



Department of Public Safety and Correctional Services

Office of the Secretary

300 E. JOPPA ROAD • SUITE 1000 • TOWSON, MARYLAND 21286-3020
(410) 339-5000 • FAX (410) 339-5071 • TOLL FREE (877) 379-8636 • V/TTY (800) 735-2258 • www.dpscs.maryland.gov

STATE OF MARYLAND

LARRY HOGAN
GOVERNOR

BOYD K. RUTHERFORD
LT. GOVERNOR

STEPHEN T. MOYER
SECRETARY

WILLIAM G. STEWART
DEPUTY SECRETARY
ADMINISTRATION

J. MICHAEL ZEIGLER
DEPUTY SECRETARY
OPERATIONS

RHEA L. HARRIS
ASSISTANT SECRETARY
PROGRAMS AND SERVICES

DAVID N. BEZANSON
ASSISTANT SECRETARY
CAPITAL PROGRAMS

Amendment #2 To Request For Proposals (RFP) Pharmacy Services Solicitation No. Q0016025

Ladies and Gentlemen:

This Addendum 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 the TABLE OF CONTENTS at the ADDITIONAL RFP ATTACHMENTS UNDER SEPARATE COVER as follows:

ATTACHMENT P – COT/GAD X-10 CONTRACOTR ELECTRONIC FUNDS (EFTA) REGISTRATION FORM

ATTACHMENT Q – AVERAGE DAILY POPULATION (ADP)

ATTACHMENT R – PHARMACY DELIVERY LOCATIONS WITH FACILITIES

ATTACHMENT S – FACILITY-BY-FACILITY MEDICATION DISTRIBUTION METHOD REQUIREMENTS

ATTACHMENT T – LIQUIDATED DAMAGES TABLE

ATTACHMENT U – LIST OF REQUIRED REPORTS

ATTACHMENT V- PHARMACY BARCODE SCAN FACILITY CODES AND LOCATIONS

ATTACHMENT W – EMERGENCY MEDICATION ORDERS

ATTACHMENT X-X9 – SAMPLE REPORTS

ATTACHMENT Y – FORMULARY REPORT

ATTACHMENT Z – BON SECOURS CONTRACT

ATTACHMENT Z-1 BON SECOURS CONTRACT WITH THE CONTRACT PHARMACY

ATTACHMENT AA – FACILITY TOUR SCHEDULE

2. AMEND Section 3.2.31 as follows:

3.2.1 Federal 340B Drug Pricing Program

PARTICIPATION IN FEDERAL 340B DRUG PRICING PROGRAM:

The Department has entered into a contract with Bon Secours Hospital Baltimore, Inc., (“Bon Secours”), a “covered entity” qualified to participate in the Federal 340B Drug Pricing Program established under Section 340B of the Public Health Service Act, codified at 42 USC § 256b. The contract between the Department and Bon Secours (“the Bon Secours Contract”) entitles the Department to purchase pharmaceuticals through the 340B drug pricing program at significantly lower prices than general market prices; specifically drugs used to treat inmates infected with HIV and Hepatitis C. A copy of the Bon Secours Contract is attached and marked Attachment Z. The Contractor agrees to submit an application under 340B to be approved to serve as the “Department-Approved 340B Contract Pharmacy” identified in the Bon Secours Contract. The Contractor agrees to enter into a separate contract with Bon Secours whereby it will act as the primary dispenser of 340B medications to Inmate Patients referred to Bon Secours by the Department to include:

- a) acting as the primary shipping address to receive all 340B medications ordered under a ship-to-bill arrangement;
- b) delivering the 340B medications ordered by the prescribing physician to the appropriate Department facility in the same manner as the non-340B medication deliveries.

A copy of the draft contract that the Contractor shall execute with Bon Secours is hereby attached and marked Attachment Z-1.

When prescription drugs are ordered by the designated Bon Secours Medical Providers treating Inmate Patients referred by the Department, the Bon Secours Medical Providers shall enter the orders into the Bon Secours Electronic Medical Record (EMR). Inmate Patients shall receive a thirty (30)-day supply of drugs with up to eleven (11) refills, to be purchased by Bon Secours from a wholesaler and shipped to the Contractor. The Contractor will package, track, and deliver the dispensed prescriptions to the appropriate correctional facilities in accordance with the terms of this RFP.

The Contractor will, pursuant to the terms of that Contract:

- a. Dispense and deliver medications to locations designated by the Department, and in a manner prescribed by the Department.
- b. Generate computerized utilization review reports in a form and format subject to the approval of Bon Secours and the Department. The utilization review reports shall be comprehensive, including a monthly pharmacy services report with a rolling year of data (Cost of Medications broken down by Infectious Disease and by facility site, Inmate’s name, age, SID number, gender, race; number of patient’s medications by Infectious Disease; number of prescriptions per patient, etc.)

- c. Maintain documentation of Pharmacy Services performed under the Contract consistent with the requirements of the Maryland Board of Pharmacy and the 340B program. The Contractor shall provide copies of said records to the Department upon written request.
 - d. Agree to exclude the drugs on the Excluded Drug List from the scope of the 340B program, as directed by the Contract Monitor.
 - e. Shall coordinate and cooperate in any state and federal audit requirements applicable to the 340B program audits conducted by Health Resources and Services Administration (“HRSA”), a unit of the United States Department of Health and Human Services (“HHS”), and/or drug manufacturers, in accordance with 42 U.S.C. § 256b(a)(5)(C).
 - f. Shall provide Early Refill Reports by the 10th of the following month for all early refills of 340B Program drugs for the prior month.
 - g. Shall provide a 340B Drug Utilization Report by the 10th of the following month for the prior month.
3. AMEND the RFP ATTACHMENTS as follows:

RFP ATTACHMENTS

ATTACHMENT A – Contract

This is the sample contract used by the Department. It is provided with the RFP for informational purposes and is not required to be submitted at Proposal submission time. Upon notification of recommendation for award, a completed contract will be sent to the recommended Contractor for signature. The recommended Contractor must return to the Procurement Officer three (3) executed copies of the Contract within five (5) Business Days after receipt. Upon Contract award, a fully-executed copy will be sent to the Contractor.

ATTACHMENT B – Proposal Affidavit

This Attachment must be completed and submitted with the Technical Proposal.

ATTACHMENT C – Contract Affidavit

This Attachment must be completed and submitted by the recommended Contractor to the Procurement Officer within five (5) Business Days of receiving notification of recommendation for award.

ATTACHMENT D – Minority Business Enterprise Forms

If required (see Section 1.33), these Attachments include the MBE subcontracting goal statement, instructions, and MBE Attachments D-1 through D-5. Attachment D-1 must be properly completed and submitted with the Offeror’s Technical Proposal or the Proposal will be deemed not reasonably susceptible of being selected for award and rejected. Within 10 Business Days of receiving notification of recommendation for Contract award, the Offeror must submit Attachments D-2 and D-3A/B.

ATTACHMENT E – Pre-Proposal Conference Response Form

It is requested that this form be completed and submitted as described in Section 1.7 by those potential Offerors that plan on attending the Pre-Proposal Conference.

ATTACHMENT F – Financial Proposal Instructions and Form

The Financial Proposal Form must be completed and submitted in the Financial Proposal package.

ATTACHMENT G – Maryland Living Wage Requirements for Service Contracts and Affidavit of Agreement

Attachment G-1 Living Wage Affidavit of Agreement must be completed and submitted with the Technical Proposal.

ATTACHMENT H – Federal Funds

If required (see Section 1.35), these Attachments must be completed and submitted with the Technical Proposal as instructed in the Attachments.

ATTACHMENT I – Conflict of Interest Affidavit and Disclosure

If required (see Section 1.36), this Attachment must be completed and submitted with the Technical Proposal.

ATTACHMENT J – Non-Disclosure Agreement

If required (see Section 1.37), this Attachment must be completed and submitted within five (5) Business Days of receiving notification of recommendation for award. However, to expedite processing, it is suggested that this document be completed and submitted with the Technical Proposal.

ATTACHMENT K – HIPAA Business Associate Agreement

If required (see Section 1.38), this Attachment is to be completed and submitted within five (5) Business Days of receiving notification of recommendation for award. However, to expedite processing, it is suggested that this document be completed and submitted with the Technical Proposal.

ATTACHMENT L – Mercury Affidavit

If required (see Section 1.40), this Attachment must be completed and submitted with the Technical Proposal.

ATTACHMENT M – Veteran-Owned Small Business Enterprise Forms

If required (see Section 1.41), these Attachments include the VSBE Attachments M-1 through M-4. Attachment M-1 must be completed and submitted with the Technical Proposal. Attachment M-2 is required to be submitted within ten (10) Business Days of receiving notification of recommendation for award.

ATTACHMENT N – Location of the Performance of Services Disclosure

If required (see Section 1.42), this Attachment must be completed and submitted with the Technical Proposal.

ATTACHMENT O – Department of Human Resources (DHR) Hiring Agreement
If required (see Section 1.43), this Attachment is to be completed and submitted within five (5) Business Days of receiving notification of recommendation for award.

ATTACHMENT P – COT/GAD X-10 Contractor Electronic Funds (EFTA) Registration Form

ATTACHMENT Q – Average Daily Population (ADP)

ATTACHMENT R – Pharmacy Delivery Locations with Facilities

ATTACHMENT S – Facility-by-Facility Medication Distribution Method Requirements

ATTACHMENT T – Liquidated Damage Table

ATTACHMENT U – List of Required Reports

ATTACHMENT V – Pharmacy Barcode Scan Facility Codes and Locations

ATTACHMENT W – Emergency Medication Orders

ATTACHMENTS X1 – X9 – Sample Reports

ATTACHMENT X-1 – Early Fills sample report

ATTACHMENT X-2 – HIV/HEPC Report

ATTACHMENT X-3 – Pharmacy Services Manual

ATTACHMENT X-4 – Sample Audit of Medication and Methadone Rooms

ATTACHMENT X-5 – P&T Meeting Minutes Sample

ATTACHMENT X-6 – Pharmacy ACA Outcome Measure Report (Pharmacy Discrepancy)

ATTACHMENT X-7 – Sample Pharmacy Patient and Disease Profile

ATTACHMENT X-8 – Drug Utilization

ATTACHMENT X-9 – Duvall vs. Hogan Consent Decree and Consent Decree Annotated

ATTACHMENT Y – Formulary Report

ATTACHMENT Z – Bon Secours Contract

ATTACHMENT Z-1 - Bon Secours Contract with the Contract Pharmacy

ATTACHMENT AA – Facility Tour Schedule

Issued and authorized by

<signed>
Rachel J. Cruse
Procurement Officer