



County of El Paso Purchasing Department
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ADDENDUM 3

To: All Interested Vendor
From: Lucy Balderama, Procurement Data Analyst
Date: February 14, 2017
Subject: BID #16-071, Alcohol, Drug Testing Supplies and Laboratory Services for the County of El Paso

- **The bid opening date has been extended to Thursday, February 23, 2017 at 2:00 p.m.**
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The following questions were received by the Purchasing Department:

1. Who is the current vendor providing the County's drug testing services?

Response: 384th SAFPF Re-entry Drug Court: REDWOOD TOXICOLOGY LAB

2. What are the current prices the County pays for each test/service listed on the Price Sheet?

**Response: \$9.95 ETG TESTING
\$2.95 ON SITE DRUG TEST KIT
\$4.00 ETG PM SITE KIT**

3. Can the County provide the current contract?

Response: Yes. Please view attachments on our County website at www.epcounty.com Click Bids & More; List of Bids.

4. Does the County use an information system to track clients and aid with case management? If so, what information/case management system does the County use?

Response: No. The County does not use an information system to track clients and aid with case management.

5. How are clients notified of the need to test?

Response: Clients are notified in person, at court, by probation officer or at their homes/by phone.

6. Who currently provides collection services for the County?

Response: The Court provides collection services.

7. Will the evaluation of the bids focus primarily on service offering, or on price?

Response: Evaluations will focus on both service offering and pricing.

8. The Price Sheet suggests that the County currently utilizes a mixture of instant tests and laboratory tests – is this differentiation due to cost? If cost were not a factor, would the County want laboratory testing done 100% of the time?

Response: Yes. Differentiation is due to cost, so we can have accurate results.

9. Are all positive samples from onsite devices sent to lab for LC/MS/MS confirmation?

Response: Yes. (It is a requirement from the judge)

10. What is the monthly positive rate for each test type?

**Response: UA Testing- About 2-10 per Month
BA Machine Testing- About 2-10 per Month**

11. Who is the population being tested; adult and/or juvenile drug court, family court, veteran's court or all of the above? Please define.

Response: The population being tested is SAFPF Re-entry Drug Court (adults).

12. What laboratory is currently performing the drug screens and confirmations?

Response: Redwood Toxicology Lab is the current vendor.

13. Page 13 - What is the current pricing for all items listed on PRICE SHEET?

**Response: \$9.95 ETG TESTING
\$2.95 ON-SITE DRUG TEST KIT
\$4.00 ETG ON SITE KIT**

14. Page 13 – How many “onsite” collections were performed over the last year?

Response: 2000-2500 on site collections were performed over the last year.

15. Is the current contract available for review?

Response: Yes.

16. Page 7 – Section II SCOPE OF WORK ...“Laboratory Bidder(s) shall provide limit of detection (LOD) confirmatory testing utilizing liquid chromatography tandem mass spectrometry LC/MS/MS technology at a minimum on all submitted urine, oral and/or hair specimens that screen positive using the point-of-collection devices and creatinine levels be provided on all specimens.” Are the positive specimens that are being sent to the lab to be screened first and then LC/MS/MS confirmation for positive results or confirmation only? If specimens are to be screened first is confirmation automatic for positive results or upon request by agency?

Response: Yes. All positive specimens shall undergo LX/MS conformation. Conformation is always required for all specimens sent to the lab.

17. Page 8 - #3 “At a minimum provide urine drug screening for Alcohol (ethanol), Marijuana, EtG, EtS, MDMA, Amphetamines, Methamphetamines, Barbiturates, Benzodiazepines, Cocaine, Methadone, Opiates, PCP, Dextromethorphone, Propoxyphene and Synthetic Drugs (Spice/K2, bath salts and other derivatives)...” Please confirm SAMHSA cut-off levels are currently being used for the above stated drugs.

Response: Yes. SAMHSA cut-off levels are currently being used for the above stated drugs.

18. Page 11 - #8. “Bidder shall have forty-eight (48) hours to confirm positive tests. Bidder shall report positive results to results to the request County Department, Court and/or program.” Will the County accept up to 5 days turnaround time for positive hair testing results?

Response: Yes. The County will accept up to 5 days turnaround time for positive hair testing results.

19. Page 11 - #14. “When requested and scheduled, and for no additional compensation, the Bidder will attend meetings at the County with members of management to discuss relevant issues affecting testing or other issues relating to the services provided by the Bidder.” How often do these meetings occur? Can they be combined with the required in-person bi-annual training?

Response: On an as needed basis. Yes. They can be combined with the required in-person bi-annual training.

20. How many collection sites are currently being utilized and what are the addresses?

**Response: 384TH District Court - 500 E. San Antonio
El Paso County Probation Department - 7145 Industrial
During Home Visits - (Participants Address)**

21. How many specimen collections are performed daily per location?

Response: 5-30 per location.

22. Are specimen pick-ups required on the weekends?

Response: Yes.

23. How many onsite collections were performed over the last year?

Response: 2500-3000 onsite collections were performed over the last year.

24. Are MRO services required for all positive results or upon request only? How many times were MRO services required over the last year?

Response: Upon request only. (Unavailable)

25. May we receive a copy of the current chain of custody form?

Response: Chain of custody forms are based on the vendor and some departments have different vendors. Forms are unavailable.

26. How many expert witness testimonies were required to appear in court over the last year?

Response: None.

27. What is the current drug screening cup being used? Of the estimated 12,000 units what is the breakdown in the amount of panels (i.e. 10 panels, 8panels, 6panels, etc.)?

Response: There are too many department utilizing different cups to have a breakdown of all the cups being utilized. Different department have the discretion to use different cups.

28. What is the current oral swab kit being used? Of the estimated 2,000 units what is the breakdown in the amount of panels (i.e. 10 panels, 8panels, 6panels, etc.)?

Response: There are too many department utilizing oral swab to have a breakdown of all the swabs being utilized. Different department have the discretion to use different oral swabs.

29. How many locations will product be shipped to?

Response: Product will be shipped to one location.

30. Will product be shipped all at once, or incrementally throughout the year?

Response: Product will be shipped incrementally throughout the year.

31. If shipped incrementally, how many times?

Response: Shipping is 3-4 times per year.

32. Page 22 #27. Mandatory Disclosures: "Disclosure of Interested Parties (only required of vendors who are awarded the Bid/RFP/RFQ)" this form is listed on the Solicitation Checklist (page 40); should it be returned with the bid documentation or not?

Response: No. If a vendor does not include it in their bid, they just have to register it if they are awarded.

33. What is the correct opening date?

Response: Addendum 2 extends the opening date to Thursday, February 23, 2016 at 2:00 p.m.

34. What is your current percent positive rate?

Response: The current percent positive rate is 15 %.

35. Does the County currently utilize any vendors for collection services? If so, please identify the vendors and provide current pricing, if possible.

Response: No. The County currently does not utilize any vendors for collection services.

36. Can the four electronic copies be on the same flash drive, or does the County want four separate flash drives?

Response: The County is requesting four (4) separate flash drives.

37. Will the County allow a laboratory to bid directly with the County – without offering sample collection services?

Response: Yes. The County allow a laboratory to bid directly with the County without offering sample collection services.

38. Would the County consider awarding laboratory services to one vendor and collection services to a different vendor?

Response: Yes. The County consider awarding laboratory services to one vendor and collection services to a different vendor.

39. For the required samples, may bidders provide just one configuration for each cup? For example, if we are offering 6, 8, and 10 drug cups that are all the same manufacturer/model, can we just provide 3 samples of one 10-drug cup configuration for review as opposed to 3 samples of every configuration offered?

Response: Yes. Bidder may provide just one configuration for each cup.

40. Please identify which County agencies would be utilizing this contract (e.g. corrections, social services, pre-employment/employment, etc.).

Response: The County agency that would be utilizing this contract is the 384TH SAFPF RE-ENTRY DRUG COURT.

41. Can the County please whether the 'oral swab kits' mentioned in the bid solicitation refer to rapid test devices that provide a result on the device, or saliva collection devices which do not have results on the device and are instead sent in to the laboratory for analysis?

Response: The County would rather have rapid results as this would help our male surveillance officers test females out on the field.

42. Will the County allow for CLIA certification as opposed to CAP-FDT / SAMHSA? Like SAMHSA, CLIA certification is also provided through the federal Department of Health & Human Services. However, SAMHSA certification is specifically meant to regulate workplace drug testing for only 5 drugs--Amphetamines/Methamphetamines, Cocaine, Opiates, PCP and Marijuana (THC)—and now Ecstasy (MDMA) (a sub-group under amphetamines) and Heroin (6-MAM) (under the opiates class). SAMHSA licensure and practices--such as split specimen collection, screening specimens at the laboratory and then having automatic confirmation, required MRO--may not be quite as appropriate or necessary for criminal justice agencies or behavioral health agencies. Our CLIA laboratory provides services to thousands of corrections agencies and behavioral health agencies across the country, including in the State of Texas.

Response: The County will allow CLIA agencies.

43. If this contract is for both corrections and employee testing, would the County consider separating these kinds of tests in the pricing?

Response: Testing is only required for corrections.

44. Will the County allow for a turnaround time of 48-72 hours for confirmation results? This is standard turnaround time in the industry.

Response: Yes. The County will allow for a turnaround time of 48-72 hour confirmation results.

45. Will the County allow for the confirmation turn-around time to begin following performance of a screen as opposed to starting upon receipt of the specimen? Our laboratory screens all urine specimens for creatinine as a method of detecting potential adulteration/specimen validity prior to sending a specimen to confirmation.

Response: Yes. The County allow for the confirmation turn-around time to begin following performance of a screen as opposed to starting upon receipt of the specimen.

46. Will the County allow for results to be reported using standard levels of detection as opposed to the lowest level of detection? The standard industry practice is to use cut-off levels such as those suggested by SAMHSA.

Response: Yes. The County allow for results to be reported using standard levels of detection as opposed to the lowest level of detection.

47. Will the County allow for certain drug classes to be confirmed using gas chromatography-mass spectrometry (GC-MS)? This methodology is still standard in the industry and produces results that can be defended in a court of law. In fact, this methodology is the only one currently approved by SAMHSA.

Response: Yes. The County allow for certain drug classes to be confirmed using gas chromatography-mass spectrometry (GC-MS).

48. Will the County please explain why they need cost per specimen for GC-MS or LC-MS as opposed to per drug? Per drug is the industry standard; charging "per specimen" will increase the cost of confirmation, which in many cases may still only be for the confirmation of a single drug.

Response: Cost per specimen is okay.

49. Will the County consider a vendor that offers email notifications but does not offer text alerts when donors do not call in or show to provide a specimen?

Response: Yes.

50. Will the County allow for storage of positives for one (1) year as opposed to two years, as long as longer storage can be requested on individual specimens? One year is standard in the industry.

Response: Yes.

51. Will the County consider drug screening products that contain other industry standard cut-off levels other than current SAMHSA cut-offs? For example, lower cut-offs such as Amphetamines at 300 instead of 500 and Opiates at 300 instead of 2000? What about older SAMHSA cut-offs, such as Amphetamines at 1000 instead of 500 or Cocaine at 300 instead of 150?

Response: Yes.

52. Can the County please explain why they require an MRO to verify all tests? This would be an extra expense that is typically unnecessary for criminal justice testing. MROs typically verify results for employee testing, as they will check positives against medications being used and keep the employee's personal health information private from the employer (e.g. reporting a result as negative even if it was positive when the positive matches a known medication used by the donor); however, for corrections donors, their health information--such as what prescription drugs they are taking--is not kept private from the officers or case workers monitoring their drug testing results. Instead, this would just add an extra cost for the County. Would the County remove the requirement for an MRO and instead consider utilizing the laboratory's free toxicology support services (including access to a toxicologist) for questions regarding potential

positives from medications? Or at least make the MRO service into a separate fee available "upon request?"

Response: We are okay on MRO when participant is denying positive. Yes, but in the event of the case going to trial there may be a need for expert testimony, to the best of my knowledge there has not been such a need in the last 5 years.

53. Regarding the requirement for a "pre-test interview" to determine medications/exposure to drugs, this is an unusual request. Generally in corrections, the probation officers or other corrections staff are responsible for requesting this information and keeping it on file, unless the bidder is providing some sort of treatment program. Can the County please explain why this is necessary, or consider removing this requirement/making this required only for certain kinds of testing such as employee?

Response: Removing this requirement would be okay as the program keeps records of this.

54. Regarding the requirement for a "collection log," will the County consider a chain of custody in which there may be multiple forms utilized? For instance, once the specimen gets to the laboratory, it may be logged for screening by one handler on one sheet, and if it goes to confirmation, it will be logged by that handler on another sheet specifically for confirmations.

Response: Yes.

55. Regarding the requirement for potential testing after hours/weekends/holidays, please verify that this requirement is for a collector as opposed to a laboratory performing testing.

Response: It will be for collector.

56. Regarding the need for bidder to attend meetings with the County, would the County allow for these kinds of meeting to be performed by phone or web if the bidder is for laboratory services and is located out of the county/state?

Response: Yes.

57. Will the County allow for Products and Completed Operations coverage written on a separate, claim-made policy with an aggregate limit of \$10 million?

Response: No.

58. Our insurance policy will not include the County as additional insured for Workers Compensation. Will the County allow this?

Response: Yes.

59. Regarding the request on page 11 for "bond insurance," we are unclear what the County wants. Will the County accept a cashier's check instead? If so, for how much? Or would the County accept a certificate of insurance to show that the bidder possesses the necessary insurance? Is this due with the proposal, or only after award?

Response: We are okay with certificate of insurance.

60. On page 20, Section 25 INDEMNIFICATION, A., will the County consider changing the original language: "...its agents and employees from and against all claims, demands, suits, actions, recoveries, judgments..." to: "...its agents and employees from and against all third-party claims, demands, suits, actions, recoveries, judgments..."?

Response: No.

61. Regarding the pricing for Drug Testing Supplies, would the County accept pricing for only a 6-drug cup for the first line item, and only a 10-drug cup (or other specific number) for the second line item, with pricing for any other number of drugs available on a separate pricing schedule? Rapid test devices are generally priced based on the specific number of drugs included.

Response: Yes.

62. Regarding the pricing for Laboratory Services, would the County please clarify what the first line item is for? Is this just for an EtG test? If so, please clarify if this is for an EtG screen only, or for a screen with automatic confirmation built into the price.

Response: The first line item is for ETG screening.

63. Does the County wish to have a line item for the Laboratory Services section to include a screen for multiple drugs--such as a multi-drug laboratory test for Alcohol (EtOH), THC, MDMA, AMP, MAMP, BAR, BZO, COC, MTD, OPI, PCP, and PPX? What about line items for specialty tests such as Dextromethorphan, K2/Spice or Bath Salts? Should vendors include this kind of testing on a separate pricing schedule?

Response: Yes.

64. Regarding page 23, section 30 MERGERS, ACQUISITIONS, will the County consider adding the following to the end of the second paragraph: "...documents must be submitted to the County within 30 days after the close of the merger/acquisition."?

Response: No.

65. Regarding page 24, section 33 SUBCONTRACTING / ASSIGNMENT, will the county consider adding the following: "Such consent shall not be unreasonably withheld, if granted..."?

Response: No.