



STATE OF TENNESSEE  
DEPARTMENT OF HEALTH

**REQUEST FOR PROPOSALS # 34349-79221  
AMENDMENT # 1  
FOR MAIL-ORDER PHARMACY PROGRAM**

DATE: May 14, 2021

RFP # 34349-79221 IS AMENDED AS FOLLOWS:

1. This RFP Schedule of Events updates and confirms scheduled RFP dates. Any event, time, or date containing revised or new text is highlighted.

| EVENT   | TIME<br>(central time<br>zone) | DATE           |
|---|--------------------------------|----------------|
| 1. RFP Issued   |                                | April 20, 2021 |
| 2. Disability Accommodation Request Deadline  | 2:00 p.m.                      | April 23, 2021 |
| 3. Pre-response Conference  | 10:00 a.m.                     | April 26, 2021 |
| 4. Notice of Intent to Respond Deadline   | 2:00 p.m.                      | April 27, 2021 |
| 5. Written "Questions & Comments" Deadline  | 2:00 p.m.                      | May 5, 2021    |
| 6. State Response to Written "Questions & Comments"   |                                | May 14, 2021   |
| 7. Response Deadline  | 2:00 p.m.                      | May 21, 2021   |
| 8. State Completion of Technical Response Evaluations   |                                | June 4, 2021   |
| 9. State Opening & Scoring of Cost Proposals  | 9:00 a.m.                      | June 7, 2021   |
| 10. State Notice of Intent to Award Released <u>and</u><br>RFP Files Opened for Public Inspection | 2:00 p.m.                      | June 15, 2021  |
| 11. End of Open File Period   |                                | June 22, 2021  |
| 12. State sends contract to Contractor for<br>signature   |                                | June 23, 2021  |
| 13. Contractor Signature Deadline   | 2:00 p.m.                      | June 30, 2021  |

2. State responses to questions and comments in the table below amend and clarify this RFP.

Any restatement of RFP text in the Question/Comment column shall NOT be construed as a change in the actual wording of the RFP document.

| RFP SECTION   | PAGE #          | QUESTION / COMMENT  | STATE RESPONSE  |
|---|-----------------|---|---|
| <i>RFP: B.9.</i>  | <i>Pg. 22</i>   | Will Bidders (companies and/or their principals) who have any material, pending litigation against them which could adversely affect the ability to meet contract requirements pursuant to this RFP or is likely to have a material adverse effect on their financial condition be considered non-responsive and therefore ineligible for an award?   | No. This requirement is a Section B. requirement. Respondent's answers to Section B are considered for holistic scoring by State evaluators. Section B. is worth a maximum of 30 points.  |
| <i>RFP: B.8.</i>  | <i>Pg. 22</i>   | Will Bidders (companies and/or their principals) who have filed (or had filed against it/them) any bankruptcy or insolvency proceeding, whether voluntary or involuntary, be considered non-responsive and therefore ineligible for an award?   | No. This requirement is a Section B. requirement. Respondent's answers to Section B are considered for holistic scoring by State evaluators. Section B. is worth a maximum of 30 points.  |
| <i>RFP: B.10.</i>   | <i>Pg. 22</i>   | Will Bidders (companies and/or their principals) who have been convicted of, pled guilty to, or pled nolo contendere to any felony be considered non-responsive and therefore ineligible for an award?  | No. This requirement is a Section B. requirement. Respondent's answers to Section B are considered for holistic scoring by State evaluators. Section B. is worth a maximum of 30 points.  |
| <i>RFP 5.2.4.</i>   | <i>Pg. 17</i>   | Is the State 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. | No, the State does not participate in an open BAFO presentation. However, the State reserves the right to conduct clarifications or negotiations with one or more Respondents. See Section 5.2.4. of this RFP.  |
| <i>ProForma:<br/>A.5.a.5,<br/>A.6.b.9.ii,<br/>A.6.b.9.v,<br/>A.6.b.9.v.1,<br/>and A.6.b.9.x</i> | <i>Pg. 6-14</i> | How are current prescriptions being shipped to patients? For example: FedEx, UPS, or USPS. Is a signature required for all deliveries?  | The current program uses FedEx, UPS, and USPS. Signatures upon delivery are generally not required, unless there have been past issues with the delivery HIV medications to a Ryan White client. It is expected that the awardee will determine a reliable courier and assure a tracking system for delivery. Please refer to sections A.5.a.5, A.6.b.9.ii, A.6.b.9.v, A.6.b.9.v.1, and A.6.b.9.x of the ProForma section of the RFP. |
| <i>Proforma:<br/>E.11.</i>  | <i>Pg. 39</i>   | What is the performance bond requirement for the current vendor under the current contract for this service?  | As with the previous contract, the Performance Bond requirement will be in an amount equal to 100% of the Maximum Liability of the Contract.  |

|   |                      |   |  |
|---|----------------------|---|--|
| <p><i>ProForma:</i><br/>A.6.a.10,<br/>A.6.b.2.,<br/>A.6.a.3.i,<br/>A.7.a,<br/>A.7.b.i,<br/>A.7.d.viii,<br/>and<br/>Attachment<br/>1</p> | <p>Pg. 8-<br/>18</p> | <p>How do you conduct wholesale transactions?</p>   | <p>Please note that all replenishment supply for the HDAP program is completed via orders to the State's wholesale vendor. The State Director of Pharmacy will complete the orders on behalf of the awardee for this RFP. For more information please refer to sections A.6.a.10, A.6.b.2., A.6.a.3.i, A.7.a, A.7.b.i, A.7.d.viii, and Attachment 1 of the ProForma document.</p>  |
| <p><i>ProForma</i><br/>A.6.a.3.</p>   | <p>pg. 8</p>         | <p>How does the State/Provider/Patient send prescription new orders and refills to the pharmacy vendor? For example: Email, Fax, Remote Provider Order entry. If multiple methods are used, approximately what percentage of each type of transmittal apply?</p>        | <p>Please see section A.6.a.3. of the RFP's ProForma document, as the awardee will be asked to develop an algorithm for receiving prescriptions via fax, emails, and other electronic prescribing methods. We do not have a percentage breakdown for the different methods used.</p>   |
|   |                      | <p>Will the State 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?</p> | <p>No, the State is on a strict timeline and is not able to accommodate this request.</p>  |
|   |                      | <p>What are the current contracted pharmacy rates for the fees per medication dispensed and delivered to the client per month? In most, if not all public procurements, cost is not considered proprietary and would be readily available.</p>                          | <p>This information is subject to the Public Records Act. Please submit an Open Records request to access this information.</p>  |
|   |                      | <p>What is your current cutoff time for contract delivery turnaround to be submitted to the pharmacy? Do you intend to keep this the same?</p>  | <p>From our interpretation of the question, we can provide the following:<br/>1) Orders to the State wholesaler generally take 48 hours to be delivered. The order can take longer depending on the volume of the order, and the type of drug ordered. 2) Currently, the program aims to fulfill prescriptions and send them to the Ryan White client's preferred address within 48 hours of receiving the prescription.</p> |
|   |                      | <p>Does the State use a 3rd party administrator to assist with eligibility and inventory replenishment/accountability? If so, who is the 3rd party administrator?</p>   | <p>The State does not use a 3rd party administrator to assist with eligibility and inventory replenishment/accountability.</p>   |
|   |                      | <p>Is the TN Dept of Health paying the wholesaler directly for the cost of the medications for this program?</p>  | <p>Yes, that is correct. The State pays the wholesaler directly for the cost of the medications, after the medications are delivered to the contracted pharmacy.</p>   |

|  |  |  |  |
|--|--|--|--|
|  |  | Is it a requirement that the one retail pharmacy location in the state of Tennessee (Section A.5.a.6 of the Grant Contract) be owned and operated by the respondent or can it be owned and operated by a subcontractor?  | The retail location can be either owned and operated by the respondent or owned and operated by subcontractor under the respondent.  |
|  |  | Could all medications be shipped to clients or is it a necessity to have a pick-up option at a Tennessee pharmacy?   | Yes, all medications could be shipped. However, some clients may prefer to pick-up their medication at a physical location due to stigma issues related to where their medications are sent, or if the retail pharmacy location is more convenient for the client to access.   |
|  |  | What is the current allocation of volume for mail-order shipped medications vs. pick-up at a retail location?  | The majority of medications provided via this program are completed via mail-order. An exact percentage of mail-order vs. pick-up is not available.  |
|  |  | Would the State consider making it a requirement for the respondent to have a HIV-specialized pharmacist (AAHIVP certification) on staff to act as the Clinical Pharmacy Representative to the HIV/STD Statewide Meetings held annually?   | This is not required at this time, and the program is not considering this requirement.  |
|  |  | Will there be an opportunity for a second round of questions if any answers in the first round of questions needs clarification?   | No, not at this time.  |
|  |  | Who is the current vendor providing the Mail Order Pharmacy Program for the Ryan White Part B HIV Drug Assistance Program?   | Nashville Pharmacy is the current vendor.  |
|  |  | Actual utilization data would be helpful for potential bidders to study medication mix and prescriber ordering trends. Can you please provide the past 3 months pharmacy invoices related to this program with patient information redacted for review?  | Please find attachment labeled, "Medication Ordering January-March 2021". The actual HIV drugs/medications that were provided to clients during January, February, and March 2021.   |
|  |  | What is your current population enrolled in this program?  | The current population enrolled on this program is 2,400 clients.  |
|  |  | Section B.15 requests documentation of the Respondent's commitment to diversity including estimated participation. What are the small diverse business and small business contract requirements/goals for this contract? Would the State consider adding points to the evaluation scorecard for levels of participation by small diverse businesses either as a prime contractor or by subcontractors? | There are not small diverse business and small business requirements/goals for this contract. Each agency has an overall GO-DBE goal. No, the State will not alter its B.15. language. The current RFP process allows Respondents to provide answers to B.15. to be considered for holistic scoring by State evaluators. Section B. is worth a maximum of 30 points. |
|  |  | What is the physical address of the current retail pharmacy location for your current vendor for this service?   | The current retail pharmacy's location is in Nashville, Tennessee.   |

|  |  |  |   |
|--|--|--|---|
|  |  | For email submissions, are there any file size restrictions for the PDF files that will be submitted?  | 25 MB per message includes message header, body, and attachments. |
|  |  | Would the State consider removing the performance bond requirement after a successful year of contract completion?   | No, the State is unable to accommodate this request.              |
|  |  | Section E.10.d Technology Professional Liability (Errors & Omissions)/Cyber Liability Insurance of the Grant Contract is requesting a liability insurance policy in an amount not less than \$10,000,000 (ten million dollars). Industry standard for this type of Cyber Liability Insurance is \$1,000,000 (one million dollars). Would the state consider lowering the coverage amount of this liability insurance policy amount to \$1,000,000? | No, the State is unable to accommodate this request.              |

3. **RFP Amendment Effective Date.** The revisions set forth herein shall be effective upon release. All other terms and conditions of this RFP not expressly amended herein shall remain in full force and effect.