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## ADDENDUM 2

**Request for Proposal (RFP) #: B19-001**

**Project Name: CCSO Pharmaceutical Services**

**January 31, 2019**

**Special Note:** Questions are numbered sequentially through all issued addendums.

Change #1 to RFP B19-001 not included in Questions #1 - #25 of Addendum 1 or this Addendum 2.

Pages 57 and 58 are hereby deleted. Proposers must follow SECTION SIX PROPOSAL FORMAT AND CONTENT when developing their proposal.

Change #2 to RFP B19-001 not included in Questions #1 - #25 of Addendum 1 or this Addendum 2.

The Proposal Due date as stated on the cover page, calendar of events, and page 5 of RFP B19-001 has been extended by ten (10) calendar days. As such, proposal are due by February 21, 2019 at 4:00pm.

Question #6

In the past, delivery requirements made your RFP such that only a local provider could provide the service. As indicated by your high pricing, this is not financially advantageous. Will the County entertain offers from companies not located in your geographic area, with provisions for emergency delivery and backup services?

Clarified as: What this meant is – if a next day pharmacy can provision local options in the event of an emergency, is this acceptable? Even though our shipment would arrive “tomorrow”, meds could be obtained today through a setup we put in place.

[Response to Question #6](#)

The CCSO will accept offers from any qualified vendors who can provide the scope of services requested under Section 5 of RFP B19-001.

Question #7

In order to ensure understanding, the bulk medications listed are provided at NO CHARGE?

[Response to Question #7](#)

Currently, certain Over the Counter medications, as listed under Addendum #1 – Response to Question #5, are provided to the CCSO at no charge.

Proposers who wish to charge the CCSO to provide Over the Counter medications should make this designation under the Ancillary Fees, Administration, or Value Added Services section of the Cost/Fee Schedule Form.

Question #8

Can you detail the quantity limitations placed on these items?

[Response to Question #8](#)

None.

Question #9

Also, what is the current census of the facility?

[Response to Question #9](#)

The average daily population is 372.

Question # 10

Page 34, Section 5.02.3 indicates bidders are to provide acceptable delivery system of supply, including medication carts for distribution and Emergency Drug Kits to be fully stocked every 24 hours as needed. Does the CCSO have a Modified Class 2B license in order to house emergency and starter stock?

[Response to Question #10](#)

The Clay County Jail holds license number PH16270 – Modified Inst. Class II Type B

Question # 11.1

Page 34, Section 5.02.4 indicates that vendor is to deliver medications daily and arrange to supply emergency/STAT medications within 2-4 hours to the facility as needed. Is the RFP requiring same day delivery of ordered medication or is delivery permitted the next business day if shipped from a pharmacy located outside the state of Florida?

[Response to Question #11.1](#)

The Clay County Jail desires the delivery of medications daily. Proposers should indicate their order cutoff times for same-day or next business-day delivery of orders.

Further, a proposer should detail within their methodology how same day or next day deliveries will be handled.

#### Question #11.2

If same day delivery is required, this will limit competition to only local vendors that can make a same day delivery to the jail but does not offer many of the technological, clinical, formulary management, and operational services and efficiencies that are unique to the correctional industry that your facility will require to comply with accepted industry accreditation standards. If so, would you consider repealing this requirement and allow next business day delivery of medications, which is commonplace throughout the state of Florida for correctional facilities, in order to promote offers from highly qualified out of state pharmacy providers that will ensure the taxpayers of Clay County a fair and competitive bid process?

#### [Response to Question #11.2](#)

See Response to Question #11.1. The RFP language will remain as written.

#### Question #11.3

If not, what concerns does the CCSO have regarding next business day delivery of medications to your facility if starter stock and emergency medication kits are permitted to be kept at the facility for first dose medication administration to inmates until the maintenance supply arrives the next business day from the pharmacy?

#### [Response to Question #11.3](#)

Further, The CCSO has no concerns regarding next business day deliver if starter stock and emergency medication kits are provided.

See Response to Question #11.1.

#### Question #12

Page 35, Section 5.02.13 indicates that packaging preference for the inmates is a properly labeled Multi-medication Strip packing or blister pack in a cycle of 7 days. If a pharmacy is permitted to provide credit on unused medications, would the CCSO permit a more cost effective 30-day supply of medications to be dispensed as compared to a 7-day supply in which you are up charged \$1.00 per prescription per week per dispensing that adds additional cost to your medication procurement process?

#### [Response to Question #12](#)

The CCSO will accept a 30 day supply of medication if the Vendor agrees to purchase back all unused medication.

#### Question # 13.1

What is the average number of prescriptions filled per month for the past 12 months?

#### [Response to Question #13.1](#)

The average number of prescriptions filled per month is approximately 388.

Question # 13.2

Is this based on a 7 day supply or 30 day supply per dispensing?

[Response to Question #13.2](#)

Varies.

Question # 14

How many medications or what percentage of medications are dispensed as stock?

[Response to Question #14](#)

Currently, the CCSO only receives Over-the-Counter medications as stock.

Question # 15.1

It is indicated in the RFP on Page 37, Section 5.08 that all services are to be in compliance with all applicable state and federal laws, rules, and regulations. Nearly every correctional facility nationwide has some degree of emergency, night-locker, or first-dose starter stock on hand. Often overlooked is that a pharmacy provider cannot sell/distribute more than 5% of their overall company-wide sales as stock, not just the stock sold to your facility, without being registered as a wholesaler in Florida or using the services of a wholesaler in Florida 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. Being that the CCSO is a law enforcement correctional institution, will you require bidders to submit a copy of their wholesaler license from Florida, or the license and name of the wholesaler in Florida that they will subcontract with for stock distribution in order to be in compliance with all applicable state and federal laws, rules, and regulations?

[Response to Question #15.1](#)

In accordance with **General Condition 9. LICENSES**, Proposers, both corporate and individual, must be fully licensed and certified for the type of work to be performed in the state of Florida at the time of Proposal and during the entire contract time.

In accordance with **Section 2.10 – Business License and Other Required Licenses**, Proposers must submit a copy of a valid Florida business or professional license with the Proposal.

In accordance with **Section 1.12 – Subcontractors**, if a Proposer intends to use subcontractors, the Proposer must identify in the Proposal the names of the subcontractors and the portions of the work the subcontractors will perform.

Question #15.2

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 to Question #15.2](#)

A Proposer's failure to submit this evidence with the Proposal, if they are the license holder, will cause their Proposal to be determined non-responsive per **General Condition 9**.

A Proposer who fails to identify their subcontractor(s) as required by **Section 1.12** shall be deemed non-responsive.

See Response to Question #15.1

Question #15.3

If not, what process will the CCSO follow prior to awarding a contract to ensure compliance with federal and state laws regarding stock distribution so that a contract is not awarded to a vendor that is later discovered to be unable to comply, which would place your facility (as a law enforcement agency) at risk for possible fines and disciplinary action when inspected by regulatory agencies?

[Response to Question #15.3](#)

See Response to Questions #15.1, 15.2 and 17.4.

Question # 16.1

Do you receive stock in 30-count blister cards?

[Response to Question #16.1](#)

No. Currently, the CCSO only receives Over-the-Counter medications as stock.

Question # 16.2

Or, is all stock received in manufacturers' bulk bottles?

[Response to Question #16.2](#)

No. Currently, the CCSO only receives Over-the-Counter medications as stock.

Question # 17.1

It is indicated in the RFP on Page 37, Section 5.08 that all services will be in compliance with all applicable state and federal laws. If you currently receive stock in blister cards, which is a common practice in our industry, a pharmacy or a wholesaler cannot simply put those medications in a card, 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 as stock. 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. Being that the CCSO is a law enforcement correctional institution, will you mandate that bidders comply with federal regulations and use an FDA-registered repackager if stock is sold to your facility in packaging (such as blister cards) that is different than the original manufacturer's packaging?

[Response to Question #17.1](#)

Proposers, and their subcontractors, are required to follow all applicable laws which pertain to their scope of work.

Question #17.2

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?

[Response to Question #17.2](#)

In accordance with **Section 1.05 – Licenses**, Proposers are required to submit all relevant licensure. Therefore, Proposers who meet the FDA definition of repackaging must submit licensure.

In accordance with **Section 1.12 – Subcontractors**, if a Proposer intends to use subcontractors, the Proposer must identify in the Proposal the names of the subcontractors and the portions of the work the subcontractors will perform.

Further, Proposers are encouraged to submit all supplemental information they deem relevant to their qualifications to perform the requested scope of work.

Question #17.3

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 to Question #17.3](#)

In accordance with **Section 1.09 – Right of Rejection**, Proposers must comply with all of the terms of the RFP, the CCSO Purchasing Process, and all applicable local, state, and federal laws, codes, and regulations. The Purchasing Manager may reject any Proposal that does not comply with all of the material and substantial terms, conditions, and performance requirements of the RFP.

In accordance with **General Condition 12. Reserved Rights**, the CCSO reserves the right to waive formalities in any Proposal, and to reject any or all

Proposals in whole or in part, with or without cause and/or to accept the Proposal that in the CCSO's judgment will be in the best interest of the CCSO. The CCSO specifically reserves the right to reject any conditional Proposal.

Further, see Response to Question #17.2

Question #17.4

If not, what process will you follow prior to awarding a contract to ensure bidders' compliance with federal and state laws regarding stock repackaging so a contract is not awarded to a bidder that is later discovered unable to comply, which would place your facility at risk for possible fines and disciplinary actions when inspected by regulatory agencies?

[Response to Question #17.4](#)

See **Section 1.12** regarding a Proposers use of Subcontractors.

In accordance with **Section 1.09 – Right of Rejection**, Proposers must comply with all of the terms of the RFP, the CCSO Purchasing Process, and all applicable local, state, and federal laws, codes, and regulations. The Purchasing Manager may reject any Proposal that does not comply with all of the material and substantial terms, conditions, and performance requirements of the RFP.

Paragraph (2) of Section **5.08 – Performance** has hereby been amended to read as:

The Contractor shall comply with all laws, ordinances and regulations applicable to the services contemplated in the proposal. The contracted company is presumed to be familiar with all state and local laws, ordinances, code rules and regulations that may in any way affect the services. Ignorance on the part of the contracted company will in no way relieve it of responsibility. If the failure to meet this responsibility results in deficiencies in the services received by the CCSO, the awarded Contractor shall furnish, at their own cost and expense, the means necessary to correct deficiencies and shall be responsible for any and all consequential damages arising from these deficiencies.

Question #18

As cost information is not considered proprietary, what is your total dollar amount spent on pharmacy for the past 12 months?

[Response to Question #18](#)

From January 2018 through January 2019, the CCSO spent \$230,345.83.

Question #19

Do you currently receive credit for returned medications?

[Response to Question #19](#)

Yes.

Question #20.1

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 re-dispensing (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 for those medications eligible for reclamation, tracking this information for a medication subsequently re-dispensed to your patients (if recalled or outdated) would be difficult if not impossible. To avert patient safety issues that will result from outdated or recalled medications being dispensed to the CCSO, will you require the pharmacy to dispense medications in blister card packaging where each individual bubble of the blister card on those medications eligible for reclamation is labeled with the medication's name and strength, lot number, expiration date, and manufacturer's name?

[Response to Question #20.1](#)

Medications shall be labeled in accordance with **Section 5.02 – Tasks** numbers (5.) and (13.).

Question #20.2

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 to Question #20.2](#)

No. However, Proposers are encouraged to submit all supplemental information they deem relevant.

Question #21.1

Does your facility currently use a barcode electronic order reconciliation and medication return management system that is provided at no cost by your pharmacy vendor?

[Response to Question #21.1](#)

No.

Question #21.2

If not, would you consider adding this requirement to your current solicitation, as manual daily order check-in and return processing time can be decreased by up to 75% and medication diversion potential will be virtually eliminated?

[Response to Question #21.2](#)

The RFP language will remain as written.



However, Proposers are encouraged to submit all supplemental information they deem relevant.

Question #22.1

Does your facility currently have access to an online reporting dashboard provided by your current pharmacy for you to access meaningful and accurate reporting 24/7/365 that is provided at no cost?

[Response to Question #22.1](#)

No.

Question #22.2

If not, would you consider adding this requirement to your current solicitation so your facility-level staff and administrators can analyze prescriber ordering trends and costs to better manage facility operations through accessible reporting?

[Response to Question #22.2](#)

The RFP language will remain as written.

However, Proposers are encouraged to submit all supplemental information they deem relevant.

Question #23.1

What is the intended mechanism to transmit prescription data from the CorrecTek system to the fulfillment pharmacy? (i.e., Surescripts, HL7, etc.)

[Response to Question #23.1](#)

The intended mechanism is HL7.

Question #23.2

Is there intent to have all patient demographic and movement data run through the same process as the prescription fulfillment data or is it the intent to have a separate process addressing these data elements?

[Response to Question #23.2](#)

Proposers should detail their recommended solutions for tracking patient demographic and movement data either through the prescription fulfillment data or a separate process under the Methodology section of their proposal.

Question #23.3

Is CorrecTek also used for eMAR purposes?

[Response to Question #23.3](#)

As stated in **Section 5.01 - Scope of Work**, our current Electronic Medical Record (EMR) software is Correctek.

Question #24

Will there be an opportunity to ask more questions, for clarification purposes, in the event responses to submitted questions are unclear?

[Response to Question #24](#)

In accordance **with Section 1.06 – Questions Received Prior to Opening of Proposals**, the CCSO will accept questions until five (5) business days prior to the proposal submittal deadline date.

Question #25

What does current pricing mean "\$1 per week"? I understand the rate plus \$4, plus did not understand this part.

[Response to Question #25](#)

The \$4 rate is split to \$1 per week per order.

Question #26

Please provide the current pricing model in place at your facility, along with discounts associated with that model.

[Response to Question #26](#)

Brand Name Drugs: Average Wholesale Price – 16%, Plus \$4, billed \$1 weekly  
Generic Drugs: Average Wholesale Price – 35%, Plus \$4, billed \$1 weekly  
(Average Wholesale Price as published by Medispan)

Provide free of charge in bulk containers, the following over the counter items with Quantity limits reserved:

Acetaminophen 325mg and 500 mg, Aspirin 81 mg, Aspirin 325 mg, Calcium 500 mg, Calcium w/Vit D 500/200, Docusate Sodium 100mg, Ferrous Sulfate 325 mg, Multivitamin, Naproxen 220 mg, Ranitidine 75 mg, Vitamin B1 100 mg, and Ibuprofen 200 mg

Question #27

Please provide the last 12 months of pharmacy expenditures (dollar amount)?

[Response to Question #26](#)

From January 2018 through January 2019, the CCSO spent \$230,345.83.