



Department of Public Safety and Correctional Services

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Amendment #18 to Request for Proposals (RFP) Project No. DPSCS Q0012015 INMATE PHARMACY SERVICES November 10, 2011

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~~). This Amendment supersedes any previously related revisions in prior RFP amendments and any related responses issued in Questions and Responses #1, #2, and #3. A revised copy of the Inmate Pharmacy Services RFP, including all changes from Amendments #1 - #18, is attached to this Amendment.

1. Amend RFP §1.19 as follows:

1.19 Minority Business Enterprises

A Minority Business Enterprise (MBE) subcontractor participation goal of 20% has been established for this solicitation. The contractor must attempt to subcontract with certified MBEs for a total subcontract value of at least 20% of the total value of the contract, excluding the cost of pharmaceutical drugs (legend or non-legend) and medical supplies. **An Offeror shall exclude the cost of pharmaceutical drugs (legend or non-legend) and medical supplies purchased from a subcontractor in calculating the Offeror's MBE commitment (see Attachment D). Areas that have potential for subcontracting include delivery, staffing, and other services related to the distribution of pharmaceuticals and medical supplies under this Contract, not including the cost of the pharmaceutical drugs and medical supplies themselves. Other MBE subcontracting opportunities on the Contract may be available depending on the Offeror's business model or approach to providing the Contract services.** A prime contractor — including an MBE prime contractor — must utilize certified MBE subcontractors in an attempt to meet the MBE subcontract goal. A prime contractor comprising a joint venture that includes MBE partner(s) must utilize certified MBE subcontractors in an attempt to meet the MBE subcontract goal.

For any questions about the MBE subcontractor participation goal, proper completion of MBE Affidavits, or the MBE program in general, please contact the Procurement Officer prior to the Proposal Due (closing) Date. Questions or concerns regarding the MBE requirements of this solicitation must be raised before the opening of bids or receipt of initial proposals.

The Contractor shall structure its award(s) of subcontracts under the Contract in a good faith effort to achieve the goal in such subcontract awards by businesses certified by the State of Maryland as minority owned and controlled. MBE requirements are specified in Attachment D, "Minority Business Enterprise Participation." Subcontractors used to meet the MBE goal of this RFP must be identified in the Offeror's proposal.

Attachment D, "MBE Utilization and Fair Solicitation Affidavit," and "MBE Participation Schedule," must be properly completed and submitted with each Offeror's proposal. An Offeror that does not commit to meeting the entire MBE participation goal outlined in this Section 1.19 must submit a request for waiver with its proposal submission based upon making a good faith effort to meet the MBE goal prior to submission of their proposal (full or partial waiver based on the MBE subcontracting commitment that is made). **Failure of the Contractor to properly complete, sign, and submit Attachments D at the time it submits Technical Response to the RFP will result in the State's rejection of the Contractor's Proposal to the RFP. This failure is not curable.**

A current directory of MBEs is available through the Maryland State Department of Transportation, Office of Minority Business Enterprise, 7201 Corporate Center Drive, P.O. Box 548, Hanover, Maryland 21076. The phone number is (410) 865-1269. The directory is also available at <http://www.e-mdot.com/>. Select the MBE Program label. The most current and up-to-date information on MBEs is available via the web site.

2. Amend RFP §1.21 as follows:

1.21	Offeror Responsibilities
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The selected Offeror shall be responsible for all products and services required by this RFP. Subcontractors must be identified and a complete description of their role relative to the proposals must be included in the Offeror's proposals. Additional information regarding MBE Subcontractors is provided under paragraph 1.19 above.

If an Offeror that seeks to perform or provide the services required by this RFP is the subsidiary of another entity, all information submitted by the Offeror, such as but not limited to **minimum qualifications**, references and financial reports, shall pertain exclusively to the Offeror, unless the parent organization will guarantee the performance of the subsidiary. If applicable, the Offeror's proposal shall contain an explicit statement that the parent organization will guarantee the performance of the subsidiary.

3. Amend RFP §3.17 as follows:

3.17	Medication Immediate Start and Emergency Supplies
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3.17.1 **On-Site Starter Doses:**

Drugs and stock quantities for starter doses shall be available in amounts determined in conjunction with the Medical Contractor's approved regional personnel of the Service Delivery Area, subject to Agency approval.

3.17.1.1 Any stock medication ordered shall be prescribed for 3 to 7 days, to include both prescription medication as well as over-the-counter medication.

3.17.1.2 A completed accountability sheet shall be returned to the pharmacy (for reconciliation of doses) when stock is depleted. The drugs shall be recorded and reissued when medically appropriate and ordered by the Clinician. **The Contractor shall monitor the expiration dates of the stock starter drugs on a monthly basis and notify the Department of any drugs set to expire within three months of the monthly inspection date. In the event that the Contractor does not notify the Department of any recorded stock starter drugs set to expire, as required in these monthly inspections, and those drugs are returned to the Contractor after their expiration date, the Contractor will fully reimburse the Department for the cost of those specific drugs, notwithstanding their expired status, or provide equivalent replacement at no cost to the Department.**

3.17.1.3 Documentation of controlled drugs shall be provided according to the DPSCS policy and State and Federal regulations.

3.17.1.4 The Contractor must account for and dispose of all controlled substances within the guidelines of all Federal and State laws.

3.17.2 **On-Site Emergency Kits:**

The Contractor shall supply an emergency medication kit to each Medication Room as directed by the Department.

3.17.2.1 The emergency medication kit shall contain only those medications for which immediate administration is required in order to alleviate pain, infection, modify dangerous behavior, or preserve life, including HIV prophylactics.

3.17.2.2 The Contractor shall make determinations on emergency medication kit drugs and stock quantities in conjunction with the Medical Contractor's statewide Medical Director and the Agency Medical Director. Based upon information received from the Medical Contractor, the Contractor will receive orders to replenish Medication Room stock.

3.17.2.3 All emergency medication kit contents shall be listed on the outside of the kit and kits shall be restocked as necessary.

3.17.2.4 The Contractor shall inventory the emergency medication kits monthly, or as necessary to maintain proper quantity levels. **The Contractor shall monitor the expiration dates of the emergency kit**

drugs on a monthly basis and notify the Department of any drugs set to expire within three months of the monthly inspection date. In the event that the Contractor does not notify the Department of any recorded medication kit drugs set to expire, as required in these monthly inspections, and those drugs are returned to the Contractor after their expiration date, the Contractor will fully reimburse the Department for the cost of those specific drugs, notwithstanding their expired status, or provide equivalent replacement at no cost to the Department.

Offerors are to acknowledge receipt of this amendment by providing a signed document to the Procurement Officer at the address provided in RFP Section 1.5 by 10:00 AM, November 17, 2011, stating that this Amendment # 18 has been received and reviewed by the Offeror. Failure to acknowledge receipt of an amendment does not relieve the Offeror from complying with all terms of any such amendment.

Issued and authorized by

Gabriel Gnall
Procurement Officer

Attachment:

DPSCS Q0012015 – Inmate Pharmacy Services – including Amendment #1 - #18
11.10.11