

SOLICITATION/CONTRACT/ORDER FOR COMMERCIAL ITEMS OFFEROR TO COMPLETE BLOCKS 12, 17, 23, 24, & 30				1. REQUISITION NO.		PAGE 1 OF	
2. CONTRACT NO.		3. AWARD/EFFECTIVE DATE		4. ORDER NO.		5. SOLICITATION NUMBER VA797P-16-R-0096	
						6. SOLICITATION ISSUE DATE 09-21-2016	
7. FOR SOLICITATION INFORMATION CALL:		a. NAME Kyle K. Albracht / Kyle.Albracht@va.gov		b. TELEPHONE NO. (No Collect Calls) 708-786-4879		8. OFFER DUE DATE/LOCAL TIME 10-05-2016 2:30 PM CT	
9. ISSUED BY Department of Veterans Affairs OA&L / National Acquisition Center Building 37, NCS (003A4C4) 1st Avenue, One Block North of Cermak Hines IL 60141				10. THIS ACQUISITION IS <input checked="" type="checkbox"/> UNRESTRICTED OR <input type="checkbox"/> SET ASIDE: _____ % FOR: <input type="checkbox"/> SMALL BUSINESS <input type="checkbox"/> WOMEN-OWNED SMALL BUSINESS <input type="checkbox"/> HUBZONE SMALL BUSINESS (WOSB) ELIGIBLE UNDER THE WOMEN-OWNED <input type="checkbox"/> SERVICE-DISABLED SMALL BUSINESS PROGRAM NAICS: 325412 <input type="checkbox"/> VETERAN-OWNED SMALL BUSINESS <input type="checkbox"/> EDWOSB SIZE STANDARD: <input type="checkbox"/> 8(A) Y 1250 Employees			
11. DELIVERY FOR FOB DESTINATION UNLESS BLOCK IS MARKED <input type="checkbox"/> SEE SCHEDULE		12. DISCOUNT TERMS N/A		13a. THIS CONTRACT IS A RATED ORDER UNDER DPAS (15 CFR 700) <input type="checkbox"/>		13b. RATING N/A	
						14. METHOD OF SOLICITATION <input type="checkbox"/> RFQ <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP	
15. DELIVER TO VA & DOD Pharmaceutical Prime Vendors Refer to Attachments A & B, located in Section D.				16. ADMINISTERED BY Department of Veterans Affairs OA&L / National Acquisition Center Building 37, NCS (003A4C4) 1st Avenue, One Block North of Cermak Hines IL 60141			
17a. CONTRACTOR/OFFEROR		CODE		FACILITY CODE		18a. PAYMENT WILL BE MADE BY	
						CODE	
						VA & DOD Pharmaceutical Prime Vendors Refer to Attachments A & B, located in Section D.	
TELEPHONE NO.		DUNS:		DUNS+4:		PHONE: FAX:	
<input type="checkbox"/> 17b. CHECK IF REMITTANCE IS DIFFERENT AND PUT SUCH ADDRESS IN OFFER				18b. SUBMIT INVOICES TO ADDRESS SHOWN IN BLOCK 18a UNLESS BLOCK BELOW IS CHECKED <input type="checkbox"/> SEE ADDENDUM			
19. ITEM NO.		20. SCHEDULE OF SUPPLIES/SERVICES		21. QUANTITY		22. UNIT	
						23. UNIT PRICE	
						24. AMOUNT	
		Entecavir Tablets One award will be made in the aggregate for the line items: 1 and 2 . To be considered for award, offerors must submit a price for the base year and four one-year options. Prices offered shall not exceed two decimal places. Offered prices must include the Cost Recovery Fee of 0.5%, as outlined in Scope of Contract. Offerors must list an 11 digit NDC number for each offered drug that is unique to the Offeror's company as outlined in Scope of Contract. If the offeror is a distributor, the NDC number must be unique to the distributor. (Use Reverse and/or Attach Additional Sheets as Necessary)					
25. ACCOUNTING AND APPROPRIATION DATA						26. TOTAL AWARD AMOUNT (For Govt. Use Only)	
<input type="checkbox"/> 27a. SOLICITATION INCORPORATES BY REFERENCE FAR 52.212-1, 52.212-4. FAR 52.212-3 AND 52.212-5 ARE ATTACHED. ADDENDA <input type="checkbox"/> 27b. CONTRACT/PURCHASE ORDER INCORPORATES BY REFERENCE FAR 52.212-4. FAR 52.212-5 IS ATTACHED. ADDENDA						<input checked="" type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED. <input type="checkbox"/> ARE <input type="checkbox"/> ARE NOT ATTACHED	
<input checked="" type="checkbox"/> 28. CONTRACTOR IS REQUIRED TO SIGN THIS DOCUMENT AND RETURN <u>1 scan</u> COPIES TO ISSUING OFFICE. CONTRACTOR AGREES TO FURNISH AND DELIVER ALL ITEMS SET FORTH OR OTHERWISE IDENTIFIED ABOVE AND ON ANY ADDITIONAL SHEETS SUBJECT TO THE TERMS AND CONDITIONS SPECIFIED				<input type="checkbox"/> 29. AWARD OF CONTRACT: REF. _____ OFFER DATED _____. YOUR OFFER ON SOLICITATION (BLOCK 5), INCLUDING ANY ADDITIONS OR CHANGES WHICH ARE SET FORTH HEREIN IS ACCEPTED AS TO ITEMS:			
30a. SIGNATURE OF OFFEROR/CONTRACTOR				31a. UNITED STATES OF AMERICA (SIGNATURE OF CONTRACTING OFFICER)			
30b. NAME AND TITLE OF SIGNER (TYPE OR PRINT)		30c. DATE SIGNED		31b. NAME OF CONTRACTING OFFICER (TYPE OR PRINT)		31c. DATE SIGNED	

19. Item No.	20. Schedule of Supplies/Services	21. Quantity	22. Unit	23. Unit Price	24. Amount																									
<p>To be considered for award, offerors must submit a price for line items 1 and 2 for the base year and all four option years. One award will be made for line items 1 and 2 for the base years and all four options. Offered unit prices shall not exceed two decimal places. The Government reserves the right not to award a contract on this solicitation should offered prices match or exceed current Federal Supply Schedule prices.</p>																														
<p>1. Entecavir 0.5mg Tablet, 30s NDC #: _____</p> <table> <tr> <td>Base Year</td> <td>9,200</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Option Year One</td> <td>9,200</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Option Year Two</td> <td>9,200</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Option Year Three</td> <td>9,200</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Option Year Four</td> <td>9,200</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table>						Base Year	9,200	Bottles	\$ _____	\$ _____	Option Year One	9,200	Bottles	\$ _____	\$ _____	Option Year Two	9,200	Bottles	\$ _____	\$ _____	Option Year Three	9,200	Bottles	\$ _____	\$ _____	Option Year Four	9,200	Bottles	\$ _____	\$ _____
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Option Year Three	9,200	Bottles	\$ _____	\$ _____																										
Option Year Four	9,200	Bottles	\$ _____	\$ _____																										
<p>2. Entecavir 1mg Tablet, 30s NDC #: _____</p> <table> <tr> <td>Base Year</td> <td>4,456</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Option Year One</td> <td>4,456</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Option Year Two</td> <td>4,456</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Option Year Three</td> <td>4,456</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Option Year Four</td> <td>4,456</td> <td>Bottles</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table>						Base Year	4,456	Bottles	\$ _____	\$ _____	Option Year One	4,456	Bottles	\$ _____	\$ _____	Option Year Two	4,456	Bottles	\$ _____	\$ _____	Option Year Three	4,456	Bottles	\$ _____	\$ _____	Option Year Four	4,456	Bottles	\$ _____	\$ _____
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Option Year Three	4,456	Bottles	\$ _____	\$ _____																										
Option Year Four	4,456	Bottles	\$ _____	\$ _____																										

___ (34) 52.222-54, Employment Eligibility Verification (OCT 2015). (Executive Order 12989). (Not applicable to the acquisition of commercially available off-the-shelf items or certain other types of commercial items as prescribed in 22.1803.)

___ (35)(i) 52.223-9, Estimate of Percentage of Recovered Material Content for EPA–Designated Items (May 2008) (42 U.S.C. 6962(c)(3)(A)(ii)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

___ (ii) Alternate I (May 2008) of 52.223-9 (42 U.S.C. 6962(i)(2)(C)). (Not applicable to the acquisition of commercially available off-the-shelf items.)

___ (36) 52.223-11, Ozone-Depleting Substances and High Global Warming Potential Hydrofluorocarbons (JUN 2016) (E.O. 13693).

___ (37) 52.223-12, Maintenance, Service, Repair, or Disposal of Refrigeration Equipment and Air Conditioners (JUN 2016) (E.O. 13693).

___ (38)(i) 52.223-13, Acquisition of EPEAT®-Registered Imaging Equipment (JUN 2014) (E.O.s 13423 and 13514).

___ (ii) Alternate I (Oct 2015) of 52.223-13.

___ (39)(i) 52.223-14, Acquisition of EPEAT®-Registered Televisions (JUN 2014) (E.O.s 13423 and 13514).

___ (ii) Alternate I (Jun 2014) of 52.223-14.

☒ (40) 52.223-15, Energy Efficiency in Energy-Consuming Products (DEC 2007) (42 U.S.C. 8259b).

___ (41)(i) 52.223-16, Acquisition of EPEAT®-Registered Personal Computer Products (OCT 2015) (E.O.s 13423 and 13514).

___ (ii) Alternate I (Jun 2014) of 52.223-16.

☒ (42) 52.223-18, Encouraging Contractor Policies to Ban Text Messaging While Driving (AUG 2011) (E.O. 13513).

___ (43) 52.223-20, Aerosols (JUN 2016) (E.O. 13693).

___ (44) 52.223-21, Foams (JUN 2016) (E.O. 13693).

___ (45) 52.225-1, Buy American—Supplies (May 2014) (41 U.S.C. chapter 83).

___ (46)(i) 52.225-3, Buy American—Free Trade Agreements—Israeli Trade Act (May 2014) (41 U.S.C. chapter 83, 19 U.S.C. 3301 note, 19 U.S.C. 2112 note, 19 U.S.C. 3805 note, 19 U.S.C. 4001 note, Pub. L. 103-182, 108-77, 108-78, 108-286, 108-302, 109-53, 109-169, 109-283, 110-138, 112-41, 112-42, and 112-43).

___ (ii) Alternate I (May 2014) of 52.225-3.

___ (iii) Alternate II (May 2014) of 52.225-3.

___ (iv) Alternate III (May 2014) of 52.225-3.

☒ (47) 52.225-5, Trade Agreements (FEB 2016) (19 U.S.C. 2501, et seq., 19 U.S.C. 3301 note).

☒ (48) 52.225-13, Restrictions on Certain Foreign Purchases (June 2008) (E.O.'s, proclamations, and statutes administered by the Office of Foreign Assets Control of the Department of the Treasury).

___ (49) 52.225-26, Contractors Performing Private Security Functions Outside the United States (Jul 2013) (Section 862, as amended, of the National Defense Authorization Act for Fiscal Year 2008; 10 U.S.C. 2302 Note).

___ (50) 52.226-4, Notice of Disaster or Emergency Area Set-Aside (Nov 2007) (42 U.S.C. 5150).

___ (51) 52.226-5, Restrictions on Subcontracting Outside Disaster or Emergency Area (Nov 2007) (42 U.S.C. 5150).

___ (52) 52.232-29, Terms for Financing of Purchases of Commercial Items (Feb 2002) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).

___ (53) 52.232-30, Installment Payments for Commercial Items (Oct 1995) (41 U.S.C. 4505, 10 U.S.C. 2307(f)).

___ (54) 52.232-33, Payment by Electronic Funds Transfer—System for Award Management (Jul 2013) (31 U.S.C. 3332).

___ (55) 52.232-34, Payment by Electronic Funds Transfer—Other than System for Award Management (Jul 2013) (31 U.S.C. 3332).

___ (56) 52.232-36, Payment by Third Party (May 2014) (31 U.S.C. 3332).

___ (57) 52.239-1, Privacy or Security Safeguards (Aug 1996) (5 U.S.C. 552a).

___ (58)(i) 52.247-64, Preference for Privately Owned U.S.-Flag Commercial Vessels (Feb 2006) (46 U.S.C. Appx. 1241(b) and 10 U.S.C. 2631).

___ (ii) Alternate I (Apr 2003) of 52.247-64.

(c) The Contractor shall comply with the FAR clauses in this paragraph (c), applicable to commercial services, that the Contracting Officer has indicated as being incorporated in this contract by reference to implement provisions of law or Executive orders applicable to acquisitions of commercial items:

[Contracting Officer check as appropriate.]

___ (1) 52.222-17, Nondisplacement of Qualified Workers (May 2014)(E.O. 13495).

___ (2) 52.222-41, Service Contract Labor Standards (May 2014) (41 U.S.C. chapter 67).

___ (3) 52.222-42, Statement of Equivalent Rates for Federal Hires (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

___ (4) 52.222-43, Fair Labor Standards Act and Service Contract Labor Standards-Price Adjustment (Multiple Year and Option Contracts) (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

___ (5) 52.222-44, Fair Labor Standards Act and Service Contract Labor Standards—Price Adjustment (May 2014) (29 U.S.C. 206 and 41 U.S.C. chapter 67).

SECTION D - CONTRACT DOCUMENTS, EXHIBITS, OR ATTACHMENTS

D.1 ATTACHMENT “A”

VA PHARMACEUTICAL PRIME VENDOR CONTRACTOR

McKesson Corporation
One Postal Street, 29th Floor
San Francisco, CA 94101
POC: Ms. Lori White
Vice President Government & National Accounts
Phone: (972) 446-4947

2) Offerors shall include its DUNS number and CAGE code in block 17a of the Standard Form 1449.

3) Offerors shall provide a separate and distinct eleven-digit National Drug Code (NDC) Number unique to the offeror as outlined in the Scope of Contract (paragraph 8).

4) Offerors shall meet the packaging requirements as outlined in Scope of Contract (paragraph 5).

5) Offerors shall submit a price for all line items, inclusive of the base year and all option years. Offered prices must include .50% Cost Recovery Fee as outlined in the Scope of Contract (paragraph 12).

6) Offers shall complete the solicitation representations at 52.209-5 and 52.209-7 as provided in Section E of the solicitation.

7) The System for Award Management (SAM) is an online system that replaces CCR/FedReg, ORCA, and EPLS. Contractors should now go to www.sam.gov to find their information. Training tools are available on the SAM website at www.sam.gov for familiarization with the SAM system. Prospective contractors shall maintain a current and accurate record in the SAM database. SAM updates are required as necessary, but at least annually. (see 52.212-4(t) and 52.212-1(k)). In addition, offerors shall review and complete paragraph (b)(2) of 52.212-3.

8) Subcontracting Plan Requirements: Pursuant to the requirements of Public Law 95-507, all large business concerns are required to have an approved subcontracting plan for contracts valued over \$700,000 before the Government can award a contract (see FAR 52.219-9 for details). Offerors must submit a currently approved commercial plan or a new plan for review and approval. Attachment "D" includes all of the elements required to be addressed and is included to facilitate the submission of a subcontracting plan.

9) CONTACT FOR CONTRACT ADMINISTRATION

Offerors are requested to designate a person to be contacted for prompt contract administration.

NAME	_____
TITLE	_____
ADDRESS	_____

CITY, STATE, ZIP	_____
CODE	_____
E-MAIL ADDRESS	_____
PHONE NO.	_____
800 NO.	_____
FAX NO.	_____
SALES REPORTS POC	
NAME & TITLE	_____
Email Address	_____
Phone Number	_____

10) AUTHORIZED NEGOTIATORS

(d) Additional guidance for establishing and maintaining CAGE codes is available at <https://cage.dla.mil>.

(e) When a CAGE Code is required for the immediate owner and/or the highest-level owner by 52.204-17 or 52.212-3(p), the Offeror shall obtain the respective CAGE Code from that entity to supply the CAGE Code to the Government.

(f) Do not delay submission of the offer pending receipt of a CAGE code.

E.4 52.209-5 REPRESENTATION BY CORPORATIONS REGARDING AN UNPAID TAX LIABILITY OR A FELONY CONVICTION UNDER ANY FEDERAL LAW (DEVIATION)(OCT 2015)

(a) In accordance with Division H, sections 8124 and 8125 of P.L. 112-74 and sections 738 and 739 of P.L. 112-55 none of the funds made available by either Act may be used to enter into a contract with any corporation that—

(1) Has an unpaid federal tax liability, unless the agency has considered suspension or debarment of the corporation and the Suspension and Debarment Official has made a determination that this action is not necessary to protect the interests of the Government.

(2) Has a felony criminal violation under any Federal or State law within the preceding 24 months, unless the agency has considered suspension or debarment of the corporation and Suspension and Debarment Official has made a determination that this action is not necessary to protect the interests of the Government.

(b) The Offeror represents that—

(1) The offeror **does** ☐ **does not** ☐ have any unpaid Federal tax liability that has been assessed and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

(2) The offeror, its officers or agents acting on its behalf have ☐ have not ☐ been convicted of a felony criminal violation under a Federal or State law within the preceding 24 months.

E.5 52.209-7 INFORMATION REGARDING RESPONSIBILITY MATTERS (JUL 2013)

(a) *Definitions.* As used in this provision--

"Administrative proceeding" means a non-judicial process that is adjudicatory in nature in order to make a determination of fault or liability (e.g., Securities and Exchange Commission Administrative Proceedings, Civilian Board of Contract Appeals Proceedings, and Armed Services Board of Contract Appeals Proceedings). This includes administrative proceedings at the Federal and State level but only in connection with performance of a Federal contract or grant. It does not include agency actions such as contract audits, site visits, corrective plans, or inspection of deliverables.

"Federal contracts and grants with total value greater than \$10,000,000" means--

(1) The total value of all current, active contracts and grants, including all priced options; and

(2) The total value of all current, active orders including all priced options under indefinite-delivery, indefinite-quantity, 8(a), or requirements contracts (including task and delivery and multiple-award Schedules).