

STATE OF DELAWARE



DELAWARE HEALTH AND SOCIAL SERVICES

DIVISION OF MANAGEMENT SERVICES

"DMS - Serving Those Who Serve Delaware"

SPECIFICATIONS AND CONTRACT DOCUMENTS NO. 7245

FOR

CONDOMS

Required for Use By

**Delaware Health and Social Services
Various Agencies**

**Deposit
Performance Bond
Date Due:**

**WAIVED
WAIVED
August 27, 2008
11:00 A.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 # 7245

Sealed bids for Condoms are requested by Delaware Health and Social Services, Division of Public Health.

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 Wednesday, August 27, 2008** at which time they will be opened and recorded.

Please review the DHSS General Rules and Conditions and the DHSS General Requirements, which appear on the DHSS DMS Funding 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 DMS Funding 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, 8, 9, 10, 15.

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.

- Bid totals must include delivery, installation, warranty, service agreement, training, and/or upgrades or **your bid will not be accepted.**
- This bid may be extended up to three (3) years.

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

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 CRITERIA

Samples

Please supply samples with your bid. Samples will NOT be returned.

Delivery

We will specify addresses when the order is placed to have condoms drop-shipped to sites throughout the state. Shipments loaded on a pallet should be delivered in a truck equipped with a lift gate.

SPECIFICATIONS

1. Must be electronically tested and meet U.S. Government Standards and ASTM Standards.
2. Must be made of 100% natural latex (except where noted).
3. All condoms must have water-based or silicon-based lubricants without spermicide.
4. Must be individually packaged.

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

All Bidders:

Please include 2 Originals and 4 Copies of each of your bids. This should include any pamphlets, or additional materials you want to be taken into consideration.