



**Office of General Services
Procurement Services**

Corning Tower, Empire State Plaza, Albany, NY 12242 | <https://ogs.ny.gov/procurement> | customer.services@ogs.ny.gov | 518-474-6717

Contract Award Notification

Title	: Group 10201 – PHARMACEUTICALS (Individual Prescriptions), (Statewide and Regional) Classification Code(s): 51, 85
Award Number	: <u>23241</u> (Replaces Award 22884)
Contract Period	: August 26, 2022 – August 25, 2027
Bid Opening Date	: June 17, 2021
Date of Issue	: August 26, 2022
Specification Reference	: As Incorporated In The Solicitation
Contractor Information	: Appears on Page 2 through 4 of this Award

Address Inquiries To:

State Agencies & Vendors	Political Subdivisions & Others
Name : Sean T. Baldwin Title : Contract Management Specialist 1 Phone : 518-473-7411 E-mail : sean.baldwin@ogs.ny.gov	Procurement Services Customer Services Phone : 518-474-6717 E-mail : customer.services@ogs.ny.gov

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

Description

The award establishes statewide and regional contracts with multiple contractors to provide New York State authorized users with pharmacists' services and delivery of individual prescriptions and/or limited over the counter pharmaceutical products.

This Award has 0% MBE, 0% WBE and 0% SDVOB goal requirements.

PR # 23241

OGS CONTRACT NUMBER	CONTRACTOR	FEDERAL ID #	NYS VENDOR ID #
PC69486	Community Care Rx Inc.	274038509	1100217135
PC69487	HealthDirect Institutional Pharmacy Services, Inc.	262269880	1100113120
PC69488	Pharmacy Corporation of America d/b/a PharMerica	953849613	1100094432
PC69490	Upstate Pharmacy Ltd	161544029	1000008347
PC69489	Tap Rx, LLC d/b/a ProCare LTC	475357768	1100265069

For complete Contractor information and Pricing information for this Award, please see the Contractor Information page located on the OGS Website at:
<https://online.ogs.ny.gov/purchase/spg/awards/1020123241CAN.HTM>

CONTRACTORS BY LOT / REGION:

LOT 1 / REGION 1			
COUNTIES	CONTRACTOR: Upstate Pharmacy Ltd		
	Item #	Description	% Discount off of AWP or Dollar Amount
Allegany			
Cattaraugus	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	28.00%
Chautauqua	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	90.00%
Chemung	3.	Dispensing Fee	\$0.00
Erie			
Genesee			
Livingston	4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	80.00%
Monroe			
Niagara			
Ontario			
Orleans			
Schuyler			
Seneca			
Steuben			
Wayne			
Wyoming			
Yates			
	CONTRACTOR: Tap Rx, LLC d/b/a ProCare LTC		
	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	25.00%
	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	85.00%
	3.	Dispensing Fee	\$0.00
	4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	25.00%

LOT 2 / REGION 2			
COUNTIES	CONTRACTOR: Tap Rx, LLC d/b/a ProCare LTC		
Broome Cayuga Chenango Cortland Delaware Fulton Hamilton Herkimer Jefferson Lewis Madison Montgomery Oneida Onondaga Oswego Otsego St. Lawrence Schoharie Tioga Tompkins	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	25.00%
	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	85.00%
	3.	Dispensing Fee	\$0.00
	4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	25.00%
CONTRACTOR: Community Care Rx Inc.			
	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	26.50%
	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	85.00%
	3.	Dispensing Fee	\$1.50
	4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	15.00%

LOT 3 / REGION 3			
COUNTIES	CONTRACTOR: Community Care Rx Inc.		
Albany Clinton Columbia Essex Franklin Greene Rensselaer Saratoga Schenectady Warren Washington	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	26.50%
	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	85.00%
	3.	Dispensing Fee	\$1.50
	4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	15.00%
CONTRACTOR: HealthDirect Institutional Pharmacy Services, Inc.			
	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	26.50%
	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	85.00%
	3.	Dispensing Fee	\$2.25
	4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	15.00%

LOT 4 / REGION 4			
COUNTIES	CONTRACTOR: Tap Rx, LLC d/b/a ProCare LTC		
Bronx Dutchess Kings Nassau New York Orange Putnam Queens Richmond Rockland Suffolk Sullivan Ulster Westchester	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	25.00%
	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	85.00%
	3.	Dispensing Fee	\$0.00
	4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	25.00%
	CONTRACTOR: Community Care Rx Inc.		
	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	26.50%
2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	85.00%	
3.	Dispensing Fee	\$1.50	
4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	15.00%	

LOT 5 / REGION 5			
COUNTIES	CONTRACTOR: Pharmacy Corporation of America d/b/a PharMerica		
All Counties All Regions	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	25.00%
	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	90.00%
	3.	Dispensing Fee	\$5.00
	4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	50.00%
	CONTRACTOR: Community Care Rx Inc.		
	Item #	Description	% Discount off of AWP or Dollar Amount
	1.	Brand Name Drugs (Discount from Medi-Span Average Wholesale Price)	26.50%
	2.	Generic Drugs (Discount from Medi-Span Average Wholesale Price)	85.00%
	3.	Dispensing Fee	\$1.50
4.	Over-the-Counter (Discount from Medi-Span Average Wholesale Price)	15.00%	

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 NEW YORK STATE PROCUREMENT SERVICES 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 PROCUREMENT SERVICES.

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

Procurement Services 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).

PROCUREMENT INSTRUCTIONS TO AUTHORIZED USERS

The resultant Contracts will be centralized Contracts issued under a multiple award structure for each of the Lots described in the Section titled *Scope*. Products offered under the Contracts, pricing, and other Contract information will be posted to the OGS website and, if applicable, the awarded Contractors' dedicated NYS websites. Authorized Users shall procure Products that best meet their form, function and utility requirements.

Before proceeding with their purchase, Authorized Users shall check the list of Preferred Source offerings and are reminded that they must comply with State Finance Law, particularly § 162, regarding commodities/services provided by preferred source suppliers.

If the needed Products are not available in the desired form, function and utility from a Preferred Source, the Authorized Users are encouraged to obtain quotes from all awarded Contractors within the applicable Region prior to making a purchase. The Authorized User shall review the responses from Contractors able to provide the necessary Products and shall select the most practical and economical alternative that is in the best interest of the State from among such responses in accordance with State Finance Law § 163(10)(c). The Authorized User shall document its procurement decisions in its procurement record.

Authorized Users will issue Purchase Orders directly to the Contractor and specify any shipping/delivery requirements.

When placing Purchase Orders under the Contract(s), the Authorized User should be familiar with and follow the terms and conditions governing the use of the Contract(s). The Authorized User is responsible for compliance with the requirements of public procurement processes. The Authorized User, when purchasing from OGS Contracts, should hold the Contractor accountable for 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, and such documentation should include: statement of need and associated requirements; all necessary prior approvals; a summary of the Contract alternatives considered for the purchase; and the reason(s) supporting the resulting purchase (e.g., show that 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).

Upon Authorized User acceptance of Products itemized on the Purchase Order, Contractor will invoice Authorized User for any portion of Products accepted, and accordingly, Authorized User will arrange for payment. Contractor shall provide itemized invoicing for all Products.

Note: Contractor must disclose prior to acceptance of an order any forms or other order information that Contractor will attach to orders or require to be completed with Authorized User purchases. Documents which contain additional terms or conditions must receive pre-approval by the Authorized User. Additional terms or conditions that were not pre-approved by the Authorized User or which conflict with the Contract terms and conditions are void and unenforceable at the sole discretion of the State.

**State of New York
Office of General Services
PROCUREMENT SERVICES
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 complete this form & return via email to sean.baldwin@ogs.ny.gov or mail to:

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