

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 34104 - Diagnostic Reagents, Supplies and Accessories and HIV-1 Monitor Kits (Roche Diagnostic Corporation, Inc.) (DOH) Classification Code(s): 12 & 42
Award Number	:	<u>C-02595</u>
Contract Period	:	September 1, 2002 through August 31, 2004
Bid Opening Date	:	July 30, 2002
Date of Issue	:	September 3, 2002
Specification Reference	:	As Incorporated In The Request for Quotation
Contractor Information	:	Appears on Page 2 of this Award

Address Inquiries To:

State Agencies & Vendors	
Name	: William Englander
Title	: Purchasing Officer I
Phone	: 518-474-3822
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E-mail	: william.englisher@ogs.state.ny.us

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

Description

Supplies and Accessories for Roche Diagnostic's Elecsys 2010, Hitachi and LightCycler product line. HIV Monitor Kits.

PR # 02595

(continued)

NOTE: See individual contract items to determine actual awardees.

<u>CONTRACT #</u>	<u>CONTRACTOR & ADDRESS</u>	<u>TELEPHONE #</u>	<u>FED.IDENT.#</u>
PC59729	ROCHE DIAGNOSTIC CORPORATION 9115 Hague Road Indianapolis, IN 46250-0457	800-428-5074 ext. 3823 Julie Gates Fax: 317-576-7129 Website: www.roche.com	132511923

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 ALL CONTRACT USERS:

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

PRICE:

Price shall include all customs duties and charges and be net, F.O.B. destination any point in New York State as designated by the ordering agency including NYS Dept. of Health, Wadsworth Center, 120 New Scotland Avenue, Albany, NY 12208 including tailgate delivery.

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

(continued)

LOT I - DIAGNOSTIC REAGENTS

Roche Diagnostic, Inc., Elecsys 2010 product line

<u>Item #</u>	<u>Cat. #</u>	<u>Description</u>	<u>Price Each</u>
1	1972111	Elecsys Osteocalcin Calset	\$80.00
2	3045846	Elecsys CA 15-3 II Calset	\$49.00
3	3045838	Elecsys CA 15-3 II Reagent	\$588.00
4	3064921	Elecsys Estradiol II Calset II	\$49.00
5	3000079	Elecsys Estradiol II Kit	\$367.50
6	1820761	Elecsys Folate	\$225.00
7	1820877	Elecsys Folate Calset	\$80.00
8	1820800	Elecsys Free PSA	\$588.00
9	1820915	Elecsys Free PSA Calset	\$49.00
10	3032680	Elecsys FSH Calset II	\$49.00
11	3133923	Elecsys HCG Calset II	\$49.00
12	1972227	Elecsys Precicontrol Bone	\$120.00
13	2018209	Elecsys Precicontrol Cardiac	\$80.00
14	1776479	Elecsys Precicontrol TSH	\$49.00
15	1776452	Elecsys Precicontrol Tumor Marker	\$160.00
16	1731416	Elecsys Precicontrol Universal	\$80.00
17	37104400	Elecsys Printer Paper 2400 Shts	\$53.41
18	40904100	Elecsys Sample Cups 1000X2ML	\$52.80
19	3005658	Elecsys Testosterone Cal Set II	\$49.00
20	1775502	Precicontrol Cardiac Elecsys	\$80.00
21	2017547	Insulin Reagent Pack	\$367.50
22	2017504	Insulin Cal Set	\$80.00
23	1973193	Hcg. + beta	\$220.50
24	1973207	Hcg. + Calset	\$49.00
25	2144751	Hcg. + calcheck	\$49.00

DELIVERY SCHEDULE: To be called for as needed.

MANUFACTURER: Roche Diagnostic Corp.

GUARANTEED DELIVERY: 10 Calendar Days A/R/O

Electronic Access Ordering (EDI) is available. Contact contractor for details.

Person to contact for expediting New York State contract orders:

Roche Diagnostic Corp. CD Customer Service
800-428-5030
Fax: 800-628-5555

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

Normal Business Hours: 24 hours/day, 365 days/year
Technical Support
800-428-2336
Fax: 317-576-4145

(continued)

LOT II - REAGENTS AND SUPPLIES

Roche Diagnostics, Inc., Hitachi product line

<u>Item #</u>	<u>Cat. #</u>	<u>Description</u>	<u>Price Each</u>
1	1970593	Albumin BCG	Award Pending
2	1555685	Amylase	Award Pending
3	1489321	BUN/Urea	Award Pending
4	1125621	Calcium	\$173.95
5	1877763	Cholinesterase	Award Pending
6	1135328	Diluent	\$60.00
7	1970704	Iron	Award Pending
8	1489330	Magnesium	Award Pending
9	1489348	Phosphorus	\$82.81
10	1822721	Total Bilirubin	\$209.23
11	1040901	Total Protein	Award Pending
12	450032	Triglycerides/GS	\$191.10
13	870-0561	ISE Reference Electrode	\$110.74
14	722-4011	Sodium Electrode Cartridge	\$204.00
15	722-4002	Potassium Electrode Cartridge	\$207.20
16	722-4013	Chloride Electrode Cartridge	\$151.20
17	2149435	Precinorm U Plus	\$45.60
18	2149443	Precipath U Plus	\$45.60
19	759350	CFAS Calibrator	\$68.00
20	16658800	Precimat Glycerol	\$66.40
21	705-0840	Halogen Lamp	Award Pending
22	717-0551	Reaction Cuvette Set	\$740.00
23	4090410	Sample Cups	\$52.80
24	1406680	Sample Cups - Micro	\$24.00
25	1131080	4N System Cleaning Solution	\$16.00
26	1224310	Cell Clean 90	\$78.40
27	1135329	Hitergent	\$147.20
28	1131079	System Cleaning Solution	\$15.20
29	1135327	Wash Solution	\$42.40
30	071719402	Printer Ribbon	\$24.00
31	1877984	Ammonia	Award Pending
32	1775804	Precical Ammonia	\$88.00
33	166570	Preciset Ammonia	\$110.40
34	1775812	Precitrol Ammonia - Low	\$116.00
35	1775782	Precitrol Ammonia - High	\$116.00
36	1776347	Precitrol Ammonia - Mid	\$116.00
37	3030024	HDL-C plus 2nd generation	\$516.95
38	3038661	LDL-C plus 2nd generation	\$1048.60
39	781827	Precinorm L	\$64.80
40	1778552	Precipath H	\$96.00
41	2172623	c.f.a.s. Lipids	\$52.00
42	1488872	Triglycerides, GPO	\$711.48

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LOT II - REAGENTS AND SUPPLIES (con't)

Roche Diagnostics, Inc., Hitachi product line

DELIVERY SCHEDULE: To be called for as needed.

MANUFACTURER: Roche Diagnostics Corp.

GUARANTEED DELIVERY: 10 Calendar Days A/R/O

Electronic Access Ordering (EDI) is available. Contact contractor for details.

Person to contact for expediting New York State contract orders:

Roche Diagnostic Corp. CD Customer Service
800-428-5030
Fax: 800-628-5555

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

Normal Business Hours: 24 hours/day, 365 days/year
Technical Support
800-428-2336
Fax: 317-576-4145

LOT III - LIGHTCYCLER REAGENTS AND ACCESSORIES

Roche Diagnostics, Inc.

<u>Item #</u>	<u>Cat. #</u>	<u>Description</u>	<u>Price Each</u>
1	2158817	LC-DNA Master SYBR Green I	\$855.00
2	2158825	LC-DNA Hybridization Probes	\$795.00
3	2158833	LC-Control Kit DNA	\$190.00
4	1909339	LC Capillaries	\$445.00
5	1909282	LC Sample Carousel	\$1000.00
6	2158850	LC Color Compensation Set	\$115.00

DELIVERY SCHEDULE: To be called for as needed.

MANUFACTURER: Roche Diagnostic GmbH

GUARANTEED DELIVERY: 2 Calendar Days A/R/O from stock*

Electronic Access Ordering (EDI) is available. Contact contractor for details.

Person to contact for expediting New York State contract orders:

Roche Diagnostic Corp. CD Customer Service
800-428-5030
Fax: 800-628-5555

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

Normal Business Hours: 24 hours/day, 365 days/year
Technical Support
800-428-2336
Fax: 317-576-4145

*Orders for LightCycler Reagents and Accessories must be placed on Account Number 6873.

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LOT IV - HIV MONITOR KIT

Roche Diagnostics, Inc.

<u>Item #</u>	<u>Cat. #</u>	<u>Description</u>	<u>Price Each</u>
1	83088	HIV-1 Monitor Kit	\$1800.00

DELIVERY SCHEDULE: To be called for as needed.

MANUFACTURER: Roche Diagnostics Corp.

GUARANTEED DELIVERY: 2 Calendar Days A/R/O

Electronic Access Ordering (EDI) is available. Contact contractor for details.

Person to contact for expediting New York State contract orders:

Roche Diagnostic Corp. CD Customer Service
800-428-5030
Fax: 800-628-5555

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

Normal Business Hours: 24 hours/days, 365 days/year
Technical Support
800-428-2336
Fax: 317-576-4145

ESTIMATED QUANTITIES:

The quantities or dollar values listed are estimated only. See "Estimated/Specific Quantity Contracts" in Appendix B, OGS General Specifications. New reagents, supplies and accessories developed by Roche Diagnostic, Inc. for the Elecsys 2010, Hitachi and LightCycler Equipment and required by the New York State Department of Health may be added to the contract under the same terms and conditions.

CONTRACT PERIOD AND RENEWAL:

It is the intention of the State to enter into a contract for the terms as stated on the Request for Quotation except that the commencement and termination dates appearing on the Request for Quotation 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 and adjustment of the contract dates beyond the two month period, the State reserves the right to proceed with an award to another bidder.

Prices or discounts quoted are to be firm for the entire period of the contract. Price escalation or discount reduction will not be allowed and is specifically excluded from the terms and conditions of the Request for Quotation specifications and subsequent contract award.

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

SHORT TERM EXTENSION:

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

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CONTRACT MIGRATION:

Note: The State reserves the right to migrate from pricing under this contract to any contract which may subsequently be established for products contained herein.

WARRANTIES:

See "Warranties" and "Year 2000 Warranty" in Appendix B, OGS General Specifications.

PRICE SHEETS AND CATALOGS:

Upon request, Contractor shall be required to furnish, without charge, copies of the approved catalog and price lists to the New York State Dept. of Health. Upon request the contractor shall assist authorized users in the use of catalogs and price lists.

INSTRUCTION MANUALS:

Simultaneous with delivery, the contractor 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.

EMERGENCY PURCHASING:

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

USE OF RECYCLED OR REMANUFACTURED MATERIALS:

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

OVERLAPPING CONTRACT ITEMS:

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

NEW YORK STATE PROCUREMENT CARD:

See "Procurement Card" in Appendix B, OGS General Specifications. All bidders shall indicate whether or not they will accept the NYS Purchasing Card for orders up to \$2,500 (see Questions at end of bid document). Vendors wishing to set up a corporate account with AMEX should call AMEX at 1-800-686-5493.

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"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.

PSG's PROTEST POLICY:

It is the policy of the Office of General Services' Procurement Services Group (PSG) to provide vendors with an opportunity to administratively resolve complaints or inquiries related to PSG bid solicitations or contract awards. PSG encourages vendors to seek resolution of complaints through consultation with PSG staff. All such matters will be accorded impartial and timely consideration. Interested parties may also file formal written protests. A copy of PSG's Bid Protest 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). Click on "For Government - Contracts and Purchasing," then "Seller Information," then "Bid Protest Procedures for Vendors."

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**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, Room 3711
Corning 2nd Tower - Empire State Plaza
Albany, New York 12242
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