

**EXHIBIT "A"**  
**HIDALGO COUNTY COMMUNITY SUPERVISION**  
**& CORRECTIONS DEPARTMENT**  
**"LEGEND & NON-LEGEND PHARMACEUTICAL and/or Medical Supplies"**  
**BID NO: 2010-087-00-00-MEG**

**INTRODUCTION**

The Hidalgo County Community Supervision and Corrections Department (hereafter called "Adult Probation") is a political entity of the 5<sup>th</sup> Judicial District Court of the State of Texas. On \_\_\_\_\_, 2010 Hidalgo County Commissioner's Court approved that Hidalgo County Purchasing Department conduct in obtaining Procurement sealed bids for Adult Probation with Texas Local Government Code Chapter 262 in accordance with Texas Government Code Chapter 76.004 (a) (3)

**PROJECT OVERVIEW**

Adult Probation is seeking vendors to provide the purchase of Legend (prescribed) & Non-Legend (non-prescribed) Pharmaceuticals and/or Medical Supplies on an **"AS NEEDED BASIS ONLY"** for residents housed at the Adult Probation Substance Abuse Treatment Facility (SATF) hereafter known as Facility. The department will be picking up all the orders unless otherwise advice.

When and if necessary Adult Probation will order for delivery to the two (2) locations listed below:

- Delivery address: 1000 N. M Road
- Edinburg, Texas 78539

**Legend items (prescribed)** 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 for any and all legend items in accordance with the Texas Pharmacy Act and related regulations.

**Non-legend items (non-prescribed)** bid information will be furnished to Adult Probation.

The Bidder(s) must offer Adult Probation a percentage discount from retail on all purchases by Adult Probation on non-legend (non-prescription) drugs.

Bidder(s) agrees that to the extent an item is unavailable from Bidder(s) own inventory, Bidder(s) will be responsible for locating an alternative supplier and for providing the product or service to Adult Probation for the bid price.

Bidder(s) may submit a bid for Item 1 only, for Item 2 only, or for both items.

**ITEM 1: Legend items (prescribed)**

- A. All bids must be based on a percentage mark-up or mark-down from current AWP (**Average Wholesale Price**).
1. **"Brand Name"** Percentage above or below AWP:  
\_\_\_\_\_ % above AWP      OR      \_\_\_\_\_ % below AWP
  2. **"Generic Brand"** Percentage above or below AWP:  
\_\_\_\_\_ % above AWP      OR      \_\_\_\_\_ % below AWP
- B. Regular business hours are from \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m.

**Note: all legend items will be ordered (s) and picked up during regular business hours only, unless item (s) are of emergency, therefore, item (s) must be available within a six to eight hour time frame.**

- C. Adult Probation is including the Unit Dose System as part of the contract. The unit dose system is designed with security in mind. It has an anti-pilferage that keeps secure and is in compliance with state regulations.

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- The Unit Dose System consists of pill cards and by quantity "non individual dose". Each medication is individually heat-sealed in blister pack medication cards.
  - Each medication card is labeled with patient name when requested, doctor's name, the name of the medication, its strength, patient instructions, and quantity, Lot #, Expiration Date, etc. This provides quick, accurate, and efficient inventory control. Extra labels must be provided.
  - 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. (Sample: Universal Card Size is 5¼" wide x 8½" high).
- D. Adult Probation requires generic substitute in all instances where an A-B rated equivalent drug is available unless specifically instructed otherwise by the attending physician placing the drug order, or his agent.

**ITEM 2: Non-legend items (non-prescribed)**

Bidder(s) will supply the Adult Probation requirements of non-prescription drugs for the contract period. Non-prescribed items will be ordered approximately every month on a one-time per month basis. The Bidder(s) will offer Adult Probation a percentage discount from retail on all purchases on non-legend (non-prescription) drugs.

- A. Blanket discount for non-prescription drugs. \_\_\_\_\_ %
- B. Regular business hours are from \_\_\_\_\_ a.m. to \_\_\_\_\_ p.m.

**Note: all non-legend items will be ordered (s) and picked up during regular business hours only, unless item(s) ordered are of emergency; therefore, item(s) must be available with a six to eight hour time frame.**

**REQUIREMENTS:**

Adult Probation has attached the most current medications utilized by the department. *Medications including but not limited to.*

1. Adult Probation reserves the right to add or delete more items if necessary.
2. Bidder(s) must possess a Class "A" **ONLY** License as defined in Section 5 of the Texas Pharmacy Act, under the Texas Pharmacy Act and related regulations.
3. Prescribe label must include the name of the pharmacy, phone number, prescription number, name of the client, medication name, strength, dosage and duration.
4. Bidder must provide an additional copy of prescribe labels.
5. Bidder must include the Lot Number, Expiration Date and Manufacture Company Name.
6. Bidder must have all capsules and tablets blistered packed.
7. Bidder must be located in the Edinburg, Texas area only.
8. Bidder will provide stock bottles (upon request) when ordered.

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9. The bidder(s) will provide antibiotics ordered within six to eight hours time frame. All legend(prescribed) items will be ordered during regular business hours only, unless item(s) are of emergency, therefore, item(s) must be available within a six to eight hour time frame.
10. The bidder(s) representative must be available to respond to all calls from the using County department to assist in the resolution of complaints and problems regarding orders and deliveries and the return of any and/or all goods.
11. The bidder(s) shall provide a telephone number for placement of calls against this bid, and shall provide the name, title and telephone number of a representative who may be contacted whenever problems arise concerning services. No telephone numbers provided for this purpose shall be serviced through an answering machine or other automatic answering device, or in any manner to impede immediate access to a representative capable of addressing problems.
  - Name:
  - Business and Cell Phone Numbers:
12. The awarded bidder(s) must provide for any pharmaceuticals/medications ordered by physician a Medical Administration Record Report to the Facility Nurse for the Department's Records.

**TERMS & CONDITION:**

1. Term of the contract will commence upon termination of current contract and will continue for a period of one (1) year with the County's option to extend for five (5) additional one (1) year terms under the same rates, terms and conditions
2. Hidalgo County reserves the right to continue this bid for an additional sixty (60) day Grace period at the end of the contract term for unforeseen delay in award of new bid for next contract term.
3. The contract shall remain in effect until contract expires, delivery/completion of services ordered or terminated by either party with a sixty (60) day written notice prior to any cancellation.
4. Hidalgo County reserves the right to award the bid to MULTIPLE bidders if the County determines it is in it's best interest to do so.
5. Hidalgo County reserves the right to reject any/all bids, to waive any/all formalities or technicalities, or to accept the bid considered the best and most advantageous to the County.
6. Items may be substituted by vendors but, must be equal or better and must be approved by the Hidalgo County if quoted item is out of stock.
7. Vendor must provide and maintain proof of Automobile, General and Worker's Compensation Insurance's (Refer to Exhibit "C", Insurance Requirements).
8. The successful bidder will indemnify and hold harmless the County, and its officers, officials, and employees, agents and attorneys for any and all claims and expenses arising out of or related to the performance of the contract awarded pursuant hereto.
9. Hidalgo County reserves the right to seek purchases for "Legend and Non- Legend Pharmaceutical" from State Awarded contracts whenever it is in the County's best interest to do so.
10. Hidalgo County reserves the right to award on an "all or none basis".

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11. Hidalgo County reserves the right to award all or separate contracts for Item 1 and Item 2, if it is in the County's best interest to do so.
12. Hidalgo County reserves the right to hold bids for a period of ninety (90) days without taking any action.

**MARKET VOLATILITY AND UNIT PRICE ADJUSTMENTS:**

Hidalgo County recognizes that during periods of national crisis and unstable economic conditions, unforeseen price increases might affect costs for goods and services contracted on an annual basis. The following procedure may be employed to mediate price volatility.

- 1) Requesting Price Adjustment: Upon written request of the Vendor to the County Purchasing Agent, the County may review evidence of prevailing industry-wide market conditions that warrant an adjustment in bid prices contained in the contract.
  - A Vendor must tie any price change clause to an industry-wide or otherwise nationally recognized index, or some other form of verifiable document. Such written request must be accompanied by a certified copy of the supplier's advisory or notification to the vendor of the price changes.
  - The Vendor must put the Purchasing Agent on the mailing lists for such publications so that the Purchasing Agent can monitor said changes. Such membership shall be at no cost to the County.
  - The County Purchasing Agent retains the right to determine whether or not such proposed price changes are in the best interest of the County.
  - No price escalation will be authorized in excess of the amount of the increase referred to in the supplier's notice.
  - The County may only grant a price increase if the evidence presented is deemed reliable. Should the County allow a price increase, the approved price change shall be honored for all orders received by the vendor or contractor after the effective date of such price change. Approved price changes are not applicable to orders already issued and in process at time of price change.
- 2) Price Reduction: Vendor shall notify the County at the time when the Vendor's costs for items and/or supplies reduce due to stabilization in the market at which time prices for items on this contract shall be reduced accordingly. Failure by the Vendor to notify the County of a decrease in costs for items and/or supplies for which the Vendor was granted a price adjustment, may result in immediate termination of this contract and the County shall not be obligated to pay the Vendor the difference between the contract price and the price adjustment.
- 3) Timeframe for Adjusted Price Increases: Price increases are only valid for the quarter in which they are requested and approved. Prices shall return to the original contract price at the beginning of the following quarter unless a Vendor notifies the County in writing within ten (10) days of expiration of the quarter in which the price increase is in effect, that it desires to have the price increase continue or that the Vendor is requesting a different price increase for the following quarter. Such request must be supplemented with sufficient justification to demonstrate that the price increase remains necessary. The County Purchasing Department shall have sole discretion whether to grant the price increase extension. The County too, shall have discretion to unilaterally reduce, eliminate or extend a price adjustment to the Vendor at any time upon written notice from the County to the Vendor demonstrating justification for such reduction, elimination or extension of the price adjustment.

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- 4) Allowable Review Periods: Price adjustment reviews may only be requested by the Vendor on a quarterly basis. However, the County may at its own discretion, conduct temporary price adjustment reviews at any time. The County Purchasing Agent and/or the County Auditor reserve the right to audit and/or examine any pertinent books, documents, papers, records or invoices relating directly to the contract transaction in question after reasonable notice and during normal business hours.
  
- 5) Dollar Limit to Price Changes: The total increase in contract price shall not exceed twenty-five percent (25%) of the original contract price during the contract term.

**ADDITIONAL INFORMATION:**

All costs and expenses associated with the preparation and submission of bids shall be the responsibility of the bidder and no reimbursements for such charges or expenses shall be passed on to Hidalgo County.

Hidalgo County is requesting that any and all questions, inquiries, and clarifications regarding quotes, bids, proposals, or statement of qualifications be addressed to Martha L. Salazar, Purchasing Agent, 2812 S. Business Highway 281, Edinburg, Texas 78539.

**TELEPHONE INQUIRIES WILL NOT BE ACCEPTED. ALL WRITTEN INQUIRIES WILL BE ACCEPTED VIA FACSIMILE NO LATER THAN, month, date, 2010 by 5:00 P.M.** Responses will be sent to all applicants via facsimile by no later than, month, date, 2010 by 5:00 P.M.

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***Medications including but not limited to.***

	<b>NAME OF DRUG</b>	<b>MG</b>		<b>NAME OF DRUG</b>	<b>MG</b>
1	Oxcarbazepine	300 mg	30	Benzoyl Peroide Cream	1 %
2	Trazadone	50mg, 100mg, 150 mg	31	Benzoyl Peride Liq Wash	
3	Wellbuterin	150 mg, 300mg	32	Albuterol Sulf. Inhalers	
4	Remeron	15 mg, 30mg	33	Turbersol Inj.	
5	Zoloft	25mg, 50mg, 100mg	34	MethylPRED	
6	Amoxicillin	500mg	35	Diphenhramin	25mg
7	Keflex	500mg	36	Latex Strips	
8	Bractim DS		37	Ns 0.9 Irr Soln	1000ml
9	Augmentin XR	1000mg	38	Tolnflate Cream	1%- 15g
10	Penicillin VK		39	Milk Of Magnesia	
11	Tetracycline	500mg	40	Magnesium Hyd	
12	Nyquil		41	Ibuprofen	400 mg
13	Dayquil		42	Polysporin Ointment	
14	Actifed		43	Throat Lozenges Green	
15	Benadryl	25mg, 50mg	44	Kaopectolin	
16	Motrin	400mg, 600mg, 800mg	45	Ben - Gay	
17	Naproxin	500mg	46	Furosemide	20 mg
18	Tylenol ES		47	Lithium	300mg
19	Oragel		48	Sertaline	50mg
20	Nasonex		49	Erythromycin	500 mg
21	Triple Antibiotic Ointment		50	Guafenesin	600 mg
22	Monistat Cream		51	Valproic Acid	250 mg
23	Keri Lotion		52	Phenytoin Sod Ex	100mg
24	Traiamemolone Cream	.1%	53	Tetanus Toxoid	
25	Lotrimin Cream		54	Benztropine	
26	Lamisil Cream		55	Depakote	
27	Milk of Magnesia		56	Silvadene Crème	
28	Gas X Tabs		57	Centrum	
29	Milanta		58	Visine	

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	<b>NAME OF DRUG</b>	<b>MG</b>		<b>NAME OF DRUG</b>	<b>MG</b>
59	Beta dine Ointment		85	Haldol	5 mg tabs
60	Hydrocortisone	1%	86	Haldol Dec	100 mg/ml
61	Cortisporin Ophthalmic Ointment		87	Haldol Lac	5 mg/ml
62	Tinactin Cream	1 %	88	Lorazepam	1 mg
63	Maalox Plus Suspension		89	Lorazepam Inj	2 mg/ml
64	Ocean Nasal Spray		90	Geodon	60 mg
65	Ducolax 5mgs. Tablets	5mg	91	Hemorrhoidal Suppositories	
66	Surfax	240 mg	92	Hemorrhoidal Cream	
67	Alcohol Prep Pads		93	Kwell Lotion	1%
68	Iv Cannulas		94	Lidane Cream	
69	Iv Start Kits		95	Glucophage	500 mg
70	Sterile H2o		96	Glipizide	5mg
71	Ns For Irrigation		97	Omperazole	20mg
72	Iv Fluid Ns,D5w,Lr	0.9%	98	Risperdal	1mg
73	Iv Poles		99	Risperdal	2mg
74	Iv Tubing		100	Prinivil	5mg
75	Spuffle Plastic Plastic Squat Cups	¼ Oz.	101	Ranitidine	150 mg
76	Ammonia Inhalants Ampules		102	Seroquel	100 mg
77	Cotton Balls Medium		103	Smz-Tmp Ds	800/160 mg
78	Insulin Syringes Single U-100	28" X 1/2"	104	Zyprexa	10 mg
79	Asa Ec		105	Paroxetine	20 mg
80	Asa Ec		106	Buspirone	5 mg
81	Depakote Ec		107	Abilify	5 mg
82	Lexapro	10 mg	108	Bupropion Xl	150 mg
83	Trileptal	300 mg	109	Carbamazepine	100 mg
84	Gemfibrozile	600 mg/1000 mg	110	Neosporin Opth Sol	15 ml

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	<b>NAME OF DRUG</b>	<b>MG</b>
111	Effexor	75 mg
112	Toprol XL	50 mg
113	Phenobarbital	100 mg
114	Novolin Nph	
115	Novolin	70/30
116	Catapress	0.1 mg
117	Glyburide	5mg