

# STATE OF DELAWARE



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## ***DELAWARE HEALTH AND SOCIAL SERVICES***

DIVISION OF MANAGEMENT SERVICES

*"DMS - Serving Those Who Serve Delaware"*

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**SPECIFICATIONS AND CONTRACT DOCUMENTS NO. HSS 09-010**

**FOR**

### **TEST KITS, REAGENTS AND SUPPLIES**

(Contract Period: August 26, 2009 through August 25, 2012)

**Required for Use By**

**Public Health Laboratory**

<b>Deposit</b>	<b>WAIVED</b>
<b>Performance Bond</b>	<b>WAIVED</b>
<b>Date Due:</b>	<b>August 10, 2009</b>
	<b>11:00 A.M. Local Time</b>

Questions may be submitted to [sylvia.adams@state.de.us](mailto:sylvia.adams@state.de.us) until Noon on July 24, 2009.  
Q&A will be posted at <http://www.dhss.delaware.gov/dhss/rfp/dhssrfp.htm>  
no later than July 31, 2009.

Delaware Health and Social Services  
Main Administration Building – Sullivan Street  
Division of Management Services  
Procurement Branch  
1901 N. DuPont Highway  
New Castle, Delaware 19720

## INVITATION TO BID # HSS 09-010

Sealed bids for Test Kits, Reagents and Supplies are requested by the Public Health laboratory.

Sealed bids must be received by:

Delaware Health & Social Services  
Main Administration Building – Sullivan Street  
Division of Management Services, Procurement - Room # 262  
1901 N. DuPont Highway  
New Castle, Delaware 19720

until **11:00 A.M. local time on Monday, August 10, 2009** at which time they will be opened and recorded.

Questions may be submitted to [sylvia.adams@state.de.us](mailto:sylvia.adams@state.de.us) until Noon on July 24, 2009 and Q&A will be posted at <http://www.dhss.delaware.gov/dhss/rfp/dhssrfp.htm> no later than July 31, 2009.

Please review the General Rules and Conditions and the General Requirements, which appear on the DHSS website.

NOTE: The following paragraphs from the General Requirements hereby become part of the General Terms and Conditions of this bid.

**1, 2, 3, 4, 5, 6, 7, 9, 10, 13 and 25**

Applicable forms to this bid:

- 1.) Bidder Signature Form
- 2.) Vendor Certification Sheet (Commodities only)
- 3.) Office of Minority and Women Business Enterprise Form

All of the above documents and any Addenda associated with this bid can be accessed on the DHSS website:

<http://www.dhss.delaware.gov/dhss/rfp/dhssrfp.htm>

## NOTE TO VENDORS

- Only one bid will be accepted from a bidder. Remember to check the DHSS website for any Addenda before sending your bid.
- Your bid **must be signed** and all information on the Bidders Signature Form and Vendor Certification sheet completed.
- Include a detailed response to the specifications. Please specify if the vendor is unable to meet any of the specified items.
- Bid total must include delivery, installation, warranty, service agreement, training, and/or upgrades or **your bid will not be accepted.**
- Agency will review all bid proposals and evaluate same.

## DELIVERY INSTRUCTIONS

- Your bid must have on the outside envelope the HSS contract number. IF THIS IS OMITTED YOUR BID WILL IMMEDIATELY BE REJECTED.
- Under no circumstances will a bid be accepted that is late, delivered to the wrong building, signed for by a person other than a member of the procurement staff. To ensure that your bid is in the procurement office on the date and time specified, there are three (3) recommended methods of delivering bid proposals:
  - Hand Deliver
  - Federal Express
  - UPS

## FOR FURTHER BID INFORMATION PLEASE CONTACT:

Buyer: Sylvia T. Adams  
Delaware Health and Social Services  
Main Administration Building – Sullivan Street  
Division of Management Services  
Procurement Branch  
1901 N. DuPont Highway  
New Castle, Delaware 19720  
  
(302) 255-9297  
sylvia.adams@state.de.us

## **ADDITIONAL TERMS AND CONDITIONS**

### Ordering Procedure:

Successful contractors are required to have either a local telephone number within the (302) area code, a toll free (800) number, or agree to accept collect calls. Each Agency is responsible for placing their orders. This may be accomplished by written purchase order, telephone, fax or computer on-line systems.

### Billing:

The successful vendor is required to "Bill as Shipped" to the respective ordering agency(s). Ordering agencies shall provide at a minimum the contract number, ship to and bill to address, contract name and phone number.

### Payment:

The agencies or school districts involved will authorize and process for payment each invoice within thirty (30) days after the date of receipt. The contractor or vendor must accept full payment by procurement (credit) card and/or conventional check and/or other electronic means at the State's option, without imposing any additional fees, costs or conditions.

### Product Substitution:

All items delivered during the life of the contract shall be of the same type and manufacture as specified unless specific approval is given by DHSS-DMS-Procurement to do otherwise. Substitutions may require the submission of written specifications and product evaluation prior to any approvals being granted.

### Hold Harmless:

The contractor agrees that it shall indemnify and hold the State of Delaware and all its agencies harmless from and against all claims for injury, loss of life or damage to or loss of use of property cause or alleged to be caused by acts or omissions of the contractor, its employees and invitees on or about the premises and which arise out of the contractor's performance or failure to perform as specified in the Agreement.

### Force Majeure:

Neither the contractor nor the ordering Agency shall be held liable for non-performance under the terms and conditions of this contract due, but not limited to, government restriction, strike, flood, fire or unforeseen catastrophe beyond either party's control. Each party shall notify the other in writing of any situation that may prevent performance under the terms and conditions of this contract.

Vendor Emergency Response Point of Contact

*The awarded vendor(s) shall provide the contact person's name, address, telephone number and/or cell phone number of those individual(s) who can be contacted twenty-four (24) hours a day, seven (7) days a week where there is a critical need for commodities or services when the Governor of the State of Delaware declares a State of Emergency under the Delaware Emergency Operations Plan of April 2005. Failure to provide this information could render the bid as non-responsive.*

Contact Person: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Cell Phone Number: \_\_\_\_\_

## **SPECIAL TERMS AND CONDITIONS/REQUIREMENTS**

The following supersedes the General Requirements where applicable.

### **Pricing**

Pricing information calls for pricing on test kits, reagents and supplies as is customary for the market; however, it should be understood that the furnishing and delivering of equipment is included above and beyond that of test kits, reagents and supplies. Vendor shall retain title to the equipment and maintain and/or repair the equipment at no additional charge. The State of Delaware's liability shall be limited to such repairs as may be the direct, proven results of misuse/abuse of the part of the user.

### **Business License**

Prior to receiving an award, the successful vendor shall either furnish the Procurement Office with proof of State of Delaware Business Licensure or initiate the process of application. An application may be requested in writing to: Division of revenue, Carvel State Building, P.O. Box 8750, 820 N. French Street, Wilmington, DE 19899 or by telephone to one of the following numbers: (302) 577-8201 – Public Service or (302) 577-8205 – Licensing Department.

Information regarding the award of this contract will be given to the Division of Revenue. Failure to comply with the State of Delaware licensing requirements may subject your organization to applicable fines and/or interest penalties.

### **Evaluation and Award**

Evaluation will include, but not be limited to, equipment capability, bidder qualifications, costs, delivery, maintenance and repair service and response time. Award will be made to the lowest responsible bidder conforming to specifications, terms and conditions, or which best supports the overall needs of the project and end users in consideration of all appropriate factors which impact cost and performance.

Bidders must supply ALL pertinent information as to capabilities, performance, requirements, user orientation, methodology, dilution ratios and other data relevant to the effectiveness of the system in the user environment.

### **Payment**

No payment will be processed until the Delaware Public Health Laboratory personnel are satisfied that the testing reagents and instrumentation is functioning according to declared specifications.

## SPECIFICATIONS

### Scope

The State of Delaware Division of Public Health Laboratory seeks to enter into a three (3) year agreement with the option to renew for an additional year for a maximum of 2 renewals for analytical instrumentation, test kits, reagents and supplies used in the detection of gonorrhea (GC) and Chlamydia (CT) through analysis of urine and cervical/urethral swabs from both male and female clients using nucleic acid amplification technology utilizing automated high throughput instrumentation platform.

Anticipated annual test volumes could range from 25,000 to 35,000 specimens. However volume could increase based on the possibility of acquiring outside contracts from other agencies. Vendor must clearly address each criterion in writing as to how they meet the specifications.

### Equipment

1. Instrumentation and other associated laboratory equipment (i.e. centrifuges, thermocyclers, power conditioners, heat blocks, printers, computers, barcode readers, pipettors.) will be provided to use without additional expense to the laboratory.
2. System must employ positive sample identification from sample loading to reporting. The primary sample must be used throughout the testing phases.
3. System must utilize simultaneous amplification and detection using nucleic acid technology with a minimum sensitivity and specificity of 90% for all specimen types.
4. The system shall be FDA approved or cleared for use in testing symptomatic and asymptomatic male and female urine and cervical/urethral swabs. Proof of this approval or clearance must be included with bid.
5. During specimen processing or sample preparation aliquoting and/or cap removal must not be required to avoid contamination issues and all samples types must be able to be tested together in each run.
6. Specimen stability is important since so many agencies send samples to our laboratory. The testing methods must allow for specimen stability of up to 10 days from collection.
7. System design must allow for testing in a single area without the potential for contamination and be capable of running a minimum of 300 specimens

to a maximum of 500 specimens in an eight hour shift.

8. Alternate testing target or analytic specific reagents (ASR) must be available to confirm positive results if needed. Original molecular target must be broad enough to be able to detect any mutant strain that have been reported in our region.
9. The system must employ technology for the detection and/or elimination of inhibitors that can cause false negatives without added expense. Methods used to perform this function need to be described.
10. The system must be compatible with the Laboratory Information Management System (Labware) for direct reporting of patient results.

### **Test Kits, Reagents and Supplies**

Vendor will supply test kits, reagents, collection kits and all necessary miscellaneous supplies used in the detection of gonorrhea (GC) and Chlamydia (CT) through analysis of urine and cervical/urethral swabs using nucleic acid amplification technology utilizing automated high throughout instrumentation platform.

### **Pricing**

Provided "price per test" must include shipping costs and cost of all necessary materials, pipette tips, miscellaneous supplies, reagents and controls.

List breakdown of all items not included in "price per test" necessary to run on the equipment provided as part of this agreement. Include product numbers, descriptions and packaging information for all items.

Provide price of automated testing platform at these volume tier levels:

- Annual Test Volume of 20,000 to 29,999 Tests per Year
- Annual Test Volume of 30,000 to 49,999 Tests per Year
- Annual Test Volume of 50,000 to 65,000 Tests per Year

### **Delivery and Installation**

1. Successful vendor shall furnish and deliver, FOB inside, to the State of Delaware Division of Public Health Laboratory, 30 Sunnyside Road, Smyrna, DE 19977. Contact person and other pertinent information will be addressed at time of award.
2. Delivery of all necessary equipment must occur no later than 30 days after submission of the purchase order. Installation by the vendor must occur no later than 5 working days after notification of site readiness.

3. All ancillary pneumatic and electrical cables, cords, gauges, filters, lines, etc. must be supplied so that the instrument is operational upon installation.
4. Installation must include the entire instrument set-up and a demonstration to ensure that the system is in complete operational condition.

### **Training**

1. On-site instrument familiarization training upon installation. On-site introductory training of up to four DPH Laboratory staff members must be provided to assure that staff can operate and maintain the system satisfactorily.
2. Further technical training and travel, if required, must be included for two laboratory staff members to attend manufacturer's comprehensive course to learn operation, maintenance, and basic repair and troubleshooting of the instrument. This shall commence within a period of 60 days after installation at no additional cost to the Division.

### **Service and Support**

1. The time period must be clearly specified and include all services necessary to maintain the instrument for this period. This includes all parts, labor, travel, lodging and software updates.
2. In order to facilitate repairs, systems should be modular in order to ensure that repairs can be performed by modular replacement of major systems (i.e., critical components, power supplies, pumps, PC boards, etc.) rather than by multiple component troubleshooting and repair.
3. Application support must be provided in a timely manner with a telephone response time of 8 working hours by a service technician after initial contact is made by DPHL staff. On-site response must be no greater than 24 hours including delivery of necessary repair/upgrade parts.
4. Service must be provided by a factory trained engineer.
5. During the specified period of coverage, the vendor is expected to provide upgrades and/or replacements as they become available, as well as any corresponding training associated with such.

**REMARK: PLEASE ADHERE TO THE ABOVE SPECIFICATIONS AS LISTED IN THIS COMPETITIVE SEALED BID. DEVIATIONS FROM THESE SPECIFICATIONS WILL NOT BE ACCEPTED.**

Bid #: HSS 09-010

Vendor Name: \_\_\_\_\_

## **TOTAL COST PAGE**

(All products, delivery, service agreement, training, warranty and upgrades per year must be included in the total cost)

- Annual Test Volume of 20,000 to 29,999 Tests per Year: \_\_\_\_\_
- Annual Test Volume of 30,000 to 49,999 Tests per Year: \_\_\_\_\_
- Annual Test Volume of 50,000 to 65,000 Tests per Year: \_\_\_\_\_

### **All Bidders:**

**Please include 2 originals and 4 copies of your bid. This should include any pamphlets, or additional materials to be taken onto consideration.**