

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.ny.gov>

## CONTRACT AWARD NOTIFICATION

|                                |          |   |
|--------------------------------|----------|---|
| <b>Title</b>                   | <b>:</b> | <b>Group 10200 - Vaccines, New York State Dept. of Health Immunization Program</b><br><b>Classification Code(s): 51</b> |
| <b>Award Number</b>            | <b>:</b> | <b>C-02542</b>  |
| <b>Contract Period</b>         | <b>:</b> | <b>November 1, 2002 through October 31, 2012</b>  |
| <b>Bid Opening Date</b>        | <b>:</b> | <b>July 12, 2002</b>  |
| <b>Date of Issue</b>           | <b>:</b> | <b>December 16, 2002 (Revised: November 8, 2011)</b>  |
| <b>Specification Reference</b> | <b>:</b> | <b>As Incorporated In The Request for Quotation</b>   |
| <b>Contractor Information</b>  | <b>:</b> | <b>Appears on Page 2 of this Award</b>  |

### Address Inquiries To:

|                                     |  |
|-------------------------------------|--|
| <b>State Agencies &amp; Vendors</b> |  |
| Name                                | : Todd Kayser  |
| Title                               | : Purchasing Officer I   |
| Phone                               | : 518-474-4501   |
| Fax                                 | : 518-474-5052   |
| E-mail                              | : <a href="mailto:todd.kayser@ogs.ny.gov">todd.kayser@ogs.ny.gov</a> |

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

### Description

Vaccine products for N.Y. State Dept. of Health Immunization Bureau.

PR # 02542

**NOTE: See individual contract items to determine actual awardees.**

**CONTRACT #   CONTRACTOR & ADDRESS   TELEPHONE #   FED.IDENT.#   NYS VENDOR ID#**

|         |   |   |           |            |
|---------|---|---|-----------|------------|
| PC59776 | SANOFI PASTEUR, INC.<br>Discovery Drive<br>Swiftwater, PA 18370 | 800-822-2463<br>570-957-3486<br>Jill Bingham<br>Fax: 800-561-1216570-957-3272<br>E-mail: jill.bingham@sanofipasteur.com<br>Website: www.vaccineshoppe.com | 980033013 | 1000009835 |
|---------|---|---|-----------|------------|

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 this award are identified below in this document. We strongly advise all contract users to familiarize themselves with all terms and conditions before issuing a purchase order.

**PRICE:**

Price includes all customs duties and charges and is net, F.O.B. destination, NY State Dept. of Health Wadsworth Laboratories, Empire State Plaza, P3 Loading Dock J3, Albany, NY 12242 or McKesson Specialty Distribution, 4100 Quest Way, Suite 114, Memphis, TN 38115 as indicated on purchase order.

(continued)

**PRODUCT LINE: SANOFI PASTEUR - Federal (CDC) Contract Period 4/1/09 - 10/31/12**

**CONTRACTOR: SANOFI PASTEUR, INC.**

**PEDIATRIC/VFC VACCINES (prices last reviewed / updated August 9, 2011):**

| <b>Vaccine Description</b>           | <b>Package Qty</b> | <b>N.D.C.</b> | <b>Federal Excise Tax Per Package</b> | <b>Contract Price Per Package With FET Included</b> |
|--------------------------------------|--------------------|---------------|---------------------------------------|---|
| Daptacel Vaccine, 10 x 1 Dose Vials  | 10                 | 49281-0286-10 | \$22.50                               | \$145.10  |
| Decavac Vaccine, 10 x 1, Syringes    | 10                 | 49281-0291-10 | \$15.00                               | \$165.00  |
| Decavac Vaccine, 10 x 1 Vial         | 10                 | 49281-0291-83 | \$15.00                               | \$165.00  |
| Tripedia Vaccine, 10 x 1 Vial        | 10                 | 49281-0298-10 | \$22.50                               | \$132.50  |
| Adacel Vaccine 10 x 1 Dose Vial      | 10                 | 49281-0400-10 | \$22.50                               | \$295.90  |
| Adacel 5 x 1 syringe                 | 5                  | 49281-0400-15 | \$11.25                               | \$147.95  |
| Pentacel Vaccine 5 x 1 Dose Vial     | 5                  | 49281-0510-05 | \$18.75                               | \$262.75  |
| Acthib Vaccine 5 x 1 Dose            | 5                  | 49281-0545-05 | \$3.75                                | \$45.00   |
| Menactra Vaccine 5 single Dose Vials | 5                  | 49281-0589-05 | \$3.75                                | \$410.60  |
| Ipov Vaccine 10 Dose Vial            | 10                 | 49281-0860-10 | \$7.50                                | \$119.70  |

Manufacturer: Sanofi Pasteur, Inc.

Guaranteed Delivery: 4 Days A/R/O

Note: Some products, depending on order size and product availability are subject to split shipments.

Contractor has catalog available on the internet website [www.vaccineshoppe.com](http://www.vaccineshoppe.com) and offers Electronic Access Ordering (EDI).

Contractor accepts the New York State Procurement Card for orders up to \$15,000.00. No further discounts are applied for using the New York State Procurement Card.

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**Overnight Delivery:**

Prices shown are F.O.B. destination however, should agencies require overnight delivery they shall be liable for overnight delivery charge. Agencies are recommended to use New York State's Courier Services Contract as follows (information available from our OGS Web Site [www.ogs.ny.gov](http://www.ogs.ny.gov)):

- Group 79011, Award 20029- Small Package Delivery (statewide)

Sanofi Pasteur's telephone number to contact for expediting New York State contract orders and in the event of an emergency occurring after business hours or on weekends/holidays:

Normal Business Hours: M-F 8:00 AM - 8:00 PM  
Customer Account Management  
800-822-2463  
Fax: 800-561-1216

**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. Contact OSC to obtain an information packet at 518-474-4032 or e-mail to [epunit@osc.ny.gov](mailto:epunit@osc.ny.gov) or visit their website at [www.osc.ny.gov](http://www.osc.ny.gov).

**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.

**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.

(continued)

**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.ny.gov](http://www.ogs.ny.gov)). Click on "For Government - Contracts and Purchasing," then "Seller Information," then "Bid Protest Procedures for Vendors."

**CONTRACT TERM:**

The NY State contract term is coterminous with the most current Master (CDC and MMCAP) Contracts and any extensions which are approved by the State. Any new product, term, or price changes shall be submitted by the Contractor to the Office of General Services, Procurement Services Group for approval and shall be effective upon the date of issuance of a written notification to New York State contract users. If changes are not approved by OGS, either the contractor or OGS may terminate the Base Contract upon 30 days notice. OGS further reserves the right to terminate this Base Contract either upon cause or in the event that any material modification to the Master Contracts is determined not to be in the best interests of the State.

Upon expiration of the Master Contracts including any approved extension, Contractor may submit any subsequent contracts entered into for the same or similar products with the same Issuing Entity to the Office of General Services, Procurement Services Group. Price adjustments will be automatically approved upon notification to OGS and will become effective upon OGS notification.

In the event Contractor's Master Contract is terminated or not extended by the original Issuing Entity for any other reason and no new contract is let, OGS reserves the right, upon written agreement with Contractor, to extend the Base Contract for a period of one year from the date of such termination.

In the event the Master CDC contract is not renewed, New York State contract may revert to pricing equivalent to MMCAP. Likewise, should MMCAP equivalent prices expire, prices for New York State contract may revert to CDC contract price.

Note: Agency is advised that contracts are predicated upon contractor holding a master contract. Any change in the term of the master contract may effect the contract term for NY State. For individual contracts, the period of the current master contract is shown for each product line, in this instance Federal (CDC). Pricing expires on the expiration date of the Federal Contract as shown under each product line.

**CONTRACT PERIOD AND RENEWALS:**

Price decreases or discount increases are permitted at any time.

If mutually agreed between the Procurement Services Group and the contractor, the contract may be renewed under the same terms and conditions for additional period (s) not to exceed a total contract term of ten (10) years.

**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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**OVERLAPPING CONTRACT ITEMS:**

Products/services available in the resulting contract may also be available from other New York State contracts. Contract users will be advised to select the most cost effective procurement alternative that meets their program requirements and to maintain a procurement record documenting the basis for this selection.

**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.

**REPORT OF CONTRACT PURCHASES:**

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

| <u>Item/<br/>SubItem<br/>Number</u> | <u>Product or<br/>Catalog<br/>Number</u> | <u>Product/<br/>Service<br/>Description</u> | <u>Total<br/>Quantity Shipped</u> | <u>Total \$<br/>Value</u> |
|-------------------------------------|--|---|-----------------------------------|---------------------------|
|-------------------------------------|--|---|-----------------------------------|---------------------------|

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 Invitation for Bids Number, Contract Number, sales period, and contractor's name.

Additional related sales information, such as monthly reports, and/or detailed user purchases may be required and must be supplied upon request.

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

(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, 38<sup>th</sup> Floor  
 Corning Tower - Empire State Plaza  
 Albany, New York 12242  
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