

## GS \$Mart® Closing Documents

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In responding to a Rate Quote Request Form, the Lender agrees to the applicable GS \$Mart Terms and Conditions, the possible selection by the State to be the State's awarded Lender for the specific Contract, as well as the incorporation of their response into the Contract.

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**When financing is to be used and the Lender has been selected, the following paragraph must be incorporated into the Contract:**

The terms and conditions of the GS \$Mart Alpha Plan, Version \_\_\_\_\_, dated \_\_\_\_\_, (*optional*: "and the Technology Refresh Rider" or "and the Salvage Rider") found in the State Financial Marketplace, and the attached payment schedule, scheduled provisions and notes, are hereby incorporated into this contract by reference. The State designates **(Lender name)** as its Lender for this contract. The Lender will pay the Supplier for assets/services on behalf of the State. The Lender's rate quote dated **(Payment Schedule Date)** is hereby incorporated in this contract. The Lender is entitled to all payments owed pursuant to the Payment Schedule in consideration for the Lender's payment of the cost of the Assets (less any down payment as directed by the State) to the Supplier.

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**The SFM would prefer that the contract is not issued until the Opinion of Counsel is received from the DGS Office of Legal Services. The following paragraph is an alternate paragraph to include on the RFP if a Lender has not been chosen by the time the RFP needs to be issued:**

The State reserves the right to select the form of payment for all procurements, be it either an outright purchase with payment rendered directly by the State, or a financing/lease-purchase or operating lease via the State Financial Marketplace (GS \$Mart and/or Lease \$Mart). If payment is via the financial marketplace, the Supplier will invoice the State and the State will approve the invoice and the selected Lender/Lessor for all product listed on the State's procurement document will pay the supplier on behalf of the State.

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### Closing Documents

In order for a Supplier to be paid, the following closing documents must be executed quickly for funding. The Lender will identify required documents and provide instructions to the State as to the timing and where to send executed documents. Once all documents have been signed and delivered, the Lender will then pay the supplier on behalf of the State, there are no other documents required:

- Copy of Contract (The State executes and references the specific financing plan and attaches the Lender's payment schedule)
- Opinion of Bond Counsel (If the State requests, the Lender has Bond Counsel prepare and sent to [\\$Mart Manager](#))
- [Certification Form](#) (Lender prepares, the State executes and returns to the Lender)
- Tax Certification (If the Lender requests and prepares, the State executes and returns to the Lender)
- [Opinion of Counsel](#) (If Lender requests, the [\\$Mart Manager](#) will have DGS counsel execute and return to Lender)
- UCC-1 (If the Lender requests and prepares, the State executes and returns to the Lender)
- IRS 8038-G and or GC (Lender prepares, [\\$Mart Manager](#) execute and files with Internal Revenue Service)