



# Department of Public Safety and Correctional Services

## Office of the Secretary

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## Amendment #31 To Request For Proposals (RFP) Pharmacy Services Solicitation No. Q0016025 March 20, 2019

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 for inclusion in the RFP has been underlined and marked in **red bold double underlined** (ex. **new language**), and language deleted has been marked with a double strikeout (ex. ~~language deleted~~).

1. Revise the **Key Information Summary Sheet** as follows:

### Proposal Due (Closing) Date and Time:

~~Thursday, February 28, 2019 at 2:00 PM Local Time~~  
**Thursday, April 11, 2019 at 2:00 PM Local Time**

### NOTICE OF EXTENSION:

**SINCE THE MSBCA DECISION HAS BEEN RECEIVED, AS STATED IN AMENDMENT #28, DPSCS IS ALLOTING THREE (3) WEEKS FOR THE SUBMISSION OF PROPOSALS FOR THE ABOVE-REFERENCED RFP.**

2. Revise **RFP Section 1.1.2 (Summary Statement)**, as follows:

**1.1.2** It is the State's intention to obtain services, as specified in this RFP, from a Contract between the selected Offeror and the State. The anticipated duration of services to be provided under this Contract is five (5) years beginning on or about **January 1, 2020, through December 31, 2024** ~~July 1, 2018, through June 30, 2023~~. The State at its sole discretion may extend for one (1) renewal option of two (2) years.

3. Revise **RFP Section 1.2.1 (Abbreviations and Definitions)**, as follows

**1.2.1 Actual Acquisition Cost** - The cost paid by the Contractor to acquire Pharmaceuticals and Supplies other than those Pharmaceuticals and Supplies purchased under ~~either~~ the 340B Program **(if implemented)** or from local pharmacies for Urgent Medication Delivery (see Section 3.2.26).

**1.2.52 Other Healthcare Contractors** - Any or all of the entities under contract with DPSCS for the specialized delivery of Dental, Mental Health or Medical services to Inmates under the jurisdiction of DPSCS. These Other Healthcare Contractors may be individually referred to in the RFP as the Dental Contractor, Mental Health Contractor, Medical Contractor, and **potential** 340B Covered Entity.

4. Revise **RFP Section 1.43 (Department of Human Resources (DHR) Hiring Agreement)**, as follows:

**1.43 Department of Human ~~Resources~~ **Services** (DHSR) Hiring Agreement**

This solicitation does not require a DHS~~R~~ Hiring Agreement.

5. Revise **RFP Section 3.1.1 (Background and Purpose)**, as follows:

**3.1.1** The Contract is one component of the overall Inmate healthcare program which consists of separate contracts which resulted from procurement solicitations with three (3) other private vendors, including Medical, Mental Health, ~~Dental~~ **and Dental, as well as the potential** 340B Covered Entity (Other Healthcare Contractors). The Contractor is responsible for being familiar with each of the aforementioned contracts. The solicitations for each of the **existing** Other Healthcare Contracts are available here:

- <http://dbm.maryland.gov/proc-contracts/Pages/contract-library/inmateMentalHealth.aspx>
- <http://dbm.maryland.gov/proc-contracts/Pages/contract-library/Inmate-Dental.aspx>
- <http://dbm.maryland.gov/proc-contracts/Pages/contract-library/DPSCS/InmateMedHealthCare.aspx>
- <http://dpscs.maryland.gov/publicservs/procurement/MedicalServices.shtml>

6. Revise RFP Section 3.2.1 (Scope of Work - Requirements), as follows:

3.2.1 The Contractor shall timely package, dispense, and deliver to facility locations identified in Attachment R, Pharmaceuticals and Supplies as approved or ordered and in the specified quantities as prescribed by Other Healthcare Contractors, and the Department's 340B Covered Entity **(if applicable)**, in compliance with all applicable federal and State laws and regulations. The Contractor shall fill prescription orders received via fax as well as through an electronic ordering system.

7. Revise RFP Section 3.2.4 (Scope of Work - Requirements), as follows:

3.2.4 **The Department may implement a 340B drug purchasing program sometime during the Contract term. If such a program is implemented,** ~~The~~ **the** Contractor shall participate in ~~a~~ **the** 340B drug purchasing program with the 340B Covered Entity under contract with the Department in accordance with Section 3.2.31. For any and all drugs purchased through the 340B program no additional fees may be charged beyond what is included in Attachment F – Financial Proposal Form.

8. Revise RFP Section 3.2.5.3 (Scope of Work - Requirements), as follows:

3.2.5.3 ~~The Department anticipates issuing~~ **issued** ~~an RFP in FY18 for a comprehensive Electronic Health Record to include an eMAR component. The Contractor shall have the same responsibilities for any successor eMAR system implemented during the term of the Contract as for the existing eMAR. There will be a transition from the existing Electronic Health Record NextGen to the new one. That transition could take 18 to 24 months. The Contractor shall interface with the Department's new electronic health record regarding the electronic ordering of medications at some time during this contract period.~~

9. Revise RFP Section 3.2.17.2 (Staffing and Management), as follows:

3.2.17.2 Expected location of five (5) Clinical Pharm.D.s

A. ~~Four (4)~~ **One (1)** Contractor Clinical Pharm.D.s shall be located in **each of the following five (5)** service delivery areas **(as identified below)** ~~in Attachment R,~~ although the Department retains the authority to modify these locations and regions at its discretion: ~~One (1) Contractor Clinical Pharm.D. shall be assigned to each of the following service delivery areas:~~

i. Baltimore Complex (1) **~ Pre-Trial and Sentencing**

- ii. Western Region (1)
- iii. Eastern Region (1)
- iv. Jessup Region (1)
- v. **Jessup Region Hub (1) ~ Re-entry/ Discharge medication; HIV/HCV transfer medication tracking; usage of 340B medication (if the 340B program is implemented)**

B. In addition, ~~the~~ one (1) Clinical Pharm.D. ~~shall be~~ located in Jessup (**Re-entry, see Section 3.2.17.2 A.v. above**) ~~and shall be~~ specifically tasked with the following:

- i. Monitoring **and report generation** of all HIV, HCV and system-wide discharge medications, **including HCV medication intra-facility transfer;**
- ii. Facilitate purchasing and monitoring of all 340B Program drugs **(if the 340B program is implemented);** and
- iii. Monitoring medications for those inmates transported to Jessup **Region Hub** from the Western and the Eastern Regions for the following:
  - Re-entry Inmates who will be returning to their housing in Central Maryland;
  - Those Inmates who have court dates in Baltimore; **and have medications transported;**
  - Those Inmates who have **specialty care**/medical appointments/treatments/procedures in Baltimore **community hospitals, including those on HCV medications arranging drop off and pick up of those medications supplied; and**
  - **Mental Health and Medical Re-entry coordinator meeting attendance and discharge medication report completion.**

10. Revise RFP Section 3.2.31 (Federal 340B Drug Pricing Program), as follows:

**PARTICIPATION IN FEDERAL 340B DRUG PRICING PROGRAM:**

~~The Department has entered~~ **The Department may enter** 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 **potential** contract between the Department and **the 340B Covered Entity (currently expected to be Bon Secours Hospital Baltimore, Inc.)** ~~entitles~~ **will entitle** 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 draft Bon Secours Contract is attached and marked Attachment Z. **If a contract between the Department and Bon Secours is finalized,** ~~The~~ 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 **shall additionally** agree 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;
- c) **If the 340B Program is implemented, the Contractor shall charge no more than the amount of the increased Monthly Management Fee proposed in its financial proposal for the associated administrative expenses.**

**NOTE: The remaining paragraphs of RFP Section 3.2.31 are unchanged.**

**11. Revise RFP Section 3.2.32.9 (Policies and Procedures), as follows:**

**3.2.32.9** ~~40~~ Contractor’s policies and procedures shall include, but are not limited to, direction regarding the following:

- A. Administrative Matters
- B. Barcode Scanning Manual
- C. Medication Delivery (including handling of medications requiring refrigeration, access to institutions, marking of packages, etc.) and Inventory control
- D. Packaging of medications, including blister packaging and discharge medications
- E. Prescription processing
- F. Refills/**early refill**
- G. Medication dispensing and administration
- H. Methadone utilization
- I. Formulary adherence and requirements for variation
- J. Emergency medications
- K. P&T Committee processes
- L. Infectious disease
- M. Continuous Quality Improvement
- N. Emergency Management Plans

- O. Monthly Barcode Scanner and Medication Room Inspections
- P. Pharmaceutical and Supplies Inventory Control Process
- Q. Medical Records (when and how to make entries)
- R. Utilization Management and Peer review
- S. Risk Management and mortality review
- T. Personnel Policies and Procedures
- U. ARP (Administrative Remedy Procedure) and Grievance Process
- V. DPSCS Pharmacy Services Manual Peer Review Process of any Contractor Clinical Pharm.D.
- W. HIPAA requirements
- X. Non formulary process
- Y. Potential 340B process, HCV, HIV, etc.

12. Revise RFP Section 4.4.2.6 I (Volume I – Technical Proposal, Offeror Technical Response to RFP Requirements and Proposed Work Plan (Submit under TAB E)), as follows:

- I. The Offeror’s proposal shall include a transition plan which sets forth the plan by which it will be prepared to initiate the full range of services required by the RFP by the Go-Live Date. In particular, the plan shall describe how the offeror will provide, by the Go-Live Date, continuity of delivery of pharmacy services for medications, barcode scanner software, **and** discharge medications, ~~and 340B Program services.~~ A finalized version of the plan shall be provided to the CMO and CM within ten (10) days following Notification of Recommendation for Contract Award. **Offeror(s) shall provide, as part of the transition plan, a description of the procedures it will put in place upon Contract Commencement to determine the current/standing Pharmaceutical and Supply inventory housed in the facilities and current pharmacy vendor warehouse or other locations prior to the Go-Live Date.**

13. Revise RFP Section 4.4.2.6 (Volume I – Technical Proposal, Offeror Technical Response to RFP Requirements and Proposed Work Plan (Submit under TAB E)), to **add Section 4.4.2.6 N**, as follows

- N. **The Offeror’s proposal shall include a transition plan which sets forth the plan by which it will be prepared to initiate the process of including 340B Program services. A finalized version of the plan shall be provided to the CMO and CM within ten (10) days of a written request.**

14. Replace ALL Attachments D Minority Business Enterprise Forms, Attachments D-1 through D-5 inclusive, pages 108 through 137 of the RFP, with the revised versions of those forms, pages D-1 though D-29. The revised forms are available at:

<https://procurement.maryland.gov/wp-content/uploads/sites/12/2018/05/AttachmentDMBE-Forms-1.pdf>

An accompanying Informational Memorandum is being issued with this Amendment #31.

The revised forms must be completed and submitted by the Offeror with its complete proposals response, as instructed in RFP Section 4.4.3.2, by the Proposal Due (Closing) Date and Time of Thursday, April 4, 2019 at 2:00 PM Local Time. **The MBE forms currently in the RFP (as revised in Amendment #17 on February 28, 2018) should not be submitted.**

See the attached documents entitled “**Amendment 31, Informational Memo-DPSCS Pharmacy Services RFP No. Q0016025 (3.20.19).pdf** and “**Attachments D – Revised Minority Business Enterprise Forms (3.20.19).pdf**”

15. Replace the 4<sup>th</sup> Revised Financial Proposal Form (Attachment F) with the **5<sup>th</sup> Revised Financial Proposal Form (Attachment F)**.

See the attached document entitled “**5th REV (AMEND 31) Attachment F - Financial Proposal Form - DPSCS Pharmacy Svcs RFP No. Q0016025.xlsx**”

16. **AMEND Line E of Attachment F – Financial Proposal Form, Instructions Tab** as follows:

E) On the Pharmaceuticals & Supplies Tab, in Column F, provide the AAC per Unit of Measure DPSCS would pay (per tab, cap, vial, inhaler, syringe, can, bottle, kit, etc.) for each Brand and Generic Pharmaceutical or Supply as of **December 2018** ~~June/July 2017~~, based upon Offeror's manufacturer/wholesaler invoicing for the month of **December 2018** ~~June/July 2017~~.

17. **AMEND Line F of Attachment F – Financial Proposal Form, Instructions Tab** as follows:

F) If the Offeror did not purchase a particular Pharmaceutical or Supply during the month of **December 2018** ~~June 2017~~, the Offeror shall provide the AAC per Unit of Measure DPSCS would pay (per tab, cap, vial, inhaler, syringe, can, bottle, kit, etc.) for each Brand and Generic Pharmaceutical or Supply based upon and supported by Offeror's manufacturer/wholesaler/specialty pharmacy vendor's invoicing from **December 2018** ~~the 90 days prior to June 2017~~.

18. AMEND Line L of Attachment F – Financial Proposal Form, Instructions Tab as follows:

L) The % Increase in Monthly Management Fee if 340B Program is Implemented (see Annual Management Fee Tab) is the maximum increase in the Monthly Management Fee that will be applied if the 340B Program is implemented by DPSCS.

~~L.) The % Reduction in Monthly Management Fee if 340B Program is Terminated (see Annual Management Fee Tab) is a discount in the Monthly Management Fee that will be applied monthly if the 340B Program is terminated by DPSCS.~~

19. Revise Attachment O (Department of Human Resources (DHR) Hiring Agreement), as follows:

Attachment O – Department of Human ~~Resources~~ **Services Resources (DHSR)** Hiring Agreement

This solicitation does not require a DHSR Hiring Agreement.

Date Issued: MARCH 20, 2019

Issued and Authorized By:

<signed>

Andrea R. Lockett  
DBM Procurement Officer

**Attachments:**

- (1) Amendment 31, Informational Memo-DPSCS Pharmacy Services RFP No. Q0016025 (3.20.19).pdf
- (2) Attachments D – Revised Minority Business Enterprise Forms (3.20.19).pdf
- (3) 5th REV (AMEND 31) Attachment F - Financial Proposal Form - DPSCS Pharmacy Svcs RFP No. Q0016025.xlsx