

REQUEST FOR BIDS

FURNISH CONSULTANT PHARMACIST SERVICES

FOR THE CITY OF LOVINGTON, NEW MEXICO

The City of Lovington is requesting sealed proposals from qualified bidders interested in furnishing consultant pharmacist services for the Fire and EMS Department. The contract shall be for a period of three (3) years beginning July 1, 2015. Written proposals will be received by the City of Lovington, New Mexico, at City Hall, 214 South Love, Lovington, New Mexico 88260.

Submitted proposals will be publicly opened at 10 a.m. (MST) on June 1, 2015 at City Hall. Any proposals received after that time will be returned unopened. The fact that a proposal was dispatched will not be considered. Bids must be sealed and clearly marked on the outside "SEALED BID – CONSULTANT PHARMACIST".

In case of ambiguity or lack of clearness in stating proposal prices, the City of Lovington, New Mexico, reserves the right to adopt the most advantageous thereof or to reject any or all proposals and waive irregularities.

The Request for Bid, any future addenda, and all related information may be obtained from the City of Lovington's website at www.lovington.org under "Procurement" or by contacting the Finance Department, 214 S. Love St., Lovington, New Mexico, 88260, or (575) 396-2884, or by email gchapman@lovington.org.

CITY OF LOVINGTON, NEW MEXICO

James R. Williams
City Manager



**City of Lovington
Bid Form
Consultant Pharmacist – 3 Year Term**

NAME OF BIDDER _____
ADDRESS _____

TELEPHONE NUMBER _____
EMAIL _____
BID AMOUNT: \$ _____

The City of Lovington reserves the right to waive any irregularities and award, or not award, in the best interests of the City. The City is held harmless and is indemnified for the loss and/or misplacement of bid submittals. The bidder is required to utilize this form. Signature is required and reflects agreement, by the bidder, to the terms of this document.

SIGNATURE OF BIDDER _____

Mail or deliver to City Hall at 214 S. Love St., Lovington, NM 88260
Deadline: June 1, 2015 by 10:00 A.M. (MST)

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"Person" means any corporation, partnership, individual, joint venture, association or any other private legal entity.

"Prospective contractor" means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

"Representative of a prospective contractor" means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Name of Applicable Public Official: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s): _____

Nature of Contribution(s): _____

Purpose of Contribution(s): _____

(Attach extra pages if necessary)

Signature

Date

Title (position)

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member, or representative.

Signature

Date

Title (position)

BID FORM
Resident / Veterans Preference Certification

_____ (NAME OF CONTRACTOR) hereby certifies the following in regard to application of the resident veterans' preference to this procurement:

Please check one box only

Veteran Resident Businesses:

- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this solicitation. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

- I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

Resident Businesses:

- I declare under penalty of perjury that my business is a New Mexico resident business allowing me the 5% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

"I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 and ending on December 31, the following to be true and accurate:

"In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State's Division of the General Services Department the awarded amount involved. I will indicate in the report the awarded amount as a purchase from a public body or as a public works contract from a public body as the case may be.

"I understand that knowingly giving false or misleading information on this report constitutes a crime."

I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime.

Resident Business/Veteran Business Certificate Number: _____

(Signature of Business Representative)*

(Date)

*Must be an authorized signatory for the Business.

The representations made in checking the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or un-award of the procurement involved if the statements are proven to be incorrect.

A valid New Mexico Resident Business or New Mexico Veterans' Resident Business Certificate number must be provided in order to receive preference.

Consultant Pharmacist Contract

1. The City of Lovington ("City"), a provider of Emergency Medical Services (EMS) through approved personnel of the Lovington Fire Department, hereby request proposal(s) for the following Consultant pharmacist services in accordance with the approved standards of the New Mexico Health and Environment Department, Department of Health Regulation 95-02 (CHSD), the New Mexico Department of Health (NM DOH) EMS Bureau, the New Mexico Board of Pharmacy, the Federal Drug Enforcement Agency, City adopted standards of the National Fire Protection Association (NFPA), and the EMS Coordinator of the Lovington Fire Department.
2. The Consultant Pharmacist shall agree to provide the Lovington Fire Department a written policy manual concerning the City EMS Departments' handling and control of IV fluids, medications, and related supplies utilized for medication administration. This manual shall include supply and stocking methods, inventory control, security, and other operational procedures addressing the specific needs of the City EMS Department.
3. The Consultant Pharmacist shall ensure that the records and procedures of the Lovington Fire and EMS Department, as they relate to the regulated and/or controlled pharmacy items are kept up to date and in compliance with current standards and agencies identified in Section 1.
4. The Consulting Pharmacist must perform on-site visits to the Lovington Fire Department and to any other necessary site(s) to assure adequate compliance to regulations.
5. The Consulting Pharmacist must perform quarterly on-site visits to the Lovington Fire Department to assure adequate inventory, maintenance, and security of controlled items.
6. The Consulting Pharmacist shall develop and maintain a listing of the agreed upon formulary (fluids and medications) approved by the Lovington Fire Department Medical Director.
7. The Consulting Pharmacist shall agree not to hold the City of Lovington, the Lovington Fire Department, or employees of the Lovington Fire Department responsible for errors an/or omissions of the Consulting Pharmacist.
8. The City of Lovington, the Fire and EMS Department, or any employees of said organizations shall not hold the Consulting Pharmacist responsible for errors and/or omissions by and/or of the EMS personnel relating to pre-hospital

medical care techniques, methods of care, and/or treatment(s) rendered to patients.

9. A New Mexico Identification Number must be furnished by the Consulting Pharmacist.
10. The Consulting Pharmacist must provide a copy of a Certificate of Professional Liability Insurance which provides coverage of a minimum of one million dollars (\$1,000,000).
11. The contract period shall be from July 1, 2015 thru June 30, 2018.
12. The City or the Consulting Pharmacist may terminate this agreement, by written notice to the other party of intent to terminate, thirty (30) days prior to the requested date of termination.