



# Department of Public Safety and Correctional Services

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## Amendment #1 to Request for Proposals (RFP) Project No. DPSCS Q0010022 INMATE PHARMACY SERVICES November 30, 2010

This Amendment is being issued to amend and clarify certain information contained in the above named RFP. All information contained herein is binding on all Offerors who respond to this RFP. Specific parts of the RFP have been amended. The following changes/additions are listed below; new language has been double underlined and marked in bold (ex. **new language**) and language deleted has been marked with a strikeout (ex. ~~language deleted~~).

1. Amend RFP Key Information Summary Sheet as follows:

Closing Date and Time: Friday, December ~~3~~**17**, 2010 at 2:00 PM (Local Time)

2. Amend RFP §1.1 as follows:

### **1.1 Summary Statement**

The Department of Public Safety and Correctional Services (DPSCS), hereinafter called the “Department” or the “Agency,” is soliciting proposals from qualified Offerors to provide inmate pharmacy services within the confines of specified correctional institutions of the Maryland Division of Correction (DOC), **the Patuxent Institution (Patx)**, and Maryland Department of Pretrial Detention and Services (DPDS).

3. Amend RFP §1.3 as follows:

### **1.3 Contract Type**

The Contract that results from this RFP shall be a combination contract with cost reimbursement, and fixed price components, as these terms are described in COMAR 21.06.03. Specifically:

The purchase of all legend and non-legend drugs and other medical supplies shall be via cost reimbursement, as described under the definition of Acquisition Cost in RFP section 1.2.1 and section 3.33.

Payment for Staffing, Delivery, and Overhead and Profit as described in RFP section 4.6.1 **4.5.8** and separately priced on the Price Form, shall be by fixed price, to be paid in equal monthly amounts as described in RFP section 3.2.3 **3.33**.

Supplies and Equipment used by the Contractor, or its subcontractors, at its (their) own facility to meet the requirements of the RFP and resulting contract shall be included within the fixed pricing for Overhead and Profit and not separately priced.

Supplies and equipment specifically purchased for use at a Public Safety facility in accordance with RFP section 3.15.2 shall be reimbursed at the contractor's actual expense, without markup **as described in RFP section 3.33**.

4. Amend RFP §1.10 as follows:

#### **1.10 Proposals Due (Closing) Date**

An unbound original and eight (8) bound copies of each proposal (technical and financial) must be received by the Procurement Officer, at the address listed in Section 1.5, no later than **2:00 PM (local time) on Friday, December 3 17, 2010** in order to be considered. An electronic version on CD of the Technical Proposal in MS Word format must be enclosed with the original Technical Proposal. An electronic version on CD of the Financial Proposal in MS Excel format must be enclosed with the original Financial Proposal. Ensure that the CDs are labeled with the date, RFP title, RFP number, and Offeror name and packaged with the original copy of the appropriate proposal (technical or financial).

Requests for extension of the closing date or time shall not be granted. Offerors mailing proposals should allow sufficient mail delivery time to ensure timely receipt by the Procurement Officer. Except as provided in COMAR 21.05.02.10, proposals received by the Procurement Officer after the due date, **December 3 17, 2010 at 2:00 PM** (local time) shall not be considered. Proposals may not be submitted by e-mail or facsimile. Proposals will not be opened publicly.

5. Amend RFP §4.5.1 as follows:

#### **4.5 Volume II – Financial Proposal**

4.5.1 Under separate sealed cover from the Technical Proposal and clearly identified with similar information noted on the Technical Proposal (RFP Section 4.3), the Offeror must submit an unbound original, ~~seven~~ **eight** copies, and an electronic version in Microsoft Excel of the Financial Proposal. The Financial Proposal must contain all cost information in the format specified below and the Proposal Price Form (Attachment F) must be submitted and completely filled in (no blanks or omissions).

6. Amend RFP §5.2 as follows:

### **5.2 Technical Criteria**

The criteria to be applied to each technical proposal are listed in descending order of importance:

- Work Plan. Offeror response to work requirements in the RFP that illustrates a comprehensive understanding of work requirements to include an explanation of how the work will be done. Responses to work requirements such as “concur” or “will comply” will receive a lower evaluation ranking than those Offerors who demonstrate they understand a work requirement and have a plan to meet or exceed it. (Ref. Section 3 and 4.4 Tab D.)
- Staffing. (Ref. Section 4.4 Tab D.)
- Offeror Experience and Capabilities. (Ref. Section 4.4 Tab E.)
- Economic Benefit Factors. (Ref. Section 4.4 Tab H.)

7. Amend RFP §5.5, 5.6, and 5.7 as follows (merge RFP §5.5 and §5.6):

### **5.5 Selection Procedures**

The contract will be awarded in accordance with the competitive sealed proposals process under Code of Maryland Regulations 21.05.03. The competitive sealed proposals method allows discussions and revision of proposals following discussions.

Accordingly, the State may hold discussions with all Offerors judged reasonably susceptible of being selected for award, or potentially so. However, the State also reserves the right to make an award without holding discussions. In either case of holding discussions or not doing so, the State may determine an Offeror to be not responsible and/or not reasonably susceptible of being selected for award, at any time after the initial closing date for receipt of proposals and the review of those proposals.

### **5.6 Selection Procedures**

- 1) The first level of review will be an evaluation for technical merit. During this review, oral presentations and discussions may be held. The purpose of such discussions will be to assure a full understanding of the State’s requirements and the Offeror’s ability to perform, and to facilitate arrival at a contract that will be most advantageous to the State. For scheduling purposes, Offerors should be prepared to make an oral presentation and participate in discussions approximately two weeks after delivery of proposals to the State. The Procurement Officer will contact Offerors when the schedule is set by the State.

- 2) Offerors must confirm in writing any substantive oral clarification of, or change in, their proposals made in the course of discussions. Any such written clarification or change then becomes part of the Offeror's proposal.
- 3) The financial proposal of each Offeror will be evaluated separately from the technical evaluation. After a review of the financial proposals of Offerors, the Procurement Officer may again conduct discussions.
- 4) When in the best interest of the State, the Procurement Officer may permit Offerors who have submitted acceptable proposals to revise their initial proposals and submit, in writing, best and final offers (BAFOs).

#### **5.7 5.6 Award Determination**

Upon completion of all discussions and negotiations, reference checks and site visits, if any, the Procurement Officer will recommend award of the contract to the responsible Offeror whose proposal is determined to be the most advantageous to the State considering technical evaluation and price factors as set forth in this RFP. In making the most advantageous Offeror determination, price factors will be given greater weight than technical factors.

The final award approval will be made by the Board of Public Works.

Issued and authorized by

Gabriel Gnall  
Procurement Officer