



STATE OF DELAWARE
DEPARTMENT OF CORRECTION
BUREAU OF MANAGEMENT SERVICES / PURCHASING
245 MCKEE ROAD
DOVER, DELAWARE 19904

TO: ALL OFFERERS

FROM: PURCHASING SERVICES ADMINISTRATOR

SUBJECT: RESPONSES TO RFP QUESTIONS FOR PROPOSAL NO.:
DOC1427-PHARM, Correctional Health Care Pharmaceutical Services

ADDENDUM #9 – October 11, 2013

DE Department of Correction submits the following FINAL Consolidated Response to questions submitted between October 3th through October 4th. All other terms and conditions of the RFP remain unchanged.

QUESTION #1

Section:

Paragraph:

Page:

Question: In Addendum 6, questions 1, 6, 13, and 17 were not answered as the Department declared those answers as proprietary. Disclosure of the current contract rates and expenditures should not be proprietary, as this information is now historic in relationship to the expiring contract. Our understanding of the Delaware Freedom of Information Act is that public business shall be provided in a public and open manner. As the Delaware DOC is a publically funded entity through state resources, it would seem reasonable that any information available in relationship to cost and the expenditure of public monies to a private contractor should not be deemed as proprietary, but rather, as open and public.

Failure to disclose the known and available information would be a substantial disadvantage to any bidders wishing to compete in a fair and competitive bid process. The RFP does not disclose any financial information, historic cost of medications, or costs related to backup pharmacy expenditures that need figured into a bidder's proposal. If this information were not to be disclosed, the incumbent provider would be allowed inside knowledge of utilization and thus a distinct and unfair advantage over other bidders seeking to provide a competitive offer to the Delaware DOC and ultimately the taxpayers of the State of Delaware. Would the Department please reconsider its position regarding the prior responses set forth in Addendum 6 and provide the requested historic information so a fair and competitive bid process can be assured?

Answer: Please see following two pages:

ADDENDUM 6 / QUESTION #1

Section:

Paragraph:

Page:

Question: Is your current contract rate for pharmacy services based on the actual acquisition cost of medications plus a per inmate per month (PIPM) fee? If so, what is the current PIPM fee?

Answer: The PIPM fee is \$9.98

Question: If the rate is based on another format, can you please provide that format and rate?

Answer: N/A

Question: If any items such as consultative services and delivery are itemized, can you provide those costs?

Answer: The DOC does not have an itemized list of services provided; under the current contract, the DOC pays one sum for all services. The current vendor may have this itemized information; however, the current vendor maintains that this information is proprietary.

ADDENDUM 6 / QUESTION #6

Section:

Paragraph:

Page:

Question: Will you mandate that the pharmacy vendor be in complete compliance at the time of proposal submission with this requirement before they can reclaim medications and provide credit to your facilities?

Answer: Each proposal must interpret the FDA requirements and give a reasonable explanation on how they will meet those requirements.

Question: Will you require a sample blister card to be submitted by each bidder as proof of compliance with this requirement?

Answer: No

Question: Will vendors unable to ensure the safety of your patients through their inability to track the lot number and expiration dates of return medications be deemed non-responsive and therefore ineligible for an award?

Answer: Each proposal must interpret the FDA requirements and give a reasonable explanation on how they will meet those requirements.

Question: Are you currently receiving credit on partial blister cards if they are not labeled as unit dose packaging?

Answer: The DOC is not aware of whether the current vendor receives credit on partial blister cards; under the current contract, the DOC pays one sum for all services. The current vendor has this information, but maintains that this information is proprietary.

ADDENDUM 6 / QUESTION #13

Section: II

Paragraph: B.2.a.

Page: 6

Question: This section indicates that vendors are required to provide individual pricing information specific to the certain areas. Although the current pharmacy contract is all-inclusive, a reasonable expectation is that the DDOC currently receives the breakout by category, as requested in the RFP. Could the DDOC provide the individual pricing information for the past 12months for the following categories?

- Prescription medication actual acquisition cost (AAC) charged to the DDOC for the past 12 months
- Over-the-counter (OTC) stock item medication actual acquisition cost (AAC) charged to the DDOC over the past 12 months
- Total dollars charged to the DDOC for daily delivery services over the past 12 months

- Total dollars charged to the DDOC for Pharm.D. consultative services over the past 12 months
- Total dollars charged to the DDOC for pharmacy inventory management services over the past 12 months

Answer: The DOC does not have individual pricing information, actual acquisition costs, etc. Under the current contract, the DOC pays one sum for all services. The current vendor has the requested information, but maintains that this information is proprietary.

ADDENDUM 6 / QUESTION #17

Section: II

Paragraph: B.15.

Page: 13

Question: Is the vendor to pay for these services and then pass them on to the DDOC as a pass-through cost, which is typical within the correctional industry for emergency medication needs? Or, is the vendor to absorb the cost of these services as part of its bid rate? If so, what is the dollar cost over the past 12 months for backup medications and delivery expenses?

Answer: The vendor is to absorb the cost of these services as part of its bid rate. The DOC does not have the dollar cost over the past 12 months for the current vendor. Under the current contract, the DOC pays one sum for all services. The current vendor has the requested information, but maintains that this information is proprietary.

***Note:** *This concludes answers to Question #1. Additional questions start on next page.*

QUESTION #2

Section:

Paragraph:

Page:

Question: In response to Addendum 6, answer to question #21, we have inserted below a copy of page 55 of your RFP that is entitled (on lines 2259 and 2260) "Appendix F, Deliverables Table." The first row of the table has the text "Proposal Items Due October 4, 2013." Can you please clarify what the DDOC expects from pharmacy bidders relative to the items listed in this table?

2259 Appendix F
2260 Deliverables Table

Proposal Items Due October 4, 2013	
Categorized Pricing Information with aggregate and specific price quotes	P 5, II.B.2.
Daily Delivery Services	P 6, II.B.3.a.
Destruction Services	P 6, II.B.b.
Monthly DUR Studies	P 6, II.B.c.
Pharm D Consultation Services	P 6, II.B.d.
Provisions of a Constitutional System for Offender Health Care	P 7, II.B.4.
Leadership Plan	P 7, II.B.4.ii.
Outside Consultation Care	P 7, II.B.4.v.
Quality Improvement, Accreditation, and Compliance with Standards	P 8, II.B.4.vii.
Peer Review Program	P 9, II.B.4.vii.
Vendor Employee Orientation Plan	
CPR & AED Training	P 9, II.B.6.
Suicide Prevention	P 10, II.B.7. & P 13, II.B.11.
DACS Training	P 12, II.B.11.
Cybersecurity	P 13, II.B.11.
PREA	P 12, II.B.11. & P 16, II.C.3.
Drug Free Workplace	P 11, II.B.10.
Controlled Substance Waste Disposal Plan	P 12, II.B.13.
Transportation Plan	P 13, II.B. 15.
Transition Plan	P 14, II.B.21.
Detailed Requirements General Plan	P 15, II.C.1.
Prescription Services	P 16, II.C.4.
Emergency Requests	P 17, II.C.4.d.
Pre-Authorization System	P 17, II.C.5.
On-site Pharmacy System Management	P 18, II.C.7.
Utilization Review	P 19, II.C.10
Human Resources Management	P 20, II.C.12
Continuous Quality Improvement	P 22, II.C.12.g.
Risk Management Plan	P 22, II.C.12.j.
Transparency in Vendor Overhead	P 23, III.
Required Information	P 24, IV
Monthly	
Staffing Plan	P 7, II.B.4.a.ii.
Quality Improvement, Accreditation, and Compliance with Standards	P 9, II.B.4.vii.
Peer Review Program	P 10, II.B.4.vii.
Vendor Employee Orientation update for new employees	P 12, II.B.11
Annual Training Reports update for current employees	
CPR & AED Training log	
Suicide Prevention	
PREA training	
HIV Educational Program	
Tool (Sharps and Equipment) Inventory and Security Clearances	P 22, II.C.12.m.
Risk Management Reports	

2261

Answer: The DDOC expects a detailed description of the required information as listed in the table. Please see "Addendum 1 – Clarification" posted to the web on August 16, 2013 which corrects the due date to October 18, 2013.

QUESTION #3

Section:

Paragraph:

Page:

Question: Please confirm the number of on-site clinical pharmacists that are required in this RFP. In reviewing Appendix D, it appears the DDOC is requiring 5.0 FTE pharmacists (PharmD) on-site with the following allocation:

HRYCI	0.8
PCCC	0.2
BWCI	0.6
HDP	0.2
Webb	0.2
JTVCC	1.6
Morris	0.2
CVOP	0.2
SCI	0.8
<u>SCCC</u>	<u>0.2</u>
	5.0

Does this DDOC require at least 5.0 FTE pharmacists (PharmD) in this RFP?

Answer: Yes.

QUESTION #4

Section:

Paragraph:

Page:

Question: Is DDOC seeking services from a pharmacy vendor?

Answer: Yes. Please refer to DOC1427-PHARM RFP.

http://bids.delaware.gov/bids_detail.asp?i=2072&DOT=N

QUESTION #5

Section:

Paragraph:

Page:

Question: Does DDOC intend to purchase medications from a pharmacy?

Answer: The successful vendor is responsible for purchasing medications.

QUESTION #6

Section:

Paragraph:

Page:

Question: Does DDOC intend to administer purchased medications to its patients?

Answer: Yes, DDOC will dispense medications supplied by the vendor to offenders by nursing personnel hired by the medical contractor.

QUESTION #7

Section:

Paragraph:

Page:

Question: Does DDOC intend to sell medications it purchased?

Answer: DDOC does not sell prescription items purchased through this contract.

QUESTION #8

Section:

Paragraph:

Page:

Question: Does DDOC intend to distribute medications it purchased to another licensed entity?

Answer: No.

QUESTION #9

Section:

Paragraph:

Page:

Question: Is DDOC licensed by the State of Delaware or Federal Government as a drug distributor?

Answer: See prior response.

QUESTION #10

Section:

Paragraph:

Page:

Question: Is DDOC licensed by the State of Delaware as a drug wholesaler?

Answer: The DDOC is DEA and Delaware CSR licensed.

QUESTION #11

Section:

Paragraph:

Page:

Question: Does DDOC intend to purchase medications from a wholesaler?

Answer: The vendor will act as a wholesaler.

- a. If so, is DDOC licensed by the State of Delaware Board of Pharmacy to purchase from a wholesaler? Please specify.

Answer: N/A

- b. If so, are DDOC's institutions licensed by the Federal government as healthcare clinics?

Answer: No, the clinics are not licensed.

QUESTION #12

Section:

Paragraph:

Page:

Question: If DDOC intends to purchase medications from a wholesaler, but is not licensed as a distributor by either the State of Delaware or the Federal Government, under what authority or licensure would it do so?

Answer: N/A

QUESTION #13

Section:

Paragraph:

Page:

Question: If DDOC is seeking to purchase medications from a wholesaler, for what purpose?

Answer: N/A

QUESTION #14

Section:

Paragraph:

Page:

Question: Does DDOC intend to purchase medications from a licensed repackager?

Answer: The vendor will act as a licensed repackager.

- a. If so, is DDOC licensed by the State of Delaware Board of Pharmacy to purchase from a wholesaler? Please specify.

Answer: See prior question/answers above.

- b. If so, are DDOC's institutions licensed by the Federal government as healthcare clinics?

Answer: See prior questions/answers above.

- c. If DDOC is seeking to purchase medications from a licensed repackager, for what purpose?

Answer: See prior questions/answers above.

QUESTION #15

Section:

Paragraph:

Page:

Question: If DDOC intends to purchase medications from a repackager, but is not licensed as a distributor by either the State of Delaware or the Federal Government, under what authority or licensure would it do so?

Answer: See prior questions/answers above.