercial item.”

**TRADE AGREEMENTS CERTIFICATE: Supplier Name** understands that all products offered on TD SYNNEX Corporation’s MAS contract must be compliant with the Trade Agreements Act (TAA) (19 U.S.C. § 2501, et seq.) and FAR clause 52.225-5 *Trade Agreements*. Further, while **Supplier Name** understands that responsibility for TAA compliance and country of origin accuracy resides with TD SYNNEX Corporation, **Supplier Name** agrees to work and cooperate with TD SYNNEX Corporation to support TD SYNNEX Corporation’s TAA compliance for products offered on its MAS contract and to provide country of origin information.

**PROHIBITED PRODUCTS AND SERVICES:**  **Supplier Name** understands that all products offered on TD SYNNEX Corporation’s MAS contract must be compliant with FAR clauses 52.204-23 *Prohibition on Contracting for Hardware, Software, and Services Developed or Provided by Kaspersky Lab and Other Covered Entities* and 52.204-25 *Prohibition on Contracting for Certain Telecommunications and Video Surveillance Services or Equipment*. Further, while **Supplier Name** understands that responsibility for ensuring the exclusion of covered articles and covered telecommunication equipment and services resides with TD SYNNEX Corporation, **Supplier Name** agrees to provide timely, complete, and accurate information to TD SYNNEX Corporation so that non-compliant products are not offered on TD SYNNEX Corporation’s MAS contract.

**COMPREHENSIVE PROCUREMENT GUIDELINE (CPG) PROGRAM AND ENVIRONMENTAL ATTRIBUTES:** **Supplier Name** understands that if it certifies to TD SYNNEX Corporation that an offered product meets or exceeds the minimum content levels established under the CPG program[[1]](#footnote-1) then, in order for TD SYNNEX Corporation to display the appropriate environmental attributes for the product, TD SYNNEX Corporation must retain proof in the form of a copy of the certification from the manufacturer, 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/or post-consumer materials in the offered product must also be retained by TD SYNNEX Corporation or be available from **Supplier Name** to TD SYNNEX Corporation upon request. Accordingly, TD SYNNEX Corporation and **Supplier Name** will mutually agree on a process to facilitate TD SYNNEX Corporation’s compliance with CPG program obligations under the MAS contract.

Further, **Supplier Name** understands that TD SYNNEX Corporation is required to identify products with certain environmental attributes in its offer and MAS contract. This includes products that:

* Meet or exceed the recommended recovered and post-consumer material content levels for products designated under the Environmental Protection Agency’s (EPA) [CPG program](https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program);
* Are energy-efficient, meaning the product -
1. Meets Department of Energy (DOE) and EPA criteria for use of the [ENERGY STAR®](https://www.energystar.gov/) trademark label, or
2. Is in the upper 25 percent of efficiency for all similar products as designated by DOE’s [Federal Energy Management Program](https://www.energy.gov/eere/femp/federal-energy-management-program);
* Are water-efficient (e.g., WaterSense certified products);
* Are remanufactured; or
* Have other environmental attributes[[2]](#footnote-2).

TD SYNNEX Corporation, in identifying a product with an environmental attribute, must possess evidence or rely on a reasonable basis to substantiate the claim (see 16 CFR part 260, Guides for the Use of Environmental Marketing Claims). The government will accept a vendor’s claim of a product’s environmental attribute on the basis of -

1. Participation in a federal agency-sponsored program (e.g., the ENERGY STAR® product labeling program);
2. Verification by an independent organization that specializes in certifying such claims; or
3. Possession of competent and reliable evidence[[3]](#footnote-3).

TD SYNNEX Corporation must retain proof in the form of a copy of the certification from the manufacturer, a copy of the environmental organization’s certification, or be able to obtain such proof from **Supplier Name** on request. **Supplier Name** understands that if no proof of the environmental attributes identified being claimed is provided, the TD SYNNEX Corporation will not be allowed to display the applicable environmental attribute icon in GSA Advantage!. Accordingly, TD SYNNEX Corporation and **Supplier Name** will mutually agree on a process to facilitate TD SYNNEX Corporation’s compliance with these obligations under the MAS contract.

**SPECIFIC CATEGORY AND OFFERING REQUIREMENTS:** The specific category and offering requirements marked with an “**X**” below are hereby incorporated into to this Letter of Supply:

**\_\_X\_\_\_** 1. **INFORMATION TECHNOLOGY CATEGORY - All Products:** TD SYNNEX Corporation understands that used and refurbished products are prohibited for all products offered under the Information Technology category.

**\_\_\_\_** 2. **OFFICE MANAGEMENT CATEGORY - Ink and Toner Products: Supplier Name** will provide Country of Origin information or otherwise make the information available to TD SYNNEX Corporation and will update such information and make it available to TD SYNNEX Corporation on a quarterly basis. Country of Origin and TAA information provided by **Supplier Name** is based on information provided by product manufacturers and other third parties.

TD SYNNEX Corporation understands that this Letter of Supply is not transferable to any partner, Authorized Participating Dealer (APD), subcontractor, or teamed organization.

TD SYNNEX Corporation understands that:

1. Manufacturers listed on the [Business Solutions Association (BSA)](https://www.businesssolutionsassociation.com/authorizeddealers) website are part of the Dealer Authorization Program.
2. TD SYNNEX Corporation must be authorized by the above-listed manufacturers to offer those manufacturers’ imaging supplies (ink or toner cartridges) on its MAS contract.
3. TD SYNNEX Corporation’s Dealer Authorization status may change at any time, and any such changes may be reported by the manufacturer directly to GSA. Should the manufacturer deem TD SYNNEX Corporation as no longer meeting the Original Equipment Manufacturer’s (OEM’s) authorization/partner program and/or policy requirements, TD SYNNEX Corporation’s authorization to resell said product will cease immediately, and TD SYNNEX Corporation must take action to remove those products from its MAS contract and GSA Advantage! listing within 48 hours. TD SYNNEX Corporation may contact the manufacturer directly for information regarding its Dealer Authorization status.
4. A roster of wholesale agents and dealers segregated by manufacturer can be found on the BSA website. TD SYNNEX Corporation may also inquire with the manufacturer for information regarding its authorization status.
1. The Environmental Protection Agency (EPA) maintains a list of EPA-designated products in their Comprehensive Procurement Guidelines (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 13834: Efficient Federal Operations). Visit the [CPG website](https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program) to view the current list of products that must comply with CPGs. Also, CPG supporting documents and background information (such as RMANs) can be found [here](https://www.epa.gov/smm/regulatory-background-comprehensive-procurement-guideline-program-cpg). [↑](#footnote-ref-1)
2. Other environmental attributes refer to product characteristics that provide environmental benefits, excluding recovered materials and energy and water efficiency. Vendors are required to identify United States Department of Agriculture (USDA) biobased or BioPreferred products; Electronic Product Environmental Assessment Tool (EPEAT) registered products; low Volatile Organic Compound (VOC) products; Safer Choice labeled products; products that contain Significant New Alternative Policy (SNAP) chemicals or other alternatives to ozone-depleting substances and high global warming potential hydrofluorocarbons; and products that meet or exceed specifications, standards, or labels recommended by EPA through the Environmentally Preferable Purchasing Program. Visit the [GSA Vendor Support Center](https://vsc.gsa.gov/green/envAppliesProd.cfm) for more information. [↑](#footnote-ref-2)
3. For any test, analysis, research, study, or other evidence to be “competent and reliable,” it must have been conducted and evaluated in an objective manner by persons qualified to do so, using procedures generally accepted in the profession to yield accurate and reliable results. [↑](#footnote-ref-3)