

**SCP-FSS-003 SPECIFIC PROPOSAL INSTRUCTIONS FOR
PRODUCTS (FEB 2016)**

- (a) Read the entire solicitation document prior to preparation of an offer.
- (b) The Offeror must comply with the instructions outlined in either SCP-FSS-001-N *Instructions Applicable to New Offerors* or SCP-FSS-001-S *Instructions Applicable to Successful FSS Program Contractors*, as applicable.
- (c) The proposal instructions in SCP-FSS-003 are common to all solicitations that include products (except Schedule 70). Some Schedules and SINs have additional requirements specific to that particular Schedule or SIN. Please review the solicitation attachments **###Read Me First###** and **###Critical Information###** for additional information, requirements, and terms and conditions specific to a particular Schedule or SIN.
- (d) Offerors proposing products must also comply with the following:

(1) Section I Administrative/Contract Data

- (i) Complete the Summary of Offer document.
- (ii) All proposed products must comply with the Trade Agreements Act (TAA). It is the responsibility of the Offeror to determine TAA compliance. When an item consists of components from various countries and the components are assembled in an additional country, the test to determine country of origin is **###substantial transformation###** (reference FAR 25.001(c)(2)). Offerors can go to The Office of Regulations and Rulings within U.S. Customs and Border Protection (CBP), which is the Federal agency responsible for making substantial transformation determinations, reference 19 CFR 177.23. CBP**###s** determinations or opinions are based upon tariff laws. The Offeror may also request an opinion from a third-party expert or make the determination itself. The Internet address for CBP is: <http://www.cbp.gov/>. . The Offeror should keep this requirement in mind when completing the TAA certification section of its SAM registration. When evaluating offers, the contracting officer will rely solely on the representations and certifications of the Offeror and will not make substantial transformation determinations.
- (iii) If the Offeror is not the manufacturer of the product(s) being proposed, an acceptable Letter of Commitment/Supply must be provided. See clause I-FSS-644 *Dealers and Suppliers in the Basic Solicitation* and the letter requirements. Failure to provide acceptable Letters of Commitment/Supply may result in rejection of the offer. See Letter of Supply Template for required language.

(2) Section II Technical Proposal ### No additional requirements.

(3) Section III Price Proposal ### No additional requirements.