



BOARD OF SUPERVISORS  
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Department Name:** Behavioral Wellness  
**Department No.:** 043  
**For Agenda Of:** July 12, 2022  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors  
**FROM:** Department Antonette Navarro, LMFT, Director  
Director(s) Department of Behavioral Wellness, (805) 681-5220  
Contact Info: Dr. Ole Behrendtsen, Medical Director  
Behavioral Wellness, (805) 681-5220  
**SUBJECT:** Behavioral Wellness Alcohol and Drug Program – Request for Waiver of Competition in Purchasing of Pharmaceuticals from Emergent Devices Inc. for FY 2022-2025

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**County Counsel Concurrence:**

As to form:

**Other Concurrence:** Risk Management

As to form:

**Auditor-Controller Concurrence:**

As to form:

**Other Concurrence:** Purchasing

As to form:

**Recommended Actions:**

That the Board of Supervisors consider a recommendation regarding a waiver of competition under County Code Section 2-39 for the purchase of pharmaceuticals as follows:

- A. Authorize the Purchasing Agent to procure Narcan/naloxone nasal spray for harm reductions to treat opioid overdose from **Emergent Devices Inc. dba Emergent BioSolutions** (Emergent) (not a local vendor) without being required to conduct a formal bid process, with a Maximum Agreement Amount not to exceed **\$180,000** with an annual amount of \$60,000 for the period of July 1, 2022 through June 30, 2025; and
- B. Determine that the above action is a government fiscal activity or funding mechanisms which does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment, and is therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA Guidelines.

**Summary Text:**

Pursuant to County Code Section 2-39, the above-referenced item is on the agenda to request the Board of Supervisors (Board) to waive the requirement for a competitive bid for the purchase of Narcan/naloxone nasal spray for the use of harm reductions for Santa Barbara residents in the amount of \$180,000 with \$60,000 annually for the period of July 1, 2022 through June 30, 2025. There are only three Food and Drug Administration (FDA) approved pharmaceutical companies that produce naloxone nasal spray. The two other pharmaceutical companies only discount naloxone at 5% to 6% public

interest price. The request to waive the requirement for a competitive bid for the purchase of naloxone nasal spray is being sought since Emergent offers this pharmaceutical a 40% discount on the at the lowest public interest price.

**Background:**

The nation is in the grips of an ongoing and worsening opioid – prescription pain killer and heroin – epidemic. Opioids are becoming the drug of choice (DOC) for an alarming number of clients entering Alcohol Outpatient Drug treatment services. Opioids are a class of drugs that include prescription medications such as oxycodone, hydrocodone, and morphine, as well as the illegal drug heroin. The County of Santa Barbara reflects the nationwide trend with 165 deaths in 2021 contributed to opioid overdose.

In 2015, the Food and Drug Administration (FDA) moved to approve the easy-to-use naloxone nasal spray to treat opioid overdose. Naloxone is a life-saving medication that can stop and reverse the effects of an opioid overdose. When someone overdoses on an opioid, the person’s breathing may become shallow or stop - leading to death if there is no medical intervention. If naloxone is administered quickly, it can counter the overdose effects, usually within two minutes. Until this FDA-approval, naloxone was only approved in injectable forms, most commonly delivered by syringe or injector.

However, many first responders and primary caregivers feel a nasal spray formulation of naloxone is easier to deliver, and eliminates the risk of a contaminated needle stick. Narcan nasal spray does not require assembly and delivers a consistent, measured dose when used as directed. This prescription product can be used on adults or children and is easily administered by anyone, even those without medical training.

Since 2016, Behavioral Wellness (BWell) has been purchasing Narcan (Naloxone) nasal spray from Adapt Pharma at the discounted Public Interest Price, the lowest rate, for distribution and use for overdose prevention to save lives. BWell has established policies and procedures for the distribution and use of Naloxone. In 2018, Emergent acquired Adapt Pharma, the manufacturer of Narcan (naloxone). Emergent Devices Inc. is authorized to do business in California. For 2021, the County has saved 275 lives and distributed 2,000 Narcan kits to first responders, Community based organization and family members, and clients.

Pursuant to County Code Section 2-39, Behavioral Wellness is requesting your Board waive the requirement for a competitive bid for the purchase of pharmaceuticals from this vendor because there are limitations in source for Narcan (Naloxone) nasal spray, and Emergent offers this pharmaceutical at the lowest Public Interest Price. The County Purchasing Department recommends that bid waiver requests be made for each applicable fiscal year. This bid waiver request is for FY 2022 -2025.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>FY 22-23 Cost</u></b>	<b><u>FY 23-24 Cost</u></b>	<b><u>FY 24-25 Cost</u></b>	<b><u>TOTAL FY 22-25</u></b>
General Fund				
State	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	
Federal	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	
Fees				
Other:				
<b>Total</b>	<b>\$ 60,000.00</b>	<b>\$ 60,000.00</b>	<b>\$ 60,000.00</b>	<b>\$ 180,000.00</b>

Narrative: The above-referenced agreements are funded by State and Federal funds. For FY 22-23 the funding was included in the FY 22-23 Adopted Budget. BWell will seek a purchase order to procure naloxone once we have received Board approval. For the FY 23-25 the funding will be included in the FY 23-24 Proposed Budget and the FY 24-25 Proposed Budget and funding is contingent upon Board approval.

**Special Instructions:**

Please return one (1) Minute Order to [dmorales@sbcbswell.org](mailto:dmorales@sbcbswell.org), the BWell Contracts Division at [bwellcontractsstaff@sbcbswell.org](mailto:bwellcontractsstaff@sbcbswell.org) and the Purchasing Department at [ploman@countyofsb.org](mailto:ploman@countyofsb.org).

**Authored by:**

D. Morales