

State of New York Executive Department
Office Of General Services
Procurement Services Group
Corning Tower Building - 38th Floor
Empire State Plaza
Albany, New York 12242
<http://www.ogs.state.ny.us>

CONTRACT AWARD NOTIFICATION

Title	: Group 12405 - ANGIOGRAPHIC CATHETERS AND RELATED ITEMS
Award Number	: 00795-G (Replaces 3310-G)
Contract Period	: June 1, 2001 through May 31, 2003
Bid Opening Date	: March 13, 2001 (re-scheduled from March 6, 2001)
Date of Issue	: June 26, 2001
Specification Reference:	As Incorporated Herein

Address Inquiries To:

All State Agencies	Non-State Agencies
Name : James A. Gelston Title : Purchasing Officer I Phone : 518-474-6705 Fax : 518-474-1563 E-mail : james.gelston@ogs.state.ny.us	Name : Judy Gibbons Title : Purchase Coordinator Phone : 518-474-6717 Fax : 518-474-2437 E-mail : customer.services@ogs.state.ny.us

Description

Various product lines of Angiographic Catheters and Related Items for Diagnostic and Interventional Medical Procedures.

PR # 00795

(continued)

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC57809	ANGIODYNAMICS 603 Queensbury Ave. Queensbury, NY 12804	800/772-6446 ext. 164 770/434-0284 Chuck R. Greiner FAX: 518/798-1360 770/434-1407 Customer Service Email: cgreiner@angiodynamics.com Website: www.angiodynamics.com	113146460
PC57810	COOK INCORPORATED PO Box 489 Bloomington, IN 47402	800/346-2686 ext 2076 812/339-2235 ext. 2076 Sheri Rose FAX: 800/554-8335 812/331-0133 Email: srose@cook-inc.com Website: www.cookgroup.com	351413874
PC57811	ST. JUDE MEDICAL - DAIG DIVISION 14901 DeVeau Place Minnetonka, MN 55345	800/328-3873 ext. 401 952/933-4700 ext. 401 Larry Betzler FAX: 952/933-7131 Email: lbetzler@sjm.com Website: www.sjm.com	411625029

Cash Discount, If Shown, Should be Given Special Attention.

INVOICES MUST BE SENT DIRECTLY TO THE ORDERING AGENCY FOR PAYMENT.

AGENCIES SHOULD NOTIFY THE PROCUREMENT SERVICES GROUP PROMPTLY IF THE CONTRACTOR FAILS TO MEET THE DELIVERY TERMS OF THIS CONTRACT. PRODUCT WHICH DOES NOT COMPLY WITH THE SPECIFICATIONS OR IS OTHERWISE UNSATISFACTORY TO THE AGENCY SHOULD ALSO BE REPORTED TO THE PROCUREMENT SERVICES GROUP.

NOTE TO AGENCY:

The letters SB listed under the Contract Number indicate the contractor is a small business. Additionally, the letters MBE and WBE indicate the contractor is a Minority-owned Business Enterprise and/or Woman-owned Business Enterprise, respectively.

NOTE TO ALL CONTRACT USERS:

The terms and conditions of the solicitation which apply to the award appear at the end of this document. We strongly advise all contract users to familiarize themselves with all terms and conditions before issuing a purchase order.

PRICE:

Price shall include all customs duties and charges and be net, F.O.B. destination any point in New York State as designated by the ordering agency including

In addition, upon mutual agreement, delivery locations may be expanded per the "Extension of Use" clause.

LOT I - ANGIODYNAMICS PRODUCT LINE

<u>Products Offered</u>	<u>Applicable Discount</u>
Therapeutic Infusion Products (Thrombolytic)	20%
Angiographic Catheters (Soft VU and Memory VU)	33%
Fluid Management Systems (Angio Fill, Fluid Collection)	60%
High Pressure Connecting Lines	*33-54%
*Price with Discount applied -	\$40.00/box of 10 (all sizes)
Guidewires	10%
Arterial Needles	25%
Angioptic Catheters	20%

Identity of Price List: AngioDynamics
USA Price List
Eff. January 1998

Applicable pages: 4-21

Manufacturer: AngioDynamics

Guaranteed Delivery: 4 Days A/R/O

Contractor accepts the New York State Procurement Card for orders up to \$2,500.00. No additional discount is offered when using the NYS Procurement Card.

Telephone Number for expediting New York State Contract Orders and for emergency ordering:
Contact: Customer Service - 800/772-6446, ext. 116
FAX: 518/798-1360

AngioDynamics Catalog is available on the internet: www.angiodynamics.com

CONTRACTOR: ANGIODYNAMICS INC.

LOT II - COOK, INC. PRODUCT LINE

Items offered: Diagnostic & Interventional Catheter Products for Radiology including anterior needles, guidewires and associated products.

Identity of Price list: NY State IFB 00795-G, dated 3/5/01 pages - 1-10

Discount Offered: Net NY State Price List (discounts included in NY State Price List)

Manufacturer: Cook, Incorporated

Guaranteed Delivery: 1-2 Days A/R/O for stock items. For non-stock items, allow 4-6 weeks for delivery from order receipt.

Contractor offers electronic access ordering

Contractor accepts the New York State Procurement Card for orders up to \$2,500.00. No additional discount is offered when using the NYS Procurement Card.

Telephone and FAX Number for expediting New York State Contract orders contact:

Customer Service Department

Telephone Number: 812/339-2235

Toll Free Telephone Number: 800/457-4500

Fax Number: 812/331-0133

Toll Free Fax Number: 800/554-8335

Number to call in the event of an emergency occurring after business hours or on weekend/holidays:

Normal business hours: Mon-Fri - 7:30 AM - 4:00 PM

Contact: Customer Services 800/468-1379

Cook, Inc. Catalog is available on the internet: www.cookgroup.com

CONTRACTOR: COOK INCORPORATED

LOT III - GUIDANT CORP.: Award Pending

Agencies having requirements for Guidant Products may contact this office at 518/474-6705

LOT IV - BOSTON SCIENTIFIC (Namic) formerly Schneider/Namic: No Award

Company no longer manufactures angiographic catheters

Agencies having requirements for previous Boston Scientific Angiographic Catheters Products may contact this office at 518/474-6705

LOT V - ADDITIONAL OFFER - ST. JUDE MEDICAL, DAIG DIVISION PRODUCT LLINE

Products Offered: Spyglass Angiographic Catheters as follows:

<u>Item</u>	<u>Product Number</u>	<u>Price each</u>
5 French Spyglass angiography catheter JR4	403129	\$9.50
5 French Spyglass angiography catheter JL4	403130	\$9.50
5 French Spyglass angiography catheter pigtail	403251	\$9.50
6 French Spyglass angiography catheter JR4	403401	\$9.50
6 French Spyglass angiography catheter JL4	403405	\$9.50
6 French Spyglass angiography catheter pigtail	403421	\$9.50

Manufacturer: St. Jude Medical, Daig Division

Guaranteed Delivery: 2-3 Days A/R/O. Overnight, air delivery also available, (contact contractor for details)

Contractor offers Electronic Access Ordering

Contractor accepts the New York State Procurement Card for orders up to \$2,500.00. No additional discount is offered when using the NYS Procurement Card.

Person to contact for expediting New York State contract orders or in the event of an emergency occurring after business hours on weekend/holidays. Normal business hours are Mon-Fri - 7:30AM - 7:00PM.

Name: Larry Betzler

Title: Regional Sales Manager

Telephone Number: 248/684-6912

Toll Free Telephone Number: 800/328-3873 ext. 401

Fax Number: 952/933-7131

Pager Number: 888/768-4123

Cellular Telephone Number: 248/770-2620

Email Address: Lbetzler@sjm.com

LOT V - ADDITIONAL OFFERS:

Johnson & Johnson Health Care Systems, Inc.
(contracting agent for Cordis Corp.): Award Pending

Medtronic AVE, Inc.: Award Pending

Agencies having requirements for products of the above companies may contact this office at 518/474-6705.

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REQUEST FOR CHANGE:

Any request by the agency or contractor regarding changes in any part of the contract must be made in writing to the Office of General Services, Procurement Services Group, prior to effectuation.

CONTRACT PAYMENTS:

Payments cannot be processed by State facilities until the contract products have been delivered in satisfactory condition. Payment will be based on any invoice used in the supplier's normal course of business. However, such invoice must contain sufficient data including but not limited to Contract No., description of product, quantity, unit and price per unit as well as Federal Identification Number.

State facilities are required to forward properly completed vouchers to the Office of the State Comptroller for audit and payment. All facilities are urged to process every completed voucher expeditiously giving particular attention to those involving cash discounts.

If the contract terms indicate political subdivisions and others authorized by law are allowed to participate, they are required to make payments directly to the contractor. Prior to processing such payment the contractor may be required to complete the ordering non-State agency's own voucher form.

NOTE TO CONTRACTOR:

This Contract Award Notification is not an order. Do not take any action under this contract except on the basis of a purchase order from the agency.

NOTE TO AGENCY:

Orders under this contract are to be submitted directly to the contractor.

OVERLAPPING CONTRACT ITEMS:

Products available in this contract may also be available from other State contracts. Agencies should select the most cost effective procurement alternative that meets their program requirements and maintain a procurement record documenting the basis for this selection.

NON-STATE AGENCIES PARTICIPATION IN CENTRALIZED CONTRACTS:

New York State political subdivisions and others authorized by New York State law may participate in contracts. These include, but are not limited to local governments, public authorities, public school and fire districts, public and nonprofit libraries, and certain other nonpublic/nonprofit organizations. See "Participation in Centralized Contracts" in Appendix B, OGS General Specifications. For purchase orders issued by the Port Authority of New York and New Jersey (or any other authorized entity that may have delivery locations adjacent to New York State), the terms of the "Price" clause shall be modified to include delivery to locations adjacent to New York State.

Upon request, all eligible non-State agencies must furnish contractors with the proper tax exemption certificates and documentation certifying eligibility to use State contracts. A list of categories of eligible entities is available on the OGS web site (www.ogs.state.ny.us) under "Non-State Agency Legal References." Questions regarding an organization's eligibility to purchase from New York State Contracts may also be directed to OGS Procurement Services Group's Customer Services at 518-474-6717.

EXTENSION OF USE:

Any contract resulting from this bid solicitation may be extended to additional States or governmental jurisdictions upon mutual written agreement between New York State (the lead contracting State) and the contractor. Political subdivisions and other authorized entities within each participating State or governmental jurisdiction may also participate in any resultant contract if such State normally allows participation by such entities. New York State reserves the right to negotiate additional discounts based on any increased volume generated by such extensions.

MINIMUM ORDER:

There is no minimum order for products listed herein.

EMERGENCY PURCHASING:

In the event that a disaster emergency is declared by Executive Order under Section 28 of Article 2-B of the Executive Law, or that the Commissioner determines pursuant to his/her authority under Section 163(10)(b) of the State Finance Law that an emergency exists requiring the prompt and immediate delivery of commodities or services, the Commissioner reserves the right to obtain such commodities or services from any source, including but not limited to this contract, as the Commissioner in his/her sole discretion determines will meet the needs of such emergency. Contractor shall not be entitled to any claim or lost profits for commodities or services procured from other sources pursuant to this paragraph.

DELIVERY:

Delivery is expressed in number of calendar days required to make delivery after receipt of a purchase order.

Delivery shall be made in accordance with instructions on Purchase Order from each agency. If there is a discrepancy between the purchase order and what is listed on the contract, it is the contractor's obligation to seek clarification from the ordering agency and, if applicable, from the Office of General Services, Procurement Services Group.

CONTRACT PERIOD AND RENEWAL:

The State may unilaterally cancel the contract on a monthly basis any time after the initial twelve (12) months by providing written notification at least three (3) months prior to the requested date of cancellation. Cancellation will become effective the first of the month following the 3-month notification. The minimum term of the contract shall be twelve (12) months. This provision does not affect the State's right of suspension or cancellation contained in the "Suspension of Work" and "Cancellation" clauses in Appendix B, OGS General Specifications.

If mutually agreed between the Procurement Services Group and the contractor, the contract may be renewed under the same terms and conditions for an additional period not to exceed twenty-four (24) months.

SHORT TERM EXTENSION:

In the event the replacement contract has not been issued, any contract let and awarded hereunder by the State, may be extended unilaterally by the State for an additional period of up to one month upon notice to the contractor with the same terms and conditions as the original contract including, but not limited to, quantities (prorated for such one month extension), prices, and delivery requirements. With the concurrence of the contractor, the extension may be for a period of up to three months in lieu of one month. However, this extension terminates should the replacement contract be issued in the interim.

ESCALATOR CLAUSE FOR TWO YEAR CONTRACT:

Prices quoted must be based on the manufacturer's established price list in effect at the time of the bid opening and be for a period of one year from the commencement date of the contract. Only one request for price escalation will be considered by the State. Such request will not be entertained any earlier than twelve (12) months nor any later than eighteen (18) months after commencement of the contract. Any price increase must be based on the manufacturer's established price list in effect at the time of the increase. Any increase shall be proportionate to the discount formula reflected in the original bid price. No escalation of price shall be allowed until such request has been reviewed in this office, and the contractor notified in writing of acceptance. Price decreases or discount increases are permitted at any time.

In the event the State finds the increase to be excessive, the right is reserved to unilaterally terminate the contract upon 90 days notice to the contractor.

The State must be notified of any and all price reductions subsequent to the contract commencement as evidenced by the manufacturer's established price list, and any such reduction must be extended to the State.

PRICE SHEETS AND CATALOGS:

Contractor shall be required to furnish, without charge, catalog and price lists identical to those accepted with their bid, including any changes (additions, deletions, etc.) pursuant to the contract, to authorized users which request them. Catalogs and price lists provided must reflect all products excluded from the resultant contract either through the omission of those portions or by obvious indications within the catalogs and price lists.

Upon request the contractor shall assist authorized users in the use of catalogs and price lists.

REPORT OF CONTRACT PURCHASES:

Contractor shall furnish report of purchases made from contract the fifteenth of the month following the end of each six month period. The reports shall be in the following format:

<u>Item/ SubItem Number</u>	<u>Product Description</u> (Size, Stock No., etc.)	<u>Total Quantity Shipped</u> (To be in Units listed in the Invitation for Bids)	<u>Total \$ Value</u>
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The report is to be submitted to the Office of General Services, Procurement Services Group, Tower Bldg., Empire State Plaza, Albany, NY 12242, to the attention of the individual shown on the front page of the Contract Award Notification and shall reference the commodity group number, the Invitation for Bids number, contract number, sales period, and contractor's name.

Failure to submit the required report may be cause for disqualification of contractor for future contracts.

USE OF RECYCLED OR REMANUFACTURED MATERIALS:

New York State, as a member of the Council of Great Lakes Governors, supports and encourages vendors to use recycled, remanufactured or recovered materials in the manufacture of products and packaging to the maximum extent practicable without jeopardizing the performance or intended end use of the product or packaging unless such use is precluded due to health or safety requirements or product specifications contained herein. Refurbished or remanufactured components or products are required to be restored to original performance and regulatory standards and functions and are required to meet all other requirements of this bid solicitation. See "Recycled or Recovered Materials" in Appendix B, OGS General Specifications.

"OGS OR LESS" GUIDELINES APPLY TO THIS CONTRACT:

Purchases of the product(s) included in the Invitation For Bids and related Contract Award Notification are subject to the "OGS or Less" provisions of Section 163.3.a.v., Article XI, of the New York State Finance Law. This means that State agencies can purchase product(s) from sources other than the contractor provided that such product(s) are substantially similar in function, form or utility to the product(s) herein and are:

1. lower in price
-and/or-
2. available under terms which are more economically efficient to the State agency (e.g. delivery terms, warranty terms, etc.).

Agencies are reminded that they must provide the State contractor an opportunity to match the non-contract savings at least two business days prior to purchase. In addition, purchases made under "OGS or Less" flexibility must meet all requirements of law including, but not limited to, advertising in the New York State Contract Reporter, prior approval of the Comptroller's Office and competitive bidding of requirements exceeding the discretionary bid limit. State agencies should refer to Procurement Council Bulletin "OGS or Less Purchases" for complete procedural and reporting requirements.