

STATE OF OHIO  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
GENERAL SERVICES DIVISION  
OFFICE OF PROCUREMENT SERVICES  
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

REQUIREMENTS CONTRACT: INFLUENZA VACCINE 2010-2011

CONTRACT No.:SR901110

EFFECTIVE DATES: 02/16/10 to 12/31/10

The Department of Administrative Services has accepted Reverse Auction Qualification Summaries submitted in response to Invitation to Bid by Reverse Auction No.SR901110, that opened on 01/11/10 and bid pricing submitted during the Reverse Auction event on 02/05/10. The evaluation of the submission(s) has been completed. The bidder(s) listed herein have been determined to be the lowest responsive and responsible bidder(s) and have been awarded a contract for the items(s) listed. The respective Reverse Auction Qualification Summary and bid pricing, including the [Instructions to Bidders for Reverse Auction, Standard Contract Terms & Conditions, Supplemental Contract Terms and Conditions](#), any bid addenda, special contract terms & conditions, specifications, pricing schedules and any attachments incorporated by reference and accepted by DAS become a part of this Requirements Contract.

This Requirements Contract is effective beginning and ending on the dates noted above unless, prior to the expiration date, the Contract is renewed, terminated or cancelled in accordance with the Contract Terms and Conditions.

This Requirements Contract is available to Department of Mental Health, Office of Support Services, 2150 West Broad Street, Columbus, Ohio 43223 and to Department of Health, 900 Freeway Drive North, Bldg. 8, Columbus, Ohio 43229, as applicable.

Agencies are eligible to make purchases of the listed supplies and/or services in any amount and at any time as determined by the agency. The State makes no representation or guarantee that agencies will purchase the volume of supplies and/or services as advertised in the Invitation to Bid.

SPECIAL NOTE: State agencies may make purchases under this Requirements Contract up to \$2500.00 using the state of Ohio payment card. Any purchase that exceeds \$2500.00 will be made using the official state of Ohio purchase order (ADM-0523). Any non-state agency, institution of higher education or Cooperative Purchasing member will use forms applicable to their respective agency.

Questions regarding this and/or the Requirements Contract may be directed to:

Terry Spiropoulos  
terry.spiropoulos@das.state.oh.us

This Requirements Contract and any Amendments thereto are available from the DAS website at the following address:



<http://www.ohio.gov/procure>

Signed: \_\_\_\_\_  
Hugh Quill, Director Date

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## SPECIAL INSTRUCTIONS TO BIDDERS

**NOTICE:** This Invitation to Bid will be conducted by Reverse Auction. Bidders should carefully read Instructions to Bidders for Reverse Auction and Contract Terms and Conditions, through the link on page 1 of this Invitation to Bid prior to proceeding. The Reverse Auction will be held on February 5, 2010 beginning at 1:00 PM EST until 1:25 PM EST with extension periods as indicated by bids. Bidders should review Appendix A - THE REVERSE AUCTION BID, QUALIFICATION AND LIVE AUCTION PROCESS to this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS) to familiarize themselves with the qualification and Reverse Auction process.

**REVERSE AUCTION QUALIFICATIONS SUMMARY (RAQS) SUBMITTALS:** Reverse auction qualification summaries (RAQS) shall be submitted in paper form in a sealed envelope with the bid number clearly marked on the exterior. If the Bidder uses an express mail or courier service, the bid number must be clearly marked on the exterior of the express mail or courier envelope or must be enclosed in a sealed envelope inside the express mail or courier service envelope, with the bid number clearly marked on the inside envelope. DAS must receive the RAQS submittals no later than 1:00 PM the day the summaries are scheduled for opening. DAS receives submittals during the hours of 8:00 AM through 4:30 PM Monday through Friday, except state observed holidays. DAS does not accept submittals with insufficient postage, collect on delivery, or through electronic means. Submittals must be delivered to the following address: Department of Administrative Services, General Services Division, Office of Procurement Services, ATTN.: Bid Desk, 4200 Surface Road Columbus, OH 43228-1385.

**MANDATORY REQUIREMENTS:** Bidders are responsible to ensure they submit ALL mandatory requirements with their Reverse Auction Qualifications Summary (RAQS) submittals. In the case where the Bidder does not submit one or more of the mandatory requirements with their RAQS submittal, the Bidder will be deemed not responsive. As a result, the RAQS submittal will be immediately disqualified with no further consideration given for potential awarding of the Contract for the RAQS. Because this may be different from past practice with other invitations, the Bidder is strongly encouraged to carefully read this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS), check, and re-check as needed to ensure the mandatory requirements are completely met and submitted.

## SPECIAL CONTRACT TERMS AND CONDITIONS

**AMENDMENTS TO CONTRACT TERMS AND CONDITIONS:** The following Amendments to the Contract Terms and Conditions do hereby become a part hereof. In the event that an amendment conflicts with the Contract Terms and Conditions, the Amendment will prevail.

**MANDATORY/REQUIRED SUBMISSIONS:** Mandatory submissions must be included with the Reverse Auction Qualifications Summary (RAQS) submittal. Required documentation/materials should be submitted with the RAQS submittal. If not submitted with the RAQS submittal, the Bidder must provide the said required documentation/materials within five (5) business days after notification, to the Office of Procurement Services. Failure to provide mandatory submissions with the RAQS submittal or failure to provide the required documentation/materials, as applicable, within the stated time period will result in the Bidder being deemed not responsive and the RAQS submittal will be immediately disqualified with no further consideration given for potential awarding of the Contract. For specific submission requirements, bidders should refer to MANDATORY SUBMISSION - BIDDER QUALIFICATIONS below, Specifications, Section V, "Documentation", Page 11, and the Bid Submission Check List on Page 21 for a listing of those mandatory submissions due with the RAQS submittal and required submissions that should be included with the RAQS submittal, but which do not become mandatory until requested by DAS.

**MANDATORY SUBMISSION - BIDDER QUALIFICATIONS:** To participate in the Reverse Auction, bidders must qualify in advance. In order to be deemed responsive, responsible and qualified to participate in the reverse auction, bidders must provide the following mandatory submissions with their Reverse Auction Qualifications Summary (RAQS) submittal, Items A through G below:

- A. Page 1 (cover page) of this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS), completed, with original signature and per instructions.

SPECIAL CONTRACT TERMS AND CONDITIONS (Cont'd.)

- B. Bidders shall complete the Item Identification Information on Pages 17 through 20 of this ITB/RAQS and submit them with their RAQS submittal, for each line item being offered. DO NOT SUPPLY BID PRICING with your RAQS submittal. Bidders shall indicate on the Item Identification Pages for each item offered in the spaces provided; the 1) Item Offered, 2) Manufacturer Name and Plant Location, 3) Unit (if applicable), and 4) N.D.C. Number for each item offered (if established). If the N.D.C. number of the item is not yet established, Bidder should attach the manufacturer's descriptive literature to identify the exact product being offered. Items offered by bidders during qualification will be the same items bid upon during the Reverse Auction and the same products supplied, upon award of any ensuing contract.
- C. Bidders shall complete and submit the AUTOMOBILE LIABILITY INSURANCE REQUIREMENTS AND CHECKLIST below on Page 14 of this ITB/RAQS.
- D. Bidders shall complete and submit the DISCLOSURE OF SUBCONTRACTORS / JOINT VENTURES on Page 14 of this ITB/RAQS.
- E. REQUIRED CERTIFICATION FOR BIDDING, PAGE 2 of this ITB/RAQS: Page 2 of this ITB/RAQS must be submitted with the RAQS submittal. For qualification, Section B only must be completed to be eligible for domestic Ohio preference (Buy Ohio/Border State status). The information will be used to determine the Buy Ohio/Border State status of the Bidder prior to the reverse auction resulting from this qualification. Failure to submit a Required Certification For Bidding, Page 2 with the RAQS submittal will deem the Bidder not responsive and no further consideration for award will be provided.
- F. Bidders shall complete the OHIO LICENSE section on Page 10 of this ITB/RAQS and attach a copy of their Ohio Wholesale Distributor of Dangerous Drug License.
- G. Bidders shall complete, execute, and submit with their bid the notarized CERTIFICATE on Page 13 of this ITB/RAQS. Failure to submit the certificate, notarized by a notary public with an official seal, may deem the Bidder not responsive and no further consideration for award will be provided.

Reverse Auction Qualifications Summary (RAQS) submittals are due on January 11, 2010 by 1:00 PM EST. For more information, and in addition to the items A through G listed above, see Specifications, Section V, "Documentation", Pages 11 through 12, and the Bid Submission Check List on Page 21 of this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS).

Bidders who complete the qualification process and who are deemed to be qualified bidders based upon complete submission of all qualification criteria and specification compliant products, as required by this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS), will be notified and invited to participate in the Online Reverse Auction Event for the items specified in this RAQS.

DESCRIPTIVE LITERATURE: The Bidder may be required to submit descriptive literature of the supplies and/or services being offered, in addition to other literature referenced in this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS). If requested, the descriptive literature will be used in the evaluation process to determine the lowest responsive and responsible bidder. If not provided as part of the Reverse Auction Qualifications Summary (RAQS), the Bidder must provide said literature within five (5) business days after request/notification by the Office of Procurement Services to do so. Any references, that may appear in the descriptive literature, that may alter the terms and conditions and specifications of the bid (i.e. F.O.B. Shipping Point or Prices Subject to Change), will not be part of any contract and will be disregarded by the state of Ohio. Failure of the Bidder to furnish descriptive literature either as part of their RAQS submittal or within the time specified herein will deem the Bidder not responsive and no further consideration for award will be provided.

SPECIAL CONTRACT TERMS AND CONDITIONS (Cont'd.)

**SPECIFICATION QUESTIONS:** Information regarding submission of questions and clarifications for this Invitation To Bid (ITB)/Reverse Auction Qualifications Summary (RAQS) is provided on Page 1 of this ITB/RAQS. Through the indicated inquiry closure date, bidders may visit the State Procurement website to post bid related questions at <www.ohio.gov/procure>. Answers to all bidder questions will be posted on the State Procurement website and linked to the bid number. The State will make every effort to respond to website inquires within forty-eight (48) hours of receipt. The State will not respond to any verbal or written questions received through any other medium. No prospective bidder shall respond to any verbal instructions or changes to this bid. Only bid communications, issued by the Ohio Department of Administrative Services, Office of Procurement Services, in a public, published format, will be considered valid.

**DELIVERY AND ACCEPTANCE:** Vendor shall acknowledge all purchase orders within ten (10) days after receipt. All merchandise shall be shipped in accordance with required delivery/receipt dates as specifically stated in the purchase order and for store door delivery. Supplies will be delivered to the participating agency, in accordance with paragraphs S-8, S-9, and S-10 of the Supplemental Contract Terms and Conditions. Any item(s) ordered from a contract awarded pursuant to this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS) shall be shipped F.O.B. destination, freight prepaid. Shipment shall be made to Ohio Department of Mental Health, Office of Support Services, 2150 West Broad Street, Columbus, Ohio 43223 and to the Ohio Department of Health, 900 Freeway Drive North, Bldg. 8, Columbus, Ohio 43229, unless otherwise indicated herein. Delivery quantities and dates may be adjusted by mutual agreement between the Agency and Contractor. Acceptance (transfer of title) will occur upon the inspection and written confirmation by the ordering agency that the supplies delivered conform to the requirements set forth in the Contract. Unless otherwise provided in the Contract, acceptance shall be conclusive except as regards to latent defects, fraud, or such gross mistakes as amount to fraud.

For Item Numbers 210-80-1359V-DS and 210-80-1360V-DS only, the following exceptions to the above Delivery and Acceptance terms and conditions shall apply: As indicated on the purchase order issued by the Ohio Department of Health (ODH), supplies will be delivered to among approximately 250 dispensing provider office locations within the state of Ohio. Delivery quantities, dates, and locations may be adjusted by mutual agreement between the ODH and Contractor. The ODH shall reserve the right to adjust the delivery location of the purchase order before shipment occurs. Acceptance (transfer of title) will occur upon the inspection and written confirmation by the receiving dispensing provider, or the ODH, that the supplies delivered conform to the requirements set forth in the Contract. Unless otherwise provided in the Contract, acceptance shall be conclusive except as regards to latent defects, fraud, or such gross mistakes as amount to fraud.

**EVALUATION:** Bids will be evaluated in accordance with Article RA-8 of the "Instructions to Bidders for Reverse Auctions". In addition, the State will multiply the unit cost by the estimated usage specified in the bid for each line item to arrive at a total for each line item. If the estimated usage is unknown, then one (1) will be used as the estimated usage, for calculation purposes only.

**CONTRACT AWARD:** The contract will be awarded to the lowest responsive and responsible bidder by line item, meeting all bid specifications and requirements listed herein.

**FIRM FIXED-PRICE CONTRACT:** The contract is a Firm Fixed-Price Contract. The Contractor(s) is required to provide to the using agency supplies or services at the listed price(s) for the duration of the contract, and any extensions thereto.

**USAGE REPORTS:** Every three (3) months the contractor must submit a report (written or on disk) indicating sales generated by this contract. The report shall list usage by customer, by line item, showing the quantities/dollars generated by this contract. The report shall be forwarded to the Office of Procurement Services, 4200 Surface Road, Columbus, OH 43228-1395, Attn: Terry Spiropoulos.

**MINIMUM ORDER:** No order shall be placed against a contract awarded pursuant to this Invitation To Bid (ITB)/Reverse Auction Qualifications Summary (RAQS) for less than twenty-five (\$25.00) dollars. The minimum dollar value any of order placed against a contract awarded pursuant to this bid for delivery F.O.B. destination, transportation charges prepaid, at any one time to one destination, shall not be less than three hundred (\$300.00) dollars.

SPECIAL CONTRACT TERMS AND CONDITIONS (Cont'd.)

**OHIO LICENSE:** All bidders must hold a current Ohio Wholesale Distributor of Dangerous Drug License if the products offered are dangerous (legend) drugs. Failure to list a current Ohio Wholesale Distributor of Dangerous Drug License on Page 10 of this Invitation To Bid (ITB)/Reverse Auction Qualifications Summary (RAQS) indicates that the Bidder is not appropriately licensed to sell dangerous drugs in the state of Ohio and will result in the Bidder being deemed as not responsive and no further consideration for award will be provided.

**SPECIAL CONDITIONS:** The Director, Department of Administrative Services reserves the right to bid large or unusual requirements, for items that may be a part of the awarded contract, under a separate bid. The State may elect to participate in any Centers for Disease Control (CDC) contract that may be available to the Ohio Department of Health, 900 Freeway Drive North, Bldg. 8, Columbus, Ohio 43229.

**PLACEMENT OF ORDERS:** Purchase orders for any item(s) listed in a contract awarded pursuant to this Invitation To Bid (ITB)/Reverse Auction Qualifications Summary (RAQS) will be placed directly with the successful contractor(s) by the using agency. No order shall specify delivery to exceed thirty (30) days beyond the expiration and/or cancellation date of the contract.

**RETURN GOODS:** All bidders are requested to submit their company's policy on Returned Goods with their Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS).

**FEDERAL TAXPAYER IDENTIFICATION FORM W-9 - Notice to Bidders:** All bidders should download a Federal Request for Taxpayer Identification Number and Certification W-9 Form and submit it as part of their Reverse Auction Qualifications Summary (RAQS) submittal. The W-9 form must be completed and must display an original signature. Copied or stamped signatures are not acceptable.

To download the W-9 form from your internet explorer:

- type: <http://www.irs.gov>
- under Forms and Publications, select Form W-9
- download and print the PDF file

This completed form should be returned as part of the RAQS submission. Failure to complete this page may deem the Bidder not responsive. This requirement applies to all bidders: Bidders who have not previously done business with the State as the awardee of an Office of Procurement Services competitively bid Invitation to Bid, Request for Proposal, or State Term Schedule and also to currently awarded contractors as well. The DAS Central Accounting System requires that all contractor W-9 forms be periodically updated by submission of a new form.

If a current W-9 is not provided with the RAQS submission the Bidder will have five (5) business days after request / notification by the Office of Procurement Services to do so. Failure of the Bidder to furnish the said information either as part of their RAQS submission or within the time specified herein will deem the Bidder not responsive.

**AFFIRMATIVE ACTION PROGRAM VERIFICATION:** The Ohio Revised Code (ORC) requires all contractors from whom the State or any of its political subdivisions make purchases have a written affirmative action program for the employment and effective utilization of economically disadvantaged persons. An Affirmative Action Program Verification Form must be submitted to the Equal Opportunity Division to comply with the affirmative action requirements pursuant to the Ohio Revised Code 125.111(B). The form verifies the company's commitment to implement steps to ensure equal employment opportunity within their organization. Prior to the award of a contract a prospective vendor must have filed verification with the state of Ohio EOD that the contractor has a written affirmative action program. Verifications may be submitted online at the following URL: <http://das.ohio.gov/Divisions/EqualOpportunity/AffirmativeActionProgramVerification/tabid/133/Default.aspx> For questions or help with filing a verification please contact the Affirmative Action/EEO Unit at (614) 466-8380. Prospective vendors should submit with their bid a copy of the Affirmative Action Program Verification letter of approval, showing that they have an Affirmative Action Program on file with the state of Ohio DAS/EOD. A copy of the letter of approval may be obtained at the following URL:

<http://odnapps01/das-eod/BMSWEBAVP.nsf/B2AEE95274ADF1028525735A005C938D>

If said information is not provided with the Reverse Auction Qualifications Summary (RAQS) submission the Bidder will have five (5) business days after request/notification by the Office of Procurement Services to do so. Failure of the Bidder to furnish the said information either as part of their RAQA submittal or within the time specified herein may deem the Bidder not responsive.

SPECIAL CONTRACT TERMS AND CONDITIONS (Cont'd.)

**INSURANCE REQUIREMENTS:** Bidders should provide, with their Reverse Auction Qualifications Summary (RAQS) submittal, documentation of the following insurance coverage, as required by the Supplemental Contract Terms and Conditions, Articles S-12 and S-13 (refer to the ITB/RAQS Page 1, link to Instructions: Instructions to Bidders for Reverse Auction, Standard Contract Terms and Conditions, and Supplemental Contract Terms and Conditions):

1. Ohio Bureau of Workers' Compensation Certificate or in the case of non-state of Ohio bidders, proof of workers compensation insurance in your state of domicile.
2. Employer's Liability (Stop Gap) insurance with limits of not less than one million (\$1,000,000.00) dollars.
3. Automobile Liability with limits in accordance with Federal and State laws.
4. Commercial General Liability (CGL) Insurance:
  - a. Limits of \$500,000.00 per occurrence.
  - b. Limits of \$1,000,000.00 annual aggregate.
  - c. To be compliant, the CGL policy must include the following three endorsements:
    - 1) a blanket waiver of subrogation.
    - 2) a statement that the Contractor's CGL coverage is primary over any other coverage.
    - 3) designate the state of Ohio as an additional insured.

If the Bidder does not currently carry the amounts of coverage and/or the required endorsements specified above, the Bidder should provide a letter from their insurance company stating that the Bidder's coverage will be increased to the specified amounts and/or the required endorsements will be added to the policy upon award of the ensuing Contract. The letter from the insurance company should also be submitted with the RAQS submittal. If a compliant insurance certificate is not provided with the RAQS submittal, the Bidder will have five (5) business days after request / notification by the Office of Procurement Services to do so. Failure of the Bidder to furnish the said information either as part of their RAQS submittal, or within the time specified herein, will deem the Bidder not responsive and no further consideration for award will be provided.

**INSURANCE DOCUMENTS:** Upon the policy renewal date, the contractor must submit, within thirty (30) days, updated insurance documents showing compliance with all applicable coverages required by this contract. As required, the documents must include a current Workers' Compensation Certificate and an Acord Certificate of all applicable insurance coverages and must include all required Commercial General Liability endorsements as described in Articles S-12 and S-13 of the Supplemental Contract Terms and Conditions of this contract.

Failure to maintain compliant insurance coverage per Article S-12 and S-13 of the Supplemental Contract Terms and Conditions will be considered a default and will be cause for cancellation of the contract under the Standard Contract Terms and Conditions, Section I, Item C, Part 1.

These documents shall be forwarded to the Office of State Purchasing, 4200 Surface Road, Columbus, OH 43228-1395, Attn: Terry Spiropoulos (E-Mail: [terry.spiropoulos@das.state.oh.us](mailto:terry.spiropoulos@das.state.oh.us)).

Failure to maintain compliant insurance coverage per Article S-12 and S-13 of the Supplemental Contract Terms and Conditions will be considered a default and will be cause for cancellation of the contract under the Standard Contract Terms and Conditions, Section I, Item C, Part 1.

These documents shall be forwarded to the Office of State Purchasing, 4200 Surface Road, Columbus, OH 43228-1395, Attn: Terry Spiropoulos (E-Mail: [terry.spiropoulos@das.state.oh.us](mailto:terry.spiropoulos@das.state.oh.us)).

**STATE OF OHIO OFFICE OF BUDGET MANAGEMENT ELECTRONIC FUNDS TRANSFER PAYMENTS PROGRAM:** The awarded contractor should consider registering for the state of Ohio, Office of Budget Management's Electronic Funds Transfer Payments program. By registering and participating in this program, contractors reduce costs for both the contractor and state of Ohio and insure that payments for goods or services are transmitted promptly and accurately. To register for this program, go to: <http://ohiosharedservices.ohio.gov/Vendors.aspx?Page=2> . Under Ohio Shared Services Vendor and Accounts Payable Forms, download and print form, "Authorization Agreement for Direct Deposit of EFT Payments (OBM-1234) (PDF Version)", review, complete, sign and submit it in accordance with the instructions on the form.

## SPECIFICATIONS

### I. SCOPE AND CLASSIFICATION:

- A. Scope: The State of Ohio, Department of Administrative Services, Office of Procurement Services, on behalf of the Ohio Department of Health and the Ohio Department of Mental Health, is seeking bids for Influenza Vaccines, 2010-2011 year. Products shall be delivered FOB destination, prepaid, as specified in the paragraph, "Delivery and Acceptance." This procurement of Influenza Virus Vaccine shall be compliant with the specifications and requirements listed herein. The term of any contract issued pursuant to this Invitation To Bid (ITB)/Reverse Auction Qualifications Summary (RAQS) shall be approximately eleven (11) months from February 11, 2010 through December 31, 2010.
- B. Classification
1. Influenza Virus Vaccine, Inactivated, Trivalent Split, to include the Antigens as formulated in accordance with the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year.
  2. Influenza Virus Vaccine Live Attenuated, Intranasal Spray, to include the Antigens as formulated in accordance with the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year.

### II. APPLICABLE DOCUMENTS

- A. Applicable section(s) of Food, Drug, and Cosmetic Act
- B. Applicable section(s) of the Code of Federal Regulations, Title 21
- C. Applicable section(s) of the Ohio Pure Food, Drug, and Cosmetic Law, ORC Chapter 3715
- D. Approved Drug Products with Therapeutic Equivalence Evaluations (Orange Book), FDA Publication

### III. REQUIREMENTS

- A. Products
1. Influenza Virus Vaccine, Inactivated, Trivalent Split, Adult Formulation, licensed for administration to ages 6 months and over, to include the Antigens as formulated in accordance with the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Non-Returnable, 10-Dose, 5 ml Vials.  
Item Number #210-80-1359 V.
  2. Influenza Virus Vaccine, Inactivated, Trivalent Split, Adult No Preservative Formulation, licensed for administration to ages 36 months and over, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Single-Dose, 0.5 ml Pre-Filled Syringes (packaged in boxes of 10 Pre-Filled Syringes / box).  
Item Number #210-80-1359 S.

SPECIFICATIONS (Cont'd.)

3. Influenza Virus Vaccine, Inactivated, Trivalent Split, Adult No Preservative Formulation, licensed for administration to ages 18 years and over, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Single-Dose, 0.5 ml Pre-Filled Syringes (packaged in boxes of 5 or 10 Pre-Filled Syringes / box).  
Item Number #210-80-1360 S.
4. Influenza Virus Vaccine, Inactivated, Trivalent Split, Adult Formulation, licensed for administration to ages 18 years and over, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Non-Returnable, 10-Dose, 5 ml Vials.  
Item Number #210-80-1360 V.
5. Influenza Virus Vaccine, Inactivated, Trivalent Split, Adult Formulation, licensed for administration to ages 4 years and over, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Non-Returnable, 10-Dose, 5 ml Vials.  
Item Number #210-80-1361 V.
6. Influenza Virus Vaccine, Inactivated, Trivalent Split, Adult Preservative Free Formulation, licensed for administration to ages 4 years and over, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Single-Dose, 0.5 ml Pre-Filled Syringes (packaged in boxes of 10 Pre-Filled Syringes / box).  
Item Number #210-80-1361 S.
7. Influenza Virus Vaccine, Inactivated, Trivalent Split, Pediatric No Preservative Formulation, licensed for administration to ages 6 – 35 months, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Single-Dose, 0.25 ml Pre-Filled Syringes (packaged in boxes of 10 Pre-Filled Syringes / box).  
Item Number #210-80-1359.
8. Influenza Virus Vaccine, Live Attenuated, Intranasal Spray, licensed for administration to ages 2-49 years, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Single-Use, 0.2 ml Sprays (packaged in boxes of 10 Single-Use Sprayers / box).  
Item Number #210-80-1361.
9. Influenza Virus Vaccine, Inactivated, Trivalent Split, Adult Formulation, licensed for administration to ages 6 months and over, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Non-Returnable, 10-Dose, 5 ml Vials.  
Directly shipped to dispensing provider offices within Ohio.  
Item Number #210-80-1359V-DS.

SPECIFICATIONS (Cont'd.)

10. Influenza Virus Vaccine, Inactivated, Trivalent Split, Adult Formulation, licensed for administration to ages 18 years and over, to include the Antigens as formulated in accordance with the recommendations of the Centers for Disease Control and Prevention (CDC), prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), in Non-Returnable, 10-Dose, 5 ml Vials.  
Directly shipped to dispensing provider offices within Ohio.  
Item Number #210-80-1360V-DS.

- B. Use: All types of pharmaceuticals and chemicals, as listed herein, shall be suitable for human medicinal use.
- C. Compliance: Manufacturing firms of the supplied items shall adhere to the most updated regulations under the Federal Food, Drug, and Cosmetic Act, embodied in "Drugs: Current Good Manufacturing Practice in manufacture, processing, packaging, or holding"; and Part 210 and 211, Title 21 Code of Federal Regulations, Food and Drugs.
- For all items, with FDA required 'New Drug Applications' or 'Abbreviated New Drug Applications', manufacturers shall hold an NDA or ANDA, which shall be in effect at the time of the Invitation To Bid (ITB)/Reverse Auction Qualifications Summary (RAQS). Bidders may be required to submit a copy of the NDA or ANDA approval letter or approval number and date of approval before or during the contract award.
- D. Change of Source(s): The successful bidder(s) shall not change, unless approved by the State in writing, the manufacturing source(s) from which they specified in their ITB/RAQS. Failure to comply with this requirement may subject the resulted contract to cancellation.
- E. Special Charges: There shall be no assessment, surcharge, small order charge, broken case charge, minimum order charge, single item charge nor any other unspecified additional charge allowed by the State that is not specifically mentioned in this ITB/RAQS or in any contract awarded pursuant to this ITB/RAQS. The contractor must provide merchandise/service in unit quantity(s) as indicated in the ITB/RAQS or any contract awarded pursuant to this ITB/RAQS.
- F. Return Goods: All bidders are requested to submit their company's policy on Returned Goods with their ITB/RAQS.

IV. CONTRACTOR SPECIAL QUALIFICATIONS

- A. Authorized Distributor: If the Bidder is not the manufacturer of the product offered, the Reverse Auction Qualifications Summary (RAQS) submittal shall include a letter from the manufacturer, on manufacturer's letterhead, that the Bidder is authorized to represent the manufacturer in this bid effort. The letter must guarantee that all requirements of this ITB/RAQS will be supported by the manufacturer to include, at least as a minimum: delivery of product within the specified time frame, proper handling and quality of product delivered, and compliance with all bid specifications.
- B. Ohio License: All bidders must hold a current Ohio Wholesale Distributor of Dangerous Drug License if the products offered are dangerous (legend) drugs. Enter your Ohio Wholesale Distributor of Dangerous Drugs License Number and Expiration Date below and attach a copy of your Ohio license to this page. For more information contact the Ohio State Board of Pharmacy at (614) 466-4143.

Failure to accurately complete this section indicates that the Bidder is not appropriately licensed to sell dangerous drugs in the state of Ohio and will result in the Bidder being deemed as not responsive.

Please state your Ohio license number: \_\_\_\_\_

License number expiration date: \_\_\_\_\_

(Staple a copy of your current Ohio Wholesale Distributor of Dangerous Drug License here.)

SPECIFICATIONS (Cont'd.)

V. DOCUMENTATION:

A. MANDATORY WITH THE INVITATION TO BID (ITB)/REVERSE AUCTION QUALIFICATIONS SUMMARY (RAQS) SUBMITTAL

1. All MANDATORY SUBMISSION – BIDDER QUALIFICATIONS, Items A through G on Pages 3 and 4, with all requested information and all requested documentation submitted.
2. ITB/RAQS Cover Page, Page 1, with requested information filled-in and submitted with original Authorized Signature (signed in blue ink). Note: This is again Item A on Page 3, referenced above.

NOTE: The certification on Page 13 must be notarized

Failure to submit the above documents will deem the Bidder not responsive and no further consideration for award will be provided.

B. REQUESTED WITH BID RESPONSE

1. Copy of completed Internal Revenue Service (IRS) form W-9, indicating the Taxpayer Identification Number (TIN).
2. Certificate of Insurance and copy of current Workers' Compensation Certificate (see Supplemental Contract Terms and Conditions, paragraphs S-12 and S-13)
3. Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Organization (see page 2, paragraph D of the ITB/RAQS)
4. Returned Good Policy (see Page 10, Specifications, paragraph III.F, of the ITB/RAQS)
5. Bidders responding to this ITB/RAQS must be authorized dealers or manufacturers of the products they are bidding. Bidders should submit, with the RAQS submittal, certification attesting that they are the manufacturer or an authorized dealer of the manufacturer of the products being bid. This certification must be on the manufacturer's letterhead, signed by a duly authorized manufacturer's representative.
6. Descriptive literature or manufacturer's specification sheets or correct NDC numbers, describing each item being offered, should be submitted with the RAQS submittal. Specification sheets should be labeled with the name of the manufacturer, the NDC number, description, indications, and the number of the item bid corresponding to the line item of the item on the Item Identification Pages 17 through 20 of this ITB/RAQS. The state acknowledges that it may receive bids from multiple distributors bidding the same manufacturer's products. In such situations, specification sheets/samples may be submitted by manufacturer(s) on behalf of multiple distributors, provided that such specification sheets/samples are accompanied by written documentation on the manufacturer's letterhead, signed by an authorized representative of the manufacturer, listing the named distributor(s) for whom the specification sheets/samples are provided. Any bidder not appearing on this listing and who have failed to furnish requested specification sheets/samples may be considered not responsive and no further consideration for award will be provided.
7. Bidders should complete and submit with their RAQS the BIDDER DISCLOSURE STATEMENTS on Page 15 of this ITB/RAQS.

SPECIFICATIONS (Cont'd.)

8. Affirmative Action Program Verification letter of approval. In accordance with a requirement set forth in the Ohio Revised Code (ORC Section 125.111), bidders must complete filing of an Affirmative Action Plan to the Department of Administrative Services (DAS), Equal Opportunity Division (EOD) prior to award of a contract.

The Affirmative Action Program Verification may be filed online, via the Ohio Business Gateway, by using the following web addresses:

<http://www.das.ohio.gov/Divisions/EqualOpportunity/AffirmativeActionProgramVerification/tabid/133/Default.aspx>

<http://www.das.ohio.gov/LinkClick.aspx?fileticket=kVpWauy2c%2fk%3d&tabid=133>

After the registration process, a copy of the letter of approval may be obtained at the following web address:

<http://odnapps01/das-eod/BMSWEBAAVP.nsf/B2AEE95274ADF1028525735A005C938D>

Search for the company name, click on the name, and a printable copy of the letter of approval should appear. This letter shows verification of filing of Affirmative Action Plan.

You may call the EOD office at 614-466-8380 to inquire, if needed.

If documents listed in paragraphs B.1 through B.8 above are not provided with the RAQS submittal, the Bidder will have five (5) business days after request / notification by the Office of Procurement Services to do so. Failure of the Bidder to furnish the said information either as part of their RAQS submittal, or within the time specified herein, may deem the Bidder not responsive.

SPECIFICATIONS (Cont'd.)

Each bidder is requested to provide the following information with the bid proposal.

PURCHASE ORDERS AGAINST THIS BID  
SHALL BE MAILED TO:

REMITTANCE ADDRESS AGAINST THIS BID  
SHALL BE MAILED TO:

\_\_\_\_\_  
FIRM NAME

\_\_\_\_\_  
FIRM NAME

\_\_\_\_\_  
STREET ADDRESS

\_\_\_\_\_  
STREET ADDRESS

\_\_\_\_\_  
CITY & STATE ZIP CODE

\_\_\_\_\_  
CITY & STATE ZIP CODE

**CERTIFICATE:** Each bidder shall be required to execute the following notarized certificate covering the bid for those items which Bidder proposes to furnish. Failure to execute the certificate will result in the Bidder being deemed as not responsive.

All ingredients used in the preparation of all drugs, chemicals and pharmaceuticals for which we have rendered bids against this bid/contract are tested regularly by chemical assay, biologically and/or physiologically as required. All ingredients comply with U.S.P. requirements or better. All finished products are assayed chemically, biologically and physiologically as required and meet standards or other applicable standards for identity, strength, quality and purity, including potency and where applicable, content uniformity, disintegration times or dissolution rates. All injectable materials are checked for sterility as required. Our standards meet all the minimum requirements of any applicable regulations of the National Institute of Health or the Food and Drug Administration.

A complete record of control is kept covering our test records of all ingredients as received and all products as manufactured and also a record of chemical, biological, physiological and sterility assays of all finished products with a reference file of samples from the batches tested.

\_\_\_\_\_  
Manufacturer or Bidder

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ before me a notary public, in authority of his office under the by-laws of the above corporation, stated the above certificate is true and correct.

In witness whereof, I have hereunto subscribed my name and affixed my official seal.

\_\_\_\_\_  
Notary Public

THE ABOVE FORM MUST BE COMPLETED AND SIGNED AND NOTARIZED

SPECIFICATIONS (Cont'd.)

Automobile Liability Insurance Requirements and Checklist:

AUTOMOBILE LIABILITY INSURANCE REQUIREMENTS AND CHECKLIST - Reference: Supplemental Contract Terms & Conditions, Article S-13 (See Page RA – 12 of 14):

Automobile Liability - Automobile Insurance is required for anyone coming onto State Property to deliver goods or to perform services using a vehicle, which is owned, leased or rented by the Contractor. Any Bidder, Broker, or Subcontractor who will be on State Property, but not delivering goods or performing services, is required to carry Automobile Liability insurance that complies with the State and Federal laws regarding financial responsibility.

Contractor will indicate, by checking the appropriate box(es) below, which mode of transportation will apply to this contract.

- Bidder/Broker ("The Contractor") or their Sub Contractor will make delivery or be performing services using a vehicle that is owned, leased or rented. Provide Certificate of Insurance documenting automobile liability with a Combined Single Limit of \$500,000.00.
- Goods/Services will be delivered via common carrier.
- No employee or representative of the contractor will have cause to be on State property to make deliveries or to perform services.

Disclosure of Subcontractors/Joint Ventures :

DISCLOSURE OF SUBCONTRACTORS / JOINT VENTURES - Reference: Standard Contract Terms and Conditions, Section V, Item Q (See Page RA – 10 of 14): Bidders seeking to enter into a supplies contract shall disclose the following:

List names of subcontractors who will be performing work under the Contract. (Use additional sheets if necessary)

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By the signature affixed to Page 1 of this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS), Bidder hereby certifies that the above information is true and accurate. The Bidder agrees that no changes will be made to this list of subcontractors or locations where work will be performed or data will be stored without prior written approval of DAS. Any attempt by the Bidder/Contractor to change or otherwise alter subcontractors or locations where work will be performed or locations where data will be stored, without prior written approval of DAS, will be deemed as a default. If a default should occur, DAS will seek all legal remedies as set forth in the Terms and Conditions which may include immediate cancellation of the Contract. Failure to complete this section may deem your bid not responsive.

SPECIFICATIONS (Cont'd.)

**BIDDER DISCLOSURE STATEMENTS:** The Bidder must provide a declarative (yes/no) answer, below, regarding the following questions. If any answer is affirmative, the Bidder must provide full details about the matter. While not an automatic cause for disqualification, an affirmative answer may result in an evaluation of the Bidder's responsibility. A decision will then be made based on the seriousness of the matter, the matter's possible impact on the performance of the Contract, and the best interests of the State. Within the past five (5) years:

ITEM	DISCLOSURE STATEMENT	YES	NO
A	Has the Bidder and/or subject company had a contract cancelled for default or cause?		
B	Has the Bidder and/or subject company been assessed any penalties including liquidated damages, under any of its existing or past contracts with any organization or governmental entity?		
C	Has the Bidder and/or subject company been the subject of any governmental action limiting the right of the Bidder and/or subject company to do business with that entity or any other governmental entity?		
D	Has trading in the stock of the subject company ever been suspended? Give date and explanation.		
E	Has the Bidder and/or subject company previously operated as a like-kind business under any other business name and/or taxpayer identification number?		
F	Has the Bidder and/or subject company, any company officer, or any owner of a twenty (20%) percent interest or greater in the subject company, filed for bankruptcy, reorganization, a debt arrangement, moratorium, or any proceeding under any bankruptcy or insolvency law, or any dissolution or liquidation proceeding?		
G	Has the Bidder and/or subject company, any company officer, or any owner of a twenty (20%) percent interest or greater in the company been convicted of a felony or is currently under indictment on any felony charge?		
H	Has the Bidder and/or subject company, any company officer, or any owner of a twenty (20%) percent interest or greater in the company had a finding for recovery action issued by the Ohio Auditor of State for a sum of funds due the state of Ohio?		

By the signature affixed to Page 1 of this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS), Bidder hereby certifies that the above information is true and accurate. This form should be completed and returned as part of the bid response.

If this document is not provided with the RAQS submittal, the Bidder will have five (5) business days after request / notification by the Office of Procurement Services to do so, and this Disclosure Statement document must attached to a signed cover letter, on official company letterhead, with reference to the Qualifications Summary Number from Page 1 of this ITB/RAQS. Bidder or Authorized Agent must also sign and date, below, if this form was not submitted with the RAQS response. Failure of the Bidder to furnish the said information either as part of their RAQS submittal, or within the time specified herein, may deem the Bidder not responsive.

\_\_\_\_\_  
 Signature of Bidder or Authorized Agent

\_\_\_\_\_  
 Date

ITEM IDENTIFICATION PAGES

NOTICE: This Invitation to Bid is being conducted by Reverse Auction. Prior to proceeding, bidders should read this Invitation to Bid (ITB)/Reverse Auction Qualifications Summary (RAQS) in its entirety, including the Instructions to Bidders for Reverse Auction and Contract Terms and Conditions, through the link on Page 1, and the MANDATORY SUBMISSION - BIDDER QUALIFICATIONS clause on Pages 3 and 4 of this ITB/RAQS. The responses received will be for submission of documentation only, to qualify bidders to participate in an Online Reverse Auction Event which will be held on February 5, 2010 beginning at 1:00 PM EST until 1:25 PM EST with extension periods as indicated by bids. Products offered below in this reverse auction qualifications summary submission will be the same products bid upon during the Online Reverse Auction Event and the same products supplied, upon award of any ensuing contract.

BID UNIT PRICE: Although the Unit Quantity/package size may vary among items, all bid prices offered by the bidders shall be for one (1) dose including Federal Excise Tax (FET). The purpose for this is to simplify bidding and to eliminate pricing errors during the reverse auction. Any contract resulting from this reverse auction will reflect the correct unit quantity size(s) and corresponding pricing.

Prior to the reverse auction event bidders who are invited to participate in the reverse auction shall submit a pre-bid to the HedgeHog online reverse auction platform. The pre-bid shall consist of the Bidder's initial unit prices for each line item the Bidder is offering in the reverse auction. Failure of the Bidder to pre-bid a line item it is offering may deem the Bidder not responsive. No pre-bid pricing will be divulged to the state of Ohio until the blackout period beginning forty five (45) minutes before the start of the live reverse auction. During the blackout period the State will verify the integrity of the individual line item pre-bids. During the online reverse auction event only the Bidder's line item totals will be displayed on the bidder auction page(s). Bidders will bid by reducing their line item totals by percentage decrements. At no time during the reverse auction process and live event will participants in the live reverse auction event have access to the bids or line item totals of other participants. During the live reverse auction event Bidders will be able to view their current ranking in the bidding and their own dollar total for each line item bid.

MANDATORY INFORMATION REQUIRED WITH YOUR RAQS SUBMITTAL: This ITB/RAQS does not require submission of pricing. **DO NOT SUPPLY PRICING.** Bidders shall indicate on the following Item Identification pages, the items they intend to offer during the ensuing Online Reverse Auction Event by indicating the Item Offered, Manufacturer Name and Plant Location, Unit (if applicable), and N.D.C. Number for each item bid in the columns so labeled.

BID SUBMISSION CHECKLIST

Mandatory Submissions – Must accompany the Reverse Auction Qualifications Summary (RAQS) submittal \*

<u>Submitted</u>	<u>Submittal Description</u>	<u>Page Reference</u>
<input type="checkbox"/>	Bid cover page, signed in blue ink *	Page 1
<input type="checkbox"/>	All <u>MANDATORY SUBMISSION - BIDDER QUALIFICATIONS</u> Qualification/Certification Information and Documents as required, per Pages 3 and 4, Paragraphs A through G *	Pages 3 – 4

Required Submittals – Should be submitted with the RAQS submittal, but if not must be submitted within five (5) business days of notification \*\*

<input type="checkbox"/>	Declaration Regarding Material Assistance/Non-Assistance to a Terrorist Organization (DMA) Form	Page 2 (D)
<input type="checkbox"/>	IRS Federal Taxpayer Identification Form W-9	Page 6
<input type="checkbox"/>	State of Ohio Bureau of Workers Compensation Certificate of Insurance or other appropriate Workers Compensation Insurance Certificate	Pages 7
<input type="checkbox"/>	Insurance Requirements ***	Pages 7
<input type="checkbox"/>	Copy of Returned Goods Policy	Page 6
<input type="checkbox"/>	Affirmative Action Program Verification Letter of Approval	Pages 6 and 12

Desirable Submittal(s) – Suggested but not required \*\*\*\*

<input type="checkbox"/>	State of Ohio OBM Form EFT – Direct Deposit Form (OBM-1234) See: <u>STATE OF OHIO OFFICE OF BUDGET MANAGEMENT ELECTRONIC FUNDS TRANSFER PAYMENTS PROGRAM</u>	Page 7
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\* Mandatory submissions must be submitted with the RAQS response. Refer Bid Pages 3 and 4, MANDATORY SUBMISSION / BIDDER QUALIFICATIONS and MANDATORY/REQUIRED SUBMISSIONS. Failure to submit the above Mandatory submission documents will deem the Bidder not responsive and no further consideration for award will be provided.

\*\* Required documentation/materials should be submitted with the RAQS response. If not submitted with the RAQS response, the Bidder must provide the said documentation/materials within five (5) business days after notification to the Office of Procurement Services. Failure to submit the above required documentation/materials within the time specified will deem the Bidder not responsive and no further consideration for award will be provided. Refer Bid Pages 3, MANDATORY/REQUIRED SUBMISSIONS.

\*\*\* Submit an Acord Certificate or similar certificate from your insurance agent/carrier showing compliance with the required coverage amounts. (See INSURANCE REQUIREMENTS, Page 7, and the Supplemental Contract Terms and Conditions, Sections S-12 and S-13).

\*\*\*\* Desirable Submittals are those submittals which the state of Ohio DAS Office of Procurement Services recommends be submitted with your bid/qualifications summary but which are not mandatory or required for participation in the bid and online reverse auction process.

Note: This checklist is provided solely for the Bidder's benefit. Submission of the mandatory/required materials does not guarantee that the Bidder will be deemed compliant with all of the specifications and requirements as stated in this ITB/RAQS. Completing this checklist does not absolve the bidder's responsibility to thoroughly review and understand all of the specifications and requirements as stated in this ITB/RAQS.

## APPENDIX A – THE REVERSE AUCTION BID QUALIFICATION AND LIVE AUCTION PROCESS

### Section One: General Information:

#### 1.0 Introduction

The state of Ohio Department of Administrative Services (DAS), General Services Division Office of Procurement Services (OPS), is conducting an Invitation to Bid (ITB) by Reverse Auction for Influenza Vaccine 2010-2011. There are Three Steps to Responding to this ITB:

Step One: Bidders respond to this ITB by submitting all information requested in this Invitation To Bid (ITB)/Reverse Auction Qualifications Summary (RAQS), as outlined in the MANDATORY SUBMISSIONS / BIDDER QUALIFICATION clause on Pages 3 and 4, Specifications, Section V, "Documentation", Pages 11 through 12, and on the Bid Submission Checklist on page 21. The RAQS shall be submitted in paper form in a sealed envelope with the bid number clearly marked on the exterior. If the bidder uses an express mail or courier service, the bid number must be clearly marked on the exterior of the express mail or courier envelope or must be enclosed in a sealed envelope inside the express mail or courier service envelope, with the bid number clearly marked on the inside envelope. DAS must receive the reverse auction qualifications summary and mandatory submissions no later than 1:00 PM January 11, 2010. DAS receives submittals during the hours of 8:00 AM through 4:30 PM, Monday through Friday, except state observed holidays (for reference, state holidays listed at: <http://www.dw.ohio.gov/das/HRD/holidays2009-2010.htm>). DAS does not accept submittals with insufficient postage, collect on delivery, or through electronic means. Summaries must be delivered to the following address: Department of Administrative Services, General Services Division, Office Of Procurement Services, ATTN.: Bid Desk, 4200 Surface Road Columbus, OH 43228-1385.

Step Two: Upon review of bidders' Reverse Auction Qualifications Summary submissions which are timely submitted, DAS Office of Procurement Services will notify the qualified bidders, and HedgeHog, Inc. will issue invitations to participate in the online Reverse Auction Event to bidders who have submitted specification compliant products and who have completely satisfied all mandatory submission requirements. Invitations will be issued by e-mail to the email address furnished on page one (1) of the bidder's Reverse Auction Qualifications Summary Response. Bidders deemed qualified who have previously registered at <https://ohiodas.hedgehog.com> will be sent an invitation to participate in the online reverse auction event which will include a user ID and password unique to the online reverse auction event. Bidders who have not previously registered, proceed to Step Three below.

Step Three: After receiving an invitation to participate in the online Reverse Auction Event if a bidder has not previously registered at <https://ohiodas.hedgehog.com> they may follow the registration steps below to obtain a USER ID and PASSWORD. (The application is supported by Microsoft Internet Browser 5.5 or higher). Follow the following registration steps:

- 1) On the main page <https://ohiodas.hedgehog.com>, under the "New Users" section, click on the "Register here" link.
- 2) On the Registration page, complete all the required information.
- 3) There is a field named "Reference Number", input the ITB Reference Number in which you have been invited to participate in this field.
- 4) As a new registrant you will be requested to select all general categories that are applicable to your company under the "Category" section. You can select a category and move it to the selected box by clicking on the arrow buttons.
- 5) Once you complete the form, select SAVE
- 6) Upon successful registration, you will see an onscreen message noting your registration submission.
- 7) Successful registration will permit a bidder's participation in the Online Reverse Auction Event.

#### 1.1 Review of All Posted Documents

All Bidders wishing to respond to the ITB by Reverse Auction should carefully read and comply with all requirements and instructions in the Invitation To Bid (ITB)/Reverse Auction Qualifications Summary (RAQS).

#### 1.2 Role of HedgeHog Inc.

HedgeHog Inc. has been contracted to host and manage the Online Reverse Auction event via the OhioDAS ProcurePort at <https://ohiodas.hedgehog.com>

APPENDIX A – THE REVERSE AUCTION BID, QUALIFICATION AND LIVE AUCTION PROCESS (CONT'D)

HedgeHog Inc. will manage all services to support this online event including:

- Reception of all Bidders Registering on the OhioDAS ProcurePort (<https://ohiodas.hedgehog.com>) in order to participate in the Online Reverse Auction event.
- Contact qualified bidders regarding their participation in the online bidding event based on specific state of Ohio DAS ProcurePort requirements.
- Answer all questions relating to the online bidding process and bidding platform.
- Train invited bidders, in advance of the scheduled live online Reverse Auction event, on using the bid platform through a demonstration (mock) auction event.
- Conduct the live Online event in accordance with the requirements specified in this document.
- Provide final bid reports to the state of Ohio DAS at the conclusion of the live online reverse auction event.

Section Two: Contact Information

2.1 Communication Before and During Event

HedgeHog, Inc Contact Information	
Live Help Desk Telephone Support Available M-F 8:30 AM to 5:00 PM EST	1-800-208-2335
Email Help Desk Support Available 24/7 with responses within 24 hours or sooner	helpdesk@hedgehog.com

Section Three: Bid Schedule

Online Reverse Auction Event Registration Time Line	January 28 - February 1, 2010
<ol style="list-style-type: none"> <li>1. DAS/HedgeHog issue invitations to qualified Bidders.</li> <li>2. If not already registered, bidders who are invited to participate in the Online Reverse Auction MUST register at <a href="https://ohiodas.hedgehog.com">https://ohiodas.hedgehog.com</a>.</li> <li>3. Bidders must follow the registration instructions posted on Page 22, Section One. General Information 1.0 Introduction, Step Three.</li> <li>4. Bidders who register on the site will receive email notification with a USER ID and PASSWORD.</li> <li>5. Bidders who already registered and who are deemed qualified will be sent an invitation including USER ID and PASSWORD.</li> </ol>	<p>January 28, 2010</p> <p>January 29, 2010: Open for Registration:</p> <p>4:30 PM (EST), February 1, 2010: Deadline for Invited Bidder Registration:</p>
Online Reverse Auction Training	February 2, 2010 and up to 11:00 AM (EST) February 5, 2010
<ol style="list-style-type: none"> <li>1. Bidders are invited to schedule Reverse Auction Training with HedgeHog</li> <li>2. A list of available training dates/times and instructions will be sent with the Registration Invitation. All training is on a "first come / first served" basis.</li> <li>3. Bidders may contact the Help Desk Support anytime by email or phone to address questions regarding the Live Bid session as defined in Section Two: Contact Information.</li> </ol>	<p><u>Contact Matt Meighan w/HedgeHog at <a href="mailto:matt.meighan@hedgehog.com">matt.meighan@hedgehog.com</a> or 800-208-2335 to schedule training</u></p>

APPENDIX A – THE REVERSE AUCTION BID, QUALIFICATION AND LIVE AUCTION PROCESS (CONT'D)

Bidder Participation Requirements	February 2, 2010 and up to 12:15 PM (EST) February 5, 2010
<ol style="list-style-type: none"> <li>1. Bidders are <u>Required</u> to accept the Online Participation Agreement and Terms in advance to participate in the Live Online Reverse Auction Event. Access to the Participation Agreement can be found on the "Welcome to OhioDAS ProcurePort Online Bid Event" invitation.</li> <li>2. Bidder acceptance is completed by entering the USER ID and PASSWORD assigned with the Invitation email.</li> <li>3. Proxy Bids: Bidders who need to submit Proxy Bids must contact the Auction Administrator as soon as possible by email. Proxy Bids will only be submitted with a signed agreement between the Bidder and the Online Bid Host, Hedgehog, Inc.</li> </ol>	<p>Due date for submission of invited qualified bidder acceptance of Reverse Auction terms and conditions:</p> <p>February 5, 2010 12:15 PM (EST)</p> <p>Auction Administrator email:  <a href="mailto:matt.meighan@hedgehog.com">matt.meighan@hedgehog.com</a></p>
Online Reverse Auction Pre-Bid.	February 5, 2010 from 11:00 AM (EST) to 12:15 P.M.
<ol style="list-style-type: none"> <li>1. Bidders enter their initial prices by line item.</li> </ol>	<p>February 5, 2010 11:00 AM (EST): Pre-Bid period opens.</p> <p>12:15 PM (EST), February 5, 2010 time ends for Bidder acceptance of Reverse Auction terms and conditions.</p> <p>Blackout period from 12:15 PM EST February 5, 2010 to 1:00 PM EST February 5, 2010.</p>
Live Ohio DAS ProcurePort Reverse Auction	February 5, 2010
<ol style="list-style-type: none"> <li>1. Live Auction: Bidders should log onto the Bid Site up to 15 minutes before the event opens live.</li> <li>2. Bidders access the Bid Page by selecting the Live "Bid" Button on the Auction events list.</li> <li>3. Bidders will submit bids on the Bid page and select "Place Bid" to view their current ranking.</li> <li>4. Bidders can view updates to their bid page instantly.</li> <li>5. Bidders may submit questions during the Live Event via email or contact the Help Desk immediately if they need assistance with placing bids. See Section Two for contact information.</li> </ol>	<p>February 5, 2010 1:00 PM (EST) Live Bidding Opens</p> <p>Estimated duration 25 minutes with Extension periods as indicated by the Bid.</p>
State of Ohio DAS Final Bid Validation & Award Process	February 8-10, 2010
State of Ohio Contract Inception	February 11, 2010 (tentative)

APPENDIX A – THE REVERSE AUCTION BID, QUALIFICATION AND LIVE AUCTION PROCESS (CONT'D)

Section Four: Bid Process

FREQUENTLY ASKED QUESTIONS

1. HOW ARE INVITATIONS ISSUED?

The state of Ohio, in conjunction with HedgeHog Inc., grants access of this event to the qualified bidders via email.

2. HOW DOES THE STATE OF OHIO DAS MAINTAIN MARKET INTEGRITY AND BEST PRACTICES USING THE OHIODAS PROCUREPORT?

The OhioDAS ProcurePort operates a fair and competitive online bid platform. Best practices have been established to govern the participants in this online event. The state of OhioDAS has the right to accept or reject any and all bids or proposals. Any proposal and bid that does not address all requirements outlined in this ITB by Reverse Auction will be considered not responsive and subject to rejection. No bids will be accepted outside of the Online Bid platform or once the event is closed, without prior provisions granted.

3. HOW ARE BIDS TO BE PLACED DURING LIVE EVENT?

The bidding direction of this On Line Bid event will be downward. A lower bid is more competitive. A bidder cannot raise their bid once they have submitted a bid.

4. HOW IS A LOWEST BID TIE MANAGED?

There will be no lowest bid "ties". If a bidder submits a price that ties, as the lowest bid; it will be rejected by the system and require the bidder to re-submit a price for acceptance.

5. HOW DOES THE BIDDER VIEW THEIR BIDS RANK?

The bidder may see immediate feedback from the competitive bids once a price is placed. The bidder may see how the newly submitted price ranks against the field through a bid rank. This rank will appear in parenthesis alongside the bidder bid price.

6. HOW DOES A BID EVENT TIME BECOME EXTENDED BEYOND THE PROJECTED AUCTION DURATION?

A new valid bid on any item in the list received during the yellow warning final minutes of the On Line Bid event will trigger an extension period designated on the Bid Platform Screen. The extension will add the designated time to the event in order for all participating bidders the opportunity to respond to the market price change. If no additional price changes take place during the new yellow warning period, the On Line Bid event will automatically close. If bidders continue to adjust bids during the extension, additional extensions will continue to roll until all valid bid activity has ceased to close the event for each. The state of Ohio DAS may elect to limit the number of extensions but will not reveal the time line for closure.

7. HOW ARE AWARDED BIDS TO BE DETERMINED?

The state of Ohio DAS will award a contract to the lowest responsive and responsible bidder by line item. Bids will be evaluated in accordance with the EVALUATION clause on Page 5 of this bid/qualifications summary.

APPENDIX A – THE REVERSE AUCTION BID, QUALIFICATION AND LIVE AUCTION PROCESS (CONT'D)

8. HOW IS THE BIDDER'S IDENTITY PROTECTED FROM OTHER BIDDERS PARTICIPATING IN THE EVENT?

Respect for the bidder is extremely important. No competing bidder will have access to specific knowledge about the other competing bidders during this On Line Bid event.

9. HOW WILL BIDDERS BE NOTIFIED OF CHANGES IN THE BID SPECIFICATIONS OR ITEMS FOR BID?

If in preparation for this event, it is necessary for the state of Ohio DAS Office of Procurement Services to issue an amended bid/qualifications summary, an Addendum to the bid will be issued by the state of Ohio DAS Office of Procurement Services. All registered bidders will be notified of the issuance of the Addendum via e-mail. The e-mail notification will include a link to the Addendum on the state of Ohio DAS Office of Procurement Services website. It will be the responsibility of each bidder to access the Bid Addendum and make any changes to his/her bid dictated by the Addendum. Bid Addenda may detail either a change in the layout of the bid platform or details in the bid/qualifications summary. All participants receiving a notification of bid addenda are encouraged to immediately access the bid addenda and review the documents for potential changes.

10. WHAT ARE THE HARDWARE REQUIREMENTS TO ACCESS THE BID SITE ON THE INTERNET?

The state of Ohio DAS ProcurePort recommends the following minimums:

- A Pentium ® class personal computer
- A minimum of 64 MB of RAM
- 40 MB available disk space
- Direct internet connect with a 28.8 K modem or faster

11. WHAT ARE THE SOFTWARE REQUIREMENTS TO ACCESS THE BID SITE ON THE INTERNET?

The state of Ohio DAS ProcurePort recommends the following minimums:

- Microsoft Windows 95, 98, NT, 2000, XP.
- Microsoft Internet Explorer 5.5 or higher
- Or, Netscape version 4.8 or lower
- HedgeHog, Inc. cannot guarantee full system functionality using other browsers such as Firefox, Safari, Opera, or Google Chrome.

12. HOW CAN A BIDDER SUBMIT A SURROGATE OR PROXY BID?

Bidders who do not have access to the above hardware and software requirements should contact the HedgeHog Help Desk Support as soon as possible to discuss bidding alternatives, See Section Two Contact Information.

APPENDIX A – THE REVERSE AUCTION BID, QUALIFICATION AND LIVE AUCTION PROCESS (CONT'D)

Section Five Qualifications Summary and Reverse Auction Timeline

TASK	TIMELINE AND/OR DEADLINE
Reverse Auction Qualifications Summary Posted	December 24, 2009 (estimated)
RAQS Submission Deadline / Opening	1:00 PM January 11, 2010
Qualifications Summary Evaluation & Selection of Invited Bidders	January 11-27, 2010
DAS/HedgeHog to issue invitations to qualified Bidders	January 28, 2010 (tentative)
Bidder registration at: <a href="https://ohiodas.hedgehog.com">https://ohiodas.hedgehog.com</a> . HedgeHog, Inc. issues USER ID and PASSWORD	January 29 - February 1, 2010
Cut-Off for Bidder Registration	4:30 PM (EST) February 1, 2010
Bidder training conducted by HedgeHog, Inc.	February 2 – until 11:00 AM February 5, 2010
Pre-Bid: Bidder enters pre-bid unit prices prior to the live auction event.	February 5, 2010 from 11:00 AM until 12:15 PM (EST)
Blackout Period - DAS validation of pre-bids	February 5, 2010 from 12:15 PM until 1:00 PM (EST)
Live Reverse Auction Event	February 5, 2010 from 1:00 PM until 1:25 PM (EST) w/extensions
Final evaluation and contract award	February 8-10, 2010
Contract inception	February 11, 2010 (tentative)

PRICE SCHEDULE

ITEM I.D. NO.	ITEM REQUESTED	ITEM OFFERED	MANUFACTURER NAME AND PLANT LOCATION	UNIT SIZE	UNIT QTY.	N.D.C. NUMBER	** PRICE/EACH
12915	Influenza Virus Vaccine, Trivalent Split, Adult Formulation, licensed for administration to ages 6 months and over, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET).	Fluzone Influenza Virus Vaccine	Contractor: Sanofi Pasteur  Mfg: Sanofi Pasteur, Swiftwater, PA				
210-80-1359 V							
12924	Influenza Virus Vaccine, Trivalent Split, Adult No Preservative Formulation, licensed for administration to ages 36 months and over, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET).	Fluzone Influenza Virus Vaccine	Contractor: Sanofi Pasteur  Mfg: Sanofi Pasteur, Swiftwater, PA	Single Dose	10 Syr./ Box		
210-80-1359 S							

\*\* Price includes Federal Excise Tax (FET) at a rate of \$0.75 per dose.

PRICE SCHEDULE (Cont'd.)

ITEM I.D. NO. REFERENCE NO.	ITEM REQUESTED	ITEM OFFERED	MANUFACTURER NAME AND PLANT LOCATION	UNIT SIZE	UNIT QTY.	N.D.C. NUMBER	** PRICE/EACH
12925  210-80-1360 S	Influenza Virus Vaccine, Trivalent Split, Adult No Preservative Formulation, licensed for administration to ages 18 years and over, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET).			Single Dose 0.5 ml	CHECK ONE:  <input type="checkbox"/> 5 Syr./ Box  <input type="checkbox"/> 10 Syr./ Box		NO AWARD
1693  210-80-1360 V	Influenza Virus Vaccine, Trivalent Split, Adult Formulation, licensed for administration to ages 18 years and over, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET).			10 Dose 5 ml	Each Vial		NO AWARD
12927  210-80-1361 V	Influenza Virus Vaccine, Trivalent Split, Adult Formulation, licensed for administration to ages 4 years and over, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET).			10 Dose 5 ml	Each Vial		NO AWARD

\*\* Price includes Federal Excise Tax (FET) at a rate of \$0.75 per dose.

PRICE SCHEDULE (Cont'd.)

ITEM I.D. NO. REFERENCE NO.	ITEM REQUESTED	ITEM OFFERED	MANUFACTURER NAME AND PLANT LOCATION	UNIT SIZE	UNIT QTY.	N.D.C. NUMBER	** PRICE/EACH
6696  210-80-1361 S	Influenza Virus Vaccine, Trivalent Split, Adult Preservative Free Formulation, licensed for administration to ages 4 years and over, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET).			Single Dose 0.5 ml	10 Syr./ Box		NO AWARD
1694  210-80-1359	Influenza Virus Vaccine, Trivalent Split, Pediatric No Preservative Formulation, licensed for administration to ages 6 – 35 months, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET).	Fluzone Influenza Virus Vaccine	Contractor: Sanofi Pasteur  Mfg: Sanofi Pasteur, Swiftwater, PA	Single Dose 0.25 ml	10 Syr./ Box	49281-0010-25	\$ 12.15
12926  210-80-1361	Influenza Virus Vaccine Live, Intranasal Spray, licensed for administration to ages 2-49 years, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET).			Single Use Spray 0.2 ml	10 Sprays / Box		NO AWARD

\*\* Price includes Federal Excise Tax (FET) at a rate of \$0.75 per dose.

PRICE SCHEDULE (Cont'd.)

ITEM I.D. NO. REFERENCE NO.	ITEM REQUESTED	ITEM OFFERED	MANUFACTURER NAME AND PLANT LOCATION	UNIT SIZE	UNIT QTY.	N.D.C. NUMBER	** PRICE/EACH
15817  210-80-1359V-DS	Influenza Virus Vaccine, Trivalent Split, Adult Formulation, licensed for administration to ages 6 months and over, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), directly shipped to dispensing provider offices within Ohio.	Fluzone Influenza Virus Vaccine	Contractor: Sanofi Pasteur  Mfg: Sanofi Pasteur, Swiftwater, PA	<u>10 Dose</u> 5 ml	Each Vial	49281-0386-15	\$ 10.12
(TBD)  210-80-1360V-DS	Influenza Virus Vaccine, Trivalent Split, Adult Formulation, licensed for administration to ages 18 years and over, to include the Antigens as formulated in accordance with the CDC, prevention and control of Influenza, recommendations of the Advisory Committee on Immunization Practices (ACIP) for the 2010-2011 year, including Federal Excise Tax (FET), directly shipped to dispensing provider offices within Ohio.			<u>10 Dose</u> 5 ml	Each Vial		NO AWARD

\*\* Price includes Federal Excise Tax (FET) at a rate of \$0.75 per dose.

CONTRACTOR INDEX

CONTRACTOR AND TERMS

131828  
Sanofi Pasteur Inc.  
Discovery Drive  
Swiftwater, PA 18370

REMITTANCE ADDRESS:  
Sanofi Pasteur Inc.  
12458 Collections Center Drive  
Chicago, IL 60693

CONTRACTOR'S CONTACT: Jill Bingham

BID/CONTRACT REFERENCE # (Sanofi Pasteur): - 420368

BID CONTRACT NO.: SR901110-1 (12/31/10)

DELIVERY: Orders completed by 10/31/10

TERMS: 2%,30 Days, Net 31 Days

Toll Free: (800) 822-2463  
Telephone: (570) 957-3486  
FAX: (570) 957-3272

E-mail: [jill.bingham@sanofipasteur.com](mailto:jill.bingham@sanofipasteur.com)

Contractor's preferred method of receiving purchase orders: FAX: (570) 957-0940 SEE NOTE BELOW

NOTE: Additional savings may be available for orders placed through Sanofi Pasteur's website at: [www.vaccineshoppe.com](http://www.vaccineshoppe.com) and through Fluzone Partners Program. Sanofi Pasteur Inc.'s Bid/Contract #420368. Orders must be placed no later than March 31, 2010.

ITEM ID NO.: 4474 - Freight charges on orders totaling less than \$300.00.