

Amendment 6  
12/4/15

**NEW YORK STATE DEPARTMENT OF HEALTH**  
Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

IFB No. 16429

**WIC Infant Formula Rebate System**

---

Original Language in IFB Section C.3, “Bidder Qualifications/Certifications”

A winning bidder must be an infant formula manufacturer registered with the Secretary of Health and Human Services under the Federal Food, Drug, and Cosmetic Act and producing infant formula products that are in compliance with Federal regulations issued pursuant to P.L. 100-137.

Revised Language (**bold/underlined**) in IFB Section C.3, “Bidder Qualifications/Certifications” is incorporated as follows:

A winning bidder must be an infant formula manufacturer registered with the Secretary of Health and Human Services under the Federal Food, Drug, and Cosmetic Act and producing infant formula products that **meet the definition of an infant formula in section 201(z) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(z)) and that meet the requirements for an infant formula under section 412 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 350a) and the regulations at 21 CFR parts 106 and 107.**

---

Original Language in IFB Section C.4.e, “Competitive Bid Rebate System - Contractor”

Cent-for-cent increases or decreases in rebate amounts will take effect on the first day of the month in which the price increase or decrease occurs, and will apply to all checks with “not good before” dates falling on or after the first day of the month.

Revised Language (**bold/underlined**) in IFB Section C.4.e, “Competitive Bid Rebate System - Contractor” is incorporated as follows:

Cent-for-cent increases or decreases in rebate amounts will **apply to all redeemed food instruments with “not good before” dates on or after the date of the wholesale price increase or decrease.**

Amendment 6 Cont'd  
IFB No. 16429

**WIC Infant Formula Rebate System**

---

Original Language in IFB Section E.4, "BID PREPARATION"

The Bid proposal must include:

- ◆ Certifications Form (Attachment 8)
- ◆ NYS Department of Health Lobbying Form (Attachment 2)
- ◆ Milk-Based Infant Formula Bid Sheet(Attachment 11) and/or Soy-Based Infant Formula Bid Sheet (Attachment 12)
- ◆ Vendor's National Wholesale Price List

The Bid proposal should also include the following completed forms:

- ◆ Transmittal Letter (Attachment 1)
- ◆ Vendor Responsibility Attestation (Attachment 4)
- ◆ Vendor Cover Sheet (Attachment 7)
- ◆ M/WBE Utilization Plan (Attachment 5)
- ◆ Encouraging Use of New York Businesses (Attachment 6)
- ◆ Proof of Workers' Compensation Coverage and Proof of Disability Insurance Coverage (See Page 35)
- ◆ ST-220-CA Contractor Certification to Covered Agency (See Link in Section E.15) and Form ST-220-TD Contractor Certification (See Link in Section E.15) - These forms must be submitted to DOH prior to award.
- ◆ NYS WIC Infant Formula Rebate Invoices (Attachment 15)
- ◆ OSC Lobbying Transmittal Form (Attachment 16) - This form must be submitted to DOH prior to award.

Revised Language (**bold/underlined**) in IFB Section E.4, "BID PREPARATION" is incorporated as follows:

The Bid proposal must include:

- ◆ NYS Department of Health Lobbying Form (Attachment 2)
- ◆ Milk-Based Infant Formula Bid Sheet(Attachment 11) and/or Soy-Based Infant Formula Bid Sheet (Attachment 12)
- ◆ Vendor's National Wholesale Price List

The Bid proposal should also include the following completed forms: These forms are required prior to award.

- ◆ Transmittal Letter (Attachment 1)
- ◆ **Revised Certifications Form (Attachment 8) dated 11/30/15 -**
- ◆ Vendor Responsibility Attestation (Attachment 4)
- ◆ Vendor Cover Sheet (Attachment 7)

Amendment 6 Cont'd  
IFB No. 16429

**WIC Infant Formula Rebate System**

Revised Language (**bold/underlined**) in IFB Section E.4, "BID PREPARATION" Cont'd

- ◆ M/WBE Utilization Plan (Attachment 5)
- ◆ Encouraging Use of New York Businesses (Attachment 6)
- ◆ Proof of Workers' Compensation Coverage and Proof of Disability Insurance Coverage (See Page 35)
- ◆ ST-220-CA Contractor Certification to Covered Agency (See Link in Section E.15) and Form ST-220-TD Contractor Certification (See Link in Section E.15) - These forms must be submitted to DOH prior to award.
- ◆ NYS WIC Infant Formula Rebate Invoices (Attachment 15)
- ◆ OSC Lobbying Transmittal Form (Attachment 16) - This form must be submitted to DOH prior to award.

---

Original Language in IFB Section E.6, "Administrative"

The State may also issue supplemental invoices if it discovers that any infant formula redemptions were not accounted for in the regular invoices. The contract entitles the State to rebates for all WIC contract infant formula checks issued to WIC program infants during the contract period and redeemed by WIC program infants as the redemption period is defined within WIC program procedures.

Revised Language (**bold/underlined**) in IFB Section E.6, "Administrative" is incorporated as follows:

The State may also issue supplemental invoices if it discovers that any infant formula redemptions were not accounted for in the regular invoices. The contract entitles the State to rebates for all WIC contract infant formula checks issued to WIC program **participants** during the contract period and redeemed by WIC program **participants** as the redemption period is defined within WIC program procedures.

---

All other terms and conditions remain unchanged.