



Contract Award Notification Update

Subject: Award Expiration Update

DATE: September 10, 2015 **AWARD #:** [21174](#) **GROUP #:** 12601

AWARD DESCRIPTION: Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide)

CONTRACT PERIOD: January 1, 2010-December 31, 2015

CONTACT: Vivian Basile | 518-474-0912 | vivian.basile@ogs.ny.gov

CONTRACT NO.:	PC64832	CONTRACTOR:	BIOTRONIK, INC.
	PC65898		BOSTON SCIENTIFIC CORPORATION
	PC64833		CRYOLIFE, INC.
	PC64835		MEDTRONIC USA, INC.
	PC64836		ST. JUDE MEDICAL S.C., INC.

Effective **December 31, 2015**, the contracts listed above will lapse and a future bid is not anticipated. Agencies are encouraged to follow their purchasing and discretionary guidelines when procuring all products.



Contract Award Notification Update

Subject: Price List Update

DATE: June 24, 2015

AWARD #: [21174](#)

GROUP #: 12601

AWARD DESCRIPTION: Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide)

CONTRACT PERIOD: January 1, 2010-December 31, 2015

CONTACT: Vivian Basile | 518-474-0912 | Vivian.basile@ogs.ny.gov

CONTRACT NO.: PC64835 **CONTRACTOR:** Medtronic USA, Inc.

Procurement Services has approved a contract price list update for Medtronic USA, Inc. The new price list is dated May 2015.

<http://www.ogs.ny.gov/purchase/spg/pdfdocs/1260121174ra.pdf>



Contract Award Notification Update

Subject: Contract Extension Update

DATE: March 11, 2015

AWARD #: [21174](#)

GROUP #: 12601

AWARD DESCRIPTION: Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products

CONTRACT PERIOD: January 1, 2010-December 31, 2015

CONTACT: Vivian Basile | 518-474-0912 | vivian.basile@ogs.ny.gov

CONTRACT NO.:

CONTRACTOR:

PC64832	Biotronik, Inc.
PC64833	Cryolife, Inc.
PC65898	Boston Scientific Corporation
PC64835	Medtronic USA, Inc.
PC64836	St. Jude Medical SC., Inc.

The above listed contractors have extended their contracts through December 31, 2015. The contractors are not allowed to increase their pricing during the one year extension.

New York State Office of General Services
New York State Procurement (NYSPRO)
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Empire State Plaza
Albany, New York 12242
<http://nyspro.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: December 22, 2014

GROUP: 12601 – Cardiac Rhythm Management, Heart
Valves and Vascular Surgery Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Vivian Basile
Contract Management Specialist
(518) 474-0912
Vivian.Basile@ogs.ny.gov

CONTRACT PERIOD: January 1, 2010-
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR(S)/

CONTRACT NO(S): PC64832/Biotronik, Inc.
PC64833/Cryolife, Inc.
PC65898/ Boston Scientific Corporation
PC64835/Medtronic USA, Inc.
PC64836/ St. Jude Medical S.C., Inc.

SUBJECT: CONTRACT EXPIRATION UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective January 1, 2015 the above referenced contracts will expire. OGS is in the process of extending the above contracts but there may be a brief lapse in contract coverage.

Authorized users must follow applicable State Finance Law and their own procurement guidelines if purchases are made during the lapse.

All other terms and conditions remain the same.

Please contact the Contract Management Specialist listed above if you should have any other questions.

New York State Office of General Services
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Empire State Plaza
Albany, New York 12242
<http://nyspro.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: August 27, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Vivian Basile
Contract Management Specialist
(518) 474-0912
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CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: St Jude Medical S.C., Inc.

CONTRACT NO.: PC64836

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, St Jude Medical S.C., Inc. has added 14 products to Category 4 – Implantable Cardiac Devices (ICD) to their pricelist.

Please refer to the Contract Award Notification (CAN) for the updated price list.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

New York State Office of General Services
New York State Procurement (NYSPro)
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://nyspro.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: August 20, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Vivian Basile
Contract Management Specialist
(518) 474-0912
vivian.basile@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: Medtronic USA, Inc.

CONTRACT NO.: PC64835

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, Medtronic USA, Inc. has added 7 products to Category 3 – Cardiac Resynchronization Therapy Products (CRT's) to their pricelist.

Please refer to the Contract Award Notification (CAN) for the updated price list.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: August 14, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Vivian Basile
Contract Management Specialist
(518) 474-0912
vivian.basile@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: Biotronik, Inc.

CONTRACT NO.: PC64832

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, Biotronik, Inc. has added 4 products to Category 3 – Cardiac Resynchronization Therapy Products (CRT's) and 17 products in Category 4 – Implantable Cardiac Therapy Products (ICT's) to their pricelist.

Please refer to the Contract Award Notification (CAN) for the updated price list.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

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Albany, New York 12242
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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: June 5, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Vivian Basile
Contract Management Specialist
(518) 474-0912
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CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: Medtronic USA, Inc.

CONTRACT NO.: PC64835

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, Medtronic USA, Inc. has added 2 products in Category 4 – Implantable Cardiac Therapy Products (ICT'S) to their pricelist.

<u>Stock # /Part # / Item #</u>		<u>Item Description</u>	<u>Name of Manufa cturer</u>	<u>List Price</u>	<u>Discount Offered</u>	<u>NYS Net Price After Discount</u>
CMRM6122	4	TYRX™ Absorbable Antibacterial Envelope (Medium)	TYRX, Inc	\$1,495.00	13.38%	\$1,295.00
CMRM6133	4	TYRX™ Absorbable Antibacterial Envelope (Large)	TYRX, Inc	\$1,495.00	13.38%	\$1,295.00

Please refer to the Contract Award Notification (CAN) for the updated price list.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: May 21, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

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CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR/ Biotronik, Inc.
CONTRACT NO.: PC64832

SUBJECT: PRICE LIST UPDATE REVISED AWARD

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately Biotronik Inc. has added 8 products to their pricelist.

Item #	Description	List Price	Discount	NYS Net Price	Category Number
371992	Entovis DR-T ProMRI w/ Landline HM	\$13,865.00	47.74%	\$7,245.85	1
404722	Entovis DR-T ProMRI w/ Cellullar	\$14,365.00	47.74%	\$7,507.15	1
404657	Entovis DR-T ProMR System w Landline HM	\$15,562.00	47.74%	\$8,132.70	1
404656	Entovis DR-T ProMR System w/ Cellular HM	\$16,062.00	47.74%	\$8,394.00	1
371994	Entovis SR-T ProMR w/ Landline HM	\$11,775.00	47.74%	\$6,153.62	1
404723	Entovis SR-T ProMR w/ Cellullar	\$12,275.00	47.74%	\$6,414.92	1
404658	Entovis DR-T ProMR System w Landline HM	\$12,632.00	47.74%	\$6,601.48	1
404655	Entovis DR-T ProMR System w/ Cellular HM	\$13,132.00	47.74%	\$6,863.78	1

The revised award and updated price lists can be found at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you have any questions.

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: April 17, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Vivian Basile
Contract Management Specialist
(518) 474-0912
vivian.basile@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: St. Jude Medical SC., Inc.
CONTRACT NO.: PC64836

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

St. Jude Medical SC, Inc. has added 11 products to their Price List. The new items are listed below.

Please refer to the Pricing information link for the current updated price list.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

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Albany, New York 12242
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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: March 7, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

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vivian.basile@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: St. Jude Medical SC., Inc.
CONTRACT NO.: PC64836

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

St. Jude Medical SC., Inc. has made corrections to two item numbers in their February Price List. The corrections are both in their CRT line of products:

- Item number CD3357-40 has been changed to CD3357-40C
- Item number CD3365-40 has been changed to CD3365-40C

Please refer to the Pricing information link for the current updated price list.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: February 25, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Vivian Basile
Contract Management Specialist
(518) 474-0912
vivian.basile@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: St. Jude Medical SC., Inc.
CONTRACT NO.: PC64836

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, we have accepted and updated the February 2014 Price List for **St. Jude Medical SC., Inc.**

St. Jude Medical SC., Inc. has added 35 additional products in the following categories:
CRT and ICD. They have also deleted 18 products from their **CRT** line.

Please refer to the Pricing information link for the current updated price list.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

New York State Office of General Services
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Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: February 24, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Vivian Basile
Contract Management Specialist
(518) 474-0912
Vivian.basile@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR/ Biotronik, Inc.
CONTRACT NO.: PC64832

SUBJECT: PRICE LIST UPDATE REVISED AWARD

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately Biotronik Inc. has updated their February 2014 pricelist for LOT I of PC#64832 to reflect the addition of the following category #3 and #4 items:

		Unit/Pack	List	Discount	NYS Net Price	Category
Item #	Item Description	Size	Price	Offered	After Discount	Number
383562	Ilesto DR-T High Energy with TI with Landline HM®	Ea	\$68,000.00	63.00%	\$25,160.00	4
400447	Ilesto DR-T High Energy with TI with Cellular GSM HM®	Ea	\$70,000.00	63.00%	\$25,900.00	4
400449	Ilesto DR-T High Energy System with TI with Landline HM®	Ea	\$76,000.00	63.00%	\$28,120.00	4
400448	Ilesto DR-T High Energy System with TI with Cellular GSM HM®	Ea	\$78,500.00	63.00%	\$29,045.00	4
383594	Ilesto DX High Energy with Atrial Diagnostics & TI with Landline HM®	Ea	\$68,000.00	63.00%	\$25,160.00	4
400029	Ilesto DX High Energy with Atrial Diagnostics & TI with Cellular GSM HM®	Ea	\$70,000.00	63.00%	\$25,900.00	4
400031	Ilesto DX High Energy System with Atrial Diagnostics & TI with Landline HM®	Ea	\$74,500.00	63.00%	\$27,565.00	4
400030	Ilesto DX High Energy System with Atrial Diagnostics & TI with Cellular GSM HM®	Ea	\$77,000.00	63.00%	\$28,490.00	4

383578	Ilesto VR-T High Energy with TI with Landline HM®	Ea	\$60,000.00	63.00%	\$22,200.00	4
400453	Ilesto VR-T High Energy with TI with Cellular GSM HM®	Ea	\$62,000.00	63.00%	\$22,940.00	4
400455	Ilesto VR-T High Energy System with TI with Landline HM®	Ea	\$68,000.00	63.00%	\$25,160.00	4
400454	Ilesto VR-T High Energy System with TI with Cellular GSM HM®	Ea	\$71,000.00	63.00%	\$26,270.00	4
383547	Ilesto HF-T High Energy with TI with Landline HM®	Ea	\$80,000.00	40.50%	\$47,600.00	3
400450	Ilesto HF-T High Energy with TI with Cellular GSM HM®	Ea	\$82,000.00	40.50%	\$48,790.00	3
400452	Ilesto HF-T High Energy System with TI with Landline HM®	Ea	\$92,000.00	40.50%	\$54,740.00	3
400451	Ilesto HF-T High Energy System with TI with Cellular GSM HM®	Ea	\$94,000.00	40.50%	\$55,930.00	3

The revised award and updated price lists can be found at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you have any questions.

New York State Office of General Services
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Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: February 24, 2014

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Vivian Basile
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(518) 474-0912
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CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR/ Medtronic USA, Inc.
CONTRACT NO.: PC64835

SUBJECT: **PRICE LIST UPDATE REVISED AWARD**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately Medtronic USA, Inc. has updated their February 2014 pricelist for Single and Dual Chambered Pacemakers and Monitoring System Products.

<u>Stock # /Part # / Item #</u>	<u>NYS Item</u>	<u>Item Description</u>	<u>Name of Manufacturer</u>	<u>Unit/Pack Size</u>	<u>List Price</u>	<u>Discount Offered</u>	<u>NYS Net Price After Discount</u>
5391KIT	1	5391 Single Chamber EPG	Medtronic	Each	\$2,995.00	26.54%	\$2,200.00
5392KIT	1	5392KIT Dual Chamber EPG	Medtronic	Each	\$7,395.00	25.63%	\$5,500.00
LNQ11	5	Reveal LINQ System	Medtronic	Each	\$6,495.00	20.79%	\$5,145.00

The revised award and updated price lists can be found at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

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Please contact the Contract Management Specialist above if you have any questions.

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: December 11, 2013

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Christopher Rochester
Contract Management Specialist
(518) 474-0912
Christopher.rochester@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: Boston Scientific, Corp.
CONTRACT NO.: PC65898

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, we have accepted and updated the December 2013 Price List for **Medtronic USA, Inc.**

The products in the chart(s) below have been added to the price list:

Item #	Item Description	Name of Manufacturer	Unit/Pack Size	List Price	Discount Offered	NYS Net Price after Discount	Item #
IMPLANTABLE CARDIOVERTER DEFIBRILLATORS (ICDs)							
1010	SQ-RX	Boston Scientific Corporation	1	\$41,000.00	19.23%	\$33,115.00	4
TACHY LEADS							
3400	S-ICD Lead Electrode	Boston Scientific Corporation	1	\$11,000.00	19.23%	\$8,885.00	4
ACCESSORIES							
4710	Q-Guide Insertion Tool	Boston Scientific Corporation	1	\$1,000.00	19.20%	\$808.00	4

Please refer to the Contract Award Notification (CAN) for the updated price list and revised AWARD.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

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Albany, New York 12242
<http://www.ogs.state.ny.us>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: December 2, 2013

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Christopher Rochester
Contract Management Specialist
(518) 474-0912
Christopher.rochester@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
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customer.services@ogs.ny.gov

CONTRACTOR: Medtronic USA, Inc.
CONTRACT NO.: PC64835

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, we have accepted and updated the December 2013 Price List for **Medtronic USA, Inc.**

The products in the chart(s) below have been added to the price list:

<u>Stock # /Part # / Item #</u>	<u>NYS Item #</u>	<u>Item Description</u>	<u>Name of Manufacturer</u>	<u>Unit/Pack Size</u>	<u>List Price</u>	<u>Discount Offered</u>	<u>NYS Net Price After Discount</u>
6250V-45S, 6250V-50S, 6250V-57S, 6250V-AM, 6250V-MB2, 6250V-MP, 6250V-EH, 6250V-MPR, 6250V-EHXL, 6250V- MB2X, 6250V-MPX, 6250V-3D	4	Attain Command SureValve Catheters	Medtronic	Each	\$240.00	8.52%	\$219.55
6250VC, 6250VS	4	Attain Command SureValve System Kit	Medtronic	Each	\$740.00	8.54%	\$676.80
6248V-90, 6248V-130, 6248V-90S, 6248V-90L, 6248V-130L, 6248V- 90P, 6248V-130P, 6248V-90SP	4	Attain Select II SureValve Catheter	Medtronic	Each	\$200	10.50%	\$179.00

Please refer to the Contract Award Notification (CAN) for the updated price list and revised AWARD.

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PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: May 21, 2013

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Mary P. Schneider
Contract Management Specialist I
(518) 474-0912
mary.schneider@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: Medtronic USA, Inc.
CONTRACT NO.: PC64835

SUBJECT: PRICE LIST UPDATE / REVISED AWARD

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, we have accepted and updated the May 2013 Price List for **Medtronic USA, Inc.**

The products in the chart(s) below have been added to the price list:

<u>Stock # /Part # / Item #</u>	<u>NYS Item #</u>	<u>Item Description</u>	<u>Name of Manufacturer</u>	<u>Unit/Pack Size</u>	<u>List Price</u>	<u>Discount Offered</u>	<u>NYS Net Price After Discount</u>
DDBB1D1	4	Evera XT DR Device	Medtronic	Each	\$35,500	12.39%	\$31,100.00
DDBB1D4	4	Evera XT DR DF-4	Medtronic	Each	\$35,500	12.39%	\$31,100.00
DDBC3D1	4	Evera S DR Device	Medtronic	Each	\$35,000	13.04%	\$30,437.00
DDBC3D4	4	Evera S DR DF-4	Medtronic	Each	\$35,000	13.04%	\$30,437.00
DVBB1D1	4	Evera XT VR Device	Medtronic	Each	\$33,500	19.10%	\$27,100.00
DVBB1D4	4	Evera XT VR DF-4	Medtronic	Each	\$33,500	19.10%	\$27,100.00
DVBC3D1	4	Evera S VR Device	Medtronic	Each	\$33,000	19.55%	\$26,547.00
DVBC3D4	4	Evera S VR DF-4	Medtronic	Each	\$33,000	19.55%	\$26,547.00

Cardiac Resynchronization Therapy (CRT) Products

<u>Stock # /Part # / Item #</u>	<u>NYS Item #</u>	<u>Item Description</u>	<u>Name of Manufacturer</u>	<u>Unit/Pack Size</u>	<u>List Price</u>	<u>Discount Offered</u>	<u>NYS Net Price After Discount</u>
DTBA1D1	3	Viva XT CRT-D Device	Medtronic	Each	\$40,500	16.64%	\$33,762.00
DTBA1D4	3	Viva XT DF-4 CRT-D	Medtronic	Each	\$40,500	16.64%	\$33,762.00
DTBB1D1	3	Viva S CRT-D Device	Medtronic	Each	\$40,000	16.85%	\$33,262.00
DTBB1D4	3	Viva S DF-4 CRT-D	Medtronic	Each	\$40,000	16.85%	\$33,262.00

Please refer to the Contract Award Notification (CAN) for the updated price list and revised AWARD.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

New York State Office Of General Services
New York State Procurement
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: April 22, 2013

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Mary P. Schneider
Contract Management Specialist I
(518) 474-0912
mary.schneider@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR/ Biotronik, Inc.
CONTRACT NO.: PC64832

SUBJECT: PRICE LIST UPDATE REVISED AWARD

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately Biotronik Inc. has updated their March 2013 pricelist for LOT I of PC#64832 to reflect the addition of the following category #4 items:

Item#	Description	Manufacturer	Unit/Pack Size	List Price	Discount Offered	NYS Net Price	Category #
372419	Lumax 740 VR-T DX	BIOTRONIK	Ea	\$56,500.00	63%	\$20,905.00	4
393950	Lumax 740 VR-T DX SYS w/LL HM	BIOTRONIK	Ea	\$64,500.00	63%	\$23,865.00	4
397193	Lumax 740 VR-T DX w/GSM HM	BIOTRONIK	Ea	\$58,500.00	63%	\$21,645.00	4
197192	Lumax 740 VR-T DX SYS w/GSM HM	BIOTRONIK	Ea	\$67,000.00	63%	\$24,790.00	4
365500	Linix ^{smart} S DX 65/15	BIOTRONIK	Ea	\$9,500.00	63%	\$3,515.00	4
365501	Linix ^{smart} S DX 65/17	BIOTRONIK	Ea	\$9,500.00	63%	\$3,515.00	4

The revised award and updated price lists can be found at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist I above if you have any questions.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: March 04, 2013

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Mary P. Schneider
Contract Management Specialist I
(518)474-0912
mary.schneider@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR: Medtronic USA, Inc.
CONTRACT NO.: PC64835

SUBJECT: PRICE LIST UPDATE / REVISED AWARD

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately, we have accepted and updated the February 2013 Price List for **Medtronic USA, Inc.**

Please Note: The following item has been added to the February 2013 price list for Single and Dual Chambered Pacemakers:

Stock#/Part#/Item#	Description	MFG	NYS Item #	Unit	List Price	Discount	NYS Net Price
A2DR01	Advise DR MRI	Medtronic	1	Ea.	\$17,000	44.41%	\$9,450.00

Please refer to the Contract Award Notification (CAN) for the updated price list and revised AWARD.

Agencies may access this document at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist above if you should have any questions.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: February 11, 2013

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Mary P. Schneider
Contract Management Specialist I
(518) 474-0912
mary.schneider@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTOR/
CONTRACT NO.:** Boston Scientific Corporation / PC65898

SUBJECT: **CONTRACT ASSIGNMENT**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include updated company information for the assignor Guidant Sales (PC64834) Corporation to assignee Boston Scientific Corporation (PC65898). The company information for Boston Scientific Corporation include the following:

<u>Contract#</u>	<u>Contractor & Address</u>	<u>Telephone #</u>	<u>FED.IDENT.#</u>
PC65898	BOSTON SCIENTIFIC CORPORATION 4100 Hamline Avenue North St. Paul, MN 55112-5798 <u>NYS VENDOR ID #</u> 1000053980	1-800-CARDIAC 1-800-(227-3422) 1-877-826-7487 TJ Manfuso Fax No.: 914-253-6001 E-mail: TJ.Manfuso@bsci.com Website: www.bostonscientific.com	042695240

The revised award can be found at the following url:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Contract Management Specialist listed above.

All other terms and conditions of the award remain the same.

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Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: January 7, 2013

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Mary P. Schneider
Contract Management Specialist I
(518) 474-0912
mary.schneider@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

CONTRACTOR/ Biotronik, Inc.
CONTRACT NO: PC64832

SUBJECT: CONTACT INFORMATION UPDATE PRICE LIST UPDATE REVISED AWARD

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

Effective immediately Biotronik Inc. has updated their December 2012 pricelist for LOT I of PC#64832 to reflect the addition of the following (4) four items:

Item#	Description	Manufacturer	Unit/Pack Size	List Price	Discount Offered	NYS Net Price	Category #
377208	Evia HF-T with Landline HM®	BIOTRONIK	Ea	\$13,000.00	40.50%	\$7,800.00	4
390870	Evia HF-T System with Landline HM®	BIOTRONIK	Ea	\$22,500.00	50%	\$11,250.00	4
395421	Evia HF-T with Cellular GSM HM®	BIOTRONIK	Ea	\$13,500.00	40.50%	\$8,100.00	4
395420	Evia HF-T System with Cellular GSM HM®	BIOTRONIK	Ea	\$23,000.00	50%	\$11,500.00	4

Also please note the contract CONTACT information has been updated as follows:

Crystal L. Atterbury
Contracts Administrator
BIOTRONIK, Inc.
6024 Jean Road
Lake Oswego, OR 97035
Direct 503-451-8353
Fax 503-451-8516
Crystal.atterbury@biotronik.com

The revised award and updated price lists can be found at the following URL:
<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

All other terms and conditions remain the same.

Please contact the Contract Management Specialist I above if you have any questions.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
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Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: October 18, 2012

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTOR/
CONTRACT NO.:** Biotronik, Inc. / PC64832

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price lists dated October 18, 2012 reflecting product additions and deletions for Biotronik, Inc. / PC64832. The product additions are highlighted in the price list update.

The product deletions include the following:

Item #	Item Description
356808	Cylos DR-T w/ HMM
356057	Cylos DR-T System w/ HMM
351839	Philos II DR-T w/ HMM
348447	Philos II DR-T System w/ HMM
371199	Effecta DR
380011	Effecta DR System
349799	Cylos DR
356054	Cylos DR System
341826	Philos II DR
348446	Philos II DR System
331443	Philos DR

Item #	Item Description
334050	Philos DR System
371202	Effecta SR
380012	Effecta SR System
349811	Cylos VR
356053	Cylos VR System
341824	Philos II SR
348449	Philos II SR System
331446	Philos SR
334051	Philos SR System
338021	Arox 60 BP Lead
338022	Arox 45 JBP Lead
338023	Arox 53 BP Lead
338025	Arox 53 JBP Lead
363303	Lincox SD 60/16 Lead
350053	Lincox SD 65/16 Lead
350054	Lincox SD 65/18 Lead
350056	Lincox SD 75/18 Lead
351337	Lincox TD 65/16 Lead
351338	Lincox TD 65/18 Lead
351340	Lincox TD 75/18 Lead
351335	Lincox TD 100/16 Lead
351333	Lincox S 65 Lead
351334	Lincox S 75 Lead
351353	Lincox T 65 Lead
351354	Lincox T 75 Lead
346542	Corox OTW 75 UP Lead
346543	Corox OTW 85 UP Lead

The revised award and updated price lists can be found at the following URL:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: October 10, 2012

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTOR/
CONTRACT NO.:** Medtronic USA, Inc. / PC64835

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price lists dated October 10, 2012 reflecting product additions for Medtronic USA, Inc. / PC64835. The product additions are highlighted in the price list update.

The revised award and updated price lists can be found at the following url:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: September 24, 2012

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTOR/
CONTRACT NO.:** Guidant Sales Corporation/ PC64834

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price lists dated September 20, 2012 reflecting product additions for Guidant Sales Corporation / PC64834. The product additions are highlighted in the price list update.

The revised award and updated price lists can be found at the following url:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: July 3, 2012

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTOR/
CONTRACT NO.:** St. Jude Medical, S.C., Inc. / PC 64836

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price lists dated July 3, 2012 reflecting product additions for St. Jude Medical, S.C., Inc. / PC 64836. The product additions are highlighted in the price list update.

The revised award and updated price lists can be found at the following url:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

New York State Office Of General Services
Procurement Services Group
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Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: May 2, 2012

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTOR/
CONTRACT NO.:** St. Jude Medical, S.C., Inc. / PC 64836

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price lists dated April 30, 2012 reflecting product additions for St. Jude Medical, S.C., Inc. / PC 64836. The product additions are highlighted in the price list update.

The revised award and updated price lists can be found at the following url:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: December 6, 2011

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Mary Schneider
Purchasing Officer I
(518) 474-0912
mary.schneider@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTOR/
CONTRACT NO.:** St. Jude Medical, S.C., Inc. / PC 64836

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price lists dated December 1, 2011 reflecting product additions for St. Jude Medical, S.C., Inc. / PC 64836. The product additions are highlighted in the price list update.

The revised award and updated price lists can be found at the following url:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: November 8, 2011

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTOR/
CONTRACT NO.:** St. Jude Medical, S.C., Inc. / PC 64836

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price lists dated November 8, 2011 reflecting product additions for St. Jude Medical, S.C., Inc. / PC 64836. The product additions are highlighted in the price list update.

The revised award and updated price lists can be found at the following url:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

New York State Office Of General Services
Procurement Services Group
Corning Tower Building
Empire State Plaza
Albany, New York 12242
<http://www.ogs.ny.gov>

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: August 23, 2011

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.ny.gov

**CONTRACTORS/
CONTRACT NOS.:** Guidant Sales Corporation / PC64834
Medtronic USA, Inc. / PC64835
St. Jude Medical, S.C., Inc. / PC 64836

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include updated price lists dated August 23, 2011 reflecting product additions for Guidant Sales Corporation / PC64834, Medtronic USA, Inc. / PC64835 and St. Jude Medical, S.C., Inc. / PC 64836. The product additions are highlighted in the price list update.

The revised award and updated price lists can be found at the following url:

<http://www.ogs.ny.gov/purchase/spg/awards/1260121174Can.htm>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: May 12, 2011

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.ny.gov

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** Biotronik, Inc. / PC64832

SUBJECT: PRICE LIST UPDATE

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated May 12, 2011 reflecting product additions for Biotronik, Inc. / PC64832.

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174Can.htm>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: May 3, 2011

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** Medtronic USA, Inc. / PC64835

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated May 3, 2011 reflecting product additions for Medtronic USA, Inc. / PC64835.

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174Can.htm>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: May 2, 2011

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** St. Jude Medical S.C., Inc. / PC64836

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated May 2, 2011 reflecting product additions for St. Jude Medical S.C., Inc. / PC64836. The added products are highlighted on the price list.

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174Can.htm>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: March 9, 2011

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** Medtronic USA, Inc. / PC64835

SUBJECT: **PRICE LIST UPDATE/ITEM NUMBER CORRECTION**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated February 18, 2011 reflecting product additions for Medtronic USA, Inc. / PC64835. The following items have been added:

<u>Stock # /Part # / Item #</u>	<u>NYS Item #</u>	<u>Item Description</u>	<u>Name of Manufacturer</u>	<u>Unit/Pack Size</u>	<u>List Price</u>	<u>Discount Offered</u>	<u>NYS Net Price After Discount</u>
RVDR01	1	Revo MRI	Medtronic	Each	\$13,000	30.00%	\$9,100.00
5086MRI45, 5086MRI52, 5086MRI58	1	CapSureFix MRI Leads	Medtronic	Each	\$1,700	35.29%	\$1,100.00

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174Can.htm>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: February 14, 2011

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** St. Jude Medical S.C., Inc. / PC64836

SUBJECT: **PRICE LIST UPDATE/ITEM NUMBER CORRECTION**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated February 10, 2011 reflecting corrected product item numbers, descriptions and product additions for St. Jude Medical S.C., Inc. / PC64836. The following item numbers have been corrected:

<u>Incorrect Item Number</u>	<u>Corrected Item Number</u>	<u>Item Description</u>
1688	1688TC	Tendril SDX
1782	1782TC	Tendril ST
1788	1788T	Tendril ST
1882	1882TC	Tendril ST Optim
1888	1888TC	Tendril ST Optim
1699	1699TC	OptiSense

The following Item Descriptions have been corrected:

<u>Item Number</u>	<u>Incorrect Item Description</u>	<u>Corrected Item Description</u>
1999TC	Tendril STS	Optisense Optim
2088TC	Optisense Optim	Tendril STS

Product Additions include:

<u>Item Number</u>	<u>Item Description</u>
1788TC	Tendril ST
501204	6mm unipolar
501205	5 mm bifurcated bipolar
501206	3.2 mm Medtronic
BLV/BIS-10	LV-1 bipolar
LV/IS-10	LV-1 unipolar
420	Vein Pick
AC-IP-2	Brady and Tachy Plug (IS-1 port plug)
AC-DP-3	Defibrillation Receptacle Plug
7170Q	Durata SJ4 – Passove TBP Dual Shock
7171Q	Durata SJ4 – Passove TBP Dual Shock

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: December 21, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** St. Jude Medical S.C., Inc. / PC64836

SUBJECT: **PRICE LIST UPDATE/ITEM NUMBER CORRECTION**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated December 21, 2010 reflecting corrected product item numbers for St. Jude Medical S.C., Inc. / PC64836. The following item numbers have been corrected:

<u>Incorrect Item Number</u>	<u>Corrected Item Number</u>	<u>Item Description</u>
PM1210	PM1110	Accent SR
PM2210	PM2110	Accent DR

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: November 19, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
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(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** St. Jude Medical S.C., Inc. / PC64836

SUBJECT: **PRICE LIST UPDATE**

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated November 19, 2010 for St. Jude Medical S.C., Inc. / PC64836.

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: October 6, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** Medtronic USA, Inc. / PC64835

SUBJECT: Updated Price List

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated September 22, 2010 for Medtronic USA, Inc. / PC64835.

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: September 22, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** St. Jude Medical, Inc./ PC64836

SUBJECT: Updated Price Lists

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated September 20, 2010 for St. Jude Medical, Inc. / PC64836.

The revised award and updated price list can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174](#)

DATE: August 9, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** Biotronik, Inc. / PC64832
Cryolife, Inc. / PC64833
Guidant Sales Corporation/ PC64834
Medtronic USA, Inc. / PC64835
St. Jude Medical/ PC64836

SUBJECT: Updated Price Lists

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The above-referenced contractors have updated their price lists to reflect increased discounts. The revised award and price lists can be found at the following url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174Can.htm>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174-PF](#)

DATE: July 6, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** Biotronik, Inc. / PC64832
Guidant Sales Corporation/ PC64834

SUBJECT: Price List Update and New Contractor

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated June 25, 2010 for Biotronik, Inc. / PC64832.

The following contractor has been added to the Award effective July 6, 2010:

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC64834	GUIDANT SALES CORPORATION 4100 Hamline Avenue North St. Paul, MN 55112-5798	1-800-CARDIAC 1-800-(227-3422) 1-877-826-7487 TJ Manfuso Fax No.: 914-253-6001 E-mail: TJ.Manfuso@bsci.com Website: www.bostonscientific.com	351987080

LOT I - CARDIAC RHYTHM MANAGEMENT (Statewide) (Cont'd)

(Categories to include all ancillary products, leads, options and accessories where applicable.)

CONTRACTOR: GUIDANT SALES CORPORATION CONTRACT #: PC64834

<u>CATEGORY</u>		
<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>DISCOUNT FROM LIST</u>
1.	Single & Dual Chambered Pacemakers	20% to 45.21%
3.	Cardiac Resynchronization Therapy (CRT) Products	4.52% to 56.52%
4.	Implantable Cardiac Devices (ICD's)	20% to 36.36%

Price List Title & Date: Guidant – Boston Scientific CRM, March 3, 2010

Manufacturer: Guidant Sales Corporation

Warranty:

Guaranteed Delivery: 1-2 Days A/R/O

Person to contact for expediting New York State contract orders:

Name: TJ Manfuso

Title: Senior Regional Sales Manager - Long Island Region

Telephone Number: 1-877-884-3721

Toll Free Telephone Number (Pager): 1-800-227-3422 (1-800-CARDIAC)

Fax Number: 914-253-6001

Toll Free Fax Number:

E-Mail Address: TJ.Manfuso@bsci.com

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

Name: TJ Manfuso

M-F, 8 am to 5 pm Eastern

Title: Senior Regional Sales Manager - Long Island Region

Telephone Number (Pager): 1-800-227-3422 (1-800-CARDIAC)

Cellular Telephone Number: 516/384-2141

E-Mail Address: TJ.Manfuso@bsci.com

Contractor will accept the New York State Procurement Card for orders up to \$15,000.00.

Contractor will honor orders for less than the minimum order of \$250.00 and shipping costs will be added in accordance with the "Minimum Order" clause.

The revised award and updated price list can be found at the below url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174Can.htm>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174-PF](#)

DATE: May 25, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

**PLEASE ADDRESS INQUIRIES TO:
STATE AGENCIES & CONTRACTORS**

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTOR/
CONTRACT NO.:** St. Jude Medical S.C., Inc. / PC64836

SUBJECT: Price List Update

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated May 25, 2010 for St. Jude Medical S.C., Inc. / PC64836.

The revised award and updated price list can be found at the below url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260121174CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174-PF](#)

DATE: May 14, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTOR/
CONTRACT NO.:** Medtronic USA, Inc./ PC64835

SUBJECT: Price List Update

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated April 30, 2010 for Medtronic USA, Inc.

The revised award and updated price list can be found at the below url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260102612CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174-PF](#)

DATE: April 15, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTOR/
CONTRACT NO.:** St. Jude Medical S.C., Inc. PC64836

SUBJECT: Revised Contract Award, New Contract Contact and Updated Price Lists

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include an updated price list dated April 12, 2010 for St. Jude Medical S.C., Inc.

The contract contact information has been changed to:

Person to contact for expediting New York State contract orders:

Name: Steve Nystedt
Title: CRM Sales Representative
Telephone Number: 201.681.2048
Fax Number: 201.262.0279
E-Mail Address: snystedt@sjm.com
Pager Number: 800/PACEICD

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

Name: Steve Nystedt

Title: CRM Sales Representative

Telephone Number: 201.681.2048

Fax Number: 201.262.0279

E-Mail Address: snystedt@sjm.com

Pager Number: 800/PACEICD

The revised award and updated price list can be found at the below url:

<http://www.ogs.state.ny.us/purchase/spg/awards/1260102612CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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

PURCHASING MEMORANDUM

CONTRACT AWARD NOTIFICATION UPDATE

AWARD NUMBER: [21174-PF](#)

DATE: March 22, 2010

GROUP: 12601 – Cardiac Rhythm Management,
Heart Valves and Vascular Surgery
Products (Statewide)

PLEASE ADDRESS INQUIRIES TO:

STATE AGENCIES & CONTRACTORS

Ayana Mendoza
Purchasing Officer I
(518) 474-3034
ayana.mendoza@ogs.state.ny.us

CONTRACT PERIOD: January 01, 2010 -
December 31, 2014

OTHER AUTHORIZED USERS

Customer Services
(518) 474-6717
customer.services@ogs.state.ny.us

**CONTRACTORS/
CONTRACT NOS.:** Biotronik, Inc. PC64832
Medtronic USA, Inc. PC64835

SUBJECT: Revised Contract Award and Updated Price Lists

ALL STATE AGENCIES AND OTHERS AUTHORIZED TO USE STATE CONTRACTS:

The contract for Group 12601 Cardiac Rhythm Management, Heart Valves and Vascular Surgery Products (Statewide) has been revised to include updated price lists for Biotronik, Inc. and Medtronic USA, Inc.

<http://www.ogs.state.ny.us/purchase/spg/awards/1260102612CAN.HTM>

Please direct communications pertaining to the above referenced contract to the Purchasing Officer listed above.

All other terms and conditions of the award remain the same.

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 12601 - CARDIAC RHYTHM MANAGEMENT, HEART VALVES AND VASCULAR SURGERY PRODUCTS (STATEWIDE)
		Classification Code: 42
Award Number	:	21174-PF
Contract Period	:	January 1, 2010 to December 31, 2014
Bid Opening Date	:	September 16, 2008
Date of Issue	:	January 29, 2010
Specification Reference	:	As Incorporated In The Invitation for Bids
Contractor Information	:	Appears on Page 2 of this Award

Address Inquiries To:

State Agencies & Vendors	Political Subdivisions & Others
Name : Ayana Mendoza Title : Purchasing Officer I Phone : 518-474-3034 Fax : 518-474-5052 E-mail : ayana.mendoza@ogs.state.ny.us	<div style="text-align: center;">Customer Services</div> Phone : 518-474-6717 Fax : 518-474-2437 E-mail : customer.services@ogs.state.ny.us

**The Procurement Services Group values your input.
 Complete and return "Contract Performance Report" at end of document.**

Description

This contract award is for Cardiac Rhythm Management (CRM), Heart Valves and Vascular Surgery Products.

PR #21174

NOTE: See individual contract items to determine actual awardees.

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC64832	BIOTRONIK, INC. 6024 Jean Rd. Lake Oswego, OR 97035	800/547-0394 503/675-2157 Michelle J. Hull - Contracts Administrator Fax No.: 800/291-0470 503/675-2164 E-mail: michelle.hull@biotronik.com Website: www.biotronik.com	591508071
PC64833	CRYOLIFE, INC. 1655 Roberts Blvd. NW Kennesaw, GA 30144	800/438-8285 678/290-4320 Peg Fairbanks - Contract Administrator Fax No.: 770/590-3754 E-mail: fairbanks.peg@cryolife.com Website: www.cryolife.com	592417093
PC64835	MEDTRONIC USA, INC. 959 Route 46 East, #402 Parsippany, NJ 07054	973/658-1119 Joe Magliocco - Sr. Regional Contract Mgr. Fax No.: 973/316-9076 E-mail: joe.magliocco@medtronic.com Website: www.medtronic.com	411493213
PC64836	ST. JUDE MEDICAL S.C., INC. d/b/a St. Jude Medical, US Division 807 Las Cimas Pkwy., Suite 400 Austin, TX 78746	512/732-7400 Dave Hendrick - VP, Corporate Accounts Fax No.: 818/256-8668 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.

(See "Contract Payments" and "Electronic Payments" in this document.)

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

SMALL, MINORITY AND WOMEN-OWNED BUSINESSES:

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

(continued)

RECYCLED, REMANUFACTURED AND ENERGY EFFICIENT PRODUCTS:

The Procurement Services Group supports and encourages the purchase of recycled, remanufactured, energy efficient and "energy star" products. If one of the following codes appears as a suffix in the Award Number or is noted under the individual Contract Number(s) in this Contract Award Notification, please look at the individual awarded items for more information on products meeting the suffix description.

RS,RP,RA	Recycled
RM	Remanufactured
SW	Solid Waste Impact
EE	Energy Efficient
E*	EPA Energy Star
ES	Environmentally Sensitive

NOTE TO AUTHORIZED USERS:

When placing purchase orders under the contract(s), the authorized user should be familiar with and follow the terms and conditions governing its use which usually appears at the end of this document. The authorized user is accountable and responsible for compliance with the requirements of public procurement processes. The authorized user must periodically sample the results of its procurements to determine its compliance. In sampling its procurements, an authorized user should test for reasonableness of results to ensure that such results can withstand public scrutiny.

The authorized user, when purchasing from OGS contracts, should hold the contractor accountable for contract compliance and meeting the contract terms, conditions, specifications, and other requirements. Also, in recognition of market fluctuations over time, authorized users are encouraged to seek improved pricing whenever possible.

Authorized users have the responsibility to document purchases, particularly when using OGS multiple award contracts for the same or similar product(s)/service(s), which should include:

- a statement of need and associated requirements,
- a summary of the contract alternatives considered for the purchase,
- the reason(s) supporting the resulting purchase (e.g., show the basis for the selection among multiple contracts at the time of purchase was the most practical and economical alternative and was in the best interests of the State).

PRICE:

Price includes all customs duties and charges and is net, F.O.B. destination any point in New York State as designated by the ordering agency including tailgate delivery, unless otherwise noted in the contract award. In addition, upon mutual agreement, delivery locations may be expanded per the "Extension of Use" clause.

(continued)

LOT I - CARDIAC RHYTHM MANAGEMENT (Statewide)

(Categories to include all ancillary products, leads, options and accessories where applicable.)

CONTRACTOR: BIOTRONIK, INC.

CONTRACT #: PC64832

<u>CATEGORY NUMBER</u>	<u>DESCRIPTION</u>	<u>DISCOUNT FROM LIST</u>
1.	Single & Dual Chambered Pacemakers	45.23% to 65.94%
3.	Cardiac Resynchronization Therapy (CRT) Products	40% to 76.13%
4.	Implantable Cardiac Devices (ICD's)	57.14% to 64.52%

Price List Title & Date: Technology Helping to Heal, October 2009
Manufacturer: Biotronik, Inc.
Warranty: 5 years
Guaranteed Delivery: 2 Days A/R/O

Person to contact for expediting New York State contract orders:

Name: Ryan Brown
Title: Sales Order Entry
Telephone Number: 503/387-2644
Toll Free Telephone Number: 877/737-2010, Ext. 2644
Fax Number: 888/345-0380
Toll Free Fax Number: 888/345-0380
E-Mail Address: ryan.brown@biotronik.com

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

Name: Joe DiLeo
M-F, 8 am to 5 pm Pacific
Title: Sales Representative
Telephone Number: 646/872-0053
Cellular Telephone Number: 646/872-0053
E-Mail Address: joe.dileo@biotronik.com

Contractor will accept the New York State Procurement Card for orders up to \$15,000.00.

Contractor will honor orders for less than the minimum order of \$250.00 and shipping costs will be added in accordance with the "Minimum Order" clause.

(continued)

LOT I - CARDIAC RHYTHM MANAGEMENT (Statewide) (Cont'd)

(Categories to include all ancillary products, leads, options and accessories where applicable.)

CONTRACTOR: GUIDANT SALES CORPORATION AWARD PENDING

(continued)

LOT I - CARDIAC RHYTHM MANAGEMENT (Statewide) (Cont'd)

(Categories to include all ancillary products, leads, options and accessories where applicable.)

CONTRACTOR: MEDTRONIC, USA, INC. CONTRACT #: PC64835

<u>CATEGORY NUMBER</u>	<u>DESCRIPTION</u>	<u>DISCOUNT FROM LIST</u>
1.	Single & Dual Chambered Pacemakers	18.42% to 42.95%
3.	Cardiac Resynchronization Therapy (CRT) Products	8.25% to 17.22%
4.	Implantable Cardiac Devices (ICD's)	7.98% to 30.53%
5.	Monitoring System Products	5.45% to 5.47%

Price List Title & Date: Medtronic, USA, Inc., October 2009

Manufacturer: Medtronic, USA, Inc.

Warranty:

Guaranteed Delivery: Days A/R/O

Person to contact for expediting New York State contract orders:

Name: Customer Services

Toll Free Telephone Number: 800/222-0331

Toll Free Fax Number: 800/647-6745

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

Name: Richard Russell

Title: Sales Representative

Mon.-Fri. 7:00 am - 7:00 pm

Toll Free Telephone Number: 800/222-0331

E-Mail Address: richard.joseph.russell@medtronic.com

Contractor will honor orders for less than the minimum order of \$250.00 and shipping costs will be added in accordance with the "Minimum Order" clause.

(continued)

LOT I - CARDIAC RHYTHM MANAGEMENT (Statewide) (Cont'd)

(Categories to include all ancillary products, leads, options and accessories where applicable.)

CONTRACTOR: ST. JUDE MEDICAL S.C., INC. CONTRACT #: PC64836

<u>CATEGORY NUMBER</u>	<u>DESCRIPTION</u>	<u>DISCOUNT FROM LIST</u>
1.	Single & Dual Chambered Pacemakers	23% to 47.37%
2.	Cardiac Resynchronization Therapy (CRT) Products	36% to 48.19%
4.	Implantable Cardiac Devices (ICD's)	18% to 58.3%
5.	Monitoring System Products	15%

Price List Title & Date: St. Jude Medical, Price List, October 2009
Manufacturer: St. Jude Medical
Warranty:
Guaranteed Delivery: 3 Days A/R/O

Person to contact for expediting New York State contract orders:
Name: Ellen Rick
Title: Corporate Accounts Manager
Telephone Number: 203/276-0413
Fax Number: 818/256-8602
E-Mail Address: erick@sjm.com

Person to contact in the event of an emergency occurring after business hours or on weekend/holidays:
Name: Ellen Rick
Title: Corporate Accounts Manager
Mon. - Fri. 8:00 am - 5:00 pm EST
Telephone Number: 317/490-9457
Pager Number: 800/PACEICD

Contractor will honor orders for less than the minimum order of \$250.00 and shipping costs will be added in accordance with the "Minimum Order" clause.

(continued)

LOT II - HEART VALVES & VASCULAR SURGERY PRODUCTS (Statewide)

(Categories to include all ancillary products, leads, options and accessories where applicable.)

CONTRACTOR: CRYOLIFE, INC.

CONTRACT #: PC64833

<u>CATEGORY</u>		
<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>DISCOUNT FROM LIST</u>
2.	Biological Heart Valve Products	9.5%
3.	Vascular Surgery Products	9.5%

Price List Title & Date: Cardiovascular Allograft Tissue Services – January 25, 2010

Manufacturer: Cryolife, Inc.

Warranty:

Guaranteed Delivery:

Person to contact for expediting New York State contract orders:

Name: Gwen Kromer

Title: Customer Service

Telephone Number: 888/427-9654, Ext. 1218

Toll Free Telephone Number: 800/438-8285

Fax Number: 770/590-3753

E-Mail Address: kromer.gwen@cryolife.com

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

Name: Gwen Kromer

Title: Customer Service

Mon. - Fri. 7:30 am - 7:30 pm

Customer may call Cryolife 24/7 - Phones are staffed.

(continued)

LOT II - HEART VALVES & VASCULAR SURGERY PRODUCTS (Statewide) (Cont'd)

(Categories to include all ancillary products, leads, options and accessories where applicable.)

CONTRACTOR: ST. JUDE MEDICAL S.C., INC.

CONTRACT#: PC64836

CATEGORY

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>DISCOUNT FROM LIST</u>
1.	Mechanical Heart Valve Products	39.21%-46.06%
2.	Biological Heart Valve Products	58.33%-59.39%
3.	Vascular Surgery Products	20-65.33%

Price List Title & Date: St. Jude Medical Price List, October, 2009

Manufacturer: St. Jude Medical

Warranty:

Guaranteed Delivery: 3 Days A/R/O

Person to contact for expediting New York State contract orders:

Name: Ellen Rick

Title: Corporate Accounts Manager

Telephone Number: 203/276-0413

Fax Number: 818/256-8602

E-Mail Address: erick@sjm.com

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

Name: Ellen Rick

Title: Corporate Accounts Manager

Mon. - Fri. 8:00 am - 5:00 pm EST

Telephone Number: 317/490-9457

Pager Number: 800/PACEICD

Contractor will honor orders for less than the minimum order of \$250.00 and shipping costs will be added in accordance with the "Minimum Order" clause.

(continued)

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 or services have been satisfactorily performed. 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 number, description of product or service, 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 for prompt payment.

If the contract terms indicate political subdivisions and others authorized by law are allowed to participate, those entities 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.

See "Contract Billings" in Appendix B, OGS General Specifications.

ELECTRONIC PAYMENTS:

The Office of the State Comptroller (OSC) offers an "electronic payment" option in lieu of issuing checks. To obtain an electronic payment authorization form visit the OSC website at www.osc.state.ny.us or contact them by e-mail at epunit@osc.state.ny.us or by phone at 518-474-4032.

NOTE TO CONTRACTOR:

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

CENTRALIZED PROCUREMENT CONTRACT FEE (CPCF):

Amendments to State Finance Law §163-c imposed a centralized procurement contract fee (procurement fee) to be paid by contractors awarded OGS centralized contracts for the purchase of commodities, services or technology. The pricing offered by contractors for the commodity, service or technology is considered by the Office of General Services (OGS) to be inclusive of the fee. The procurement fee is one half of one percent (.005) of total sales made by Authorized Users of centralized contracts.

The fee, covering the applicable preceding calendar quarter, as well as an accompanying return, must be made by the contractor to the New York State Department of Taxation and Finance ("DTF") no later than forty-five (45) days after the close of each calendar quarter. Payment of the procurement fee, as well as filing of the accompanying return, must be made electronically to DTF. Prior to electronically filing the initial return and electronically paying the initial procurement fee, contractors must register on DTF's Online Tax Center:

<http://www.tax.state.ny.us/nyshome/online.htm>

Quarterly returns must be filed with DTF even if no sales were made under the centralized contract during the preceding calendar quarter. Simultaneously, the contractor must provide its sales report for such preceding calendar quarter to OGS in the format and with details set forth in this solicitation (even if no sales occurred). Contractors must fully cooperate with DTF and OGS relative to such payments and filings. Penalties for failure to comply with the filing and payment requirements are provided for by Article 27 of the Tax Law.

In addition to the penalties prescribed by Article 27 of the Tax Law, failure by a contractor to timely and accurately remit the procurement fee, provide the sales report and file the return for each calendar quarter shall constitute a breach of contract, and the Commissioner of General Services may exercise discretion to terminate such centralized contract on written notice to the contractor.

Additional information including FAQs is available at:

<http://www.ogs.state.ny.us/purchase/ProcurementContractFee.asp>

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DEBRIEFING:

Contractors and bidders are accorded fair and equal treatment with respect to the opportunity for debriefing. OGS shall, upon request, provide a debriefing to any bidder or awarded contractor that responded to the IFB or RFP regarding the reason that the proposal or bid submitted by the unsuccessful bidder was not selected for a contract award. The post award debriefing should be requested by the bidder or awarded contractor within thirty days of posting of the contract award on the OGS website.

PREFERRED SOURCE PRODUCTS AND SERVICES:

Some products/services in this contract may be available from one or more preferred source suppliers such as Correctional Industries (Corcraft), Industries for the Blind of NYS, and NYS Industries for the Disabled. Agencies are reminded to comply with the statutory requirements under Section 162 of the State Finance Law and the guidelines issued by the State Procurement Council to afford first priority to products and services available from preferred sources which meet your form, function and utility.

Contractors are required to include this notice in all price lists and contract updates.

OVERLAPPING CONTRACT ITEMS:

Products/services available in this contract may also be available from other New York 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 the selection.

PSG's DISPUTE RESOLUTION POLICY:

It is the policy of the Office of General Services' Procurement Services Group (PSG) to provide vendors with an opportunity to administratively resolve disputes, complaints or inquiries related to PSG bid solicitations or contract awards. PSG encourages vendors to seek resolution of disputes through consultation with PSG staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written disputes. A copy of PSG's Dispute Resolution Procedures for Vendors may be obtained by contacting the person shown on the front of this document or through the OGS website (www.ogs.state.ny.us).

PROCUREMENT LOBBYING TERMINATION:

OGS reserves the right to terminate this contract in the event it is found that the certification filed by the Offerer/bidder in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, OGS may exercise its termination right by providing written notification to the Offerer/bidder in accordance with the written notification terms of this contract.

MERCURY-ADDED CONSUMER PRODUCTS:

Offerers are advised that effective January 1, 2005, Article 27, Title 21 of the Environmental Conservation Law bans the sale or distribution free of charge of fever thermometers containing mercury except by prescription written by a physician and bans the sale or distribution free of charge of elemental mercury other than for medical pre-encapsulated dental amalgam, research, or manufacturing purposes due to the hazardous waste concerns of mercury. The law further states that effective July 12, 2005, manufacturers are required to label mercury-added consumer products that are sold or offered for sale in New York State by a distributor or retailer. The label is intended to inform consumers of the presence of mercury in such products and of the proper disposal or recycling of mercury-added consumer products. Offerers are encouraged to contact the Department of Environmental Conservation, Bureau of Solid Waste, Reduction & Recycling at (518) 402-8705 or the Bureau of Hazardous Waste Regulation at 1-800-462-6553 for questions relating to the law. Offerers may also visit the Department's web site for additional information:
<http://www.dec.state.ny.us/website/dshw/redrecy/c145home.html>.

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CONTRACTOR REQUIREMENTS AND PROCEDURES FOR EQUAL EMPLOYMENT AND BUSINESS PARTICIPATION OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND NEW YORK STATE CERTIFIED MINORITY/WOMEN-OWNED BUSINESSES:

In accordance with Article 15-A of the New York State Executive Law (Participation by Minority Group Members and Women with Respect to State Contracts) and in conformance with the Regulations promulgated by the Minority and Women's Business Development Division of the New York State Department of Economic Development set forth at 5 NYCRR Parts 140-144, the Offerer/Contractor agrees to be bound by the following to promote equality of economic opportunities for minority group members and women, and the facilitation of minority and women-owned business enterprise participation on all covered OGS contracts.

a. **Equal Employment Opportunity Requirements**

By submission of a bid or proposal in response to this solicitation, the Offerer agrees with all of the terms and conditions of Appendix A including Clause 12 - Equal Employment Opportunities for Minorities and Women. The contractor is required to ensure that the provisions of Appendix A clause 12 – Equal Employment Opportunities for minorities and women, are included in every subcontract in such a manner that the requirements of these provisions will be binding upon each subcontractor as to work in connection with the State contract.

b. **Participation Opportunities for New York State Certified Minorities and Women-Owned Businesses**

Authorized Users are encouraged to make every good faith effort to promote and assist the participation of New York State Certified Minority and Women-owned Business Enterprises (M/WBE) as subcontractors and suppliers on this contract for the provision of services and materials. To locate New York State Certified M/WBEs, the directory of Certified Businesses can be viewed at:
http://www.empire.state.ny.us/Small_and_Growing_Businesses/mwbe.asp

SCOPE (BID SYNOPSIS):

It is the intent of the New York State, Office of General Services (OGS) Procurement Services Group (PSG) to establish a term contract which will provide NYS agencies, political subdivisions and other authorized entities with a mechanism to purchase products for cardiac rhythm management (CRM), heart valves and vascular surgery products, based on the terms and conditions stated herein.

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 (<http://www.ogs.state.ny.us/purchase/snt/othersuse.asp>). 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:

These contracts 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.

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MINIMUM ORDER:

Minimum order is \$250.00.

Contractor may elect to honor orders for less than the minimum order. For such orders, at the contractor's option, shipping costs from the contractor's address (as stated in bid) may be added to invoice with a copy of the freight bill. Shipping costs are to be prepaid by contractor and such orders are to be shipped on an F.O.B. destination basis. All such orders must be shipped by the most economical method for the proper delivery of the product unless special instructions are stated on the order by the agency.

CANCELLATION FOR CONVENIENCE:

The State of New York retains the right to cancel this contract, in whole or in part without reason provided that the Contractor is given at least sixty (60) days notice of its intent to cancel. This provision should not be understood as waiving the State's right to terminate the contract for cause or stop work immediately for unsatisfactory work, but is supplementary to that provision. Any such cancellation shall have no effect on existing Agency agreements, which are subject to the same 60 day discretionary cancellation or cancellation for cause by the respective user Agencies.

CONTRACT UPDATES - ADDITION AND DELETION PRODUCTS:

The contract prices may be subject to increase or decrease during the contract period in accordance with changes which may be made by the manufacturer in their established, nationally distributed price list or published catalog. Catalog or price lists may indicate increases or decreases in pricing, but the percentage discount originally accepted for award shall not be decreased during the contract period. Discounts can always be increased.

New products will be considered for inclusion provided they are pertinent to the Awarded Lot description and offered to the State at the same Lot discount or greater, terms and conditions as in the original bid. Product changes to Contract are addressed in the following manner. In order to expedite processing of a change request that involves more than one specified category below, each request should be submitted separately to OGS.

a.) **AUTO ADDS / DELETIONS** – “Auto Adds/Deletions” are Contract changes and updates made in accordance with the previously approved Contract pricing formula; e.g., a “discount from list” or pricing based on an approved GSA-based price Schedule. “Auto Adds/Deletions” include: i) adding new products within the established, previously approved pricing structure, ii) lowering pricing for Products previously incorporated under the Contract, and iii) deleting Products previously incorporated under the Contract. Contractor shall forward the updated Contract price list to OGS for prior approval before changes (additions or deletions) are made to the Contract. Contractor may not supply new product offerings until after receipt of OGS approval.

While price decreases (ii) may take effect at any time, Contractor shall provide to OGS new updated price lists. For category (iii) Auto Deletions, Contractor must supply documentation supporting the unavailability of the product to the US market. Contractor should note, however, that all “Auto Adds” or Deletions approved by OGS are subject to a post audit by the Office of the State Comptroller.

b.) **REGULAR ADD** - “Regular Adds” are requests for i) price increases for Products incorporated under the Contract for other than previously approved pricing structure, and ii) addition of new products to the Contract which do not fall under the previously established price structure or discounts for Product types previously approved under the Contract. Regular Adds include but are not limited to newly added manufacturer's product lines, re-bundled Products or Services, etc. Regular Adds must be submitted to OGS for prior approval, and must be accompanied by a justification of reasonableness of price. Regular Adds are subject to pre-audit by the Comptroller. If approved, OGS staff will notify Contractor in writing. Contractor may not supply new product offerings until after receipt of OGS approval of the “Regular Add.” When Contract pricing is based on GSA prices, the revised prices or prices of new Products must reflect current GSA prices adjusted as necessary for any additional discounts.

(continued)

CONTRACT UPDATES - ADDITION AND DELETION PRODUCTS: (Cont'd)

c.) SPECIAL ADD – Contract changes and updates that do not fall within either of the above categories will be processed as “Special Adds”. Special Adds are changes that are not specifically covered by the terms of the Contract but inclusion is found to be in the best interest of the State. Contractor must provide a justification of reasonableness of the prices offered and a statement explaining why it is in the best interest of the State to approve the new Products. Special Adds are subject to pre-audit by the Office of the State Comptroller. If approved, OGS staff will notify Contractor in writing. Contractor may not supply new offerings until after receipt of OGS approval of the “Special Add.”

DISCOUNTS:

Percentage discount(s) offered are to be based on suggested standard pricing as described in the catalog and/or related price list. The percentage discount offered to customer agencies may be increased at any time. Discounts may be greater, but in no instance may they be lower, than the awarded discount for the entire term of the contract.

VOLUME DISCOUNTS:

Volume discounts may be applied per purchase order and/or cumulatively per customer agency per year. Volume discounts shall be defined and applied as follows: Purchase order volume discounts shall be additional discount(s) applied to individual purchase orders over a specified dollar amount (Option I). Cumulative or aggregated volume discount(s) shall be an additional discount(s) applied to purchases from individual agencies based on aggregated dollar volumes per year (Option II). It is the ordering agency’s responsibility to track and monitor the sales volume to ensure they are receiving the appropriate volume discount(s).

DELIVERY:

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

Product is required as soon as possible.

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.

ESTIMATED QUANTITIES:

The historical dollar value of all contracts issued under the previous award was approximately \$14,000,000.00 annually. However, each contract shall be for the quantities or dollar values actually ordered during the contract period. The individual value of each contract is indeterminate and will depend upon the number of contracts issued and the competitiveness of the pricing offered. Agencies will be encouraged to purchase from contractors who offer the supplies, services, and pricing that best meet their needs in the most practical and economical manner. See "Estimated/Specific Quantity Contracts" and "Participation in Centralized Contracts" in Appendix B, OGS General Specifications.

CONTRACT PERIOD AND RENEWALS:

It is the intention of the State to enter into a contract for a term of five (5) years as stated herein except that the commencement and termination dates appearing on the Invitation for Bids may be adjusted forward unilaterally by the State for any resulting contract for up to two calendar months, by indicating such change on the Contract Award Notification.

The contract dates may be adjusted forward beyond two months only with the approval of the successful bidder. If, however, the bidder is not willing to accept an adjustment of the contract dates beyond the two month period, the State reserves the right to proceed with an award to another bidder.

The contract prices may be subject to increase or decrease during the contract period in accordance with changes which may be made by the manufacturer in their established, nationally distributed price list or published catalog. Catalog or price lists may indicate increases or decreases in pricing, but the percentage discount originally accepted for award shall not be decreased during the contract period. Discounts can always be increased.

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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.

CONTRACT MIGRATION:

State Agencies or any other authorized user holding individual contracts with contractors under this centralized contract shall be able to migrate to this contract award with the same contractor, effective on the contract begin date (retroactively, if applicable). Migration by an agency or any other authorized user to the centralized contract shall not operate to diminish, alter or extinguish any right that the agency or other authorized user otherwise had under the terms and conditions of their original contract.

WARRANTIES:

See "Warranties" in Appendix B, OGS General Specifications.

RESERVATION:

The State reserves the right to negotiate lower pricing, or to advertise for bids, any unanticipated excessive purchase. An "unanticipated excessive purchase" is defined as an unexpected order for a contract product(s) totaling more than \$30,000.00.

EPA ENERGY STAR PROGRAM:

The Federal EPA, in cooperation with manufacturers, continues a program to foster the manufacture of energy efficient equipment. New York State fully supports this effort and requires all products offered to comply with EPA Energy Star guidelines for energy efficiency. The State may discontinue use of and/or delete from contract selected products as mandated by any NYS energy legislation that is enacted during the term of this contract. The contractor shall have no recourse with the State for such discontinuance/deletion.

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.

Catalogs and price lists may be furnished in either hard-copy or electronic format. If available in both formats, they shall be furnished in the format preferred by the requesting authorized user. Upon request the contractor shall assist authorized users in the use of catalogs and price lists.

INSTRUCTION MANUALS:

Simultaneous with delivery, the contractor(s) shall furnish to the authorized user a complete instruction manual for the product and for each component supplied. The manual shall include complete instructions for unpacking, inspecting, installing, adjusting, aligning, and operating the product, together with layout and interconnection diagrams, schematic and wiring diagrams, preventive and corrective maintenance procedures, and complete parts lists, manufacturer's catalog numbers, and ordering information, if applicable.

(continued)

REPORT OF CONTRACT PURCHASES:

Contractor shall furnish a report containing both state agency and authorized non-state agency contract purchases no later than forty-five (45) days after the close of each calendar quarter. In addition to contractor direct sales, contractor shall submit sales information for all resellers, dealers, distributors or other authorized distribution channels, where such contract sales are provided by other than the contractor. Contractors shall verify if each alternate vendor is a NYS Certified Minority (MBE) or Women (WBE) Owned Businesses. Contractors shall verify such status through the Empire State Development Minority and Women Owned Businesses Database web site at: <http://205.232.252.35/>.

A separate report shall be provided in the following format for each authorized distribution channel. The sales report form is forwarded to each contractor at time of award for completion in accordance with the contract terms and conditions:

<u>Item/ SubItem Number</u>	<u>Product or Catalog Number</u>	<u>Product/ Service Description</u>	<u>Total Quantity Shipped to State Agencies</u>	<u>Total Quantity Shipped to Authorized Non-State Agencies</u>	<u>Total \$ Value</u>
					\$
				Grand Total	\$

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 Group Number, the Award Number, Contract Number, sales period, and contractor's (or other authorized agent) name. The outlined sales report is the minimum information required. Additional related sales information, such as monthly reports, and/or detailed user purchases may be required and must be supplied upon request.

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 products or services, the Commissioner reserves the right to obtain such products 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 products or services procured from other sources pursuant to this paragraph.

"OGS OR LESS" GUIDELINES APPLY TO THIS CONTRACT:

Purchases of the products 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 products from sources other than the contractor provided that such products are substantially similar in form, function or utility to the products 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.

(continued)

DIESEL EMISSION REDUCTION ACT OF 2006 (NEW REQUIREMENT OF LAW):

On February 12, 2007 the Diesel Emissions Reduction Act took effect as law (the "Law"). Pursuant to new §19-0323 of the N.Y. Environmental Conservation Law ("NYECL") it is now a requirement that heavy duty diesel vehicles in excess of 8,500 pounds use the best available retrofit technology ("BART") and ultra low sulfur diesel fuel ("ULSD"). The requirement of the Law applies to all vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities. They need to be operated exclusively on ULSD by February 12, 2007. It also requires that such vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities with more than half of its governing body appointed by the Governor utilize BART.

As a contract vendor the Law may be applicable to vehicles used by contract vendors "on behalf of" State agencies and public authorities. Thirty-three percent (33%) of affected vehicles must have BART by December 31, 2008, sixty-six percent (66%) by December 31, 2009 and one-hundred percent (100%) by December 31, 2010. The Law provides a list of exempted vehicles. Regulations currently being drafted will provide further guidance as to the effects of the Law on contract vendors using heavy duty diesel vehicles on behalf of the State. The Law also permits waivers of ULSD and BART under limited circumstances at the discretion of the Commissioner of Environmental Conservation. The Law will also require reporting from State agencies and from contract vendors in affected contracts.

Therefore, the bidder hereby certifies and warrants that all heavy duty vehicles, as defined in NYECL §19-0323, to be used under this contract, will comply with the specifications and provisions of NYECL §19-0323, and any regulations promulgated pursuant thereto, which requires the use of BART and ULSD, unless specifically waived by NYSDEC. Qualification and application for a waiver under this Law will be the responsibility of the bidder.

PERIODIC RECRUITMENT:

The State reserves the right to consider additional vendors for award on manufacturer's lines or categories that are not covered on the awards; starting approximately one year from the contract award beginning date and at yearly intervals during the course of the contract or at any time determined by the State to be in its best interest. Single/or Sole Source vendors shall be required to submit this original bid document which may include an addendum containing additional applicable statutory requirements currently in effect at the time of the new bid solicitation. Bids shall be evaluated under the same terms and conditions as stated herein; with an additional requirement that the vendor provide information that they are the sole/single source for the equipment offered. Once awarded a contract, a vendor may not resubmit a bid on an awarded line for future consideration until a new Invitation for Bids is issued.

For addition of Non-Single/non-Sole Source suppliers (brands for which competition exists) upon receipt of suitable "proof of sales" and the requirements stated herein during the interim of the contract period if it is found that new product lines or categories are required by our NYS contract end users, the State reserves the right to bid for those products and add the newly awarded product to this contract.

(continued)

**State of New York
Office of General Services
PROCUREMENT SERVICES GROUP
Contract Performance Report**

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve our contract award, where appropriate. **Comments should include those of the product's end user.**

Contract No.: _____ **Contractor:** _____

Describe Product* Provided (Include Item No., if available): _____

***Note:** "Product" is defined as a deliverable under any Bid or Contract, which may include commodities (including printing), services and/or technology. The term "Product" includes Licensed Software.

	Excellent	Good	Acceptable	Unacceptable
• Product meets your needs				
• Product meets contract specifications				
• Pricing				

CONTRACTOR

	Excellent	Good	Acceptable	Unacceptable
• Timeliness of delivery				
• Completeness of order (fill rate)				
• Responsiveness to inquiries				
• Employee courtesy				
• Problem resolution				

Comments: _____

 _____ (over)

Agency: _____ Prepared by: _____

Address: _____ Title: _____

_____ Date: _____

_____ Phone: _____

_____ E-mail: _____

Please detach or photocopy this form & return by FAX to 518/474-2437 or mail to:

OGS PROCUREMENT SERVICES GROUP
 Customer Services, 37th Floor
 Corning 2nd Tower - Empire State Plaza
 Albany, New York 12242

* * * * *

CONTRACT AWARD NOTIFICATION

Title	:	Group 12601 – CARDIAC RHYTHM MANAGEMENT, HEART VALVES AND VASCULAR SURGERY PRODUCTS (Statewide)
		Classification Code: 42
Award Number	:	21174 FIRST SUPPLEMENTAL
Contract Period	:	July 6, 2010 – December 31, 2014
Bid Opening Date	:	September 16, 2008
Date of Issue	:	July 6, 2010
Specification Reference	:	As Incorporated In The Invitation For Bids
Contractor Information	:	Appears on Page 2 of this Award

Address Inquiries To:

State Agencies & Vendors	Political Subdivisions & Others
Name : Ayana Mendoza	Procurement Services Group
Title : Purchasing Officer	Customer Services
Phone : 518-474-3034	Phone : 518-474-6717
Fax : 518-474-5052	Fax : 518-474-2437
E-mail : ayana.mendoza@ogs.state.ny.us	E-mail : customer.services@ogs.state.ny.us

**The Procurement Services Group values your input.
Complete and return "Contract Performance Report" at end of document.**

Description

This contract award is for Cardiac Rhythm Management (CRM), Heart Valves and Vascular Surgery Products.

PR # 21174

NOTE: See individual contract items to determine actual awardees.

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC64834	GUIDANT SALES CORPORATION 4100 Hamline Avenue North St. Paul, MN 55112-5798	1-800-CARDIAC 1-800-(227-3422) 1-877-826-7487 TJ Manfuso Fax No.: 914-253-6001 E-mail: TJ.Manfuso@bsci.com Website: www.bostonscientific.com	351987080

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

**INVOICES MUST BE SENT DIRECTLY TO THE ORDERING AGENCY FOR PAYMENT.
(See "Contract Payments" and "Electronic Payments" in this document.)**

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

SMALL, MINORITY AND WOMEN-OWNED BUSINESSES:

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

RECYCLED, REMANUFACTURED AND ENERGY EFFICIENT PRODUCTS:

The Procurement Services Group supports and encourages the purchase of recycled, remanufactured, energy efficient and "energy star" products. If one of the following codes appears as a suffix in the Award Number or is noted under the individual Contract Number(s) in this Contract Award Notification, please look at the individual awarded items for more information on products meeting the suffix description.

RS,RP,RA	Recycled
RM	Remanufactured
SW	Solid Waste Impact
EE	Energy Efficient
E*	EPA Energy Star
ES	Environmentally Sensitive

NOTE TO AUTHORIZED USERS:

When placing purchase orders under the contract(s), the authorized user should be familiar with and follow the terms and conditions governing its use which usually appears at the end of this document. The authorized user is accountable and responsible for compliance with the requirements of public procurement processes. The authorized user must periodically sample the results of its procurements to determine its compliance. In sampling its procurements, an authorized user should test for reasonableness of results to ensure that such results can withstand public scrutiny.

The authorized user, when purchasing from OGS contracts, should hold the contractor accountable for contract compliance and meeting the contract terms, conditions, specifications, and other requirements. Also, in recognition of market fluctuations over time, authorized users are encouraged to seek improved pricing whenever possible.

Authorized users have the responsibility to document purchases, particularly when using OGS multiple award contracts for the same or similar product(s)/service(s), which should include:

- a statement of need and associated requirements,
- a summary of the contract alternatives considered for the purchase,

(continued)

NOTE TO AUTHORIZED USERS (Cont'd.):

- the reason(s) supporting the resulting purchase (e.g., show the basis for the selection among multiple contracts at the time of purchase was the most practical and economical alternative and was in the best interests of the State).

PRICE:

Price includes all customs duties and charges and is net, F.O.B. destination any point in New York State as designated by the ordering agency including tailgate delivery, unless otherwise noted in the contract award. In addition, upon mutual agreement, delivery locations may be expanded per the "Extension of Use" clause.

LOT I - CARDIAC RHYTHM MANAGEMENT (Statewide) (Cont'd)

(Categories to include all ancillary products, leads, options and accessories where applicable.)

CONTRACTOR: GUIDANT SALES CORPORATION CONTRACT #: PC64834

CATEGORY

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>DISCOUNT FROM LIST</u>
1.	Single & Dual Chambered Pacemakers	20% to 45.21%
3.	Cardiac Resynchronization Therapy (CRT) Products	4.52% to 56.52%
4.	Implantable Cardiac Devices (ICD's)	20% to 36.36%

Price List Title & Date: Guidant – Boston Scientific CRM, March 3, 2010

Manufacturer: Guidant Sales Corporation

Warranty:

Guaranteed Delivery: 1-2 Days A/R/O

Person to contact for expediting New York State contract orders:

Name: TJ Manfuso

Title: Senior Regional Sales Manager - Long Island Region

Telephone Number: 1-877-884-3721

Toll Free Telephone Number (Pager): 1-800-227-3422 (1-800-CARDIAC)

Fax Number: 914-253-6001

Toll Free Fax Number:

E-Mail Address: TJ.Manfuso@bsci.com

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

Name: TJ Manfuso

M-F, 8 am to 5 pm Eastern

Title: Senior Regional Sales Manager - Long Island Region

Telephone Number (Pager): 1-800-227-3422 (1-800-CARDIAC)

Cellular Telephone Number: 516/384-2141

E-Mail Address: TJ.Manfuso@bsci.com

Contractor will accept the New York State Procurement Card for orders up to \$15,000.00.

Contractor will honor orders for less than the minimum order of \$250.00 and shipping costs will be added in accordance with the "Minimum Order" clause.

(continued)

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 or services have been satisfactorily performed. 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 number, description of product or service, 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 for prompt payment.

If the contract terms indicate political subdivisions and others authorized by law are allowed to participate, those entities 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.

See "Contract Billings" in Appendix B, OGS General Specifications.

ELECTRONIC PAYMENTS:

The Office of the State Comptroller (OSC) offers an "electronic payment" option in lieu of issuing checks. To obtain an electronic payment authorization form visit the OSC website at www.osc.state.ny.us or contact them by e-mail at epunit@osc.state.ny.us or by phone at 518-474-4032.

NOTE TO CONTRACTOR:

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

CENTRALIZED PROCUREMENT CONTRACT FEE (CPCF):

Amendments to State Finance Law §163-c imposed a centralized procurement contract fee (procurement fee) to be paid by contractors awarded OGS centralized contracts for the purchase of commodities, services or technology. The pricing offered by contractors for the commodity, service or technology is considered by the Office of General Services (OGS) to be inclusive of the fee. The procurement fee is one half of one percent (.005) of total sales made by Authorized Users of centralized contracts.

The fee, covering the applicable preceding calendar quarter, as well as an accompanying return, must be made by the contractor to the New York State Department of Taxation and Finance ("DTF") no later than forty-five (45) days after the close of each calendar quarter. Payment of the procurement fee, as well as filing of the accompanying return, must be made electronically to DTF. Prior to electronically filing the initial return and electronically paying the initial procurement fee, contractors must register on DTF's Online Tax Center:

<http://www.tax.state.ny.us/nyshome/online.htm>

Quarterly returns must be filed with DTF even if no sales were made under the centralized contract during the preceding calendar quarter. Simultaneously, the contractor must provide its sales report for such preceding calendar quarter to OGS in the format and with details set forth in this solicitation (even if no sales occurred). Contractors must fully cooperate with DTF and OGS relative to such payments and filings. Penalties for failure to comply with the filing and payment requirements are provided for by Article 27 of the Tax Law.

In addition to the penalties prescribed by Article 27 of the Tax Law, failure by a contractor to timely and accurately remit the procurement fee, provide the sales report and file the return for each calendar quarter shall constitute a breach of contract, and the Commissioner of General Services may exercise discretion to terminate such centralized contract on written notice to the contractor.

Additional information including FAQs is available at:

<http://www.ogs.state.ny.us/purchase/ProcurementContractFee.asp>

(continued)

DEBRIEFING:

Contractors and bidders are accorded fair and equal treatment with respect to the opportunity for debriefing. OGS shall, upon request, provide a debriefing to any bidder or awarded contractor that responded to the IFB or RFP regarding the reason that the proposal or bid submitted by the unsuccessful bidder was not selected for a contract award. The post award debriefing should be requested by the bidder or awarded contractor within thirty days of posting of the contract award on the OGS website.

PREFERRED SOURCE PRODUCTS AND SERVICES:

Some products/services in this contract may be available from one or more preferred source suppliers such as Correctional Industries (Corcraft), Industries for the Blind of NYS, and NYS Industries for the Disabled. Agencies are reminded to comply with the statutory requirements under Section 162 of the State Finance Law and the guidelines issued by the State Procurement Council to afford first priority to products and services available from preferred sources which meet your form, function and utility.

Contractors are required to include this notice in all price lists and contract updates.

OVERLAPPING CONTRACT ITEMS:

Products/services available in this contract may also be available from other New York 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 the selection.

PSG's DISPUTE RESOLUTION POLICY:

It is the policy of the Office of General Services' Procurement Services Group (PSG) to provide vendors with an opportunity to administratively resolve disputes, complaints or inquiries related to PSG bid solicitations or contract awards. PSG encourages vendors to seek resolution of disputes through consultation with PSG staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written disputes. A copy of PSG's Dispute Resolution Procedures for Vendors may be obtained by contacting the person shown on the front of this document or through the OGS website (www.ogs.state.ny.us).

PROCUREMENT LOBBYING TERMINATION:

OGS reserves the right to terminate this contract in the event it is found that the certification filed by the Offerer/bidder in accordance with New York State Finance Law §139-k was intentionally false or intentionally incomplete. Upon such finding, OGS may exercise its termination right by providing written notification to the Offerer/bidder in accordance with the written notification terms of this contract.

MERCURY-ADDED CONSUMER PRODUCTS:

Offerers are advised that effective January 1, 2005, Article 27, Title 21 of the Environmental Conservation Law bans the sale or distribution free of charge of fever thermometers containing mercury except by prescription written by a physician and bans the sale or distribution free of charge of elemental mercury other than for medical pre-encapsulated dental amalgam, research, or manufacturing purposes due to the hazardous waste concerns of mercury. The law further states that effective July 12, 2005, manufacturers are required to label mercury-added consumer products that are sold or offered for sale in New York State by a distributor or retailer. The label is intended to inform consumers of the presence of mercury in such products and of the proper disposal or recycling of mercury-added consumer products. Offerers are encouraged to contact the Department of Environmental Conservation, Bureau of Solid Waste, Reduction & Recycling at (518) 402-8705 or the Bureau of Hazardous Waste Regulation at 1-800-462-6553 for questions relating to the law. Offerers may also visit the Department's web site for additional information:
<http://www.dec.state.ny.us/website/dshmr/redrecy/c145home.html>.

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CONTRACTOR REQUIREMENTS AND PROCEDURES FOR EQUAL EMPLOYMENT AND BUSINESS PARTICIPATION OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND NEW YORK STATE CERTIFIED MINORITY/WOMEN-OWNED BUSINESSES:

In accordance with Article 15-A of the New York State Executive Law (Participation by Minority Group Members and Women with Respect to State Contracts) and in conformance with the Regulations promulgated by the Minority and Women's Business Development Division of the New York State Department of Economic Development set forth at 5 NYCRR Parts 140-144, the Offerer/Contractor agrees to be bound by the following to promote equality of economic opportunities for minority group members and women, and the facilitation of minority and women-owned business enterprise participation on all covered OGS contracts.

a. **Equal Employment Opportunity Requirements**

By submission of a bid or proposal in response to this solicitation, the Offerer agrees with all of the terms and conditions of Appendix A including Clause 12 - Equal Employment Opportunities for Minorities and Women. The contractor is required to ensure that the provisions of Appendix A clause 12 – Equal Employment Opportunities for minorities and women, are included in every subcontract in such a manner that the requirements of these provisions will be binding upon each subcontractor as to work in connection with the State contract.

b. **Participation Opportunities for New York State Certified Minorities and Women-Owned Businesses**

Authorized Users are encouraged to make every good faith effort to promote and assist the participation of New York State Certified Minority and Women-owned Business Enterprises (M/WBE) as subcontractors and suppliers on this contract for the provision of services and materials. To locate New York State Certified M/WBEs, the directory of Certified Businesses can be viewed at:
http://www.empire.state.ny.us/Small_and_Growing_Businesses/mwbe.asp

SCOPE (BID SYNOPSIS):

It is the intent of the New York State, Office of General Services (OGS) Procurement Services Group (PSG) to establish a term contract which will provide NYS agencies, political subdivisions and other authorized entities with a mechanism to purchase products for cardiac rhythm management (CRM), heart valves and vascular surgery products, based on the terms and conditions stated herein.

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 (<http://www.ogs.state.ny.us/purchase/snt/othersuse.asp>). 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:

These contracts 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.

(continued)

MINIMUM ORDER:

Minimum order is \$250.00.

Contractor may elect to honor orders for less than the minimum order. For such orders, at the contractor's option, shipping costs from the contractor's address (as stated in bid) may be added to invoice with a copy of the freight bill. Shipping costs are to be prepaid by contractor and such orders are to be shipped on an F.O.B. destination basis. All such orders must be shipped by the most economical method for the proper delivery of the product unless special instructions are stated on the order by the agency.

CANCELLATION FOR CONVENIENCE:

The State of New York retains the right to cancel this contract, in whole or in part without reason provided that the Contractor is given at least sixty (60) days notice of its intent to cancel. This provision should not be understood as waiving the State's right to terminate the contract for cause or stop work immediately for unsatisfactory work, but is supplementary to that provision. Any such cancellation shall have no effect on existing Agency agreements, which are subject to the same 60 day discretionary cancellation or cancellation for cause by the respective user Agencies.

CONTRACT UPDATES - ADDITION AND DELETION PRODUCTS:

The contract prices may be subject to increase or decrease during the contract period in accordance with changes which may be made by the manufacturer in their established, nationally distributed price list or published catalog. Catalog or price lists may indicate increases or decreases in pricing, but the percentage discount originally accepted for award shall not be decreased during the contract period. Discounts can always be increased.

New products will be considered for inclusion provided they are pertinent to the Awarded Lot description and offered to the State at the same Lot discount or greater, terms and conditions as in the original bid. Product changes to Contract are addressed in the following manner. In order to expedite processing of a change request that involves more than one specified category below, each request should be submitted separately to OGS.

a.) **AUTO ADDS / DELETIONS** – “Auto Adds/Deletions” are Contract changes and updates made in accordance with the previously approved Contract pricing formula; e.g., a “discount from list” or pricing based on an approved GSA-based price Schedule. “Auto Adds/Deletions” include: i) adding new products within the established, previously approved pricing structure, ii) lowering pricing for Products previously incorporated under the Contract, and iii) deleting Products previously incorporated under the Contract. Contractor shall forward the updated Contract price list to OGS for prior approval before changes (additions or deletions) are made to the Contract. Contractor may not supply new product offerings until after receipt of OGS approval.

While price decreases (ii) may take effect at any time, Contractor shall provide to OGS new updated price lists. For category (iii) Auto Deletions, Contractor must supply documentation supporting the unavailability of the product to the US market. Contractor should note, however, that all “Auto Adds” or Deletions approved by OGS are subject to a post audit by the Office of the State Comptroller.

b.) **REGULAR ADD** - “Regular Adds” are requests for i) price increases for Products incorporated under the Contract for other than previously approved pricing structure, and ii) addition of new products to the Contract which do not fall under the previously established price structure or discounts for Product types previously approved under the Contract. Regular Adds include but are not limited to newly added manufacturer's product lines, re-bundled Products or Services, etc. Regular Adds must be submitted to OGS for prior approval, and must be accompanied by a justification of reasonableness of price. Regular Adds are subject to pre-audit by the Comptroller. If approved, OGS staff will notify Contractor in writing. Contractor may not supply new product offerings until after receipt of OGS approval of the “Regular Add.” When Contract pricing is based on GSA prices, the revised prices or prices of new Products must reflect current GSA prices adjusted as necessary for any additional discounts.

(continued)

CONTRACT UPDATES - ADDITION AND DELETION PRODUCTS: (Cont'd)

c.) SPECIAL ADD – Contract changes and updates that do not fall within either of the above categories will be processed as “Special Adds”. Special Adds are changes that are not specifically covered by the terms of the Contract but inclusion is found to be in the best interest of the State. Contractor must provide a justification of reasonableness of the prices offered and a statement explaining why it is in the best interest of the State to approve the new Products. Special Adds are subject to pre-audit by the Office of the State Comptroller. If approved, OGS staff will notify Contractor in writing. Contractor may not supply new offerings until after receipt of OGS approval of the “Special Add.”

DISCOUNTS:

Percentage discount(s) offered are to be based on suggested standard pricing as described in the catalog and/or related price list. The percentage discount offered to customer agencies may be increased at any time. Discounts may be greater, but in no instance may they be lower, than the awarded discount for the entire term of the contract.

VOLUME DISCOUNTS:

Volume discounts may be applied per purchase order and/or cumulatively per customer agency per year. Volume discounts shall be defined and applied as follows: Purchase order volume discounts shall be additional discount(s) applied to individual purchase orders over a specified dollar amount (Option I). Cumulative or aggregated volume discount(s) shall be an additional discount(s) applied to purchases from individual agencies based on aggregated dollar volumes per year (Option II). It is the ordering agency’s responsibility to track and monitor the sales volume to ensure they are receiving the appropriate volume discount(s).

DELIVERY:

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

Product is required as soon as possible.

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.

ESTIMATED QUANTITIES:

The historical dollar value of all contracts issued under the previous award was approximately \$14,000,000.00 annually. However, each contract shall be for the quantities or dollar values actually ordered during the contract period. The individual value of each contract is indeterminate and will depend upon the number of contracts issued and the competitiveness of the pricing offered. Agencies will be encouraged to purchase from contractors who offer the supplies, services, and pricing that best meet their needs in the most practical and economical manner. See "Estimated/Specific Quantity Contracts" and "Participation in Centralized Contracts" in Appendix B, OGS General Specifications.

CONTRACT PERIOD AND RENEWALS:

It is the intention of the State to enter into a contract for a term of five (5) years as stated herein except that the commencement and termination dates appearing on the Invitation for Bids may be adjusted forward unilaterally by the State for any resulting contract for up to two calendar months, by indicating such change on the Contract Award Notification.

The contract dates may be adjusted forward beyond two months only with the approval of the successful bidder. If, however, the bidder is not willing to accept an adjustment of the contract dates beyond the two month period, the State reserves the right to proceed with an award to another bidder.

The contract prices may be subject to increase or decrease during the contract period in accordance with changes which may be made by the manufacturer in their established, nationally distributed price list or published catalog. Catalog or price lists may indicate increases or decreases in pricing, but the percentage discount originally accepted for award shall not be decreased during the contract period. Discounts can always be increased.

(continued)

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.

CONTRACT MIGRATION:

State Agencies or any other authorized user holding individual contracts with contractors under this centralized contract shall be able to migrate to this contract award with the same contractor, effective on the contract begin date (retroactively, if applicable). Migration by an agency or any other authorized user to the centralized contract shall not operate to diminish, alter or extinguish any right that the agency or other authorized user otherwise had under the terms and conditions of their original contract.

WARRANTIES:

See "Warranties" in Appendix B, OGS General Specifications.

RESERVATION:

The State reserves the right to negotiate lower pricing, or to advertise for bids, any unanticipated excessive purchase. An "unanticipated excessive purchase" is defined as an unexpected order for a contract product(s) totaling more than \$30,000.00.

EPA ENERGY STAR PROGRAM:

The Federal EPA, in cooperation with manufacturers, continues a program to foster the manufacture of energy efficient equipment. New York State fully supports this effort and requires all products offered to comply with EPA Energy Star guidelines for energy efficiency. The State may discontinue use of and/or delete from contract selected products as mandated by any NYS energy legislation that is enacted during the term of this contract. The contractor shall have no recourse with the State for such discontinuance/deletion.

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.

Catalogs and price lists may be furnished in either hard-copy or electronic format. If available in both formats, they shall be furnished in the format preferred by the requesting authorized user. Upon request the contractor shall assist authorized users in the use of catalogs and price lists.

INSTRUCTION MANUALS:

Simultaneous with delivery, the contractor(s) shall furnish to the authorized user a complete instruction manual for the product and for each component supplied. The manual shall include complete instructions for unpacking, inspecting, installing, adjusting, aligning, and operating the product, together with layout and interconnection diagrams, schematic and wiring diagrams, preventive and corrective maintenance procedures, and complete parts lists, manufacturer's catalog numbers, and ordering information, if applicable.

(continued)

REPORT OF CONTRACT PURCHASES:

Contractor shall furnish a report containing both state agency and authorized non-state agency contract purchases no later than forty-five (45) days after the close of each calendar quarter. In addition to contractor direct sales, contractor shall submit sales information for all resellers, dealers, distributors or other authorized distribution channels, where such contract sales are provided by other than the contractor. Contractors shall verify if each alternate vendor is a NYS Certified Minority (MBE) or Women (WBE) Owned Businesses. Contractors shall verify such status through the Empire State Development Minority and Women Owned Businesses Database web site at: <http://205.232.252.35/>.

A separate report shall be provided in the following format for each authorized distribution channel. The sales report form is forwarded to each contractor at time of award for completion in accordance with the contract terms and conditions:

<u>Item/ SubItem Number</u>	<u>Product or Catalog Number</u>	<u>Product/ Service Description</u>	<u>Total Quantity Shipped to State Agencies</u>	<u>Total Quantity Shipped to Authorized Non-State Agencies</u>	<u>Total \$ Value</u>
					\$
				Grand Total	\$

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 Group Number, the Award Number, Contract Number, sales period, and contractor's (or other authorized agent) name. The outlined sales report is the minimum information required. Additional related sales information, such as monthly reports, and/or detailed user purchases may be required and must be supplied upon request.

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 products or services, the Commissioner reserves the right to obtain such products 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 products or services procured from other sources pursuant to this paragraph.

"OGS OR LESS" GUIDELINES APPLY TO THIS CONTRACT:

Purchases of the products 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 products from sources other than the contractor provided that such products are substantially similar in form, function or utility to the products 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.

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DIESEL EMISSION REDUCTION ACT OF 2006 (NEW REQUIREMENT OF LAW):

On February 12, 2007 the Diesel Emissions Reduction Act took effect as law (the "Law"). Pursuant to new §19-0323 of the N.Y. Environmental Conservation Law ("NYECL") it is now a requirement that heavy duty diesel vehicles in excess of 8,500 pounds use the best available retrofit technology ("BART") and ultra low sulfur diesel fuel ("ULSD"). The requirement of the Law applies to all vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities. They need to be operated exclusively on ULSD by February 12, 2007. It also requires that such vehicles owned, operated by or on behalf of, or leased by State agencies and State or regional public authorities with more than half of its governing body appointed by the Governor utilize BART.

As a contract vendor the Law may be applicable to vehicles used by contract vendors "on behalf of" State agencies and public authorities. Thirty-three percent (33%) of affected vehicles must have BART by December 31, 2008, sixty-six percent (66%) by December 31, 2009 and one-hundred percent (100%) by December 31, 2010. The Law provides a list of exempted vehicles. Regulations currently being drafted will provide further guidance as to the effects of the Law on contract vendors using heavy duty diesel vehicles on behalf of the State. The Law also permits waivers of ULSD and BART under limited circumstances at the discretion of the Commissioner of Environmental Conservation. The Law will also require reporting from State agencies and from contract vendors in affected contracts.

Therefore, the bidder hereby certifies and warrants that all heavy duty vehicles, as defined in NYECL §19-0323, to be used under this contract, will comply with the specifications and provisions of NYECL §19-0323, and any regulations promulgated pursuant thereto, which requires the use of BART and ULSD, unless specifically waived by NYSDEC. Qualification and application for a waiver under this Law will be the responsibility of the bidder.

PERIODIC RECRUITMENT:

The State reserves the right to consider additional vendors for award on manufacturer's lines or categories that are not covered on the awards; starting approximately one year from the contract award beginning date and at yearly intervals during the course of the contract or at any time determined by the State to be in its best interest. Single/or Sole Source vendors shall be required to submit this original bid document which may include an addendum containing additional applicable statutory requirements currently in effect at the time of the new bid solicitation. Bids shall be evaluated under the same terms and conditions as stated herein; with an additional requirement that the vendor provide information that they are the sole/single source for the equipment offered. Once awarded a contract, a vendor may not resubmit a bid on an awarded line for future consideration until a new Invitation for Bids is issued.

For addition of Non-Single/non-Sole Source suppliers (brands for which competition exists) upon receipt of suitable "proof of sales" and the requirements stated herein during the interim of the contract period if it is found that new product lines or categories are required by our NYS contract end users, the State reserves the right to bid for those products and add the newly awarded product to this contract.

(continued)

**State of New York
Office of General Services
PROCUREMENT SERVICES GROUP
Contract Performance Report**

Please take a moment to let us know how this contract award has measured up to your expectations. If reporting on more than one contractor or product, please make copies as needed. This office will use the information to improve our contract award, where appropriate. **Comments should include those of the product's end user.**

Contract No.: _____ **Contractor:** _____

Describe Product* Provided (Include Item No., if available): _____

***Note:** "Product" is defined as a deliverable under any Bid or Contract, which may include commodities (including printing), services and/or technology. The term "Product" includes Licensed Software.

	Excellent	Good	Acceptable	Unacceptable
• Product meets your needs				
• Product meets contract specifications				
• Pricing				

CONTRACTOR

	Excellent	Good	Acceptable	Unacceptable
• Timeliness of delivery				
• Completeness of order (fill rate)				
• Responsiveness to inquiries				
• Employee courtesy				
• Problem resolution				

Comments: _____

 _____ (over)

Agency: _____ Prepared by: _____
 Address: _____ Title: _____
 _____ Date: _____
 _____ Phone: _____
 _____ E-mail: _____

Please detach or photocopy this form & return by FAX to 518/474-2437 or mail to:

OGS PROCUREMENT SERVICES GROUP
 Customer Services, 37th Floor
 Corning 2nd Tower - Empire State Plaza
 Albany, New York 12242

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