

# AWARD RECOMMENDATION

**Notice of Intent to Award Number:** 240000000413

The Department of Technology, Management, & Budget’s Procurement office has completed the evaluation of RFP 240000001081 for over the counter (OTC) opioid reversal nasal spray and has recommended an award to Emergent Devices, Inc. in the amount of \$50,000,000.00, pending State Administrative Board approval, if applicable. More information on the State Administrative Board can be found at: [State Administrative Board](#).

An award recommendation is also being made to Padagis US, LLC but it is contingent upon the following:

- 1) Obtaining 3-year shelf life for their proposed product.
- 2) Verification the online ordering platform is operational.
- 3) Verification reporting capabilities can be met based off the website functionality.

The award value and contract term negotiations will occur once Padagis US, LLC meets the requirements above.

Bidders who were not recommended for the award are encouraged to schedule a debriefing session with the Solicitation Manager. The debriefing session will provide the bidder with the State’s rationale on why the bidder was not recommended for the award. The Solicitation Manager may be contacted as follows:

Katie McFarland, Solicitation Manager.  
 McFarlandK1@michigan.gov  
 517-930-6814

### Background Information:

The Michigan Department of Health and Human Services (MDHHS) has taken action to prevent prescription drug and opioid abuse deaths and increase access to treatment for people with an opioid use disorder. Refer to Exhibit E – List of Opioid Remediation Uses for a comprehensive list of core strategies to be administered.

MDHHS has been purchasing Naloxone which is a life-saving medication used to reverse the side effects of an opioid overdose. In March 2023, the FDA approved the first OTC, nonprescription, naloxone hydrochloride nasal spray for nonprescription use.

### Bidders:

The RFP was posted on SIGMA VSS on February 1, 2024, for four weeks. The following bidders submitted proposals by the published due date of February 29, 2024.

Bidder	Address, City, State, Zip Code	SDVOB*	GDBE**
<b>Astor Pharmaceuticals</b>	665 Union Ave Holtsville, NY 11742-1457	No	No
<b>Padagis US LLC</b>	1251 Lincoln Road	No	No

	Allegan, MI 49010		
<b>Emergent Devices Inc.</b>	401 Plymouth Road, Suite 400 Plymouth Meeting, PA 19462	No	No

\*SDVOB: Service-Disabled Veteran Owned Business  
 \*\*GDBE: Geographically Disadvantaged Business Enterprise

**Non-Responsive Bidder:** Astor Pharmaceuticals was deemed to be non-responsive as they failed to follow proposal instructions and failed to provide any documentation required in the RFP.

# EVALUATION SYNOPSIS

## I. Evaluation Process

A Responsible Vendor is a vendor that demonstrates it can successfully perform the duties identified by the solicitation. A Responsive proposal is one that is submitted in accordance with the solicitation instructions and meets all mandatory requirements identified in the solicitation.

### Proposal Instructions: Evaluation Process

The State will evaluate each proposal based on the following factors:

	Technical Evaluation Criteria	Weight
1.	Vendor Questions Worksheet	10
2.	Schedule A, Statement of Work, Sections 1-2	40
3.	Schedule A, Statement of Work, Sections 3-4	25
4.	Schedule A, Statement of Work, Sections 5-9	25
	<b>Total</b>	100

Proposals receiving 80 or more technical evaluation points will have pricing evaluated and considered for award.

The full evaluation process is stated in the RFP Proposal Instructions.

## II. Evaluation Method

Responses to this solicitation were reviewed by a joint evaluation committee, which consisted of the following individuals:

Voting Members
Katie McFarland, Category Specialist, Commodities Department of Technology, Management, and Budget - Central Procurement Services
Angela Smith-Butterwick, State Administrative Manager Michigan Department of Health and Human Services (MDHHS)
Logan O'Neil, Opioid Response Program Specialist/SOR Project Director MDHHS, Behavioral and Physical Health and Aging Services Administration
Jared Welehodsky, State Assistant Administrator MDHHS

## III. Evaluation Results

### A. Padagis US LLC

The Evaluation Team determined that Padagis US LLC based on a score of 84, met the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

#### 1. Vendor Questions Worksheet: 8 Points

The Evaluation Team determined the responses were satisfactory, but the following deficiencies were noted:

- a. Bidder did not agree to the Standard Contract Terms or the Insurance requirements and submitted redlines for consideration.

**2. Schedule A, Statement of Work, Sections 1-2: 28 Points**

The Evaluation Team determined the responses were satisfactory, but the following deficiencies were noted:

- a. In 1.1, the Bidder's proposed product does not meet the 3-year shelf-life requirement identified in the RFP and does not expect to meet the requirement until February of 2025 pending approval from the FDA.
- b. In 2.1, the Bidder did not agree to meet the two-business day delivery requirement outlined in this RFP. They indicated orders would be processed within 24 hours, and that delivery timeframe would be dependent on the carrier. The evaluation team had concerns 24 hours was excessive for processing orders and was not okay with delivery timelines being dependent on carrier delivery times.

**3. Schedule A, Statement of Work, Sections 3-4: 25 Points**

The Evaluation Team determined the responses were satisfactory.

**4. Schedule A, Statement of Work, Sections 5-9: 23 Points**

The Evaluation Team determined the responses were satisfactory, but the following deficiencies were noted:

- a. In 9, Bidder did not agree to Service Level Agreement credits as identified in the RFP.

**Total Score: 84/100**

**B. Emergent Devices, Inc.**

The Evaluation Team determined that Emergent Devices, Inc. based on a score of 97, met the requirements of this RFP. This determination was accomplished by evaluating their responses to the Technical Evaluation Criteria.

**1. Vendor Questions Worksheet: 9 Points**

The Evaluation Team determined the responses were satisfactory, but the following deficiencies were noted:

- a. Bidder did not agree to the Standard Contract Terms and submitted redlines for consideration.

**2. Schedule A, Statement of Work, Sections 1-2: 40 Points**

The Evaluation Team determined the responses were satisfactory.

**3. Schedule A, Statement of Work, Sections 3-4: 25 Points**

The Evaluation Team determined the responses were satisfactory.

**4. Schedule A, Statement of Work, Sections 5-9: 23 Points**

The Evaluation Team determined the responses were satisfactory, but the following deficiencies were noted:

- a. In 9, Bidder did not agree to Service Level Agreement credits as identified in the RFP.

**Total Score: 97/100**

**IV. Technical Evaluation Summary**

	<b>Selection Criteria</b>	<b>Padagis US LLC</b>	<b>Emergent Devices, Inc.</b>
<b>1</b>	Vendor Questions Worksheet	<b>8</b>	<b>9</b>
<b>2</b>	Schedule A, Statement of Work, Sections 1-2	<b>28</b>	<b>40</b>
<b>3</b>	Schedule A, Statement of Work, Sections 3-4	<b>25</b>	<b>25</b>
<b>4</b>	Schedule A, Statement of Work, Sections 5-9	<b>23</b>	<b>23</b>
	<b>Total</b>	<b>84</b>	<b>97</b>

**V. Pricing Summary**

Pricing was evaluated for the bidders who passed technical. The following is a summary of their price proposals:

	<b>Deliverable</b>	<b>Padagis US LLC</b>	<b>Emergent Devices, Inc.</b>
<b>1</b>	Naloxone Nasal Spray	\$24.00	\$41.00

**VI. Clarifications**

**Padagis US LLC**

- 1) Bidder was asked to confirm if they currently had or were in the process of developing their online ordering platform to which they confirmed their online ordering platform is currently being developed.
- 2) Bidder was asked to agree to a different SLA for reporting requirements, to which they did agree.
- 3) Best and final pricing was requested and provided.

**Emergent Devices, Inc.**

- 1) Bidder was asked to incorporate only the required language from their Return of Goods Policy and Public Interest Terms and Conditions into the State’s contract terms and/or Statement of Work for the State to review.

2) Bidder was asked to agree to a different SLA for reporting requirements, to which they did agree.

3) Best and final pricing was requested and received.

## **VII. Award Recommendation**

Award recommendation is made to the responsive and responsible Bidder who offers the best value to the State of Michigan. Best value is based on the proposal meeting the minimum point threshold and offering the best combination of the factors stated in the *Proposal Instructions Evaluation Process* section, and price.

Emergent Devices, Inc. provided the best value to the State. Best value factors for Award Recommendation include having a product with a 4-year shelf-life, being able to meet the 2-business day delivery requirement, and having an established online ordering system.

Padagis US LLC will provide best value to the State contingent on obtaining 3-year shelf life for their proposed product, verification the online ordering platform is operational, verification reporting capabilities can be met based off the website functionality, and lowest price.