

Statement of Work

Invitation For Bid

Supplemental Bid

Various Formulations of Naloxone

ISSUING OFFICE



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF GENERAL SERVICES
BUREAU OF PROCUREMENT**

1800 Herr Street

Arsenal Building, 2nd Floor

Harrisburg, PA 17103

IFB NUMBER

6100062099

DATE OF ISSUANCE

10/1/2024

PART IV
6100062099 SPECIFICATIONS
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Part IV

SPECIFICATIONS

If your company bid on IFB 6100058922 and received a contract as a result of that solicitation, you are not eligible to participate in this supplemental IFB unless your company is offering the Commonwealth additional services not included in your current contract. Only new suppliers and current suppliers under contract who are offering additional services will be considered in this supplemental IFB.

IV – 1. **GENERAL INFORMATION:**

- A. PURPOSE:** The Department of General Services (DGS) is issuing this Invitation to Bid (IFB) to establish a multiple award Contract for Commonwealth Agencies to procure multiple forms of Naloxone, including nasal spray and intramuscular formulations.
- B. METHOD OF AWARD:** Award shall be made to all responsive and responsible bidders who comply with the “Eligibility Requirements” set forth in this IFB. The using agency shall issue a Request for Quote (RFQ) to suppliers on the list of awarded suppliers and will issue a Purchase Order (PO) to the Selected Supplier(s) based on best value determination. Specific agency requirements will be provided on each individual agency’s RFQ. There is no guarantee that the award of a Contract will result in the award of a PO.
- C. CONTRACT TERM:** The contract shall commence on the Effective Date and expire on August 31, 2025.

Contracts may be renewed three (3) additional one (1) year terms by mutual agreement between the Commonwealth and the supplier(s) per Section V.3 CONTRACT-002.2b Renewal of Contract Term – Mutual (Oct 2013) of Appendix A – Standard Contract Terms and Conditions.

- D. ISSUING OFFICE:** The Department of General Services (“Issuing Office”) has issued this IFB on behalf of the Commonwealth. The sole point of contact in the Commonwealth for this IFB shall be Tyler Kline, the Issuing Officer for this IFB. Please refer all inquiries to Tyler Kline, Issuing Officer, via email at tylkline@pa.gov.
- E. QUESTIONS AND ANSWERS:** If a bidder has any questions regarding this IFB, the bidder must submit the question(s) via email (with the subject line “IFB 6100062099 Question”) to the Issuing Officer named above. Question(s) must be submitted via e-mail no later than end of day 10/8/2024. The Issuing Officer shall post as an addendum to this IFB the answers to the questions on the DGS website. It is the responsibility of the bidder to monitor the [DGS website](#) for new or revised information.

F. BEST VALUE DETERMINATION (BVD):

1. Definition: Best Value Determination refers to the process of selecting the quote (or quotes) which provides the greatest value to the using agency based on the evaluation and comparison of all pertinent criteria, including cost, so that the supplier(s) whose overall quote best suit(s) the using agency's needs is selected.
2. Best Value Criteria can include but not limited to:
 - a. Account Set-up and Ordering Procedures Utilized
 - b. Shipping and Delivery Times Available
 - c. Cost of Product
 - d. Type(s) of Naloxone Requested.
3. Best Value Determination Process: Through a Request for Quote (RFQ), the agency will select the supplier(s) whose quote is determined to provide the best value based on the best value criteria set forth on each individual agency's RFQ issued to the Awarded Supplier(s). The best value process must be documented in writing and be retained in the agency file for the specific request.

IV-2. CRITERIA FOR QUALIFICATION:

A. ELIGIBILITY REQUIREMENTS:

1. Experience: Bidder shall have at least one (1) year of experience selling pharmaceuticals.
2. Licensing/Credentials: Bidder shall have the following and be able to provide proof with their bid:
 - a. Home State License
 - b. FDA Distributor Listing

B. BID SUBMISSION:

1. **Appendix B - Cost Submittal:** Potential bidders shall indicate what product(s) they can provide by completing Appendix B - Cost Submittal. If additional products are available, bidders may add them to the list; however, the *Commonwealth reserves the right to accept or reject the items.*

Best Value Determination Responses shall not exceed the price provided on the cost submittal.

2. **Appendix C - Worker Protection Form and Investment Certification.** Pursuant to Executive Order 2021-06, Worker Protection and Investment (October 21, 2021), the Commonwealth is responsible for ensuring that every Pennsylvania worker has a safe and healthy work environment, and the protections afforded them through labor laws. To that end, contractors and grantees of the Commonwealth must certify that they are in compliance with all applicable Pennsylvania state labor and workforce safety laws. Such certification shall be made through the Worker Protection and Investment Certification Form (BOP-2201) (Appendix C). The completed and signed Worker Protection Certification Form shall be submitted with the bid response.
3. **Appendix D - Iran Free Procurement Certification & Disclosure:** Prior to entering a contract worth at least \$1,000,000 or more with a Commonwealth entity, a bidder must: a) certify it is not on the current list of persons engaged in investment activities in Iran created by the Pennsylvania Department of General Services (“DGS”) pursuant to Section 3503 of the Procurement Code and is eligible to contract with the Commonwealth under Sections 3501-3506 of the Procurement Code; or b) demonstrate it has received an exception from the certification requirement for that solicitation or contract pursuant to Section 3503(e). All bidders must complete and return the Iran Free Procurement Certification form (Exhibit D), which is attached hereto and made part of this IFB. The completed and signed Iran Free Procurement Certification form shall be submitted with the bid response.
4. **Appendix E - Reciprocal Limitations Act Requirements (GSPUR-89):** See Section II.4 II-IFB-017.1b Reciprocal Limitations Act – Electronic Submittal (February 2007) of the Terms and Conditions for details and requirements regarding this Act. All bidders must complete and return the Reciprocal Limitations Act Requirements Form (Appendix E), which is attached hereto and made part of this IFB. The completed and signed GSPUR-89 form shall be submitted with the bid response.
5. **Letter of Authorization:** Bidders who are not a manufacturer must submit a letter from the manufacturer(s) stating that the bidder is authorized to sell the product(s) in the Commonwealth of Pennsylvania.
6. **Experience:** Bidders shall provide proof of at least one (1) year experience of providing pharmaceuticals, including Naloxone.

7. **Proof of Bidders Home State License and FDA Distributor Listing:** As stated under IV-2. A, Eligibility Requirements.
8. **Delivery Description:** As stated under IV-4. B, Requirements.
9. **Account Set-Up Description:** As stated under IV-4. B, Requirements.
10. **Product Recall Procedures:** As stated under IV-4 B, Requirements.

IV-3. RFQ PROCESS (AGENCY ORDERING PROCEDURE)

A. **SUPPLIER SELECTION FOR RFQ:** All bidders awarded under this contract, who meet the eligibility requirements as set forth in Part IV.2 – Criteria for Qualification, will be placed on the List of Awarded Suppliers. When an agency requires a Naloxone product covered under this contract, all awarded suppliers who have indicated that they can provide the specified Naloxone product within the required delivery times shall be issued a Request for Quote (RFQ) by the using agency.

B. REQUEST FOR QUOTE:

1. RFQ Format: The respective state agency will solicit quotes through the RFQ process via e-mail. The email should include but not be limited to:
 - Type(s) of Naloxone Product(s)
 - Quantity of Product
 - Delivery Schedule (i.e. – delivery location, delivery schedule, etc.)
 - Term of the Purchase Order
 - How Award Will Be Made (single award, multiple award)
 - Due Date/Time for Suppliers Response
2. Responding suppliers shall submit their quote, at an equal to or lower pricing than submitted on their **Appendix B - Cost Submittal**.

IV-4. SPECIFICATIONS:

A. **OVERVIEW:** As part of the Shapiro-Davis Administration's commitment to address Pennsylvania's overdose crisis, the Commonwealth is seeking the procurement of Naloxone in the forms of nasal spray and intramuscularly for all using agencies of the Commonwealth.

B. REQUIREMENTS:

1. Delivery: Delivery of products should be made in a timely fashion. Please describe the specific procedures the company/organization has in place for receiving and processing orders to ensure medication can be shipped and delivered to recipients as soon as possible, including the specific timeframes that are associated with each step in that process. Are there any procedures in place for providing product on an emergency basis (e.g., within 1-2 business days)?
2. Shelf Life: All products delivered to the using agencies shall have been manufactured within twelve (12) months of delivery date to the Commonwealth. The product period also must not expire within twelve (12) months of delivery date to the Commonwealth.
3. Training/Instructional Materials: Instructional materials shall accompany all products provided to the Commonwealth.
4. Addition/Deletion of Products – At any time during the life of the contract, products can be added/deleted at the sole discretion of the Commonwealth. Should products be added at any time during the life of the contract, awarded suppliers will have the chance to provide an updated cost submittal for the new products. ***Note: Regardless of when a new product is added, the contract termination shall remain the same.***
5. Account setup – Please describe the process in which delivery locations/accounts are set up with your company. Be sure to include, but not limited to, online tool (if applicable), timeframe it takes to get set up versus ordering the product, etc. Please also describe whether there are any restrictions in place for addresses that can receive shipments/deliveries of Naloxone.
6. Product Recalls – Bidders shall provide recall procedures with their bid response.
7. Bidders shall have a physical distribution site. Virtual distributors or brokers shall not be permitted.

IV- 5. REPORTING:

Reporting – The Commonwealth shall have available, upon request, access to usage/ordering data of the contracts in Excel format. Data shall include, but not be limited to: Type of product, quantities ordered, date of order/delivery, invoice number, etc.