

STATE OF DELAWARE



DELAWARE HEALTH AND SOCIAL SERVICES

DIVISION OF MANAGEMENT SERVICES

"DMS - Serving Those Who Serve Delaware"

SPECIFICATIONS AND CONTRACT DOCUMENTS NO. 7270

FOR

Sharps Containers

Required for Use By

Various Delaware State Agencies

April 1, 2009 through March 31, 2010

**Deposit
Performance Bond
Date Due:**

WAIVED
WAIVED
**March 10, 2009
11:00A.M. Local Time**

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

INVITATION TO BID # 7270

Sealed bids for Sharps Containers are requested by the various Delaware State Agencies.

Sealed bids will be accepted at:

Delaware Health & Social Services
Main Administration Building - South Loop
Division of Management Services, Procurement (Second Floor) - Room # 262
1901 N. DuPont Highway
New Castle, Delaware 19720

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

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

The following forms must be included with your bid:

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

All of these documents can be accessed on the DHSS website:

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

PLEASE 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, 10, 13, 15, 16, 17, and 18.

NOTE TO VENDORS

- Only one bid will be accepted by a bidder.
- Your bid **must be signed** and all information on the signature page completed. If you do not intend to submit a bid, send an e-mail to the buyer stating that you do not intend to bid on this contract and would like to remain on the mailing list.
- Include a detailed response to the specifications. Please specify if the vendor is unable to meet any of the specified items.

DELIVERY INSTRUCTIONS

- Your bid must have on the outside envelope the DHSS four (4) digit ITB 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
DMS – Procurement Branch
Main Bldg., 2nd Floor, Room 262
1901 N. DuPont Highway
New Castle, DE 19720
(302) 255-9297
sylvia.adams@state.de.us

SPECIFICATIONS

The successful bidder(s) will supply various sharps containers to statewide healthcare facilities. Requirements for additional container models or accessories not included in the request for bid may be added through contract addenda at anytime during the contract period. Containers must be lockable, tamper-proof and meet all manufacturers' standards.

Please bid on each item listed in the space provided. All items bid must be Kendall, B & D brands or approved equivalent. **All bid prices must include delivery costs.** Approximately 30 orders will be placed during the term of this contract.

	Qty. Req.	Cost
1.) Wall/Cart Bracket for five (5) Qt. Container & 1/2 Gal. Container Kendall # 8519C or approved equivalent Each Bidding on: _____	Replacements only (each) 3	_____
2.) Five (5) Quart Container Kendall # 8512-01 or approved equivalent 20/case Bidding on: _____	90 cases	_____
3.) Three (3) Gallon Container Kendall # 8522-1R or approved equivalent 10/case Bidding on: _____	3 cases	_____
4.) Two (2) Gallon "Rotor Opening" Container Kendall # 8970 or approved equivalent 20/case Bidding on: _____	178 cases	_____
5.) Wall/Cart Bracket for two (2) Gallon Container Kendall # 8524-C or approved equivalent Each Bidding on: _____	Replacements Only (each)	_____
6.) Locking Bracket for two (2) Gallon Containers Kendall # 8963 or approved equivalent Each Bidding on: _____	Replacements Only (each) 11	_____

<p>7.) Table Top Holder for two (2) Gallon Containers Kendall # 8974 or approved equivalent Each Bidding on: _____</p>	<p>Replacements Only (each)</p>	<p>_____</p>
<p>8.) Locking Bracket for two (2) and three (3) Gallon Containers Kendall # 8528-C or approved equivalent Each Bidding on: _____</p>	<p>Replacements Only (each)</p>	<p>_____</p>
<p>9.) One (1) Quart Container Kendall # 8900SA or approved equivalent 100/case Bidding on: _____</p>	<p>4 cases</p>	<p>_____</p>
<p>10.) Holder for one (1) Quart Container Kendall # 8910 or approved equivalent Each Bidding on: _____</p>	<p>Replacements Only (each)</p>	<p>_____</p>
<p>11.) Eight (8) Gallon Containers Kendall # 8980 or approved equivalent 10/case Bidding on: _____</p>	<p>4 cases</p>	<p>_____</p>
<p>12.) One point five (1.5) Quart Container B&D #305487 or approved equivalent 100/case Bidding on: _____</p>	<p>23 cases</p>	<p>_____</p>
<p>13.) Three point three (3.3) Quart Containers B&D #305488 or approved equivalent 40/case Bidding on: _____</p>	<p>1 cases</p>	<p>_____</p>
<p>14.) Eight point two (8.2) Quart Containers B&D #305490 or approved equivalent 20/case Bidding on: _____</p>	<p>1 cases</p>	<p>_____</p>

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.

SPECIAL TERMS AND CONDITIONS

1. Prices are to be held from **April 1, 2009 through March 31, 2010**. Basis for awarding purchase orders against this quotation include, but are not limited to low bid, vendor performance record, lead time and cash discounts, in the best interest of the Department of Health & Social Services, State of Delaware.

In case of any doubt or difference of opinion as to the items to be furnished hereunder, the decision of the Chief of Procurement of the Department of Health & Social Services shall be final and binding.

2. This contract will be for one (1) year with the option to extend for one (1) year, up to three (3) years if agreed upon by all parties.
3. Itemized prices must be listed on the lines provided. Bid prices must include delivery costs and remain the same throughout the contract period.
4. Delivery shall be 5 to 7 days ARO. Agencies are to be notified if deliveries cannot be made as specified.
5. The State of Delaware reserves the right to add items not listed in the Bid package, if a future requirement exists.
6. Contract can be utilized by any State facility or agency in the State. Orders and quantities as indicated are total estimated requirements and may increase or decrease.
7. The awarded vendor will provide literature, brochures and other information covering the product lines, at time of bid.