

# Sarpy County Purchasing Department

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## **Pharmaceuticals for Prisoners in the Law Enforcement Center and Juvenile Justice Center For the Sheriff's Office**

### **Addendum #2**

**Question #1: How many prescriptions do you order a day per facility? How many of which are new orders?**

Response: We average 6 orders per day with 1 of them being a new order.

**Question #2: What kind of MARs do the facilities use? Paper or Electronic? If Electronic, which software do they work on?**

Response: We use paper MARs.

**Question #3: How do new prescriptions get ordered today? How do refills get reordered today? E-Prescribing, Fax, Phone, etc.?**

Response: Both are faxed to the pharmacy on an order sheet.

**Question #4: How often do providers visit your facilities?**

Response: Our Physician and Psychiatric Nurse Practitioner each visit our site once per week.

**Question #5: What is the average length of stay for an inmate?**

Response: The average length of stay is 18 days. Those with heavier charges remain here longer.

**Question #6: How are the facilities currently ordering supplies? What vendor and what ordering system?**

Response: We keep a formulary of medications here for inmates. We fax orders to Diamond Pharmacy for stock medications and patient specific prescriptions. We use Walgreens Pharmacy for emergency medication orders that we need to receive the same day. We order over-the-counter medications from McKesson.

**Question #7:** 3. Pricing, item a on page 10 states, “The Vendor shall use the most current Wholesale Acquisition Cost (WAC) as published by First Data Bank pricing index, plus or minus a percentage of the WAC.”

Many of the leading pharmacies in the industry use Medi-Span as their source for published WAC and AWP. As Medi-Span is one of the industry leaders, would this be an accepted source for the published WAC pricing?

Historically, not all medications may have a published WAC price. In those instances, are bidders to substitute AWP pricing? If not, how does Sarpy County wish for those medications to be priced?

Response: Vendors may use AWP pricing, but must identify what pricing is being used within their proposal and as requested by Sarpy County during the contract period.

**Question #8:** 6. Delivery, item a on page 11 indicates that the vendor must have the capability for one delivery a day, six (6) days a week, and a second delivery in the evening Monday through Friday. This item also indicates that orders shall be delivered within 24 hours of placing the order.

The requirement of a second delivery will limit competition to local vendors that can make a same-day delivery to the jail, but may not offer many of the technological, clinical, formulary management, cost-saving, and operational services and efficiencies that are unique to the correctional industry that your facilities will require.

To allow for additional competition, will you modify your delivery requirement to read, “All orders received at the pharmacy by the designated daily order cutoff time must be delivered the next business day”?

If not, what concerns do you have regarding allowing next-business-day delivery of medications to your facility?

Response: It is necessary that we receive our medications within 24 hours. We currently receive medications the next morning if we place an order by 2:00pm. If it is after 2:00pm and we cannot wait an extra day to receive the medication, we place an emergency order through Walgreens Pharmacy.

**Question #9:** On Exhibit B, on the “LEC Meds” tab, column B is labeled “Quantity”. On the “JCC Meds” tab, column B is labeled “unit” and column C is labeled “quantity.”

Should bidders assume that the quantities on the LEC tab in column B are the metric quantities, and for the unit price in columns C and F, bidders are to indicate the price per tablet, capsule, mL, gram, etc.?

Response: There is not a “unit” column in the Law Enforcement Center tab because the unit is defined in column A, “Medication”. Vendors should use the information listed in column A to identify the medication request, i.e. 50 mg tablet.

**Question 10: 5. Mode, item b on page 10 states, “The preparation, labeling and packaging of all medications shall be performed in accordance with all applicable Federal and State laws and regulations.” Being that the LEC and Juvenile Center current receive first-dose and interim stock medications, it is often overlooked that a pharmacy provider cannot dispense more than 5% of their overall company-wide sales as stock without being registered as a wholesaler in the state of Nebraska or uses the services of a wholesaler in the state of Nebraska to sell and/or distribute wholesale quantities (greater than 5%) of stock medications. Although bidders’ compliance with federal and state regulations regarding stock distribution is anticipated and should be expected, compliance cannot be fully assured unless written documentation is provided to your evaluation committee at the time of proposal submittal.**

**Will you require bidders to submit a copy of their wholesaler license from the State of Nebraska, or the license and name of the wholesaler in Nebraska that they will subcontract with for stock distribution?**

**Will a bidder’s failure to provide proof of compliance with federal regulations at the time of proposal submittal, specifically this requirement, deem that bidder as non-responsive and therefore ineligible for an award?**

Response: Vendors shall comply with each and every State of Nebraska and federal requirement. Appropriate demonstration or acknowledgement of compliance should be attached to the sealed bid. Sarpy County reserves the right to award the bid based on the Procedures for Evaluation and Awarding of Bid identified within the Specifications.

**Question #11 5. Mode, item b on page 10 states, “The preparation, labeling and packaging of all medications shall be performed in accordance with all applicable Federal and State laws and regulations. As the LEC and Juvenile Center are currently receiving stock in blister cards, a pharmacy or wholesaler cannot simply put those medications in a blister card and label them as stock and still be in full regulatory compliance. A company must be an FDA-registered repackager or use the services of an FDA-registered repackager to legally repackage stock medications into blister cards or into any other packaging that results in a change to the original manufacturer’s packaging if those repackaged cards are being sold to your facility. Although bidders’ compliance with federal and state regulation is anticipated and should be expected, compliance cannot be fully assured unless written documentation is provided to your evaluation committee at the time of proposal submittal.**

**Will you mandate that bidders comply with federal regulations and use an FDA-registered repackager if stock is sold to your facilities in packaging (such as blister cards) that is different than the original manufacturer's packaging?**

**Will you require bidders at the time of proposal submittal to provide evidence such as the FDA Drug Establishment Registration Facility Establishment Identifier of the registered repackager they are utilizing for these services as proof of FDA registration?**

**Will a bidder's failure to provide, at the time of proposal submittal, written documentation to prove that they comply with FDA repackaging regulations regarding the selling of stock medications deem that bidder non-compliant and therefore ineligible to receive an award?**

Response: Vendors shall comply with each and every State of Nebraska and federal requirement. Appropriate demonstration or acknowledgement of compliance should be attached to the sealed bid. Sarpy County reserves the right to award the bid based on the Procedures for Evaluation and Awarding of Bid identified within the Specifications.

**Question #12: Regarding credit on returned medications, not all pharmacies apply the same safeguards once medications are returned to them. When a pharmacy reclaims medication for future redispensing (which is standard within the industry where permitted by law), if each individual bubble of the blister pack is not labeled with the medication's name and strength, lot number, and expiration date, tracking this information for a medication subsequently redispensed to your patients (if recalled or even expired) would be difficult - if not impossible.**

**To avert patient safety issues for your facilities, will you require the pharmacy to dispense medications in blister card packaging where each individual bubble of the blister card on medications eligible for reclamation is labeled with the medication's name and strength, lot number, expiration date, and manufacturer's name?**

**Will a bidder's failure to provide proof of compliance (such as a sample blister card) at the time of proposal submittal deem a bidder who is unable to ensure inmate safety (in the event of a medication recall) as non-responsive and therefore ineligible for an award?**

Response: Vendors shall comply with the product return requirements listed within the RFP. Sarpy County reserves the right to award the bid based on the Procedures for Evaluation and Awarding of Bid identified within the Specifications.

**Question #13: Will there be an opportunity to submit additional questions, for clarification purposes only, in the event responses to submitted questions are unclear?**

**Addendum #2 – Pharmaceuticals**

Page 5

Response: No.

**Question #14: When can vendors expect answers to all questions submitted?**

Response: This addendum will address all questions. No further questions will be answered.

**Question #15: Will there be an opportunity for a second round of questions if any answers in the first round of questions needs clarification?**

Response: See Question #13.

**Question #16: Will Sarpy County consider extending the due date for Submission of Response to accommodate thoughtful consideration of answers to all questions submitted and a potential second round of questions in order to provide the most cost effective proposal possible?**

Response: There will be no further extension of the proposal due date.

**Question #17: When will the intent to award a contract be published?**

Response: All proposals shall be valid for a period of 90 days. The bid award is anticipated to occur May.

**Question #18: Please describe in detail how the Evaluation of Proposals will be scored and weighted.**

Response: Vendors should reference Procedures for Evaluation and Award of Bid.

**Question #19: Is Sarpy County considering final BAFO presentations for finalists to be a part of this RFP process? If so, what would be the selection process for those participating in an in-person BAFO presentation? In our experience, it is often helpful for all parties involved to participate in an in-person BAFO presentation meeting with the most qualified and highest scoring vendor(s) prior to the intent to award announcement to provide an opportunity to meet the vendor that you are contracting with, receive a personalized presentation on their services offered, and an opportunity for all parties to ask qualifying questions regarding the specifics of the RFP and RFP response.**

Response: No.

**Question #20: Who is the current vendor providing Pharmaceutical Services to Sarpy County Detention Center?**

Response: Diamond Drugs, Inc.

**Question #21:** What are the current contracted pharmacy rates? In most, if not all public procurements, cost is not considered proprietary and would be readily available. (This information should not be proprietary as this information is now historic in relationship to the expiring contract. It would seem reasonable that information available in relationship to cost and the expenditure of public monies to a private contractor should be considered open and public. Failure to disclose the known information would be a substantial disadvantage to any bidders wishing to compete in a fair and competitive bid process.)

Response: The current contract can be found here:  
<https://www.sarpy.com/sites/default/files/doc/board-commission/county-board/resolutions/2012/2012-131%20Diamond%20Drugs%20Pharmaceuticals%20for%20Sheriffs%20Jail%20LEC%20JJC%20Bid%20Award.PDF>

**Question #22:** What is your current cutoff time for next-day delivery orders to be submitted to the pharmacy? Do you intend to keep this the same?

Response: See Question #8. Vendors shall define delivery procedures within the sealed bid.

**Question #23:** What is the average number of prescriptions filled per month for your facilities?

Response: See Question #1.

**Question #24:** Actual utilization data would be helpful for potential bidders to study medication mix and prescriber ordering trends in order to prepare a responsible and competitive bid rate. Can you please provide the past 3 months pharmacy invoices for review?

Response: Exhibit B provides vendors with a list of medications with quantities that were most commonly purchased in the 2017 calendar year. Vendors are to use this list of medications to prepare the sealed bid.

**Question #25:** What is the percentage of stock medications vs. patient specific medications?

Response: 95% are stock medications and 5% are patient specific medications.

**Question #26:** Do you receive stock medications in 30 count blister cards or is all stock in manufacturer's bulk bottles?

Response: 30 count blister cards

**Question #27:** May we have a copy of your current formulary?

Response: This is not available.

**Addendum #2 – Pharmaceuticals**

**Page 7**

**Question #28: How does the County send prescription new orders and refills to the pharmacy vendor? Email, Fax, Remote Provider Order entry? If multiple methods are used, approx. what percentage of each type of transmittal apply?**

Response: See Question #6.

**Question #29: What is the current preferred method for delivery?**

Response: Delivery shall be in accordance to the Request for Proposal documents.

**Question #30: Are medical supplies (needles, syringes, diabetic test strips, etc.) for your location ordered from the current contracted pharmacy? If not, would Sarpy County be interested in this value-added service?**

Response: See Question #6. Vendor proposals must meet or exceed specifications.

**Question #31: Does the County currently have an eMAR or EHR in place? If so, what is the name of the program currently in place? If so, is an interface required to connect with the system?**

Response: See Question #2.

**Question #32: If not, are there plans to implement an eMAR or an EHR during the term of this contract? If yes, would a new price be negotiated to include the value-added service of an eMAR or EHR implementation?**

Response: Vendors should prepare a bid in accordance to the RFP.

**Question #33: Can you please provide the name of the correctional facility inmate management software or jail management system?**

Response: The County currently uses IMACS for the jail management system.

**Question #34: Is an interface required to connect with the inmate management software system? Does the inmate management software currently in use support an HL7 interface?**

Response: No.

**Question #35: Who is the current after-hours back-up pharmacy (if utilized)?**

Response: See Question #8.

**Question #36: How are the prescription returns from your facility currently handled? Do you currently receive credit for returned medications? Are there any restocking fees or minimum costs to qualify as a return?**

**Addendum #2 – Pharmaceuticals**

**Page 8**

Response: Current practices can be found in the agreement documentation. This documentation is available here:  
<https://www.sarpy.com/sites/default/files/doc/board-commission/county-board/resolutions/2012/2012-131%20Diamond%20Drugs%20Pharmaceuticals%20for%20Sheriffs%20Jail%20LEC%20JJC%20Bid%20Award.PDF>

**Question #37: Are release medications supplied to inmates upon parole or discharge? If so, how many days' supply is provided?**

Response: Yes – 7 day supply upon street release and 30 day supply when sent to treatment.

**Question #38: What is the current process for notifying pharmacy of inmates release dates?**

Response: We discontinue medications for those who have been released on Diamond Pharmacy's website.

**Question #39: Will it be required to ship inmate discharge/transfer medications to private residences or are they shipped to each correctional facility only for discharge/transfer patients?**

Response: No.

**Question #40: Is your correctional facility accredited by the National Commission on Correctional Health Care (NCCHC) or American Correctional Association (ACA)? If not, do you expect to seek accreditation during the term of the contract? Please provide all current Accreditation for all facilities.**

Response: The Sarpy County Jail is not currently accredited through NCCHC or ACA.

**Question #41: Do the correctional facilities currently maintain a Keep-On-Person (KOP) Program? If so, please provide a list of KOP medications approved by facility.**

Response: No.

**Question #42: What percentage of your inmates, if any, are Federal? Specifically, what percentages are under jurisdiction of each the US Marshals Service (USMS) and US Immigrations and Customs Enforcement (ICE)?**

Response: As of 4/9/2018 we currently house 169 inmates – 11 are ICE holds and 2 are USMS holds.

**Question #43: Are OTC medications for commissary provided by the Contracted Pharmacy? If not, where do they come from?**

Response: No, they are able to order them from our contracted commissary company.

**Question #44: How are non-formulary requests approved?**

Response: They are approved by our Jail Physician and/or the RN Manager.

**Question #45: Please describe your Non-Formulary Review process in detail.**

Response: Non-Formulary medications are very rare and are only ordered by the Jail Physician if the inmate is currently taking the prescribed medications.

**Question #46: Please describe the current destruction policy for all outdated/expired drugs.**

Response: Vendors must follow all State and federal requirements throughout the duration of this contract.

**Question #47: Does your facility have a DEA License? If so, whose name(s) is (are) under licensure?**

Response: The Jail Physician holds the DEA License.

**Question #48: Does your facility have a current state pharmacy license?**

Response: Yes.

**Question #49: Please provide the following pharmacy information by year for the last three years: number of patients on HIV medication, number of patients on psychotropic medications, number of patients on Hepatitis C medications, number of patients receiving medications associated with hemophilia, HIV medication dollars, psychotropic medication dollars, hepatitis C medication dollars, and hemophilia related medications dollars.**

Response: Unable to determine due to turnover. Over 50% are prescribed psychiatric medications.

**Question #50: Of inmates receiving Hepatitis C treatment, what is the nature of the treatment? Please list medications used to treat over the past three years.**

Response: Unable to provide this information as it is very rare.

**Question #51: Does your facility currently use a barcode electronic order reconciliation and medication return management system?**

Response: Vendors should identify if the use of a barcode system is proposed within the submitted sealed bid.

**Question #52: Please outline the medical personnel shifts that will require start up in-service training?**

Response: We have a small staff and only 2 shifts. Training would need to take place a few days.

**Question #53: Does the current pharmacy vendor use a FDA-registered repackager to ensure compliance with federal regulations for Correctional Health stock medications?**

Response: Vendors must follow all State and federal requirements throughout the duration of this contract.

**Question #54: Will you mandate that the pharmacy vendor use a FDA-registered repackager for Correctional Health stock medications to ensure compliance with Federal regulations?**

Response: Vendors must comply with each and every specification along with all State and federal regulations.

**Question #55: Will you require bidders to provide, as part of the proposal, evidence (the repacker's license and labeler code) that they use a FDA-registered repackager, as this is the only means to ensure compliance?**

Response: See Question #11.

**Question #56: Will failure to provide proof of compliance with Federal regulations deem a bidder non-responsive and therefore ineligible for an award?**

Response: Sarpy County will award the bid based on the Procedures for Evaluation and Awarding of Bid identified within the Specifications.

**Question #57: Does your Detention Center maintain an Emergency Drug Box? If so, please provide a list of medications to be contained in the Emergency Drug Boxes.**

Response: No.

**Question #58: Please provide a list of your current Stock Medications.**

Response: Exhibit B provides vendors with a list of medications with quantities that were most commonly purchased in the 2017 calendar year. Vendors are to use this list of medications to prepare the sealed bid.

**Question #59: How many med carts are currently in use by your correctional facility?**

Response: One.

**Question #60: Are these med carts the property of the current contractor or will they remain with the County?**

Response: It will remain property of the County.

**Question #61: Please outline the quantity of medications carts needed for each facility (if required)?**

Response: This is not required.

**Question #62: What reports are currently being utilized by Sarpy County? What additional reports will be required? Can Sarpy County provide examples of current monthly reports provided by current pharmaceutical services vendor?**

Response: We currently receive a monthly formulary management report.

**Question #63: Will you be requiring monthly/quarterly pharmacy consultations/inspections? If so, please describe?**

Response: No.

**Question #64: Are there any current committee meetings that would require a pharmacist or other vendor representative to attend? If so, what is the frequency of those meetings? Are the meetings required to be attended in person or will video/teleconferencing be permitted?**

Response: No.

**Question #65: Please provide the current pharmacy related Policies & Procedures for all facilities.**

Response: N/A

**Addendum #2 – Pharmaceuticals**

**Page 12**

**Question #66: Will the County entertain an alternate pricing proposal than what is found on page 10 Section 3 to include an Actual Acquisition Cost plus dispensing fee model or an Average Wholesale Price (AWP) minus percentage model instead of WAC minus percentage?**

Response: See Question #7.

**Question #67: What are the small diverse business and small business contract requirements/goals for this contract?**

Response: Not applicable to this contract.

**Question #68: What is the average length of stay for inmates at your facilities?**

Response: See Question #5.

**All other terms and conditions remain unchanged.  
Addendum must be acknowledged on the Bid Form.**