

**From:** [Denninghoff, John P](#)  
**To:** [Jason Steele](#); [deligdishc@omnihealthcare.com](mailto:deligdishc@omnihealthcare.com)  
**Cc:** [Abbate, Frank B](#); [Bentley, Eden](#); [Wallace, Matthew](#); [Denninghoff, John P](#); [Darling, Steven](#)  
**Subject:** RE: Why does the county want OMNI to do vaccinations for free but is willing to pay Caliburn \$1.32 million-OMNI already has a central Brevard Vaccination Facility Capable of Vaccinating 1,000 per day that it has used for testing.-255 Sykes Creek Pkwy  
**Date:** Monday, February 1, 2021 2:06:28 PM

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Jason,

Upon receiving your email below, I inquired regarding the back ground associated with the situation. The response I have received is below. It conveys a very different and complete communication than the one I read below. If you have any questions please let me know.

Regards,

John Denninghoff

**Response:**

Frank and John, the original email below from Dr. Craig Deligdish (bottom of email chain) is inaccurate. It misrepresents the conversation that Dr. Deligdish and I had on Tuesday January 26. After being cut off by Dr. Deligdish regarding the legality of our contracts with the hospital, I was never able to even discuss the Caliburn Contract nor offer a similar contract with OMNI.

Dr. Deligdish had previously sent a letter to all our County Commissioners and Frank requesting that OMNI be considered as an alternative provider of the vaccine. In response to that letter, I called Dr. Deligdish to discuss the Department of Health and County's phased approach to administering the vaccine.

At the onset of the phone call, Dr. Deligdish was briefed that the County was assisting the Department of Health in coordinating with potential administrators of the vaccine. In any given week, the hospitals would not receive any vaccines to administer unless the Department of Health received a weekly distribution exceeding 6,000 vaccines. In case of excess, the excess number of vaccines would then be equitably distributed to the three hospital systems to administer. The hospitals all agreed that as members of the community they would provide all the staff and site infrastructure needed to administer vaccines provided by the Department of Health at no cost to the County, recipient or insurance company.

Dr. Deligdish then asked why would they agree to that when the Federal Government would pay for the vaccines. Why would the County not allow them to bill the Federal Government. I reiterated the language in the contract, that simply stated the hospitals would not charge the County, recipients or insurance companies for receiving the vaccine. At this time the conversation turned to the legality of our contracts with the hospitals. Dr. Deligdish was adamant that our contracts were not legal documents. I informed Dr. Deligdish that the contracts in question were developed and reviewed by our County Attorney's Office, to which Dr. Deligdish responded that he did not care if they reviewed the contracts, our County Attorney is not a Healthcare Attorney. I then informed him that all three

contracts with the hospitals were reviewed by the respective legal teams within the hospitals and there were no issues or concerns from their legal teams. Dr. Deligdish at that point asked that I send him a copy of the hospital contract so he could send it to his healthcare attorney, who would then send me a letter stating why the hospital contracts were not legally binding documents. I responded that I would forward the contract to him immediately following our phone call and looked forward to hearing back from him.

What I was not able to discuss with Dr. Deligdish was the Department of Health and County's phased approach to vaccine distribution. As stated in the BoCC Board Agenda item that Dr. Deligdish did acknowledge reviewing, it clearly states that once the Health Department is receiving more than 6,000 vaccines weekly, those vaccines in excess of 6,000 will be equitably distributed among the hospital systems, up to the daily maximum those hospitals can distribute. At maximum capacity, that would be an additional 12,500 vaccines administered weekly by the hospital systems. The Agenda item (as well as the article referenced in Dr. Deligdish's email below) clearly states that the County would not utilize the Caliburn contract until the Health Department began receiving over 18,500 vaccines weekly.

If OMNI is not interested in a similar contract to provide the vaccines at no charge to the County, recipients, or insurance companies, I would gladly receive a proposal from OMNI that outlines a cost per shot model. Prior to presenting the Caliburn contract to the County, John Scott and I spoke with several companies that were willing to administer the vaccines on behalf of the Department of Health and the County. After discussing sites and infrastructure and amounts of vaccines, Caliburn offered the most efficient response. Caliburn was also the only contractor willing to agree to a contract that did not have a minimum dollar amount guarantee nor a minimum amount of weekly vaccines (as the County has no guarantee from the State on weekly distributions). If OMNI were to provide a competitive proposal substantially similar to Caliburn's, the same language would be included; that the County would not utilize this contract until after the Department of Health and hospitals were given their maximum quantities, as they present the most efficient and economical method for vaccine administration given how vaccines are currently being distributed.

After my conversation with Dr. Deligdish, I spoke with John Scott. He has had conversations with multiple municipalities stating they would be interested in providing the vaccines to their residents at no cost if the Health Department began receiving more vaccine doses than it could distribute on a weekly basis. This information was shared with the Board of County Commissioners at their most recent meeting. Should the County and the municipalities execute interlocal agreements for vaccine administration, as we anticipate will happen, those municipalities sites would be given vaccines prior to engaging Caliburn, because they (as the hospitals) would be doing so at no cost to the County, recipients, or insurance companies.

During the call with Dr. Deligdish he was so focused on expressing his disagreement with the County's contracts with the Hospitals that he and I were unable to discuss any other vaccine administration options. He ended our call after stating he would have his healthcare attorney send a letter about the County's contracts with the hospitals. At no point did Dr. Deligdish ask about providing the County a proposal to perform these services. Contrary to Dr. Deligdish's statement below, the County does not want OMNI to do vaccines for free; simply put, the County will not pay

for a company to do vaccines when the County has agreements in place to do vaccines for free. If the Department of Health gets to a point where they are receiving more vaccines than it, the hospitals, and municipalities can administer in a week, only at that point would the County begin to pay for vaccine administration via the Contract with Caliburn, or any other vaccine contract that involves payment for services. This was done to assure we have the capacity to put "shots in arms" for all vaccine that becomes available. The County was told by the Florida Division of Emergency Management that's an important criteria in determining how much vaccine the Department of Health will receive.

Please let me know if you have any questions regarding the actual conversation that took place between myself and Dr. Deligdish.

Steven A. Darling, Jr.,  
Central Services Director  
Brevard County Board of County Commissioners  
2725 Judge Fran Jamieson Way  
Bldg C Suite C303  
Viera, FL 32940  
O: 321-617-7390  
C: 321-616-5201

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**From:** Jason Steele <jason@smithlawtlh.com>

**Sent:** Monday, February 01, 2021 5:41 AM

**To:** deligdishc@omnihealthcare.com

**Cc:** Denninghoff, John P <John.Denninghoff@brevardfl.gov>; Denninghoff, John P <John.Denninghoff@brevardfl.gov>

**Subject:** Re: Why does the county want OMNI to do vaccinations for free but is willing to pay Caliburn \$1.32 million-OMNI already has a central Brevard Vaccination Facility Capable of Vaccinating 1,000 per day that it has used for testing.-255 Sykes Creek Pkwy

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That is a very good question , I will ask Assistant County Manager John Denninghoff. John could you please respond or point me in right direction?

I would imagine we could put in bid to do the same thing or the county should at least go out for bid.  
My best, Jason

**JASON STEELE**  
**SMITH & ASSOCIATES**  
**DIRECTOR OF GOVERNMENT RELATIONS**

**" Do not ever let failure deter you from your dreams,  
LET IT FUEL THEM "**

**[709 S Harbour City Blvd](#)**

**[Ste.540](#)**

**[Melbourne, Florida 32901](#)**

**Telephone: [321-676-5555](#)**

**Cell: [321-258-8993](#)**

**Facsimile: [321-676-5558](#)**

On Jan 31, 2021, at 7:03 PM, [deligdishc@omnihealthcare.com](mailto:deligdishc@omnihealthcare.com) wrote:

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<https://www.floridatoday.com/story/news/local/2021/01/21/brevard-plan-would-add-five-hospital-run-covid-19-vaccination-sites/4243064001/>