

COMMONWEALTH OF MASSACHUSETTS
OPERATIONAL SERVICES DIVISION - ROOM 1017
JOHN McCORMACK STATE OFFICE BUILDING
ONE ASHBURTON PLACE
BOSTON MA 02108-1552

REQUEST FOR RESPONSE (RFR)

RFR HSP16

FOR

MEDICAL & SURGICAL SUPPLIES

ISSUED February 1, 2001

Contact Person:

RFR inquiries:

Peter M. Sasso, Procurement Team Leader

Telephone #: 617-720-3307

Fax #: 617-727-4527

RFR HSP16 - Medical & Surgical Supplies

GENERAL INFORMATION

The terms of 801 CMR 21.00: Procurement of Commodities and Services is incorporated by Reference into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00. Additional definitions may also be identified in this RFR. All **terms, conditions, requirements, and procedures** included in this RFR must be met for a Response to be determined responsive. If a Bidder fails to meet any material term, condition, requirement or procedure, its Response may be deemed unresponsive and disqualified.

Unless otherwise specified in this RFR all communications, responses, and document-ation must be in **English**, all measurements must be provided in **feet, inches, and pounds** and all cost proposals or figures in **U.S. Currency**. **All Responses must be submitted in accordance with the specific terms of this RFR.** No electronic Responses may be submitted in response to this RFR.

Bidders are prohibited from communicating directly with any employee of the Procuring Department except as specified in this RFR, and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this RFR. Bidders may contact the Contact Person for this RFR in the event this RFR is incomplete or the Bidder is having trouble obtaining any required attachments electronically through Comm-PASS.

The Procurement Team Leader (PTL) may provide reasonable accommodations, including the provision of informational material in an alternative format, for qualified Bidders with disabilities or other hardships. Bidders requiring accommodation shall submit requests in writing, with supporting documentation justifying the accommodation, to the Procurement Team Leader. The Procurement Team Leader reserves the right to grant or reject any request for accommodation.

All responses and information submitted in response to this RFR are subject to the Massachusetts **Freedom of Information** Law, M.G.L., Chapter 66, Section 10, and to Chapter 4, Section 7, Subsection 26, regarding public access to such documents. Any statements reserving any confidentiality or privacy rights in submitted Responses or otherwise inconsistent with these statutes will be void and disregarded.

The Commonwealth makes **no guarantee that any Commodities or Services will be purchased** from any Contract resulting from this RFR. Any estimates or past procurement volumes referenced in this RFR are included only for the convenience of Bidders, and are not to be relied upon as any indication of future purchase levels.

RFR HSP16 - Medical & Surgical Supplies

Unless otherwise clearly stated in this RFR, any reference to a particular trademark, trade name, patent, design, type, specification, producer or supplier is not intended to restrict this RFR to any manufacturer or proprietor or to constitute an endorsement of any good or service, and the Department may consider clearly identified offers of substantially equivalent goods and services submitted in response to such reference.

If a Bidder is unable to meet any of the specifications required in this RFR, the Bidder's Response must include an alternative method for meeting such specification by identifying the specification, the proposed alternative and thoroughly describing how the alternative achieves substantially equivalent or better performance to the performance required in the RFR specification. The Department will determine if a proposed alternative method of performance achieves substantially equivalent or better performance.

The goal of this RFR is provide the best value of Commodities and Services to achieve the procurement goals of the Department. Bidders proposing alternatives which provide substantially better or more cost effective performance than achievable under a stated RFR specification or Bidders that propose discounts, uncharged Commodities and Services or other benefits in addition to the RFR specifications may receive a preference or additional points under this RFR as specified.

All Responses must be presented using the same numbering and ordering sequence used in this RFR or as otherwise specified.

Costs which are not specifically identified in the Bidder's Response, and accepted by a Department as part of a Contract, will not be compensated under any Contract awarded pursuant to this RFR. The Commonwealth will not be responsible for any costs or expenses incurred by Bidders responding to this RFR.

This RFR will be distributed electronically using the Comm-PASS system, it shall be the responsibility of every Bidder to check Comm-PASS for any addenda or modifications to this RFR. The Commonwealth and its subdivisions accept no liability and will provide no accommodation to Bidders who fail to check for amended RFRs and submit inadequate or incorrect Responses. Potential Bidders are advised to check the "last change" field on the summary page of RFRs for which they intend to submit a response to ensure that they have the most recent RFR files.

Bidders may not alter (manually or electronically) the RFR language or any RFR component files except for those portions intended to correct the vendors response (cost pages, etc.). Modifications to the body this RFR, specifications, terms and conditions, or which changes the intent of this RFR are prohibited.

RFR HSP16 - Medical & Surgical Supplies

Any unauthorized modifications other than where the vendor is prompted for a response will the Request For Response.

All Bidders will be required to complete, execute and return at minimum the following two (2) documents:

1. All Bidders must complete, execute and return the **Commonwealth Terms and Conditions** attached to this RFR. If the Bidder has already executed and filed the **Commonwealth Terms and Conditions**, please indicate this in your Response. **The Commonwealth Terms and Conditions shall be incorporated by reference into any Contract for Commodities and Services executed pursuant to this RFR.** A Bidder is required to execute the **Commonwealth Terms and Conditions** only once.
2. All Bidders must also complete, execute and return the **Standard Contract Form** as follows:
 - (a) as **the cover sheet to their Response. Failure to return a completed and executed Standard Contract Form may disqualify the Bidder's Response.**
 - (b) upon selection for Contract negotiation and execution.

By executing **the Standard Contract Form**, the Contractor certifies under the pains and penalties of perjury that it has submitted a Response to a Request for Response (RFR) issued by the Department and that this Response is the Contractor's offer as evidenced by the execution by the Contractor's authorized signatory, that the Contractor's Response may be subject to negotiation by the Department, and that the terms of the RFR, the Contractor's Response and any negotiated terms shall be deemed accepted by the Department and included as part of the Contract upon execution of **the Standard Contract Form** by the Department's authorized signatory.

RFR HSP16 - Medical & Surgical Supplies

RFR #: HSP16

CONTRACT NAME: MEDICAL & SURGICAL SUPPLIES

CONTRACT PERIOD: Beginning **April 1, 2001** and Ending **December 31, 2003**

Submission of Responses (Bids): To be responsive all bidders must complete and submit the attached bid forms: Price Submittal Sheet, Market Basket By Category Discount Sheets, Response & Evaluation Criteria Worksheets

Bidders responding to this Request For Response (RFR) **must** submit one (1) copy of their response (bid) with an original signature and the following forms:

- Completed Contractor Authorized Signature Form
- Signed Commonwealth Terms and Conditions Form, if not on file
- Signed Standard Contract Form
- Massachusetts Substitute W-9 Format Form, if not on file
- Northern Ireland Notice and Certification
- Affirmative Action Plan Form

[These forms can be found on the Vendor Information page within Comm-PASS at www.Comm-PASS.com]

Responses must be submitted to the attention of Peter M. Sasso, Procurement Team Leader, Commonwealth of Massachusetts, Operational Services Division Room 1017, One Ashburton Place, Boston MA 02108-1552. All responses **must** be submitted in a sealed envelope clearly **marked with the RFR #, title, opening date and time on the face of the envelope.**

Communications with Operational Services Division (OSD) can be made through telephone at (617) 720-3307, Peter M. Sasso, Procurement Team Leader.

Deadline for Responses (Bids): All responses (bids) must be received by OSD **prior to 2:00 PM on March 1, 2001.** Late bids will be rejected. A public bid opening will NOT be conducted at OSD.

RFR HSP16 - Medical & Surgical Supplies

Vendor Questions: The Procurement Management Team (PMT) and Procurement Team Leader (PTL) will allow vendors to ask questions about this RFR once it is posted on Comm-PASS. This will allow the opportunity for potential bidders to directly present questions through a local representative to the PTL. Questions mailed requesting a response will not be responded to. The period for questions will be from February 12th through February 16th, 2001. The PMT will be available for individual bidders who would like to meet with members of the PMT. These meetings will be scheduled by appointment on February 15, 2001 for 20 minute intervals. Once these meetings and time period is concluded any communication with either the PMT or PTL relating to this RFR is prohibited under Procurement Regulations 801 CMR 21.00.

RFR Definitions:

- **Market Basket Award** consideration relates to those bidders having the resources available for supplying commodities for all nine (9) product groups identified in this RFR and servicing the potential requirements for Commonwealth facilities, agencies and departments. Any Market Basket contract awarded from this contract will allow a contractor to add new or allied commodities to the product selection as they become available at the special pricing identified for that group, based on the Commonwealth of Massachusetts Procurement Regulations. A Market Basket Bidder may be: (1) a manufacturer or (2) an authorized distributor for a manufacturer.
- **Non-Market Basket Award** consideration relates to Bidders responding to less than the total number of product groups contained within this RFR and servicing the requirements of less than nine (9) of the categories. Any Non-Market basket contract awarded from this RFR will allow a Contractor to add new or allied commodities to the product selection as they become available at the special pricing identified for that group, based on the Commonwealth of Massachusetts Procurement Regulations. A Non-Market Basket Bidder may be (1) a manufacturer or (2) an authorized distributor for a manufacturer.
- **Best Value** indicates price alone is not the sole factor in awarding a contract. Other factors such as, but not limited to: product quality, service, field sales force, customer service, technical support, prior complaints and accounting reports.
- **Descriptive Literature** is identified as, but not limited to, product information with picture, illustrations, drawings, professional descriptive brochures or pamphlets.

RFR HSP16 - Medical & Surgical Supplies

- **Cost Price** identifies an authorized distributor's rebate cost or a manufacturer's cost for resale on products for sale direct to the end user.
- **Cost Plus Percent** refers to the above Cost Price plus a Bidders reflected margin percent, if applicable, for a final Net Price bid submission.
- **Net Price** references the final cost to Departments purchasing under any contract resulting from this RFR and derived for the Cost Price and Cost Plus Percent above.

RFR Scope: The purpose of this RFR is to establish discounts for the Best Buy available within a Market Basket proposal for **Medical & Surgical Supplies**. A Market Basket contract requests a vendor to offer uniform discounting within identified product groups understanding that these discounts will vary by product group.

Any contract resulting from this RFR will represent such a cost plus mark-up identified price list or catalog for **Medical & Surgical Supplies** to include but not be limited to the following product groups referenced in this RFR: Urological Care Products, Ostomy Supplies, Respiratory Care Supplies, Soaps and Germicides, Surgical Supplies, Hospital Sundries, Needles and Syringes, Hospital Linen and IV solutions and sets.

This RFR is separated into product groups selected by the Procurement Management Team (PMT) for the purpose of identifying specific and allied **Medical & Surgical Supplies** products presented in the form of a Market Basket contract that have been covered all of the needs of the departments.

Any contract resulting from this RFR will be awarded under procurement regulations 801 CMR 21.00, effective July 1, 1996 for all agencies of the Commonwealth, including all constitutional offices, the legislature, and the judiciary; Cities, towns, municipalities, counties, and other political subdivisions of the Commonwealth, including schools and other service districts; Authorities, commissions, institutions of higher education, and quasi-public agencies established for the benefit of the citizens of the Commonwealth; and other eligible entities designated in writing by the State Purchasing Agent may use this contract. Private vendors who are under contractual obligation to provide goods and/or services relating to the scope of this RFR are also eligible to use this contract.

The Commonwealth retains the right to obtain commodities indicated in this RFR from any source if it is the best interests of the Commonwealth of Massachusetts to do so.

RFR HSP16 - Medical & Surgical Supplies

Financial Stability Reporting: Bidders are required to submit a report attesting to their financial stability through submission of a recent Dun and Bradstreet report or accountants certified statement along with a financial statement.

Contract Pricing Structure: To be responsive bidders are requested to complete the attached Price Submittal Sheet which must include pricing and cost percent for representative allied **Medical & Surgical Supplies** within the product groups identified, and submitted within the time specified for responses.

Cost Plus percent and Price Lists stated with the submitted bid shall be firm for the initial contract period. At least forty-five (45) days prior to the expiration of the initial contract period OSD will notify the vendor(s) in writing that the Commonwealth is exercising its option to extend the contract.

Cost Plus Example

Bidders must state the catalog price for the item being bid along with the cost plus percent, quantity, and packaging, e.g.:

Catalog Price:	\$20.00/case	Cost Plus:	10%
Bid Price, case:	\$22.00/case	Std Packaging:	50/case
Bid Price, each:	\$0.44/each		

Percentage Off catalog example

Bidder must state the catalog price for the item being bid along with the percentage off percent, quantity, and packaging, e.g. :

Catalog Price:	\$1.50/case	Discount:	10%
Bid Price, case	\$1.00/case	Std Packaging:	10/case
Bid Price, each:	\$0.10/case		

Bidders must identify all price lists referenced within their bid and submit such catalog and price list with an effective date for the term of the contract. If a product price list is not available one must be generated on bidders letterhead for this bid submission with the required price list made available by mutual agreement. Such catalog and price list will become part of any bid award resulting from this RFR.

Vendor(s) awarded a contract from this RFR and already having an existing Federal Supply Schedule (FSS) or Hospital Purchasing Partners International (HPPI) contract for allied **Medical & Surgical Supplies**, either in total or in

RFR HSP16 - Medical & Surgical Supplies

part, agree(s) to offer such FSS contract prices to those agencies having an ability to access such FSS contracts.

If a vendor does not have an FSS contract, eligible agencies are allowed to purchase off a designated contract at a lower price for allied **Medical & Surgical Supplies**, either in total or in part.

Based upon prior contract revenues the estimated annual dollar volume is approximately \$1,420,000 for a twelve month time period. However, prior statewide contract revenues are no guarantee of future participation and performance.

Open Enrollment Contract: This is an "open-enrollment" contract. After the initial deadline date, February 1, 2001, of this RFR (Request for Response), additional bidders may submit a response to the RFR at any time. However, bidders who respond after the initial deadline date may have a significant disadvantage to those bidders who meet the deadline including justifying their inclusion on the contract. The Procurement Management Team will only add qualified contractors to the contract once it is in place to cover any unmet need, coverage and/or lack of capacity under current contracts.

Price Extensions and/or Price Increases: Unit price increase requests or request to use an updated price list for the extension period must include documentation supporting the reasons for the requested change written on the vendor's letterhead, including but not limited to:

1. Identified price increase and their source, e.g., raw material, freight, fuel, labor etc.
2. Copies of business publications, market quotations, or the trade journals generally recognized as representative of the trade or industry that indicate market trends for the contract commodities.
3. Copies of old and new price lists, if applicable, reflecting price changes.

OSD reserves the right to request additional information.

OSD shall address price change requests under 801 CMR 21.00 by either:

1. Negotiating a price change and extending the contract for the contract extension period at the new price, or
2. Denying the requested price increase and extending the contract At the initial contract price.

RFR HSP16 - Medical & Surgical Supplies

Vendor(s) requesting price changes in accordance with 801 CMR 21.00 for the extended period must submit such requests in writing within ten (10) days of the notice to extend to: Peter M. Sasso, Procurement Team Leader, Operational Services Division (OSD) Room 1017, Commonwealth of Massachusetts, One Ashburton Place, Boston MA 02108-1552.

Term of Contract: The term of any contract resulting from this RFR shall be for **twenty four (24) months plus two (2) additional options to renew not to exceed twelve (12) months each.** Any such extension will be at the same terms and conditions as the initial contract, including price, except for any requested and mutually agreed upon price change requests.

Product Specifications: Products awarded to a vendor as a result of this RFR, within the identified product groups, shall meet the same standards as products identified within a bidders initial response in that all such products shipped are of medical grade and manufactured for incontinent patient care. Products not meeting these standards will be deemed unacceptable and returned to the vendor at no charge to the Commonwealth for credit.

Where applicable any vendor receiving a contract resulting from this RFR and offering items identified herein must meet regulatory guidelines, and any amendments therein, for health care products as promulgated under, but not limited to: FDA 21 CFR, OSHA Respiratory Protection Standards 29 CFR 1910.134, UL, NEMA, EPA or ASTM Standards for related products or applicable flammability standard requirements by individual agencies.

All items must meet flammability standards, as amended, of the flammable Fabric Act CS-191-53, the Flammability Standards For Mattresses DOC-77-4-72, the National Fire Protection Association's Test 702 without the use of chemicals or salts which may be potentially harmful as skin irritants and the City of Boston Fire Code Standards.

Delivery Time ARO Required: The vendor shall deliver goods within ten (10) Commonwealth Business days after receipt of order, unless otherwise stipulated by the procuring department.

In addition to all other rights and remedies the Commonwealth reserves the right to reject items delivered late.

Failure to deliver on time may be grounds for termination of a vendors' contract.

Product delivery is to be made via vendor's vehicles, common carrier or standard parcel carrier (similar to UPS) at no cost to the Commonwealth.

RFR HSP16 - Medical & Surgical Supplies

Express deliveries will be mutually agreed upon and charged to the procuring department at cost with such costs supported by delivering carrier documents. Liability for product and delivery remains with vendor until properly delivered and signed for in accordance with the purchasing department and Commonwealth Terms and Conditions, as amended.

Web Sites and Electronic Ordering: Bidders are encouraged to establish and maintain a World Wide Web site for corporate information, product literature, product alert notifications, introductions of new products, product ordering and industry Web links. Bidders having an established Web site will be given additional points during the evaluation process.

Multi-State EMail - The Commonwealth is currently implementing a web-based cooperative procurement system called The Multi-State EMail for all Commonwealth departments. The EMail is also open to all eligible public buying entities including cities and towns, public and quasi-public authorities, UFR-qualified human service providers, institutions of higher education, and even other states. The solution provided by Metiom (IEC) utilizes the Open buying in the Internet (OBI) non-proprietary standard required by the EMail. The Commonwealth has adopted this method of electronic commerce and in cooperation with OSD has begun to activate existing, appropriate statewide commodity contracts.

As the various phases of EMail progress, the ability to conduct web-based electronic commerce will become a requirement of this contract. At least 180 days notice will be given before an implementation requirement will be enforced.

Award Criteria: The PMT may issue up to at least three (3) Market Basket Awards and may award three (3) non-Market Basket Awards to vendors submitting all identified forms, Price Submittal Sheet, Market Basket Discount Response, Evaluation Criteria Worksheet located within this RFR, and samples where required. Any additional awards will be issued under the following circumstances:

- * Products offered are not inclusive of an agency's requirements,
- * Product selection doesn't include brands essential to agency needs,
- * Professional technical support is available from another vendor,

Additional award offers to non-Market Basket respondents will not be extended to vendor's whose prices are 20% greater than the three best awards considered for an award under this RFR.

RFR HSP16 - Medical & Surgical Supplies

Vendors receiving an award through this RFR will be selected as needed by procuring departments, but no vendor is guaranteed business due to a contract award resulting from this RFR.

Awards will be made to those bidders having an established sales team, customer service support and capacity to service all aforementioned state agencies, municipalities, subdivisions, educational facilities, and other entities identified, within the Commonwealth of Massachusetts who will participate in any contract arising out of this RFR.

Vendors offering cost plus or percents off their catalog for **Medical & Surgical Supplies** in the form of a Market Basket approach, for items not specifically identified in this RFR but to be offered to the Commonwealth under any contract arising from this RFR, will be favorably viewed for supplying the Best Buy for the Commonwealth and given extra consideration during the review process.

Vendors offering products and packaging which is identified as being environmentally responsible, with supportive documentation, will be favorably viewed and given extra consideration during the review process and if necessary offered a separate award independent of the above evaluation criteria. The Commonwealth seeks to procure products that have the least impact on the environment, use and disposal. In particular: to minimize the volume and toxicity of the healthcare facility waste stream. Special consideration will be given to products which:

- ❖ are minimally packed,
- ❖ are packaged in recyclable materials that are collected in recycling programs,
- ❖ are packaged in materials which contain post-consumer recycled content,
- ❖ are packaged in materials which are not chlorine-bleached, do not contain heavy metals, including mercury, lead, chromium, cadmium, and arsenic or which contain the least amount of these ingredients,
- ❖ do not contain polyvinyl chloride (PVC), or which contain the least amount of this ingredient.

Mercury Reduction Program

As part of the Commonwealth of Massachusetts efforts to reduce the use and disposal of mercury containing products, the PMT has determined that any contracts resulting from this RFR must meet the following requirements.

RFR HSP16 - Medical & Surgical Supplies

- 1) In responding to the RFR, Bidders are requested to offer non-mercury alternatives to all products which contain intentionally added mercury (mercury added products) where such alternatives exist.
- 2) Should such alternatives not be available, bidders are requested to submit with their response a list of products without non-mercury alternatives.
- 3) Any products that are labeled containing mercury should not be sold within this contract once it is awarded. Following the contract award, contractors who receive requests for products labeled containing mercury, are required to receive prior approval from the Procurement Manager or PMT before distribution.

Additionally, it is **desirable** that Bidders offer:

- 1) A proposal for a collection system to ensure proper disposal or recycling of mercury for any product containing mercury offered for sale on this contract when no non-mercury alternative is available. This included any mercury containing batteries (such as button batteries and rechargables) that may be sold with equipment such as electronic thermometers.
- 2) A proposal in the type of mercury reduction and/or elimination training for contract users that would be offered by the bidder.
- 3) A description of any other efforts that the bidder would undertake as part of this contract to reduce/eliminate the sale and use of mercury containing products, as well as any mercury reduction efforts being undertaken or proposed by the bidder which are not related to this contract.
- 4) Identification of products which contain mercury (when no non-mercury alternatives are available) to contract users at the time of purchase and delivery.

The PMT reserves the right to remove products from this contract that have been deemed hazardous and/or unacceptable by Federal/State/Agency regulations and/or recommendations for their agencies or affiliate departments.

The PMT will look favorably on a vendor and/or company that can offer a program which removes or substitutes products labeled in the RFR that have been deemed hazardous and/or unacceptable by Federal/State/Agency regulations and/or recommendations for their agencies or affiliate departments.

Latex Free/Latex Safe: The PMT will require that items in each category have options given for Latex Free or Latex Safe products. It is becoming more necessary to have these items available for end users in the Commonwealth Agencies who utilize this Medical/Surgical Supply contract.

RFR HSP16 - Medical & Surgical Supplies

Vendors will additionally be required to offer the following for award consideration:

- ❖ Price and cost plus percents against any product groups or referenced items and identifying related catalog sections.
- ❖ An ability to meet product specifications identified within this RFR.
- ❖ Product support through inservice training as requested by agencies.
- ❖ Product sampling at no charge to agencies for new products or initial use of products to meet an agency's needs for an evaluation time period.
- ❖ Drop shipment capabilities at no additional charge.
- ❖ An ability to maintain an inventory level at their place of business, if needed.
- ❖ A return goods policy for full cases of current product without fees charged.
- ❖ Supplying price lists and catalogs to a Business Office and Department(s) for any contract awarded from this RFR and as needed during the contracts initial term and any extensions.
- ❖ Quarterly contract reporting capabilities as identified within the Contract Performance section herein.

Descriptive literature, price lists and related catalogs MUST BE ATTACHED TO each bid. "Descriptive Literature" is identified as, but not limited to, product information showing pictures, illustrations, drawings, professional descriptive brochures or pamphlets submitted as a part of the bid.

Literature submitted must be clearly marked to identify the product groups applicable within the RFR and any prices bid. The failure of descriptive literature or Price Lists to show that the product offered conforms to the requirements of this RFR may result in rejection of a bid.

Minority-Owned Enterprises (MBE): Minority-Owned Business Enterprises are strongly encouraged to submit responses to this RFR. The selection process affords a small advantage to Massachusetts SOWMBA certified MBE Vendors and to vendors who utilize Massachusetts SOWMBA certified MBE subcontractors.

For the purpose of this RFR, the word "certified" is applied to the MBE that has satisfied the requirements of SOWMBA as a minority-owned business.

Any minority-owned business may apply to SOWMBA for MBE certification. For further information on MBE qualifications or access to MBE Vendor lists, contact SOWMBA at (617) 727-8692.

RFR HSP16 - Medical & Surgical Supplies

Responsive proposals submitted by a SOWMBA certified MBE Vendor or Vendors who propose to utilize certified MBE subcontractors for any contract that may result from this RFR, will receive a point advantage equal to five percent (5%) of the total maximum points available. Any SOWMBA certified MBE vendor or MBE subcontractor receiving a contract through the awarding of a point advantage from this RFR must verify their ability to support any such contract resulting from this RFR.

Estimated Usage: The estimated annual volume of \$1,420,000 is based on prior contract usage and does not predict similar or equal usage for any contract resulting from this RFR that would be consolidated under a Market Basket award.

Acceptance of RFR Provisions: The bidder must accept the provisions of this RFR in its entirety without modification. Anything less than unconditional acceptance may disqualify the bid made in response to this solicitation and is considered non-responsive.

Prompt Pay Discount: **Prompt Pay Discounts or special payment terms offered within a bid response will be used for award determination.** The method of calculation utilizing the bidders' Prompt Pay Discount is on file with the State Purchasing Agent. The time for paying upon which the discount will be based shall commence on the first day after receipt of an invoice.

Products Offered By Bidder: All products offered in a bid must be new, in unopened cases, and of equal quality to products offered to other health care facilities, unless otherwise specified in this RFR and meet the aforementioned professional standards.

Samples: Where samples are requested they **must be submitted under separate cover from the bid response and clearly identified with RFR #, RFR Name and OSD Contact Person. The exterior of ALL standard mailing packages and express delivery packages of samples must be identified as stated.** Failure to submit samples or identify sample packages as previously mentioned may result in bid rejection.

Samples are to be sent to:

Peter M. Sasso, PTL (RFR # HSP16 - Medical and Surgical Supplies
Commonwealth of Massachusetts
Operational Services Division
One Ashburton Place Room 1017
Boston MA 02108-1552

RFR HSP16 - Medical & Surgical Supplies

Contract Performance: Vendors awarded contracts as a result of this RFR will be required to submit product sales reports throughout the year. Reports will cover the following time periods and be made available to OSD no more than fifteen (15) days after the end of the reporting period identified:

Reporting period: Jan 1 through April 30	Report due: May 25
May 1 through Aug 31	Sept. 25
Sept. 1 through Dec 31	Jan 25

Each report will contain the following information: Contract number, end user agency and department, address, product ordered, quantity ordered and shipped plus price charged with totals for each reporting period.

Where "Report due" dates fall on a legal holiday or weekend such reports will be due on the first business day following the legal holiday or weekend.

Failure to submit these reports on a timely basis can be construed as noncompliance with the original terms of the contract and be grounds for termination of a vendor's contract.

Agency departments will be surveyed as to their satisfaction with any contract(s) resulting from this RFR. Such surveys will include, but are not limited to: contract number, vendor identification, satisfaction with vendor, availability of product from vendor, product performance, and vendor's compliance with contract terms.

Contract Review and on-going maintenance: The PMT will be doing contract maintenance/ auditing which includes, but is not limited to, site visits of facilities, comparison of pricing, monitor cumulative purchasing discounts from a vendor, timeliness of deliveries, end-user complaints, etc. A vendor who is found in non-compliance from this review may result in termination of contract with the vendor.

References: Vendors **must** submit a minimum of three (3) business reference names involving similar products or contracts serviced within the last eighteen (18) months which exceeded \$15,000 annually. However, no more than one (1) reference may be from a Commonwealth of Massachusetts State Agency or from the same Federal entity, State entity or business entity. All references should include: Name and of business reference, contact name of an individual person, telephone and fax number, along with involved products. **Failure to submit these references may result in a loss of points within the evaluation process.**

Any questions regarding this RFR should be addressed to Peter M. Sasso, Procurement Team Leader, OSD at (617) 720-3307.

INSTRUCTIONS FOR COMPLETING RFR HSP16
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A. Market Basket By Category Cost Plus, Percent off Response:

1. Review the categories and subcategories contained within the Market Basket Cost Plus/Percentage off Response.
2. Fill in your company name as Vendor Responding.
3. Insert Cost Plus Percent or Percentage off for product category and subcategory. In some instances the category cost plus could be the same as the subcategory cost plus.
4. If a category or subcategory is not being responded to indicate with NO BID.
5. There are nine (9) categories for the Market Basket Discount Response.

B. Price Submittal Sheet - Market Basket Summary Form:

1. Fill in your name as **Vendor Submitting Bid** at top of form.
2. Indicate the **Cost Plus % or List Less Price** for each Product Group Category.
3. Identify the **Case Pack**, e.g., case (100), 10 bxs/10, 3/24
4. **List Price, Case**, as published in the price list being submitted, must be filled in.
5. **Bid Price, Case** will identify bid price when the Product Cost Plus % is applied to the List Price, Case. Price alone will not be a determining factor.
6. **Bid Price, Each** will identify bid price per each unit.
7. **Product Category Cost Plus**, identifies applicable Cost Plus price.
8. **Market Basket Total** requires Vendor submitting response to total categories representing their Market Basket. Each Market Basket response will be compared.
9. Not all product categories are represented in the Market Basket response form.
10. Complete the **Evaluation Criteria Worksheet**.

RFR HSP16 - Medical & Surgical Supplies

RFR #: HSP16 - MEDICAL & SURGICAL SUPPLIES

MARKET BASKET DISCOUNT RESPONSE

Vendor Responding: _____

PRODUCT CATEGORIES: (Examples identified below are of products representative of existing contracts and agency needs and should include all related supplies when responding.)

1. Urological Care Products - Cost Plus % _____/Percentage Off _____

All catheters, drainage systems and all related supplies.

2. Ostomy Products & Supplies - Cost Plus % _____/Percentage Off _____

All Urostomy, Colonoscopy and all related supplies.

3. Respiratory Care Products - Cost Plus % _____/Percentage Off _____

All Suction, Trach, ventilation and all related supplies.

4. Soaps and Germicides - Cost Plus % _____/Percentage Off _____

All skin cleansers, soaps and dispensers, liquid soap and dispensers, wrapped Soaps, shampoos and body washes, conditioners and moisturizing lotion, Deodorizers, disinfectants, detergents and all other related supplies.

5. Surgical Supplies - Cost Plus % _____/Percentage Off _____

Patient prep products, surgical scrub products, surgical dressings and sponges, Surgical skin closures, OR accessory products, disposable protective wear, paper and plastic, blades and scalpels and all other related supplies.

6. Hospital Sundries - Cost Plus % _____/Percentage Off _____

Mouthcare products, Sphygmomanometers, Aneroid, Stethoscopes, all sizes, Ophthalmoscopes/Otoscopes, Thermometers, electronic and tympanic, Sickroom Utensils, First Aid Products and Emergency Instruments, Condoms, Wound Care Products, Gloves, all sterile/non-sterile, Medical Forms and labels and all other related supplies.

7. Needles and Syringes - Cost Plus % _____/Percentage Off _____

Syringes, Needles, Sharps containers and all other related supplies.

RFR HSP16 - Medical & Surgical Supplies

RFRHSP16- Bidder Mandatory Requirements

1. Contract Authorized Signature Form (notarized) yes ____ no ____
2. Signed Standard Contract Form yes ____ no ____
3. Signed Commonwealth's Terms & Conditions yes ____ no ____
4. Massachusetts Substitute W-9 Format Form yes ____ no ____
5. Northern Ireland Notice and Certification yes ____ no ____
6. Affirmative Action Plan Form yes ____ no ____
7. Vendor References yes ____ no ____

The above required Commonwealth of Massachusetts Forms must be submitted or be on File on the Comptroller's Office in order to proceed further with bid.

1	Each vendor must submit a Market Basket response in the form of a cost plus/ percentage off discount for the product groups identified on the Price Submission Sheet.
2	Bidders must offer no charge product sampling to agencies for an agreed upon evaluation time.
3	Bidders are required to offer Drop Shipments at no charge or fees, unless previously agreed upon.
4	The bidder is required to notify requisitioner/customer of a backorder within 24 hours.
5	No minimum order requirements for products offered on this contract
6	It is required that orders be delivered with no cost for freight, unless previously agreed upon.
7	An identified Return Goods policy is required without fees being charged.
8	If bidder is a distributor the bidder must be an authorized distributor for product (s) being bid on. The PMT reserves the right to request documentation when submitting bids.
9	Bidders must identify a Contract Manager
10	Bidders must have an established customer service and technical support team with an identified toll free and/or free access number.
11	Any products, which are labeled containing mercury, must be identified by % of mercury in the products.
12	Descriptive literature and related catalogs must be attached to each bid.
13	Bidder agrees to deliver orders within ten (10) business days unless a different negotiation is offered to the customer.
14	It is required that the bidder is able to maintain off site inventory levels as needed by an agency or department.
15	It is required that each vendor assure OSD and the respective agencies that each vendor has an ability to support the request for Price Lists and Catalogs for Business Office and Departments who will be using any contract resulting from this RFR within a week of the award.
16	A bidder must be in business for similar products for at least one year proceeding the due date of this RFR.
17	Any supply offered in this contract will be in-serviced at the request of the agency.
18	All bid forms and submissions must be clearly marked, complete, accurate, and identify the product groups applicable within the RFR and any prices bid.

RFR HSP16 - Medical & Surgical Supplies

RFR HSP16- Bidder Desirables Sheet

Please note: all the following desirables will be used in the evaluation criteria of award.

1	It is desirable that Bidders use recycled and environmentally preferable products to minimize waste in the submission of their bids.
2	It is strongly desirable that bidders offer products which are environmentally responsible including but not limited to product biodegradability, product and packaging made from recyclable content, reduction in waste through packaging engineered for compactness and biodegradability data sheets verifying biodegradability product content.
3	It is desirable for Bidders to offer and submit an environmental program for the return and pick up of over-pack shipping and/or internal case packs cartons and remove wooden pallets.
4	It is desirable that prompt payment terms e.g. 2% 10 days net 30 be offered for any contract that might be awarded from this RFR. Additional points will be offered to Bidders responding with special terms. Please specify terms _____. Additional volume discount for yearly cumulative purchases _____.
5	It is desirable for Bidders to submit Cost Plus/ Percentage off pricing for multiple product categories to enhance the Market Basket and Best Value available to the Commonwealth.
6	It is desirable to offer CEU educational programs to facilities that utilize these products in the contracts at no charge.
7	It is desirable that each manufacturer identify latex free products.
8	Bidders has submitted copies of an established and active World Wide Web site.
9	It is desirable that bidders are prepared to do business with the Multi-State EMall
10	Bidder may offer specials and/or discounts which they receive from manufacturers to the customers.

End of RFR HSP16.