



Invitation To Bid

ITB 2022-12

"Annual Contract for Pharmaceutical Supplies"

Due: July 8, 2021 at/or before 10 am

Notice is hereby given that Webb County is currently accepting sealed Bids for an Annual Contract for Pharmaceutical Supplies. *This solicitation will comply with the Texas Local Government Code, Sub-Chapter C. (Competitive Bidding in General).*

The accompanying ITB with its terms, conditions, attachments and all other forms in this ITB package are due by or before 10 a.m. (Central Time) on, July 8, 2021. ***ITB received after the due date and time will not be accepted.*** All ITB meeting the required deadline will be read publicly at the following location in accordance with Webb County Purchasing Policies and Procedures:

Webb County Purchasing Department
1110 Washington St., Ste. 101
Laredo, Texas 78040

This ITB solicitation can be viewed at the following online address. Interested firms may submit their proposals by registering on Webb County's eBid site and uploading their file to our "Response Attachments" Tab. Should anyone need assistance please contact Mr. Juan Guerrero, Contract Administrator at (956) 523-4125.

<https://webbcountyebid.ionwave.net/Login.aspx>



Webb County reserves the right to reject any and all ITB, to waive informalities in the ITB process, or to terminate the ITB process at any time, if deemed in the best interest for Webb County.

THIS FORM MUST BE INCLUDED WITH ITB PACKAGE; PLEASE CHECK OFF EACH ITEM INCLUDED WITH ITB PACKAGE AND SIGN BELOW TO CONFIRM SUBMITTAL OF EACH REQUIRED ITEM.

***ITB # 2022-12
"Annual Contract for Pharmaceutical Supplies"***

- Bidder Information

- A minimum of five (5) references

- Bid sheet "Form A"

- Conflict of Interest form (Form CIQ)

- Certification regarding Debarment (Form H2048)

- Certification regarding Federal lobbying (Form 2049)

- Code of Ethics Affidavit

- Bonding Information

- Proof of No Delinquent Tax Owed to Webb County

Signature of person completing Bid

Date

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1. Introduction

Notice is hereby given that Webb County is seeking to award a contract with a successful bidder(s) for an Annual Contract for Pharmaceutical Supplies. *This solicitation will comply with the Texas Local Government Code, Sub-Chapter C. (Competitive Bidding in General).*

2. Bid Preparation Cost

The County will not reimburse any bidder for any costs involved in the preparation and submission of bids, amendments or other relevant documents associated with the ITB.

3. Instructions to Bidders

- a) Your Bid should be concise, specific, and complete and should demonstrate a thorough understanding of the terms and conditions.
- b) Unnecessarily elaborate brochures or other presentations beyond those sufficient to present a complete offer are not desired. Legibility, clarity, and completeness are much more important.
- c) Your Bid must be signed by an official authorized to bind your company or as an individual contractually and must be accompanied by a statement to the effect that your offer is firm for a period of not less than 60 calendar days after the closing date of the ITB.
- d) Bidder must provide all information required by "Form A" attached to include all corresponding documents required by Webb County Purchasing Agent.

4. Terms and Conditions

Term of contract shall be for Fiscal Year 2021-2022

Purchase Orders: Vendor must have a purchase order before making a delivery. Purchase Orders will be issued for each department authorized to place an order against the annual contract. The Purchase Order will list the individual items and or services along with the price.

Invoices: All Original invoices must include invoice number, invoice date, purchase order#, and corresponding department. All items must show a clear description of items purchased, and quantities ordered.

To ensure prompt payment all ORIGINAL invoices must be mailed or hand delivered by the vendor to the following address:

**Webb County Business Office
1110 Washington, Suite 203
Laredo, TX 78040**

Invoices may also be emailed to the following email address: apinvoices@webbcountytx.gov

Pricing: Pricing provided in the Bid/RFP/RFQ by the vendor must remain constant for the duration of the contract, and all prices must be rounded to the nearest cent. All charges, surcharges, fees, and all costs associated with shipping must be reflected in the price. Webb County will not pay charges that are not stipulated in our contracts.

Webb County reserves the right to reject any and all bids, to waive defects and formalities in such bids, and to award a contract to the vendor which it considers has submitted the bid with the overall best value.

Webb County reserves the right to select a primary and secondary vendor, and or to select multiple vendors for this contract. ***Contract Terms and Conditions are subject to change.***

5. Conflict of Interest

The contract or contracts in this solicitation are subject to Texas Govt. Code Sec. 2261.252(b), which prohibits the Webb County from entering into contracts with certain private vendors in which certain Webb County officers and employees have a financial interest. Each respondent shall include in its proposal a statement that it is not prohibited from entering into a contract with Webb County as a result of a financial interest as defined under Texas Govt. Code Sec. 2261.252(b).

A conflict of interest may involve conflicting incentives with regard to the firm as a whole, or any employee. The conflict may arise between the provider's work under a contract entered as a result of this solicitation and a relationship involving Webb County, a construction contractor, another engineering firm, a materials testing firm, a third party affected by the project, a sub provider for any other consultant or contractor, or any other entity with an interest in a project on which work is performed under a contract entered as a result of this solicitation.

6. Texas Ethics Commission Requirement Notification:

In 2015, the Texas Legislature adopted [House Bill 1295](#), which added section 2252.908 of the Government Code. The law states that a governmental entity or state agency may not enter into certain contracts with a business entity unless the business entity submits a disclosure of interested parties to the governmental entity or state agency at the time the business entity submits the signed contract to the governmental entity or state agency. The law applies only to a contract of a governmental entity or state agency that either (1) requires an action or vote by the governing body of the entity or agency before the contract may be signed or (2) has a value of at least \$1 million. The disclosure requirement applies to a contract entered into on or after January 1, 2016.

A signed and notarized Form 1295 shall be tendered to Webb County by providers selected to receive a contract prior to contract execution. Webb County will not evaluate the information provided, or respond to any questions on how to interpret the Texas Ethics Commission's rules.

For additional information, please reference the Texas Ethics Commission webpage at: <https://www.ethics.state.tx.us/tec/1295-Info.htm>

7. Webb County Purchasing Code of Ethics Policy

The County of Webb will ensure that it will promote and enforce proper ethical conduct by all Vendors, Procurement Officials, Elected Officials and County employees directly or indirectly involved in the procurement process. All vendors wishing to participate in any solicitation must sign and notarize the affidavit form included as part of this solicitation package and upload with your electronic submission. Failure to submit form will disqualify your bid or proposal package from being considered. [The Ethics Policy](#) can be viewed at the Webb County Purchasing Agents website for vendors to read prior to signing and submitting the affidavit form.

When responding to an Active Solicitation, Vendors shall be required to disclose donations and campaign contributions by the Vendor or any individual or entity acting on the Vendor's behalf to the Purchasing Agent or his designee made within six (6) months prior to the date of the Active Solicitation. Failure by a Vendor to accurately disclose such contributions may result in the Vendor's disqualification, debarment, or contract voidance as per Section 18 of the Ethics Policy.

The Webb County Purchasing Board approved the Code of Ethics policy on April 19, 2018 and adopted by the Webb County Commissioners Court on May 14, 2018.

8. General Conditions

Interested bidders shall familiarize themselves with conditions relating to the scope, specifications, and restrictions regarding the execution of work to be performed under the contract. It is the bidder's responsibility to obtain any additional information it deems necessary to submit in its ITB proposal, as well as in the performance of the contract. Information contained in this document should not be considered all-inclusive.

9. Bond Information

PAYMENT AND PERFORMANCE BONDS: ***PLEASE BE ADVISED THAT THIS CONTRACT MAY REQUIRE BOTH A PAYMENT AND/OR A PERFORMANCE BOND FROM THE CONTRACTED VENDOR.***

A Performance Bond is required for construction work if the contract is in excess of \$50,000 and a **Payment Bond is required** if a construction contract is in excess of \$25,000 in statutory compliance with applicable provisions of the Texas Local and Government Code.

Contractor shall supply the required Performance/Payment bonds to the Webb County Civil Legal Department within Seven (7) days of execution of the Construction Agreement or not later than Two (2) working days prior the date of the scheduled pre-construction meeting which shall be the "DEADLINE" for compliance and which both parties have mutually agreed to as an "Express Condition Precedent" to Webb County's contractual terms and conditions.

Bonds must be issued by companies authorized and admitted to do business in the State of Texas and rated B+ or better by A.M. Best Company (Best's Key Rating Guide, current Edition, and as amended) and/or otherwise acceptable to the Owner.

*** THE NOTICE TO PROCEED SHALL NOT BE ISSUED TO THE CONTRACTOR BY WEBB COUNTY WITHOUT THE DELIVERY OF ALL STATUTORILY REQUIRED PERFORMANCE AND/OR PAYMENT BONDS AND/OR PROOF OF ALL REQUIRED INSURANCE POLICIES TO WEBB COUNTY BY CONTRACTOR NOT LATER THAN TWO (2) WORKING DAYS PRIOR THE DATE OF THE SCHEDULED PRE-CONSTRUCTION MEETING "DEADLINE". IF THE**

CONTRACTOR FAILS TO PROVIDE SAID BONDS OR INSURANCE POLICIES BY THE DEADLINE SHALL CONSTITUTE A DEFAULT OF YOUR CONTRACT AND WEBB COUNTY SHALL AT THEIR SOLE OPTION AWARD THE CONTRACT TO THE NEXT LOWEST BIDDER OR RE-ADVERTISE THIS PROJECT FOR NEW BIDS/PROPOSALS. **

10. ITB SCHEDULE

Activity	Time	Date	Responsible Party
Public Notice/Newspaper	n/a	June 17 th , June 24 th	Webb Co. Purchasing Dept.
ITB on Website	n/a	June 17 th - Until Award	Webb Co. Purchasing Dept.
Sealed Bids Due	10 am	July 8 th	Proposer/Contractor
Evaluation of Bids	TBD	July 8 th – 12 th	Webb Co. Purchasing Dept.
Award of Contract	TBD	TBD	Governing Body
Finalization of Contract Doc	TBD	TBD	Webb County/Contractor
Commencement of Service	TBD	Oct 1	Webb County/Contractor

Footnote: County reserves the right to adjust time and dates on above projected schedule if it's in the best interest for Webb County.

11. Special Accommodations:

To request special accommodations pursuant to the Americans with Disabilities Act (ADA), please notify the contact shown below, a minimum of 48 hours prior to a scheduled meeting.

Mr. Juan Guerrero, Contract Administrator at (956) 523-4125 or email at juguerrero@webbcountytx.gov



Proposer Information

Name of Company: _____

Address: _____

City and State _____

Phone: _____

Email Address: _____

Signature of Person Authorized to Sign:

Signature

Print Name

Title

Indicate status as to "Partnership", "Corporation", "Land Owner", etc.

(Date)

Note:

All submissions relative to these ITB shall become the property of Webb County and are nonreturnable.

If any further information is required, please call the Webb County Contract Administrator, Juan Guerrero, at (956)523-4125.

References

Name of Local / State government or private company	Address	Phone	Name of Contact	Contract Active, if not when did it expire (If applicable)

“Form A”

Item # 1

Prescription medications will be ordered on an as needed basis only. There will be a prescription issued either by telephone or in writing by the attending physician. Controlled drugs will require a written prescription signed by the attending physicians.

Bid form will require the bidder price prescription drugs as a percent discount from the current Average Wholesale Price (AWP) Brand name less a discount, pricing should include all shipping charges. All shipments will be F.O.B. Destination (Free on Board)

Bid form will be also require the bidder price the prescription drugs as a percent discount from the current AWP generic less a discount, plus any additional charges for freight, delivery, etc.

Bidder is to indicate if there is a minimum charge on lower item customary discount prices.

Item # 2

Non-prescription medications will be ordered on a one-time per month basis (approximately).

All non-prescription items will be ordered and delivered during regular business hours only.

Bid form will require the bidders price non-prescription drugs as a percent discount from the current AWP brand name price plus any additional charges for freight, delivery, etc.

Bid form will also require the bidder price non-prescription drugs as a percent discount from the current AWP generic price a discount plus any additional charges for freight, delivery, etc.

Item #3

Non- Captive medical supplies will be priced as a percent discount of the listed price.

Item #4

The County of Webb is including the Unit Dose System as a part of the Annual Contract.

- a. The Unit Dose System consists of pill cards. Each medication is individually heat-sealed in blister pack medication cards.
- b. Each medication card is labeled with patient name, doctor's name the name of the medication, its strength, patient instructions, and quantity. This provides quick, accurate, and efficient inventory control.
- c. Each complete card set consists of a folding card with a foil sheet attached and a plastic pill cavity. Available in 30, 31, 60 and 90 dose cards, universal cards size is 5 ¼" wide x 8 ½" high.

Note: The Unit Dose System is designated with security in mind. It has an anti-pilferage that keeps medications secure and is in compliance with state regulations. The bidder is to identify any added cost related to the unit Dose System (in the bid form)

Item # 5

We are requesting as a separate item the following prescription drug:

VIVITROL DS 380mg SUSP KIT

Vivitrol is currently used by our Drug Court Program.

Item # 6 - Vendor's Information

- a. Please indicate the number of years this pharmacy has been in operation _____
- b. Is the Pharmacy available between the hours of 6:00 p.m. and 6:00 a.m. _____?
- c. Identify the hours and days available on weekend's _____
- d. Identify the daily store hours and days or the week _____
- e. Delivery will be within how many hours of request _____
- f. Does firm have an automated billing system _____

g. Invoice will have to identify the current Average Wholesale Price (AWP) and the discount for each medication

- h. Explain on-site support services available _____
- i. Explain your implementation of the formulary, method of ordering, non formulary medications, and previous experience with that formulary in other correctional facilities.

- j. Which of the following reports are you able to provide?
 - o Detailed inmate profiles;
 - o Patient drug allergy and drug interaction;
 - o Monthly drug usage per inmate
 - o Continual narcotic/controlled substances inventory;
 - o Monthly psycho-tropic usage report
 - o Computerized Medical Administration Record, delivered to the institution five (5) days before the end of the calendar month;

- List of inmates taking medications which are known to produce adverse side-effects when they are exposed to high temperatures or the sun;
 - Total doses per inmate dispensed;
 - Percentage of inmates on medications;
 - Percentage of inmates of psycho-tropics;
 - Formulary vs. non-formulary medications dispensed;
 - Number of prescriptions per inmate;
 - High to low usage by quantity dispensed;
 - Medication breakdown listed by specific physician;
 - Medication classification report;
 - Cost containment recommendations reports;
 - Stop date report;
 - Invoices containing drug name, NDC and AWP;
 - Customized management/cost containment reports
- k. Provider is required to offer toll free phone numbers and toll free fax number if pharmacy service is a long distance call.
- l. Service must provide pre-printed inmate specific medical administration records (MAR's) once monthly including inmates name, list of medications and administrative times
- m. Emergency drug box and starter packs may be furnished, supplied, and replenished. Identify additional cost _____.
- n. Facility may require locking medication distribution carts designed to support packaging be provided, and monitored for cost effectiveness. Identify additional cost _____.
- o. Generic equivalent of all drugs will be dispensed when a generic equivalent exists
- p. Based on current usage, for individual prescriptions, the average of 5 months is 345 individual prescriptions at an average expense of \$5,998.00 per month
- q. Include any other services available and any other costs not already included above.

Price Schedule

Webb County Law Enforcement Center – 1000 Washington St., Inside City Limits.
 Webb County Solomon Casseb Youth Village, 111 Camino Nuevo Rd. Hwy 359.

ITEM # 1

Description	(AWP-__%) Discount	Additional charges Freight /Others	Minimum to be charged on lower customary discount
Prescribed (Brand Name)			
Prescribed (Generic)			

ITEM #2

Non- Prescribed (Brand Name)	(AWP-__%) Discount	Additional charges Freight /Others
Non- Prescribed (Brand Name)		
Non-Prescribed (Generic)		

ITEM #3

Description	Identify discount price Listed price
Non-Captive Medical Supplies	_____ % from listed price

*Listed price refers to _____.

ITEM # 4

Description	Additional cost for use of Unit Dose System
Unit Dose System	\$ _____

ITEM # 5

Description	(AWP-__%) Discount	Additional charges Freight /Others	Minimum to be charged on lower customary discount
VIVITROL DS 380MG			
SUSP KIT			

Invoicing: Invoices must state average whole price (AWP), Discount, and final price.

Returns:

Credit will be issued at what percentage of amount billed to Webb County Sheriff's for unused/unopened medications _____%