

**[TO BE COMPLETED ON OFFEROR'S LETTERHEAD]**

Date

Mr. Robert Kennedy  
Procurement Manager  
Employee Benefits Division, Room 641  
NYS Department of Civil Service  
Alfred E. Smith State Office Building  
Albany, New York 12239

**RE: Request for Proposals entitled:  
"PHARMACY BENEFIT SERVICES for THE EMPIRE PLAN, EXCELSIOR PLAN, STUDENT  
EMPLOYEE HEALTH PLAN, and NEW YORK STATE INSURANCE FUND WORKERS'  
COMPENSATION PRESCRIPTION DRUG PROGRAMS"  
Firm Offer to the State of New York**

**[INSERT OFFEROR NAME]** hereby submits this firm and binding offer to the State of New York in response to the Procuring Agencies' Request for Proposals entitled "**PHARMACY BENEFIT SERVICES for THE EMPIRE PLAN, EXCELSIOR PLAN, STUDENT EMPLOYEE HEALTH PLAN, and NEW YORK STATE INSURANCE FUND WORKERS' COMPENSATION PRESCRIPTION DRUG PROGRAMS**" (RFP). The Proposal hereby submitted meets or exceeds all terms, conditions, and requirements set forth in the above-referenced RFP and in the manner set forth in this RFP.

**[INSERT OFFEROR NAME]** accepts the terms and conditions as set forth in RFP, Section VIIA and VIIB and Appendices A, B (DCS), B (NYSIF), C (DCS), C (NYSIF), and D and agrees to satisfy the comprehensive programmatic duties and responsibilities outlined in this RFP in the manner set forth in this RFP.

**[INSERT OFFEROR NAME]** agrees to execute separate contractual agreements with the Department of Civil Service and the New York State Insurance Fund composed substantially of the terms and conditions set forth in the draft contracts included in the RFP, and accepts as non-negotiable the terms and conditions set forth in Appendices A, B (DCS), B (NYSIF), C (DCS), C (NYSIF) and D to the draft contract.

**[INSERT OFFEROR NAME]** further agrees, if selected as a result of the RFP, to comply with 1) the provisions of Tax Law Section 5-a, Certification Regarding Sales and Compensating Use Tax; and 2) the Workers' Compensation Law as set forth in Section II.B.9 of the RFP.

This formal offer will remain firm and non-revocable for a minimum period of 365 days from the Proposal Due Date as set forth in the RFP. In the event that a contract is not approved by the NYS Comptroller within the 365 day period, this offer shall remain firm and binding beyond the 365 day period and until a contract is approved by the NYS Comptroller, unless **[INSERT OFFEROR NAME]** delivers to the Procuring Agencies written notice of withdrawal of its Proposal.

**[INSERT OFFEROR NAME]**'s complete offer is set forth as follows:

*Administrative Proposal:* Total of sixteen (16) hard copy volumes [four (4) original and twelve (12) copies] and one (1) electronic copy on CD.

**Exhibit I.S Formal Offer Letter**

Technical Proposal: Total of sixteen (16) hard copy volumes [four (4) original and twelve (12) copies] and one (1) electronic copy on CD.

Cost Proposal: Total of sixteen (16) hard copy volumes [four (4) original and twelve (12) copies] and one (1) electronic copy on CD.

The undersigned affirms and swears s/he has the legal authority and capacity to sign and make this offer on behalf of, **[INSERT OFFEROR NAME]** and possesses the legal authority and capacity to act on behalf of **[INSERT OFFEROR NAME]** to execute a contract with the State of New York.

The undersigned affirms and swears as to the truth and veracity of all documents included in this offer.

Date: \_\_\_\_\_

**[INSERT OFFEROR NAME]**

By: \_\_\_\_\_  
(signature)

\_\_\_\_\_  
(name)

\_\_\_\_\_  
(title)

**CORPORATE OR PARTNERSHIP ACKNOWLEDGMENT**

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } : SS.:

On the \_\_\_\_ day of \_\_\_\_\_ in the year 2011, before me personally appeared: \_\_\_\_\_, known to me to be the person who executed the foregoing instrument, who, being duly sworn by me did depose and say that \_he resides at \_\_\_\_\_, Town of \_\_\_\_\_, County of \_\_\_\_\_, State of \_\_\_\_\_; and further that:

**[Check One]**

( \_\_\_ **If a corporation**): \_he is the \_\_\_\_\_ of \_\_\_\_\_, the corporation described in said instrument; that, by authority of the Board of Directors of said corporation, \_he is authorized to execute the foregoing instrument on behalf of the corporation for purposes set forth therein; and that, pursuant to that authority, \_he executed the foregoing instrument in the name of and on behalf of said corporation as the act and deed of said corporation.

( \_\_\_ **If a partnership**): \_he is the \_\_\_\_\_ of \_\_\_\_\_, the partnership described in said instrument; that, by the terms of said partnership, \_he is authorized to execute the foregoing instrument on behalf of the partnership for the purposes set forth therein; and that, pursuant to that authority, \_he executed the foregoing instrument in the name and on behalf of said partnership as the act and deed of said partnership.

\_\_\_\_\_  
**Notary Public**