

# Contract User Guide for HSP44

## HSP44: Medical Commodities

**UPDATED:** May 14, 2024

<b>Contract #:</b>	HSP44
<b>MMARS MA #:</b>	HSP44*
<b>Initial Contract Term:</b>	July 1, 2022 – June 30, 2027
<b>Maximum End Date:</b>	June 30, 2027
<b>Current Contract Term:</b>	July 1, 2022 – June 30, 2027
<b>Contract Manager:</b>	Kelly Thompson Clark, kelly.thompsonclark@mass.gov, (617) 720-3184
<b>This Contract Contains:</b>	SDO Certified Vendors to include SBPP, MBE and VBE
<b>UNSPSC Codes:</b>	42-19-00 Medical Facility Products

\*The asterisk is required when referencing the contract in the Massachusetts Management Accounting Reporting System (MMARS).

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## Contract Summary

This is a Statewide Contract for Medical Commodities. This contract covers medical commodities for medical, surgical, urological, or wound care that are used for the provision of healthcare in any setting. It does not cover laboratory supplies and equipment, prescription drugs and medical equipment costing more than \$5,000 per unit. The products and services available include:

- Disposable equipment
- Exam supplies and instruments: blood pressure cuffs, stethoscopes, thermometers,
- First aid products
- Germicides, gloves, medical hosiery, protective wear
- IV sets, solutions, supplies and related products
- Medical training aids such as manikins
- Needles and syringes
- Nursing charting and other supplies
- Nutritional products including enteral feeding products and supplies
- Medical linen, medicated soaps
- Patient items: condoms, diapers, incontinence diapers/ briefs/under pads, mouth care products, sick room utensils, ostomy care products

**PLEASE NOTE:** Due to COVID-19 and supply-chain issues, prices on some items may change or fluctuate. OSD strongly suggests you get quotes directly from vendors to confirm you are getting the most-recent prices. Also, if viewing prices in COMMBUYS, please confirm the price sheets you are viewing are current year.

## Benefits and Cost Savings

Statewide contracts are an easy way to obtain benefits for your organization by leveraging the Commonwealth's buying power, solicitation process, contracting expertise, vendor management and oversight, and the availability of environmentally preferable products.

Vendors may offer additional market share, \$ volume discounts, government pricing or consignment programs.

- Vendors may pre-arrange direct billing Medicare Part B or purchaser at that price if lower than the Net Price List.
- Vendors will work with a purchaser to provide free sample products for product review or evaluation trials.
- Vendors will arrange for purchaser training on products and respond to a request for training within ten (10) Calendar days of the request. When Continuing Education Credits are available for the training, the Vendor will make them available.

## Find Bid/Contract Documents

- To find vendor-specific documents, including price sheets, see links to individual vendor MBPOs on the [Vendor Information](#) page.

## Who Can Use This Contract

### Applicable Procurement Law

Executive Branch Goods and Services: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00.

### Eligible Entities

Please see the standard list of Eligible Entities on our [Eligible Entities Which May Use Statewide Contracts](#) webpage.

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## Subcontractors

The awarded vendor's use of subcontractors is subject to the provisions of the Commonwealth's Terms and Conditions and Standard Contract Form, as well as other applicable terms of this Statewide Contract.

## Supplier Diversity Requirements

**When selecting vendor(s) without soliciting quotes or a statement of work, Executive Departments should follow below guidance:**

When selecting contractors and placing orders, Executive departments shall utilize diverse and small businesses to the extent possible based on contract terms, SDO and departmental policies, laws, and regulations. Additionally, departments shall make a preference for contractors with higher SDP commitments and/or performance whenever such information is available (or is requested from contractors by the department) and the preference is feasible.

OSD provides up-to-date information on the availability of diverse and small businesses on statewide contracts through the [Statewide Contract Index](#) available on the COMMBUYS home page. See the "Programs (SDO and SBPP)" tab for current certification and small business status of contractors on this contract.

**When selecting vendor(s) from multiple quotes and statement of work, Executive Departments should follow below guidance:**

Requirements of the Small Business Purchasing Program for Small Procurements (expected annual value of \$250,000 or less) or the Supplier Diversity Program for Large Procurements (expected annual value exceeding \$250,000) apply to Executive Departments soliciting quotes or issuing statements of work.

**Small Business Award Preference:** In accordance with the Supplier Diversity Office's SBPP Policy, Departments must award contracts for Small Procurements to SBPP-participating small business bidders if both of the following conditions are met:

- The response is received from an eligible small business; AND
- The response meets the Department's best value criteria as defined in the RFR or RFQ.

**SDP Commitment:** Businesses awarded large Commonwealth contracts for goods and services (also called prime contractors or prime vendors) are required to make measurable financial commitments to do business with one or more diverse businesses (often called SDP Partners). This business-to-business relationship requirement applies to all Large Procurements for goods and services, which were historically defined as those expected to exceed \$150,000 in total spending. Effective July 1, 2021, Large Procurements will be defined as those expected to exceed \$250,000 in annual spending.

Executive departments should take into consideration contracted vendors SDP commitments when evaluating responses. Specifically, the following fields of the new SDP Plan Form correspond to the goals stated above:

Type of information collected from bidders	Possible use of the information by the SST
SDP focus statement	Assess the bidder's level of integration of supplier diversity into company operations.
SDP policy link or attachment (if any)	
Additional creative initiatives (if any)	
SDP commitment – subcontracting	Evaluate the bidder's SDP commitment.
SDP commitment – ancillary	

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SDP commitment – total	Assess the likelihood of the bidder meeting their SDP commitment.
List of proposed partners Company prior year spending with the list of partners (if available)	
Company average gross annual revenue	If deemed necessary by the Agency or Statewide Contract Strategic Sourcing Team (SST) and included in the evaluation criteria, consider the bidder's company size during the evaluation of the ancillary SDP commitments and total prior year spending.

**Key Evaluation Requirements:**

The following key requirements apply to the evaluation of submitted SDP Plans:

- At least 25% of the available evaluation score must be dedicated to the evaluation of the bidder's SDP Commitment.
- The majority of the SDP evaluation score should be dedicated to the bidder's SDP commitment.
- bidders offering more value in their SDP Plan submissions must receive higher scores.

**Other Requirements:**

Expected annual value of the RFQ	RFQ process requirements
Less than or equal to \$250,000/year	<ul style="list-style-type: none"> <li>• <b>Notify at least two small businesses</b> capable of providing the product or service of the opportunity, if available.</li> <li>• Include SBPP contract language and place it prominently within the RFQ. <a href="#">See SDO Template Language.</a></li> <li>• Evaluate bids received from, and award a contract to, an SBPP-participating small business that meets the department's best value criteria.</li> <li>• Award to a large business only if there is no SBPP participating business meeting departments' best value criteria.</li> <li>• Conduct a clarification/BAFO/negotiation before disqualifying an SBPP-participating business based on price or desirable criteria.</li> <li>• See the <a href="#">Best Value Evaluation of Responses to Small Procurements: A Guide for Strategic Sourcing Teams</a> for additional guidance.</li> </ul>
More than \$250,000/year	<ul style="list-style-type: none"> <li>• <b>Notify at least two diverse and/or small businesses</b> capable of providing the product or service of the opportunity, if available.</li> <li>• Make a preference for contractors with higher SDP commitments and/or performance whenever such information is available (or is requested from contractors by the department) and the preference is feasible.</li> <li>• See the <a href="#">Best Value Evaluation of SDP Plan Forms: A Guide for Strategic Sourcing Teams</a> for additional guidance.</li> </ul>

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## OPERATIONAL SERVICES DIVISION

	<b>Note:</b> Departments may ask the prime Contractor for an additional SDP commitment specifically related to the Department's purchase or engagement. SDP spending for such a purchase or engagement must be reported by the Contractor using the SDP Reporting Form directly to the Department and may not be included in any other SDP reporting filed by the Contractor.
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OSD provides up-to-date information on the availability of diverse and small businesses on statewide contracts through the [Statewide Contract Index](#) available on the COMMBUYS home page. See the "Programs (SDO and SBPP)" tab for current certification and small business status of contractors on this contract.

## Pricing, Quote and Purchase Options

### Purchase Options

The purchase options identified below are the only acceptable options that may be used on this contract:

- Purchases made through this contract will be direct, outright purchases.

### Pricing Options

- **Ceiling/Not-to-Exceed:** Contract discounts and other pricing published under the contract represents "ceiling" or "not-to-exceed" pricing and may be further negotiated.
- **New Items or bulk pricing:** Contact a Vendor or Vendors on the Contract for a Quote when a product is not on a Vendor's Price List, or a quantity price is not listed in a vendor's catalog. The quoted and accepted net price remains in effect until the next update of the price list. These additionally quoted products can be ordered from the vendor's catalog using the line item "Additional items quoted by the vendor per the RFR".
- **Proprietary products or Sole Source Vendors:** At times, a product may be proprietary to a specific vendor or only available from a select or sole vendor. If that is the case, please note your procurement files to document your due diligence. Ordering a general product from one vendor without obtaining multiple quotes does not demonstrate "best value" or due diligence.

### Product/Service Pricing and Finding Vendor Price Files

Product pricing may be found by using the [vendor information](#) page, where links to all the vendor MBPOs are provided.

### Setting Up a COMMBUYS Account

COMMBUYS is the Commonwealth's electronic Market Center supporting online commerce between government purchasers and businesses. If you do not have one already, contact the COMMBUYS Help Desk to set up a COMMBUYS buyer account for your organization: (888)-627-8283 or [OSDhelpdesk@mass.gov](mailto:OSDhelpdesk@mass.gov).

Per **801 CMR 21.00**, Executive Branch Departments must use established statewide contracts for the purchase of commodities and services. Specifically, Executive Departments are required to use OSD's statewide contracts, including designated statewide contracts, if available, for their specific commodity and service needs. Exceptions will only be permitted with prior written approval from the Assistant Secretary for Operational Services, or designee.

When contacting a vendor on statewide contract, always reference HSP44 to receive contract pricing.

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## Quick Search in COMMBUYS

Log into COMMBUYS and use the Search box on the COMMBUYS header bar to locate items described on the MBPO or within the vendor catalog line items. Select Contract/Blanket or Catalog from the drop-down menu.

## How To Purchase from The Contract

- **Select items from a PunchOut catalog and purchase through COMMBUYS**

PunchOut catalogs offer the convenience of selecting Statewide Contract products from a vendor's e-commerce website. The PunchOut or Government to Business (G2B) catalogs are available via COMMBUYS only (login to COMMBUYS and select the settings option in the upper right-hand corner [  ] and choose the G2B PunchOut option). G2B PunchOut can now also be accessed directly on COMMBUYS Landing Page when signed in. Click on



Icon on left hand side of page. Select a vendor on the dropdown in COMMBUYS, you are then taken to the vendor's e-commerce site. After shopping is complete on the vendor's e-commerce site, selected items are pulled back into COMMBUYS, summarized on a COMMBUYS release Requisition, and are ready to submit for approval. Once approved, it is released to the vendor for processing and fulfillment. **Currently, you can use this purchase method for Geriatric Medical, McKesson Medical-Surgical Government Solutions LLC (MMSGs), Medline, Steri-Tech and Westnet. Other vendors will be added as available. Please refer to "Direct Purchase" for access to all vendors.**

For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage and select either:

- The *Quick Reference Guide (QRG)* section and choose the *QRG – Creating a Punch Out Order* job aid
- The *COMMBUYS Purchase Orders* section and choose the *How to Purchase from a COMMBUYS PunchOut* job aid.

- **Directly purchase fixed price items through COMMBUYS**

This contract allows buyers to find and quickly purchase specific products/services with pricing within COMMBUYS. In other words, it allows you to create a Release Requisition in COMMBUYS, submit the requisition for approval, and send the vendor a Release Purchase Order.

For a description of how to complete this purchase in COMMBUYS, visit the [Job Aids for Buyers](#) webpage and select:

- The *COMMBUYS Requisitions* section and choose the *Make a Statewide Contract Purchase in COMMBUYS* job aid.

- **Directly purchase a non-fixed price item (\$0 line item) through COMMBUYS**

New Items or bulk prices: Contact a Vendor or Vendors on the Contract for a Quote when a product is not on a Vendor's Price List. The quoted and accepted net price remains in effect until the next update of the price list. These additionally quoted products can be ordered from the vendor's catalog using the line item "non-catalog item quoted by vendor per RFR".

## Obtaining Quotes

Contract users should always reference HSP44 when contacting vendors to ensure they are receiving contract pricing. Quotes, not including construction services, should be awarded based on best value. For new items: Contact a Vendor or Vendors on the Contract for a Quote when a product is not on a Vendor's Price List. The quoted and accepted net price

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remains in effect until the next update of the price list. These additionally quoted products can be ordered from the vendor's catalog using the line item "non-catalog item quoted by vendor per RFR".

At times, a product may be proprietary to a specific vendor or only available from a select vendor. If that is the case, please note your files so proof of your need and due diligence is noted. Ordering a general product from one vendor without gaining quotes is not proving your due diligence or operating under a "best value" procurement.

For a full description of how to complete a quote in COMMBUYS visit the [Job Aids for Buyers](#) webpage, and select:

- The *COMMBUYS Purchase Orders* section, and choose *Request Quotes From Vendors on Statewide Contracts* job aid.

### Product Trials, Pilots, and Demonstrations

Vendors will work with a purchaser to provide free sample products when the purchaser is conducting product review or evaluation trials prior to purchase. Vendors will arrange for purchaser training on products and respond to a request for training within ten (10) calendar days of the request. When Continuing Education Credits are available for the training, the Vendor will make them available.

### Instructions for MMARS Users

MMARS users must reference the MA number in the proper field in MMARS when placing orders with any contractor.

### Contract Exclusions and Related Statewide Contracts

This contract does not cover Laboratory Supplies and Equipment (HSP41), Prescription Drugs (MED47), and medical products costing more than \$5,000 per unit. Click here for Contract User Guides including [HSP41](#) and [MED47](#).

### Emergency Services

Many statewide contracts are required to provide products or services in cases of statewide emergencies. [ML - 801 CMR 21](#) defines emergency for procurement purposes. Visit the [Emergency Response Supplies, Services and Equipment Contact Information for Statewide Contracts](#) list for emergency services related to this contract.

### Shipping/Delivery/Returns

**Shipping:** No charge for delivery within seven (7) calendar days of orders of \$50.00 or more in the same day, to the same delivery address, either from the Vendor or for drop shipping directly from a manufacturer or other source. A purchaser has the option of agreeing to special charges such as: a delivery charge of up to \$30.00 for orders under \$50.00, expedited delivery (express, overnight, or other specialty shipping), hazmat fees, and/or other special handling charges. All special delivery charges must be discussed or disclosed ahead of shipment and acted on within reason by the buyer and vendor. All fuel charges or fuel surcharges are prohibited under this Contract. **Please note, due to Covid-19 and supply-chain issues, some item prices may change or fluctuate.**

**Returns:** The purchaser may return any item in original packaging and in saleable condition within seven (7) calendar days of receipt of order unless at time of the order the Vendor clearly stated in writing that an item was not returnable. A wrongly shipped item received in error for which the purchaser notifies the Vendor within sixty (60) calendar days of receipt must be replaced, credited, or repaid by check at the option of the purchaser. The Vendor is responsible for the shipping costs of all returns and restocking charges are not allowed under the Contract.

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**Recalls or Notices of Defects:** The purchaser is to receive timely Vendor notice to work together to maintain operations. The purchaser is not responsible for the cost to replace the item and has the option of receiving a credit instead.

## Additional Information/FAQs

### Geographical Service Area

Contractors will be able to provide the requested service(s) throughout the Commonwealth.

### Product Specifications, including Environmental Standards and Requirements

All commodities sold under this contract must be compliant with all: applicable Federal laws and regulations such as FDA 21 CFR at time of sale; and all applicable Commonwealth of Massachusetts Laws and Regulations; and when applicable meet City of Boston Fire Code standards.

Commodities purchased under this contract will primarily be used in Hospitals and Healthcare Institutions and most need to be “hospital grade” and meet all Joint Commission standards and be intended for use in Hospitals and Healthcare Institutions. Some products sold may be commercial grade where not involved with patient safety, such as non-medical use gloves.

### Warranties

Manufacturers’ warranties apply.

### Other Discounts

- **Prompt Pay Discounts:** A discount given to the buyer if paid within a certain time period. These discounts may be found in the [Vendor List and Information](#) section below. All discounts offered will be taken in cases where the payment issue date is within the specified number of days listed by vendor and in accordance with the Commonwealth’s Bill Paying Policy. Payment days will be measured from the date goods are received and accepted / performance was completed OR the date an invoice is received by the Commonwealth, whichever is later to the date the payment is issued as an EFT (preferred method) or mailed by the State Treasurer. The date of payment “issue” is the date a payment is considered “paid” not the date a payment is “received” by a Contractor.
- **Volume Discounts:** Discount is negotiated by buyer if a certain volume of product or service is purchased.
- **Market Share Discounts:** Discount may be negotiated by buyer if a certain % of total facility product(s) needs is purchased.

### If the Needed Product Can Not be Found

If a product cannot be found in the vendor’s catalog, price sheet or PunchOut, it is recommended to contact the vendor directly to inquire if it is available for purchase on this contract. If the product meets the scope of the product category, the vendor may be able to add it to their product offerings, without approval by OSD. Contract users should always reference HSP44 when contacting vendors to ensure they are receiving contract pricing. Quotes should be awarded based on best value. The quoted and accepted net price remains in effect until the next update of the price list. These additionally quoted products can be ordered from the vendor’s catalog using the line item “non-catalog item quoted by vendor per RFR”.

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## Strategic Sourcing Team Members

- |                        |                               |
|------------------------|-------------------------------|
| • Jennifer Fennel      | Lemuel Shattuck Hospital      |
| • Judy Lydon-Ruby      | Wrentham Developmental Center |
| • Dorothy Martin       | Department of Mental Health   |
| • Jacqueline Paye      | Western Mass Hospital         |
| • Kathy Rufo           | Tewksbury State Hospital      |
| • Brian Sullivan       | Western Mass Hospital         |
| • Kelly Thompson Clark | Operational Services Division |



# Contract User Guide for HSP44

## Vendor List and Information\*

Vendor	Master Blanket Purchase Order #	COMMBUYS PunchOut (PO) (last 5 of the PO MBPO listed)	Contact Person	Phone	Email	Discounts (PPD, Dock Delivery, Other)	SDO Certification Type	SDP Commitment Percentage
<b>**Master Contract Record [Master MBPO] (All contract documents)</b>	<a href="#">PO-23-1080-OSD03-SRC02-25879</a>	N/A	Kelly Thompson Clark	617-720-3184	<a href="mailto:kelly.thompsonclark@mass.gov">kelly.thompsonclark@mass.gov</a>	N/A	N/A	N/A
Geriatric Medical & Surgical Supply	<a href="#">PO-23-1080-OSD03-SRC01-25915</a>	<a href="#">25980</a>	JJ Pistor	781-305-3144 X350	<a href="mailto:jj.pistor@germed.com">jj.pistor@germed.com</a>	PPD- 10 days: 1%	N/A	1.00%
McKesson Medical-Surgical Government Solutions LLC (MMSGs)	<a href="#">PO-23-10080-OSD03-SRC01-25934</a>	<a href="#">25978</a>	Zack Newsome	904-790-9210	<a href="mailto:zack.newsome@mckesson.com">zack.newsome@mckesson.com</a>	PPD- 10 days: 1%	N/A	1.00%
Medline Industries, Inc.	<a href="#">PO-23-1080-OSD03-SRC01-25878</a>	<a href="#">25979</a>	Elizabeth Gordon	847-949-2696	<a href="mailto:ecgordon@medline.com">ecgordon@medline.com</a>	PPD- 10 days: 1%	N/A	1.00%
MedSupply Corp.	<a href="#">PO-23-1080-OSD03-SRC01-25914</a>	No	Talha Mirza	248-597-9004	<a href="mailto:tmirza@med-supply.com">tmirza@med-supply.com</a>	PPD- 10 days: 1%	N/A	1.00%
Steri-Tech Medical Innovations LLC	<a href="#">PO-23-1080-OSD03-SRC01-25896</a>	<a href="#">29007</a>	Eliza Birnbaum	978-455-5058	<a href="mailto:eliza@steritechmed.com">eliza@steritechmed.com</a>	PPD- 10 days: 1%	SDVOSB, VBE, MBE, DOBE and SBPP	6.00%
Trans Med USA Inc.	<a href="#">PO-23-1080-OSD03-SRC01-25877</a>	No	Darius Masalehdan	978-649-1970	<a href="mailto:darius@transmed-usa.com">darius@transmed-usa.com</a>	PPD- 10 days: 1%	SBPP	1.00%
Westnet Inc.	<a href="#">PO-23-1080-OSD03-SRC01-25916</a>	<a href="#">25977</a>	Tina McLean	781-828-7772	<a href="mailto:tmclean@westnetmed.com">tmclean@westnetmed.com</a>	PPD- 10 days: 1%	MBE	1.00%

\*Note that COMMBUYS is the official system of record for vendor contact information.

\*\*The Master Contract Record MBPO is the central repository for all common contract files. Price files may be found in the individual vendor's MBPO.

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