



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFO NUMBER
8311C0026

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
BUYER 33
304-558-2402

VENDOR

818114521 304-529-4453
 Health Research Systems, Inc.
 529 6th Avenue
 Huntington, WV 25701

SHIP TO

Division of Highways
 Various locales as indicated by order.

ORIGINAL

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
12/08/2010				

BID OPENING DATE: **01/04/2011** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	HR		948-55		
<p>DRUG & ALCOHOL TESTING SERVICES</p> <p>REQUEST FOR QUOTATION (RFQ) OPEN END CONTRACT</p> <p>THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, THE WEST VIRGINIA DIVISION OF HIGHWAYS, IS SOLICITING BIDS FOR AN OPEN END CONTRACT TO PROVIDE DRUG AND ALCOHOL TESTING SERVICES FOR WEST VIRGINIA DEPARTMENT OF TRANSPORTATION, HUMAN RESOURCES DIVISION PER THE ATTACHED SPECIFICATIONS.</p> <p>TECHNICAL QUESTIONS CONCERNING THIS SOLICITATION MUST BE SUBMITTED IN WRITING TO SHERI SLONE IN THE WEST VIRGINIA STATE PURCHASING DIVISION VIA MAIL AT THE ADDRESS SHOWN IN THE BODY OF THIS RFQ, VIA FAX AT 304-558-2596, OR VIA EMAIL AT SHERI.D.SLONE@WV.GOV. DEADLINE FOR ALL TECHNICAL QUESTIONS IS 12/22/2010 AT THE CLOSE OF BUSINESS. ANY TECHNICAL QUESTION RECEIVED WILL BE ANSWERED BY FORMAL ADDENDUM TO BE ISSUED BY THE PURCHASING DIVISION AFTER THE DEADLINE HAS LAPSED.</p> <p>EXHIBIT 10</p> <p>REQUISITION NO.: 8311C0026</p>						

RECEIVED
 2011 JAN 18 AM 11:40
 WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

TELEPHONE **304-529-4453** DATE **1/12/2011**
 FEIN **55-0703755** ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

GENERAL TERMS & CONDITIONS REQUEST FOR QUOTATION (RFQ) AND REQUEST FOR PROPOSAL (RFP)

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
5. Payment may only be made after the delivery and acceptance of goods or services.
6. Interest may be paid for late payment in accordance with the *West Virginia Code*.
7. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
10. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern the purchasing process.
11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
12. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
13. **HIPAA BUSINESS ASSOCIATE ADDENDUM:** The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

14. CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.

15. LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership, or person or entity submitting a bid for the same material, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130
5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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<p>ADDENDUM ACKNOWLEDGEMENT</p> <p>I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.</p> <p>ADDENDUM NO.'S:</p> <p>NO. 1 ... ✓ ...</p> <p>NO. 2 ... ✓ ...</p> <p>NO. 3 ... ✓ ...</p> <p>NO. 4 ... ✓ ...</p> <p>NO. 5 ... ✓ ...</p> <p>I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS.</p> <p>VENDOR MUST CLEARLY UNDERSTAND THAT ANY VERBAL REPRESENTATION MADE OR ASSUMED TO BE MADE DURING ANY ORAL DISCUSSION HELD BETWEEN VENDOR'S REPRESENTATIVES AND ANY STATE PERSONNEL IS NOT BINDING. ONLY THE INFORMATION ISSUED IN WRITING AND ADDED TO THE SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.</p> <p style="text-align: right;"> SIGNATURE HEALTH RESEARCH SYSTEMS, INC. COMPANY </p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE	TELEPHONE	DATE	
	304-529-4453	1/17/2011	
TITLE	FAX	ADDRESS CHANGES TO BE NOTED ABOVE	
PRESIDENT	55-0703755		

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				<p>.....1/17/2011..... DATE</p>		
<p>NOTE: THIS ADDENDUM ACKNOWLEDGEMENT SHOULD BE SUBMITTED WITH THE BID.</p> <p>REV. 09/21/2009</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>[Signature]</i>	TELEPHONE 304-529-4453	DATE 1/17/2011	
TITLE PRESIDENT	PEIN 55-0703755	ADDRESS CHANGES TO BE NOTED ABOVE	

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<p>RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THE STATE MAY DEEM THE CONTRACT NULL AND VOID, AND TERMINATE SUCH CONTRACT WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND</p>						

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<i>[Signature]</i>	304-529-4453	1/17/2011	
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<p>CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 05/26/2009</p> <p>PURCHASING CARD ACCEPTANCE: THE STATE OF WEST VIRGINIA CURRENTLY UTILIZES A VISA PURCHASING CARD PROGRAM WHICH IS ISSUED THROUGH A BANK. THE SUCCESSFUL VENDOR MUST ACCEPT THE STATE OF WEST VIRGINIA VISA PURCHASING CARD FOR PAYMENT OF ALL ORDERS PLACED BY ANY STATE AGENCY AS A CONDITION OF AWARD.</p> <p>EXHIBIT 4</p> <p>LOCAL GOVERNMENT BODIES: UNLESS THE VENDOR INDICATES IN THE BID HIS REFUSAL TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO COUNTY, SCHOOL, MUNICIPAL AND OTHER LOCAL GOVERNMENT BODIES, THE BID SHALL EXTEND TO POLITICAL SUBDIVISIONS OF THE STATE OF WEST VIRGINIA. IF THE VENDOR DOES NOT WISH TO EXTEND THE PRICES, TERMS, AND CONDITIONS OF THE BID TO ALL POLITICAL SUBDIVISIONS OF THE STATE, THE VENDOR MUST CLEARLY INDICATE SUCH REFUSAL IN HIS BID. SUCH REFUSAL SHALL NOT PREJUDICE THE AWARD OF THIS CONTRACT IN ANY MANNER.</p> <p>REV. 3/88</p> <p style="text-align: center;">NOTICE</p>						

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<i>[Signature]</i>	304-529-4453	1/17/2011
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<p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: 33</p> <p>RFQ. NO.: 8311C0026</p> <p>BID OPENING DATE: 01/04/2011</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-529-4459</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY): KEN SCHNEIDER - OPERATIONS MGR</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS			
SIGNATURE <i>[Signature]</i>	TELEPHONE 304-529-4453	DATE 1/17/2011	
TITLE PRESIDENT	FAX 55-0703755	ADDRESS CHANGES TO BE NOTED ABOVE	

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***** THIS IS THE END OF RFQ 8311C0026 ***** TOTAL: _____						

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SCOPE OF WORK – TECHNICAL SPECIFICATIONS

The WV Department of Transportation (WVDOT) seeks to enter into a contract with a single vendor for drug and alcohol testing services. These services include, but are not limited to, random, pre-employment, reasonable suspicion/cause, post accident/incident, return-to-duty/follow-up and any other drug and/or alcohol testing service deemed necessary by the WVDOT.

Vendor Requirements

1. The vendor shall develop a method of random selection in compliance with Title 49 CFR Part 40.
2. The vendor shall provide for mobile, on-site testing of urine in compliance with Title 49 CFR Part 40. This includes necessary collection and identification supplies and transportation costs from the collection site to a Substance Abuse and Mental Health Services Administration (SAMHSA) certified laboratory. The split sample method of collection, handling, and storage is to be utilized. U.S. Department of Transportation collections protocols will be followed unless specifically requested by the WVDOT. The vendor will provide a confirmatory test on all positive drug screens using gas chromatography/mass spectrometry technology. Drug test results will be reported to the WVDOT no later than 4:00 p.m. Eastern Time on the third business day following the date of a test. If not reported by that time, the WVDOT will not be charged for the test, and the vendor will not reschedule a test for the purpose of meeting this required timeframe. For the purposes of this requirement, business days are Monday through Friday.
3. The vendor will provide for mobile, on-site alcohol testing that must be conducted using equipment approved by the U.S. Department of Transportation and found on their Conforming Products List. U.S. Department of Transportation collection protocols, found in Title 49 CFR Part 40, must be followed unless specifically requested by the WVDOT. The vendor must provide for a confirmatory alcohol test on all breath concentrations in excess of 0.02.
4. It will not be tolerated for any collector to begin random testing without the presence of the organization's site supervisor who handles the drug and alcohol testing program for their specific organization.
5. The vendor will not charge WVDOT for specimen adulteration assays.
6. The vendor will not charge WVDOT for handling of rejected specimens or those otherwise unfit for testing.

7. The vendor must include the cost of a qualified Medical Review Officer (MRO) in their per test cost. Due to the size and needs of the West Virginia Department of Transportation, the MRO must be a full-time MRO.
8. The vendor shall provide mobile testing and testing services, from 7:00 a.m. until 5:00 p.m. After hours services (including Saturday and Sunday collections, if necessary) shall be required in emergency situations.
9. All scheduling of pre-employment and follow-up testing must be handled promptly by the vendor. All tests must be completed within two days. Clinic scheduling will be necessary.
10. If necessary, the vendor shall provide for the collection of blood specimens.
11. The vendor shall provide for the submission of blind samples as required by federal regulation.
12. The vendor shall provide computer software or a secured internet-based result reporting and random pool maintenance module at no cost to the WV DOT for tracking, management and record maintenance of the WVDOT program. The software or internet-based result reporting utilized must contain all necessary components to permit the Medical Review Officer's report to be submitted and contained in the database. The vendor must provide the WVDOT with inquiry access to the software or internet-based result reporting from a WVDOT personal computer located in the offices of the WVDOT Human Resources Division.

The vendor will be required to demonstrate at no cost to the WV DOT all functions relative to program tracking, management and record maintenance in the WVDOT Human Resources Division. The WVDOT reserves the right to determine acceptability and to approve or reject software or internet-based result reporting. Software or internet-based result reporting deemed acceptable shall be added by addendum.

The State shall not accept any exclusive provisions or arrangements that prohibit competition among vendors.

The vendor shall be required to name the software or internet-based result reporting proposed for use under this contract in the bid. Failure to submit a bid using approved software or to name such software in the bid shall result in rejection of the bid.
13. The vendor shall ensure that strict rules of confidentiality are maintained at all times. All test results and material acquired shall become the property of the WVDOT and the State of West Virginia. The custody and control form and the

alcohol testing form must be attached to the MRO report for each employee when received by the WVDOT. Information shall not be released without prior express written consent of the WVDOT.

14. The vendor must identify their subcontractors and the portions of the program they intend to subcontract.
15. The vendor shall provide information and costs for any other services they provide relevant to drug and alcohol testing service, such as expert testimony (including MRO testimony), laboratory litigation packages, etc.
16. The vendor shall provide the respective Agencies with a written recapitulation of the testing program on a monthly basis.
17. The WVDOT will not pay the selected vendor for waiting time. A collection is complete only after every employee has met his/her testing obligations.
18. The WVDOT will not pay the selected vendor for initial set-up fee or for any renewal fees if the contract is renewed.
19. The bidder must carry commercial general liability insurance at a minimum of \$1,000,000. The successful bidder must provide the certificate of insurance at the time of award.
20. The vendor must provide information relating to its experience and reliability in regard to drug and alcohol testing programs with other firms having at least 1500 covered employees. This would include the size and type of program (e.g., regulated versus non-regulated). Vendors must provide a listing of references and clients who may have knowledge of the vendor's ability, reliability and experience. A minimum of five (5) organizational references, including all contracts with at least 1500 covered employees, listing telephone numbers, length of contracts, number of tests conducted annually and a brief narrative of services provided, is required.
21. The WVDOT reserves the right to seek clarifications of vendor submissions. Nothing may be submitted after the bid opening date and time to alter the vendor's proposal.
22. With approval of the Purchasing Division, the WVDOT reserves the right to reject any and/or all bids and to select the bid that is low bid meeting all terms and conditions of this Request for Quotations. A vendor shall be disqualified if all requirements are not met at the time of evaluation.

Confidentiality

The vendor shall not use or disclose at any time during or after the termination of this contract any information discovered or developed in the course of the performance of this contract without the express written consent of the WVDOT. Any and all reports related to this contract shall be submitted to the Secretary of Transportation through the respective Agencies Program Administrator.

Ownership of Materials Developed

Any materials and communications developed by the vendor in the course of performance of this contract shall be the property of the WVDOT, which shall be free to use such materials and communications as it sees fit.

Implementation

The vendor shall implement the requested program no later than ten (10) days following the award.

Exhibit I

TESTING LOCATIONS**District One -1334 Smith Street, Charleston, WV 25301 (304) 558-3001**

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0127	Mason	Point Pleasant, WV	(304) 675-0853
0140	Putnam	Red House, WV	(304) 586-2381
0120	Kanawha	Elkview, WV	(304) 558-9155
		N. Charleston 2800 W. Washington St.	(304) 744-3050
		Chelyan, WV	(304) 558-3010
		St. Albans, WV	(304) 722-0600
0108	Clay	Clay, WV	(304) 587-4241
0103	Boone	Danville, WV	(304) 369-7808

District Two – 801 Madison Avenue, Huntington, WV 25712 (304) 528-5625

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0206	Cabell	Barboursville, WV	(304) 736-3111
0250	Wayne	Wayne, WV	(304) 272-5127
0222	Lincoln	West Hamlin, WV	(304) 824-3434
0223	Logan	Wilkinson, WV	(304) 792-7035
0230	Mingo	Williamson, WV	(304) 235-6003

District Three – 624 Depot Street, Parkersburg, WV 26101 (304) 420-4595

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0337	Pleasants	Belmont, WV	(304) 665-2466
0354	Wood	Parkersburg, WV	(304) 420-4700
0343	Ritchie	Harrisville, WV	(304) 869-3331
0353	Wirt	Elizabeth, WV	(304) 275-4211
0307	Calhoun	Millstone, WV	(304) 354-9227
0318	Jackson	Ripley, WV	(304) 372-7857
0344	Roane	Spencer, WV	(304) 927-0962

District Four – Meadowbrook Road, Clarksburg, WV 26302 (304) 842-1500

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0431	Monongalia	Morgantown, WV	(304) 285-3207
0439	Preston	Albright, WV	(304) 329-0192
0425	Marion	Fairmont, WV	(304) 367-2730
0417	Harrison	Clarksburg, WV	(304) 627-2140
0446	Taylor	Grafton, WV	(304) 265-6110
0409	Doddridge	West Union, WV	(304) 627-2412

District Five – US 50, Burlington, WV 26710 (304) 289-3521

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0533	Morgan	Berkeley Springs, WV	(304) 258-2578
0502	Berkeley	Martinsburg, WV	(304) 267-0060
0519	Jefferson	Kearneysville, WV	(304) 725-5821
0529	Mineral	New Creek, WV	(304) 788-1221
0514	Hampshire	Romney, WV	(304) 822-4167
0512	Grant	Petersburg, WV	(304) 257-4455
0516	Hardy	Moorefield, WV	(304) 434-2525

District Six – 1 DOT Drive, Moundsville, WV 26041 (304) 843-4000

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0615	Hancock	New Cumberland, WV	(304) 238-1200
0605	Brooke	Wellsburg, WV	(304) 238-1199
0635	Ohio	Triadelphia, WV	(304) 238-1202
0626	Marshall	Glen Dale, WV	(304) 843-4055
0652	Wetzel	New Martinsville, WV	(304) 843-4058
0648	Tyler	Sistersville, WV	(304) 843-4057

District Seven – 255 Depot Street, Weston, WV 26452 (304) 269-0414

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0701	Barbour	Philippi, WV	(304) 457-1597
0721	Lewis	Weston, WV	(304) 269-0470
0749	Upshur	Buckhannon, WV	(304) 473-4225
0711	Gilmer	Glenville, WV	(304) 462-7325
0704	Braxton	Gassaway, WV	(304) 364-5238
0751	Webster	Webster Springs, WV	(304) 847-2114

District Eight – US Route 219 North, Elkins, WV 26241 (304) 637-0220

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0847	Tucker	Parsons, WV	(304) 478-2304
0842	Randolph	Elkins, WV	(304) 637-0265
0836	Pendleton	Franklin, WV	(304) 358-2702
0838	Pocahontas	Marlinton, WV	(304) 799-4867

District Nine – 103 ½ Church Street, Lewisburg, WV 24901 (304) 647-7450

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
0934	Nicholas	Summersville, WV	(304) 872-0811
0910	Fayette	Oak Hill, WV	(304) 256-6940
0913	Greenbrier	Lewisburg, WV	(304) 647-7465
0945	Summers	Hinton, WV	(304) 466-2802
0932	Monroe	Union, WV	(304) 772-3037

District Ten – 270 Hardwood Lane, Princeton, WV 24740 (304) 487-5228

<u>Organization</u>	<u>County</u>	<u>Location</u>	<u>Telephone</u>
1041	Raleigh	Beckley, WV	(304) 256-6746
1055	Wyoming	Pineville, WV	(304) 732-7563
1028	Mercer	Princeton, WV	(304) 425-2782
1024	McDowell	Welch (Havaco), WV	(304) 436-8411

ADDITIONAL LOCATIONS

**West Virginia State Rail Authority
120 Water Plant Drive
Moorefield, WV 26836
(304) 538-2305**

**Potomac Eagle Excursion
Wappocomo Station
Route 28 North
Romney, WV 26757**

**West Virginia Parkways Authority
3310 Piedmont Road
Charleston, WV 25325
(304) 926-1900**

**WV Division of Highways Equipment Division
Buckhannon, WV 26201
(304) 472-1750**

**WV Division of Highways
Materials Control, Soils & Testing Division
190 Dry Branch Road
Charleston, WV 25306
(304) 558-3770**

BID COST

All per test costs are to be based upon an all-inclusive collection as seen through the entire process of analysis, culminating with the certification of results and proper reporting of such results to the Human Resources Division or the appropriate Agency Program Manager. Alcohol and drug-screening requires separate pricing. Regular testing hours (Monday-Friday, 7:00 a.m.-5:00 p.m.) and after hours testing (Saturday & Sunday, 5:01 p.m. – 6:59 a.m.) requires separate pricing.

The West Virginia Department of Transportation requests your bid based on the following estimated quantities:

	<u>Usage</u>	<u>Unit Price</u>	<u>Amount</u>
1. Drug Screening	<u>2000</u>	<u>\$32.25</u>	<u>\$64,500.00</u>
After hours	<u>30</u>	<u>\$32.25</u>	<u>\$ 967.50</u>
2. Alcohol Testing	<u>800</u>	<u>\$10.00</u>	<u>\$ 8,000.00</u>
After hours	<u>20</u>	<u>\$10.00</u>	<u>\$ 200.00</u>
3. Expert Witness Testimony			
Collector Testimony	<u>10</u>	<u>no charge</u>	<u>0</u>
Deposition	<u>10</u>	<u>no charge</u>	<u>0</u>
Expert Witness Testimony	<u>10</u>	<u>no charge</u>	<u>0</u>
4. Laboratory Litigation Packages	<u>1</u>	<u>no charge</u>	<u>0</u>
5. Clinics (<u>total cost, charge</u> For clinic + cost of test)	<u>100</u>	<u>\$42.25</u>	<u>\$4,225.00</u>
6. Blind Specimens	<u>54</u>	<u>no charge</u>	<u>0</u>
7. No-Show Charges	<u>20</u>	<u>no charge</u>	<u>0</u>
8. Emergency Service Rates	<u>12</u>	<u>no charge</u>	<u>0</u>
		Total:	<u>\$77,892.50</u>

Include the name of the software or internet-based result reporting: CIS Assistant

The vendor shall be required to perform all of the services named above. Failure to provide the services and bid prices shall result in disqualification of the bid.



ORIGINAL

Health Research Systems, Inc.
Technical Response to RFQ #: 8311C0026
for
Drug and Alcohol Testing Services
West Virginia
Department of Transportation
Human Resources Division

529 Sixth Avenue
Huntington, WV 25701
T: 304.529.4453
T: 800.442.3926
F: 304.529.4459

337 12th Street
Dunbar, WV 25064
T: 304.766.1680
T: 800.644.3212
F: 304.776.1684

1425 E Dublin-Granville Road Suite 109
Columbus, OH 43229
T: 614.410.3926
T: 800.321.8382
F: 614.410.3937

www.healthresearchsystems.com

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INTRODUCTION

Health Research Systems, Inc. (HRS) is pleased to submit this proposal to the West Virginia Department of Transportation / Division of Highways, Human Resources Division (hereinafter WVDOT/ DOH) for drug and alcohol testing services.

At HRS we are keenly aware of the requirement for WVDOT/DOH to have a highly qualified provider that can ensure the delivery of all the required services in a timely and cost-effective manner. At HRS we have in place:

- A corporate structure to support such a program
- Quality personnel to effectively perform all levels of service
- Rigorous training programs to ensure high level performance
- An excellent quality assurance / control program to monitor the work performed
- Software with reporting capabilities to summarize all activity of the testing program at any time
- Internet / Intranet based reporting which enables HRS, the Laboratory and the Medical Review Officer (MRO) to transmit test information efficiently, safely, and securely.

Health Research Systems, Inc. (HRS) is a privately held West Virginia corporation based in Huntington, WV. The HRS Huntington and Charleston offices have expert personnel as well as the experience necessary to coordinate a program as intricate as the WVDOT/ DOH. The Huntington, WV office will be responsible for the day-to-day operations of the WVDOT/ DOH program.

Mr. Michael Day, President and CEO of HRS has twenty (20) years experience coordinating specimen collection services for occupational health testing. He is able to provide expert testimony on program administration that stands behind the specimens collected by HRS personnel. Mr. Day works to stay current on Federal Regulations relevant to the drug free workplace in order to provide collectors with the most up-to-date training possible, as well as keep our clients informed of any pertinent changes. Mr. Day is also a Certified Breath Alcohol Technician trainer for the Alco-Sensor IV evidential breath testing device (EBT) as well as a Factory Authorized Calibration Technician and is able to provide expert testimony in this field as well.

Mr. Ken Schneider is HRS's current operations manager with 20 years experience in the health services industry. Mr. Schneider is recognized by DATIA as a Drug and Alcohol Testing Program Administrator as well as a Collections Services Technician and Breath Alcohol Technician Trainer. HRS's professional staff currently oversees the operation of over 100 programs of this nature with approximately 10,000 covered employees involved in these programs.

SCOPE OF WORK – Technical Specifications

HRS, along with ClearStar Logistics MRO services, MEDTOX Laboratories, utilizing Compliance Information Systems Assistant PRO software, offers a total drug and alcohol testing package. This package is designed for companies who have employees regulated by the USDOT. The program also covers those non-regulated employees needing drug testing for random, pre-employment and other drug testing situations as required by WVDOT/ DOH's policy. HRS has provided this service for the WVDOT/ DOH in the past and is prepared to resume these services at the time an agreement is reached.

HRS offers the following capabilities for the administration and management of the drug and alcohol testing program for WVDOT/ DOH:

- ⇒ Mobile specimen collection service performed on-site in compliance with 49 CFR Part 40 of the federal regulations by certified collectors from HRS.
- ⇒ 24-hour emergency service for Post Accident and Reasonable Suspicion testing.
- ⇒ Specimen testing by SAMHSA certified laboratory for the DOT mandated five drug panel (marijuana "THC", cocaine, opiates, amphetamines, and phencyclidine "PCP"), with testing available up to 9 panels, using the split sample method of collection, handling and storage.
- ⇒ Laboratory analysis of urine specimen by immunoassay technology for screening purposes and automatic gas chromatography / mass spectrometry (GS/MS) confirmation of any screened positive drug test results.
- ⇒ Specimen adulteration assays performed by the laboratory free of charge.
- ⇒ Medical Review Officer (MRO) services for reviewing and reporting all drug results.
- ⇒ All necessary collection supplies to include overnight transportation of the specimen (according to laboratory specifications) back to the lab for testing.
- ⇒ Breath alcohol testing performed by certified Breath Alcohol Technicians (BATs) using Evidentiary Breath Testing (EBT) devices that meet the DOT/NHTSA requirements, for in-office and mobile (on-site) testing.
- ⇒ Collectors trained to collect blood specimens when required.
- ⇒ Confirmatory testing on all breath alcohol concentrations of 0.02 or greater.
- ⇒ No extra charges for wait time on mobile collection events.
- ⇒ Submission of blind samples to the laboratory for DOT required performance testing.

- ⇒ Unlimited toll-free phone access to expert help.
- ⇒ Expert testimony.
- ⇒ Supervisor training via web based or live presentation.
- ⇒ Internet and Intranet based resulting and administration software which allows the WVDOT/ DOH to receive results and other information electronically in order to ensure efficiency and confidentiality of their program.

The following sections will detail the specifications and services requested for this RFQ 8311C0026.

Vendor Requirements

Random Selection

The selection of employees for random testing is accomplished by utilizing computer software from Compliance Information Systems entitled Assistant. Assistant is a comprehensive software package available for managing drug and alcohol testing programs. The key element of the Assistant software system is its ability to produce unbiased random selections of personnel subject to drug and alcohol testing. Integral to the defensibility of Assistant's selection methodology is the fact that the software operator can in no way manipulate the selection process.

The selection process is currently tailored to meet the need of the WVDOT/ DOH by making random selections of geographical groups, such as districts, for ease of testing and administration.

A sufficient number of covered employees for testing during each calendar year are selected to satisfy the annual selection rate determined by the USDOT and WVDOT/ DOH's policy. Random selections are reasonably spread throughout the calendar year. The method of selection used shall be in compliance with Title 49 CFR Part 40.

The districts selected for random testing will be communicated to the program coordinator of the WVDOT/ DOH and then HRS's branch office personnel will work with the coordinator to accomplish the testing within each district.

A more complete description of the software's capability and functionality are described in vendor requirement # 10 and as **Exhibit 1**.

Specimen Collection, Laboratory, and Results Reporting

Breath alcohol testing and urine collection for drug screening requires trained, professional Breath Alcohol Technicians (BATs) and collectors. Lending leadership and support to the BAT/Collectors are corporate management personnel who are fully knowledgeable of Federal requirements and have attained a level of expertise in developing and administering complex

programs. This type of highly qualified support is necessary for programs such as that of the WVDOT/ DOH due to the need for:

- Complete accuracy in testing procedures and documentation.
- Total confidentiality in handling of all relevant data.
- Collectors and breath alcohol technicians with well developed interpersonal skills, capable of displaying sensitivity with client's employees.
- Accurate, detailed reporting of all collection and testing activity.
- Total commitment to excellence by its contracted organizations.

HRS will provide a SAMHSA certified laboratory. The split sample method of collection, handling and storage will be utilized as well as other USDOT collection protocols unless otherwise specified by WVDOT. All specimens are initially screened for the presence of the above drug metabolites utilizing immunoassay technology. All positive screens are automatically confirmed using gas chromatography / mass spectrometry (GC/MS) at no additional fees. Split specimen positive screens will be forwarded for testing at a different SAMHSA approved laboratory upon an employee's request. Drug tests will be reported to WVDOT according to the specifications detailed in the RFQ. WVDOT will not be charged for tests that are not reported within the time frame if the delay was due to the negligence of the provider.

For laboratory services, HRS is pleased to provide WVDOT/ DOH with the services of MEDTOX Laboratories, located in St. Paul, Minnesota. MEDTOX is certified by SAMHSA and meets Federal regulations. The address for MEDTOX is:

MEDTOX Laboratories, Inc
402 West County Road D
St. Paul, MN 55112
Phone: 800.832.3244
www.medtox.com

A more complete description of the services provided by the laboratory is included under the heading of subcontractors.

Breath Alcohol Testing Procedures and Equipment

HRS has selected the Alco-Sensor IV evidential breath testing device (EBT) manufactured by Intoximeter, Inc. This unit, which is utilized by all HRS offices, has been combined with a laptop computer for data collection and transference and a label printer for printing the required test information. This combination of equipment was selected for several reasons:

Approved by the DOT and is on NHTSA's Conforming Products List (CPL)

Extensive use by law enforcement agencies with a wide acceptance by State courts

Fully automated equipment

Menu driven prompts, providing BAT with step-by-step instructions

Automatic sampling of deep lung breath

Capable of downloading data to a PC or printer

Automatic confirmation of breath alcohol concentrations in excess of 0.02.

Supervisor Required for Mobile Collections

No collection event will be started or conducted without the presence of the organization's site supervisor who is in charge of the testing program for the specific organization.

Adulteration Assays

The laboratory performs any required specimen adulteration assays necessary at no extra charge.

Rejected Specimens

If the Client or laboratory reports troubled and/or rejected specimens these reports are sent to the Operations division. Upon receipt of this information several measures are taken to correct the error with the Collector and to coordinate a second specimen being collected. In addition, if troubled specimens can be salvaged by affidavit one is secured as soon as possible from the Collector and forwarded to the appropriate entity (i.e., laboratory, MRO, client). After immediate intervention has occurred the information received is then placed in the appropriate collector error correction folder for historical and statistical retention. Specimens rejected for testing by the laboratory result in no fees to WVDOT / DOH.

Medical Review Officer Services

HRS will utilize ClearStar Logistics Medical Review Office to fulfill your Medical Review Officer requirements. The Medical Review Office is fully devoted to Medical Review issues and we are pleased to provide you with their services. The address for ClearStar Logistics is:

ClearStar Logistics
Medical Review Office
1122 S. Wickham Road, Suite D
West Melbourne, FL 32904
Telephone: 1.321.821.3383
Fax: 1.360.326.1808

A complete description of the MRO services provided are listed under subcontracted vendors.

Service times and 24 hour Emergency Services

HRS uses the client's on-site facilities, i.e. WVDOT/ DOH garage locations with office and restroom or other suitable facility, to perform these collections. HRS will provide trained and certified BATs and specimen collectors for on-site collections utilizing personnel from HRS's branch offices in Huntington and Charleston, WV, from 7:00a.m. Until 5:00p.m. Monday through Friday. After hours services can also be arranged as necessary.

HRS's Huntington branch office is located at 600 Sixth Avenue, Huntington, West Virginia 25701, and the toll-free phone number is 1-800-442-3926. The hours of operation are 8:00 am - 5:00 pm Monday through Friday. The Huntington branch office will be responsible for the day-to-day operations of your program.

Emergency collections for post-accident and for cause testing can be the most difficult aspect of an employer's testing program. Often the employer is faced with a high number of canceled, rejected or troubled specimens, plus they encounter lengthy response times. HRS, however, has the most effective emergency response system in the collection industry. HRS has had procedures in place since 1995 to handle 24-hour emergency calls from a large geographic area. The toll-free number (800-442-3926 extension 6) is established for use by HRS clients. Once emergency calls are received through the 800 number, the Emergency Coordinator at our branch headquarters is notified. He or she then contacts the client to gain logistical information on the type of collection required and the collection location to be serviced. The Emergency Coordinator then contacts appropriate collection services personnel and coordinates all details for the collection.

HRS's Branch office dedicates key employees, who rotate on-call status, to serve as the Emergency Coordinators for this system. They are accessible at all hours and are intimately familiar with the nature of emergency testing and the need for a timely response. HRS emergency services are available 24 hours a day, seven days a week.

Pre-Employment, Follow-up, and Return to Duty Collections

HRS will utilize local medical facilities within the districts of WVDOT/ DOH to provide these types of collections whenever possible. The use of these facilities will be mutually agreed upon by HRS and WVDOT. If facilities are not available, HRS will provide these collections on a mobile on-site basis.

Blood Specimen Collection

HRS has phlebotomists on staff to provide collections for blood specimens should it be required by the WVDOT. The selected laboratory is also fully equipped to test blood specimens for the presence of alcohol and/or drugs.

Blind Specimens

Blind specimens are prepared from certified drug free specimens which have also been evaluated for the presence of interfering substances. "Spiked" solutions are submitted as necessary, in accordance with testing levels established by the U.S. DOT. The collection and preparation of quality control materials will be accomplished by using explicit protocols and procedures which ensure reliability, consistency and stability of the final product.

The blind specimen program involves:

- The completion of all chain-of-custody documents with false identification and social security numbers.
- The submission of blind specimens directly into the contract laboratory via the laboratory's existing courier or overnight specimen transfer process.
- The submission of advance reports to the client which verifies the blind specimen test results and Department of Transportation compliance.

Program Management and Results Reporting Software

Compliance Information Systems "Assistant" software provides the utmost in drug free workplace and random selection program management. Employers, schools, drug courts, professional sports organizations and federally regulated (DOT) companies utilize Assistant to help manage nearly every aspect of their drug and alcohol testing needs.

Feature highlights:

Record Keeping: Keep record of drug and alcohol testing results for all types of testing (i.e. random, post-accident, reasonable suspicion, etc.) and for all types of testing (i.e. urine drug, hair drug, instant cup, breath alcohol, etc.). Nearly all information regarding the collection, lab analysis and medical review of a test can be recorded and easily retrieved at any time.

Random Selection: Flexible random program options allow Assistant to manage testing for all DOT and other federally regulated industries as well as general drug free workplace and similar programs. Pure random selection, double random, crew selection, consortium and weighted selection options ensure your program's needs will be met.

Scheduling: Assign a date, time and collection site for each test and print customizable notification letters with instructions for your personnel.

Results Downloading – Labs/MROs: Assistant can allow simple result downloading from the largest network of participating laboratories in the industries. Quest Diagnostics, LabCorp, Medtox, Kroll, CRL, PAML, Advanced Toxicology Network, Maxxam Analytics and many others. Results are sent via 128 bit-encrypted packets for easy import. This service improves

workflow efficiencies and reduces data entry errors related to repetitive manual data entry processes.

Results Reporting: For those needing to report results to others, Assistant allows you to create reporting profiles that allow you to email, fax or send results to the web with the click of a mouse. Advanced result filtering allows you to send targeted results to specific individuals.

Reports: Over 70 pre-loaded reports allow you to get at the information you need. From statistical reports to drug test result reports to test activity tracking, Assistant can deliver. MIS reports for DOT regulated programs can be generated in a few simple clicks.

Medical Review: Simple-to-use features allows in-house MROs to update test records with interview information and final result information.

Employee Assistance Programs – EAP: Custom follow-up test plans can be created for individuals requiring monitoring. Simply determine the number of months and types of testing required for an individual and Assistant will help you manage follow-up testing as needed.

Imaging: Assistant allows you to attach a PDF image of a COC/CCF to a test when connected to any "Twain-compliant" scanner.

CIS Assistant Random Selection Verification is included as **Exhibit 1**.

Confidentiality

HRS follows strict rules of confidentiality, required by the USDOT, SAMHSA, and Company policy. All test results and material acquired by the vendor in the course of performance of this contract shall become the property of the WVDOT/ DOH. Except as required by Federal Regulations, HRS shall not use or disclose at any time during or after the termination of this contract, any information discovered or developed in the course of the performance of this contract without the prior express written consent of the WVDOT/ DOH.

Subcontractors

HRS will subcontract the Laboratory and Medical Review Officer portions of this RFQ.

LABORATORY SERVICES

For laboratory services, HRS is pleased to provide WVDOT/ DOH with the services of MEDTOX Laboratories, located in St. Paul, Minnesota. MEDTOX is certified by SAMHSA and meets Federal regulations. The address for MEDTOX is:

MEDTOX Laboratories, Inc
402 West County Road D
St. Paul, MN 55112
Phone: 800.832.3244
www.medtox.com

Laboratory specimen screening will be performed using immunoassay technology for the following DOT mandated five drug panel with the 2010 updated cutoff levels and testing for Heroin metabolites (6 MAM) and Ecstasy (MDMA):

- Opiates
- Cocaine
- THC
- Amphetamines
- Phencyclidine

All specimens are initially screened for the presence of the above drug metabolites utilizing immunoassay technology. All positive screens are automatically confirmed using gas chromatography / mass spectrometry (GC/MS) at no additional fees. Split specimen positive screens will be forwarded for testing at a different SAMHSA approved laboratory upon an employee's request. The laboratory performs any required specimen adulteration assays necessary at no extra charge.

The laboratory retains custody of any positive urine specimen under properly secured refrigerated conditions in accordance with established governmental regulations (at the least a minimum of one year). Any urine specimen which does not test positive upon confirmation is destroyed in accordance with governmental regulations.

MEDTOX is also fully equipped to test blood specimens for the presence of alcohol and/or drugs. MEDTOX certifications and listing as a SAMHSA laboratory in the Federal Register are included as **Appendix A**.

MRO SERVICES

HRS will utilize ClearStar Logistics Medical Review Office to fulfill your Medical Review Officer requirements. The Medical Review Office is fully devoted to Medical Review issues and we are pleased to provide you with their services. The address for ClearStar Logistics is:

ClearStar Logistics
Medical Review Office
1122 S. Wickham Road, Suite D
West Melbourne, FL 32904
Telephone: 1.321.821.3383
Fax: 1.360.326.1808

Within 24 hours of completion of a test negative results are available to be downloaded from the laboratory computer to ClearStar. Negative results will be downloaded to ClearStar, sorted and reviewed, and available to the client within 48 business hours.

All laboratory-positive results will be downloaded to ClearStar for review. In the event of a laboratory positive the MRO will perform a telephonic interview with the donor to determine any "legitimate" causes (prescription medication, food sources, etc.). If necessary, the donor

may be requested to provide proof of prescription, or medical records. The MRO may find it necessary to speak with the donor's pharmacy or physician to verify medical history.

Actual personal interview of donor is rarely necessary and is in fact discouraged by most MROs. About the only time an MRO may find it necessary for an actual physical examination is in the event of a positive laboratory test for opiates; i.e. heroin. If the donor's medical and personal history warrants the MRO may decide upon a physical examination for such drug use signs as "needle tracts," skin tone, etc. In that case the MRO would contact a physician licensed in the appropriate state to perform a physical examination on a contracted basis.

Laboratory test result information must first be matched with the MRO copy of the custody and control (COC) form before results can be reported from the MRO to WVDOT/ DOH. Once the review process has been completed these results are available in 48 business hours.

ClearStar MRO adheres to strict rules of confidentiality. Test results of the WVDOT/ DOH will not be released without the prior consent of the WVDOT/ DOH's program coordinator.

MRO Credentials are included as **Appendix B**.

Other Relevant Services

HRS will provide at no charge to WVDOT relevant program services such as collector testimony, expert witness testimony, MRO testimony, and laboratory litigation packages as needed to maintain compliance with WVDOT policies and procedures.

Written Reports

As part of the software package provided HRS will make available reports to the WVDOT to maintain the necessary written documentation to satisfy the USDOT requirements as well as WVDOT's own internal reporting needs.

Wait Time

HRS will not charge WVDOT for wait time related to the delay of testing due to employees not being able to provide a specimen.

Setup and Renewal Fees

Initial setup and annual account renewal fees will be waived by HRS for the purposes of this contract.

Insurance Requirements

HRS currently carries the following insurance coverage

- * PUBLIC LIABILITY INSURANCE
General and Professional Liability insurance coverage as follows:

\$1 million per incident, and \$2 million aggregate.

- * PROPERTY DAMAGE
Coverage meets or exceeds the limits set forth in the RFP.
- * AUTOMOBILE INSURANCE
Coverage meets or exceeds the limits set forth in the RFP.
- * EMPLOYEE DISHONESTY INSURANCE
Contractor only. Coverage meets or exceeds the limits set forth in the RFP.
- * WORKERS COMPENSATION INSURANCE
Contractor only per agent. Coverage meets or exceeds the requirements.
- * UMBRELLA LIABILITY INSURANCE
Contractor only. Coverage meets or exceeds the limits set forth in the RFP.
- * PROPERTY LOSS OR THEFT
Not applicable.

A copy of HRS's current Certificate of Liability Insurance is included as **Exhibit 2**.

References

Health Research Systems, Inc. (HRS) is one of the largest providers of Drug and Alcohol testing and program administration in West Virginia. Our clients include private and public corporations, state and federal organizations and many other entities. Listed below are the names, addresses, and contact information for some of the accounts served by HRS. WVDOT/DOH should feel free to contact any of those listed as an indication of the level of service provided by HRS.

HRS provided services for the WVDOT/ DOH since 1995 when federal regulations went into effect mandating drug and alcohol testing for safety-sensitive employees. From 1995 to 2007 HRS performed approximately 20,000 specimen collections for the WVDOT/ DOH in all situations: random, pre-employment, reasonable cause, follow up and emergency testing. We have performed testing in each of the 55 counties in West Virginia for the WVDOT/ DOH at approximately 150 different locations each year. We have worked with the WVDOT/ DOH Program Coordinator whenever needed to streamline and simplify the WVDOT/ DOH program to provide the best service available. We have shown that we are dependable as well as accurate and detail-minded, and that we have the experience necessary to provide delivery of the required services in a timely and professional manner.

A list of relevant references will be provided on **page 12** of this response reflecting HRS's ability, reliability and experience to provide WVDOT with the type of drug and alcohol testing vendor it requires.

References

WVDOT / Division of Highways

Jeff Black; Human Resource Director
1900 Kanawha Blvd. East
Bldg. 5; Rm. 949
Charleston, WV 25305
Ph: 304-558-3111
Fax: 304-558-0340

From 1995 to 2007 HRS provided collection and testing services to WVDOT/DOH compliant with the requirements of this and previous RFQ's. During that time HRS collected approximately 2000 specimens per year totaling over 20,000 specimens collected.

The City of Huntington West Virginia

Sherri Lewis; Personnel Director
800 5th Avenue
PO Box 1659
Huntington, WV 25717
Ph: 304-696-5979 Ext. 7
Fax: 304-696-5991

HRS is the current provider of DOT and non-DOT collection and testing services for the City of Huntington.

Lincoln County Board of Education

Kevin Pritchard; Transportation Director
10 Marland Avenue
Hamlin, WV 25523
Ph: 304-824-7474 Ext. 269
Fax: 304-824-3017

HRS is the current provider of DOT and non-DOT collection and testing services for Lincoln County Board of Education Transportation Dept.

TRI-STATE TRANSIT AUTHORITY (TTA)

Paul Davis; CEO
1120 Virginia Avenue West
Huntington, WV 25704-1618
Ph: 304-529-6094
Fax: 304-529-6093

HRS is the current provider of DOT and non-DOT collection and testing services for TTA

City of Morgantown West Virginia

Terry Hough; Human Resources
389 Spruce St.
Morgantown, WV 26505
Ph: 304-284-7412
Fax: 304-284-7409

HRS is the current provider of DOT and non-DOT collection and testing services for the City of Morgantown.

Other Requirements

Confidentiality / Ownership of Materials

HRS follows strict rules of confidentiality, required by the USDOT, SAMHSA, and Company policy. All test results and material acquired by the vendor in the course of performance of this contract shall become the property of the WVDOT/ DOH. Except as required by Federal Regulations, HRS shall not use or disclose at any time during or after the termination of this contract, any information discovered or developed in the course of the performance of this contract without the prior express written consent of the WVDOT/ DOH.

Implementation

HRS is prepared to begin providing services to the WVDOT 10 days from the award of the contract.

HRS is willing to provide services to meet the requirements of Exhibit 4, page 5 of the RFQ entitled "Local Government Bodies" as long as the volume of tests and location parameters are comparable to the services provided for WVDOT/DOH as part of this contract.



ORIGINAL

APPENDIX A

529 Sixth Avenue
Huntington, WV 25701
T: 304.529.4453
T: 800.442.3926
F: 304.529.4459

337 12th Street
Dunbar, WV 25064
T: 304.766.1680
T: 800.644.3212
F: 304.776.1684

1425 E Dublin-Granville Road Suite 109
Columbus, OH 43229
T: 614.410.3926
T: 800.321.8382
F: 614.410.3937

www.healthresearchsystems.com

MEDTOX Laboratories, Inc. is uniquely qualified to provide urinalysis drug testing services for the WVDOT/DOH. MEDTOX was one of the first 10 laboratories in the nation to be certified by NIDA (now SAMHSA) in 1988. Currently, we hold certifications from SAMHSA, College of American Pathologists, CLIA, the DEA and HCFA (Health Care Financing Administration). We have never lost a legal challenge of our drug test results, and have grown to become one of the nation's largest single-site laboratory companies.

Our laboratory facility in St. Paul, MN currently performs more than 60,000 immunoassay-screening tests on approximately 10-12,000 forensic drug-testing specimens per day. In addition, we also perform more than 500 GC/MS confirmations per day. This volume makes MEDTOX the third largest drug-testing laboratory company in the country.

Our manufacturing facility in Burlington, NC produces over 1,500,000 on-site drug testing devices per year. In 2003 MEDTOX spent over \$2 million expanding this facility. In terms of diagnostic device manufacturing, our Burlington facility can produce well over three times the current production.

Our company spends over \$1 million on R&D per year, and an equivalent amount on laboratory system enhancements. We provide bar codes for all specimens, courier bags, and specimen aliquots. All requisition forms are scanned into our data management system. Results can be reported by PC download, interactive voice response system, and automated fax board or through our results reporting system on the internet.

MEDTOX has a dedicated government department which strictly works with criminal justice, social service and rehabilitation agencies to manage and/or develop drug testing programs and specialized training. The individuals in this department come from social services and law enforcement backgrounds. They are sensitive to agency needs from personal years of experience in similar fields. This allows the government department to customize programs to address the needs of an organization and help to reduce offender recidivism.

In an industry where drug testing is often viewed as a commodity, MEDTOX has earned a reputation as a client-oriented company providing superior service, technical expertise, and unquestionable quality.

Since 1984, MEDTOX Laboratories has specialized in toxicology for other reference labs, outreach labs, and hospital labs. Our clients include private and public corporations, rehabilitation organizations, hospitals, state and federal governmental agencies and many other varying types of organizations. MEDTOX offers an extensive menu of tests covering, biological monitoring, drugs of abuse testing, and therapeutic drug monitoring and forensic analysis. In addition, MEDTOX participates in (and receives recertification from) many proficiency programs, a testament to our passion for testing quality and accuracy.

- MEDTOX is trustworthy, experienced and reputable, maintain ethical standards, deliver exceptional service and have an unblemished track record of analytical quality.
- MEDTOX is a profitable organization, well managed, dedicated to drug testing as a core competency, and have a sense of vision for the future.
- MEDTOX poses cutting edge technology and have the ability to deliver new ideas, develop new products and utilize state of the art equipment and information systems.
- MEDTOX has the ability and desire to customize a program that meets the needs of their individual clients.
- MEDTOX has the ability to achieve quick turn around time without sacrificing overall quality.
- MEDTOX has multiple options for reporting of test results and be responsive when additional information is needed. Having a real voice on the phone as opposed to automated or immediate voice mail systems would be optimal.
- MEDTOX has live and dedicated customer service teams and have an account transition process in place that makes the start-up phase with a new account seamless.
- MEDTOX is able to provide “one stop shopping” for all program management services.
- MEDTOX provides specialized DAR (Drug Abuse Recognition) training for Criminal Justice, Social Service and Rehabilitation Agencies.
- MEDTOX has an extensive list of sub-contracted collection site network throughout the nation.

ORIGINAL



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

DEC - 1988

Alcohol, Drug Abuse and
Mental Health Administration
Rockville MD 20857

Gary Hemphill, Ph.D.
Medtox Laboratories, Inc.
402 West County Road D
St. Paul, Minnesota 55112

Dear Dr. Hemphill:

I am pleased to inform you that Medtox Laboratories, Inc., St. Paul, Minnesota, has successfully met all of the requirements for laboratory certification as specified in the Department of Health and Human Services' Mandatory Guidelines for Federal Workplace Drug Testing Programs (53 FR 11970).

Medtox Laboratories, Inc. will be placed on the list of laboratories certified as eligible to bid on contracts to perform drug testing for Federal Drug-Free Workplace Programs. The list of laboratories certified by the National Institute on Drug Abuse (NIDA) on behalf of the Department will be sent to all Federal agencies. Monthly updates to this list will be published in the Federal Register, and made available to the general public upon request.

To maintain certification from the Department of Health and Human Services (HHS), Medtox Laboratories, Inc. must continue to meet all the requirements of the Federal Guidelines as specified in Subpart C-- Certification of Laboratories Engaged in Urine Drug Testing for Federal Agencies. Maintenance of certification requires participation in an every-other-month performance testing program plus periodic, on-site inspections (see Sections 3.2(b), 3.17, 3.19 and 3.20).

If you have any questions concerning NIDA's National Laboratory Certification Program, please contact the Office of Workplace Initiatives at (301) 443-6780.

The HHS laboratory standards for urine drug testing certification were designed to assure Federal agencies and their employees that the laboratories and scientific and methodological procedures used are of the highest quality. Your laboratory is to be congratulated for meeting all of the requirements of the Department's program.

Sincerely,


Charles R. Schuster, Ph.D.

Director

National Institute on Drug Abuse

STEP 1: COMPLETED BY COLLECTOR OR EMPLOYER REPRESENTATIVE

<p>A. Employer Name, Address, I.D. No.</p>	<p>B. MRO Name, Address, Phone and Fax No.</p>	<p>LAB ACCESSION NO.</p>
<p>C. Donor SSN or Employee I.D. No. <input type="text"/></p>		
<p>D. Reason for Test: <input type="checkbox"/> Pre-employment <input type="checkbox"/> Random <input type="checkbox"/> Reasonable Suspicion/Cause <input type="checkbox"/> Return to Duty <input type="checkbox"/> Follow-up <input type="checkbox"/> Post Accident <input type="checkbox"/> Other (specify) <input type="text"/></p>		
<p>E. Drug Tests to be Performed: <input type="checkbox"/> THC, COC, PCP, OPI, AMP <input type="checkbox"/> THC & COC Only <input type="checkbox"/> Other (specify) <input type="text"/></p>		
<p>F. Collection Site Address</p> <p>Collector Phone No. <input type="text"/> Collector Fax No. <input type="text"/></p>		

STEP 2: COMPLETED BY COLLECTOR

Read specimen temperature within 4 minutes. Is temperature between 90° and 100° F? Yes No, Enter Remark

Specimen Collection: Split Single None Provided (Enter Remark) Observed (Enter Remark)

REMARKS 51119

STEP 3: Collector affixes bottle seal(s) to bottle(s). Collector dates seal(s). Donor initials seal(s). Donor completes STEP 5 on Copy 2 (MRO Copy)

STEP 4: CHAIN OF CUSTODY - INITIATED BY COLLECTOR AND COMPLETED BY LABORATORY

I certify that the specimen given to me by the donor identified in the certification section on Copy 2 of this form was collected, labeled, sealed and released to the Delivery Service noted in accordance with applicable Federal requirements.

<p><input checked="" type="checkbox"/> Signature of Collector</p> <p><input type="checkbox"/> Time of Collection <input type="text"/> AM <input type="checkbox"/> PM</p> <p><input type="checkbox"/> Date (Mo./Day/Yr.) <input type="text"/></p>	<p>SPECIMEN BOTTLE(S) RELEASED TO: Name of Delivery Service Transferring Specimen to Lab</p> <p><input type="checkbox"/> DHL <input type="checkbox"/> Local Courier <input type="checkbox"/> Other</p>
--	--

<p>RECEIVED AT LAB:</p> <p><input checked="" type="checkbox"/> Signature of Accessioner</p> <p><input type="checkbox"/> Primary Specimen Bottle Seal Intact</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No, Enter Remark Below</p>	<p>SPECIMEN BOTTLE(S) RELEASED TO:</p>
--	---

STEP 5a: PRIMARY SPECIMEN TEST RESULTS - COMPLETED BY PRIMARY LABORATORY

NEGATIVE POSITIVE for: MARIJUANA METABOLITE CODEINE AMPHETAMINE ADULTERATED
 DILUTE COCAINE METABOLITE MORPHINE METHAMPHETAMINE SUBSTITUTED
 REJECTED FOR TESTING PCP 6-ACETYLMORPHINE INVALID RESULT

◆

REMARKS _____

TEST LAB (if different from above) _____

I certify that the specimen identified on this form was examined upon receipt, handled using chain of custody procedures, analyzed, and reported in accordance with applicable Federal requirements

Signature of Certifying Scientist (PRINT) Certifying Scientist's Name (First, MI, Last) Date (Mo./Day/Yr.)

STEP 5b: SPLIT SPECIMEN TEST RESULTS - (IF TESTED) COMPLETED BY SECONDARY LABORATORY

<p>Laboratory Name _____</p> <p>Laboratory Address _____</p>	<p><input type="checkbox"/> RECONFIRMED <input type="checkbox"/> FAILED TO RECONFIRM - REASON _____</p> <p>I certify that the split specimen identified on this form was examined upon receipt, handled using chain of custody procedures, analyzed, and reported in accordance with applicable Federal requirements.</p> <p><input checked="" type="checkbox"/> Signature of Certifying Scientist (PRINT) Certifying Scientist's Name (First, MI, Last) Date (Mo./Day/Yr.)</p>
--	--

SPECIMEN ID NO.

A - SPECIMEN
30 ML



A-30 ML

Date (Mo. Day Yr.) _____
Donor's Initials _____

B
SPLIT SPECIMEN
15 ML



B-15 ML

Date (Mo. Day Yr.) _____
Donor's Initials _____

SPECIMEN ID NO.

Dated: December 27, 2010.,
Robert Hendricks,
*Director, Division of Policy and Information
 Coordination.*
 [FR Doc. 2010-33062 Filed 12-30-10; 8:45 am]
 BILLING CODE P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The concept meeting, proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel. Contraceptive Clinical Trials Network.

Date: January 12, 2011.

Time: 1 p.m. to 3 p.m.

Agenda: To review and evaluate concept review.

Place: National Institutes of Health, 6100 Executive Boulevard, Room 2A01, Rockville, MD 20852. (Telephone Conference Call).

Contact Person: Sathasiva B. Kandasamy, PhD, Scientific Review Administrator, Division of Scientific Review, National Institute of Child Health and Human Development, 6100 Executive Boulevard, Rockville, Md 20892-9304. (301) 435-6680. skandasa@mail.nih.gov. (Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment program, National Institutes of Health, HHS)

Dated: December 27, 2010.

Jennifer S. Spaeth,

*Director, Office of Federal Advisory
 Committee Policy.*

[FR Doc. 2010-33067 Filed 12-30-10; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

National Institutes of Health

Eunice Kennedy Shriver National Institute of Child Health & Human Development; Notice of Closed Meeting

Pursuant to section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. App.), notice is hereby given of the following meeting.

The meeting will be closed to the public in accordance with the provisions set forth in sections 552b(c)(4) and 552b(c)(6), Title 5 U.S.C., as amended. The contract proposals and the discussions could disclose confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the contract proposals, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Name of Committee: National Institute of Child Health and Human Development Special Emphasis Panel.

Date: January 10, 2011.

Time: 12:45 p.m. to 3 p.m.

Agenda: To review and evaluate contract proposals.

Place: National Institutes of Health, 6100 Executive Boulevard, Room 2A01, Rockville, MD 20852. (Telephone Conference).

Contact Person: Sathasiva B. Kandasamy, PhD, Scientific Review Administrator, Division of Scientific Review, National Institute of Child Health and Human Development, 6100 Executive Boulevard, Rockville, MD 20892-9304. (301) 435-6680. skandasa@mail.nih.gov.

(Catalogue of Federal Domestic Assistance Program Nos. 93.864, Population Research; 93.865, Research for Mothers and Children; 93.929, Center for Medical Rehabilitation Research; 93.209, Contraception and Infertility Loan Repayment Program, National Institutes of Health, HHS)

Dated: December 27, 2010.

Jennifer S. Spaeth,

*Director, Office of Federal Advisory
 Committee Policy.*

[FR Doc. 2010-33068 Filed 12-30-10; 8:45 am]

BILLING CODE 4140-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Substance Abuse and Mental Health Services Administration

Current List of Laboratories and Instrumented Initial Testing Facilities Which Meet Minimum Standards To Engage in Urine Drug Testing for Federal Agencies

AGENCY: Substance Abuse and Mental Health Services Administration, HHS.
ACTION: Notice.

SUMMARY: The Department of Health and Human Services (HHS) notifies Federal agencies of the Laboratories and Instrumented Initial Testing Facilities (IITF) currently certified to meet the standards of the Mandatory Guidelines for Federal Workplace Drug Testing Programs (Mandatory Guidelines). The Mandatory Guidelines were first published in the **Federal Register** on April 11, 1988 (53 FR 11970), and subsequently revised in the **Federal Register** on June 9, 1994 (59 FR 29908); September 30, 1997 (62 FR 51118); April 13, 2004 (69 FR 19644); November 25, 2008 (73 FR 71858); December 10, 2008 (73 FR 75122); and on April 30, 2010 (75 FR 22809).

A notice listing all currently certified Laboratories and Instrumented Initial Testing Facilities (IITF) is published in the **Federal Register** during the first week of each month. If any Laboratory/IITF's certification is suspended or revoked, the Laboratory/IITF will be omitted from subsequent lists until such time as it is restored to full certification under the Mandatory Guidelines.

If any Laboratory/IITF has withdrawn from the HHS National Laboratory Certification Program (NLCP) during the past month, it will be listed at the end and will be omitted from the monthly listing thereafter.

This notice is also available on the Internet at <http://www.workplace.samhsa.gov> and <http://www.drugfreeworkplace.gov>.

FOR FURTHER INFORMATION CONTACT: Mrs. Giselle Hersh, Division of Workplace Programs, SAMHSA/CSAP, Room 2-1042, One Choke Cherry Road, Rockville, Maryland 20857; 240-276-2600 (voice), 240-276-2610 (fax).

SUPPLEMENTARY INFORMATION: The Mandatory Guidelines were initially developed in accordance with Executive Order 12564 and section 503 of Public Law 100-71. The "Mandatory Guidelines for Federal Workplace Drug Testing Programs", as amended in the revisions listed above, requires {or set} strict standards that Laboratories and

Instrumented Initial Testing Facilities (IITF) must meet in order to conduct drug and specimen validity tests on urine specimens for Federal agencies.

To become certified, an applicant Laboratory/IITF must undergo three rounds of performance testing plus an on-site inspection. To maintain that certification, a Laboratory/IITF must participate in a quarterly performance testing program plus undergo periodic, on-site inspections.

Laboratories and Instrumented Initial Testing Facilities (IITF) in the applicant stage of certification are not to be considered as meeting the minimum requirements described in the HHS Mandatory Guidelines. A Laboratory/IITF must have its letter of certification from HHS/SAMHSA (formerly: HHS/NIDA) which attests that it has met minimum standards.

In accordance with the Mandatory Guidelines dated November 25, 2008 (73 FR 71858), the following Laboratories and Instrumented Initial Testing Facilities (IITF) meet the minimum standards to conduct drug and specimen validity tests on urine specimens:

Instrumented Initial Testing Facilities (IITF)

None.

Laboratories

ACL Laboratories, 8901 W. Lincoln Ave., West Allis, WI 53227. 414-328-7840/800-877-7016. (Formerly: Bayshore Clinical Laboratory.)

ACM Medical Laboratory, Inc., 160 Elmgrove Park, Rochester, NY 14624. 585-429-2264.

Advanced Toxicology Network, 3560 Air Center Cove, Suite 101, Memphis, TN 38118. 901-794-5770/888-290-1150.

Aegis Analytical Laboratories, 345 Hill Ave., Nashville, TN 37210. 615-255-2400. (Formerly: Aegis Sciences Corporation, Aegis Analytical Laboratories, Inc.)

Alere Toxicology Services, 1111 Newton St., Gretna, LA 70053. 504-361-8989/800-433-3823. (Formerly: Kroll Laboratory Specialists, Inc., Laboratory Specialists, Inc.)

Alere Toxicology Services, 450 Southlake Blvd., Richmond, VA 23236. 804-378-9130. (Formerly: Kroll Laboratory Specialists, Inc., Scientific Testing Laboratories, Inc., Kroll Scientific Testing Laboratories, Inc.)

Baptist Medical Center-Toxicology Laboratory, 11401 I-30, Little Rock, AR 72209-7056. 501-202-2783. (Formerly: Forensic Toxicology Laboratory Baptist Medical Center.)

Clinical Reference Lab, 8433 Quivira Road, Lenexa, KS 66215-2802. 800-445-6917.

Doctors Laboratory, Inc., 2906 Julia Drive, Valdosta, GA 31602. 229-671-2281.

DrugScan, Inc., P.O. Box 2969, 1119 Mearns Road, Warminster, PA 18974. 215-674-9310.

DynaLIFE Dx, * 10150-102 St., Suite 200, Edmonton, Alberta, Canada T5J 5E2. 780-451-3702/800-661-9876. (Formerly: Dynacare Kasper Medical Laboratories.)

ElSohly Laboratories, Inc., 5 Industrial Park Drive, Oxford, MS 38655. 662-236-2609.

Gamma-Dynacare Medical Laboratories, * A Division of the Gamma-Dynacare Laboratory Partnership, 245 Pall Mall Street, London, ONT, Canada N6A 1P4. 519-679-1630.

Laboratory Corporation of America Holdings, 7207 N. Gessner Road, Houston, TX 77040. 713-856-8288/800-800-2387.

Laboratory Corporation of America Holdings, 69 First Ave., Raritan, NJ 08869. 908-526-2400/800-437-4986. (Formerly: Roche Biomedical Laboratories, Inc.)

Laboratory Corporation of America Holdings, 1904 Alexander Drive, Research Triangle Park, NC 27709. 919-572-6900/800-833-3984.

(Formerly: LabCorp Occupational Testing Services, Inc., CompuChem Laboratories, Inc.; CompuChem Laboratories, Inc., A Subsidiary of Roche Biomedical Laboratory; Roche CompuChem Laboratories, Inc., A Member of the Roche Group.)

Laboratory Corporation of America Holdings, 1120 Main Street, Southaven, MS 38671. 866-827-8042/800-233-6339. (Formerly: LabCorp Occupational Testing Services, Inc.; MedExpress/National Laboratory Center.)

LabOne, Inc. d/b/a Quest Diagnostics, 10101 Renner Blvd., Lenexa, KS 66219. 913-888-3927/800-873-8845.

(Formerly: Quest Diagnostics Incorporated; LabOne, Inc.; Center for Laboratory Services, a Division of LabOne, Inc.)

Maxxam Analytics, * 6740 Campobello Road, Mississauga, ON, Canada L5N

* The Standards Council of Canada (SCC) voted to end its Laboratory Accreditation Program for Substance Abuse (LAPSA) effective May 12, 1998. Laboratories certified through that program were accredited to conduct forensic urine drug testing as required by U.S. Department of Transportation (DOT) regulations. As of that date, the certification of those accredited Canadian laboratories will continue under DOT authority. The responsibility for conducting quarterly performance testing plus periodic on-site inspections of those LAPSA-

2L8. 905-817-5700. (Formerly: Maxxam Analytics Inc., NOVAMANN (Ontario), Inc.)

MedTox Laboratories, Inc., 402 W. County Road D, St. Paul, MN 55112. 651-636-7466/800-832-3244.

MetroLab Legacy Laboratory Services, 1225 NE 2nd Ave., Portland, OR 97232. 503-413-5295/800-950-5295.

Minneapolis Veterans Affairs Medical Center, Forensic Toxicology Laboratory, 1 Veterans Drive, Minneapolis, MN 55417. 612-725-2088.

National Toxicology Laboratories, Inc., 1100 California Ave., Bakersfield, CA 93304. 661-322-4250/800-350-3515.

One Source Toxicology Laboratory, Inc., 1213 Genoa-Red Bluff, Pasadena, TX 77504. 888-747-3774. (Formerly: University of Texas Medical Branch, Clinical Chemistry Division; UTMB Pathology-Toxicology Laboratory.)

Pacific Toxicology Laboratories, 9348 DeSoto Ave., Chatsworth, CA 91311. 800-328-6942. (Formerly: Centinela Hospital Airport Toxicology Laboratory.)

Pathology Associates Medical Laboratories, 110 West Cliff Dr., Spokane, WA 99204. 509-755-8991/800-541-7891x7.

Phamatech, Inc., 10151 Barnes Canyon Road, San Diego, CA 92121. 858-643-5555.

Quest Diagnostics Incorporated, 1777 Montreal Circle, Tucker, GA 30084. 800-729-6432. (Formerly: SmithKline Beecham Clinical Laboratories; SmithKline Bio-Science Laboratories.)

Quest Diagnostics Incorporated, 400 Egypt Road, Norristown, PA 19403. 610-631-4600/877-642-2216. (Formerly: SmithKline Beecham Clinical Laboratories; SmithKline Bio-Science Laboratories.)

Quest Diagnostics Incorporated, 8401 Fallbrook Ave., West Hills, CA 91304. 800-877-2520. (Formerly: SmithKline Beecham Clinical Laboratories.)

S.E.D. Medical Laboratories, 5601 Office Blvd., Albuquerque, NM 87109. 505-727-6300/800-999-5227.

accredited laboratories was transferred to the U.S. HHS, with the HHS' NLCP contractor continuing to have an active role in the performance testing and laboratory inspection processes. Other Canadian laboratories wishing to be considered for the NLCP may apply directly to the NLCP contractor just as U.S. laboratories do.

Upon finding a Canadian laboratory to be qualified, HHS will recommend that DOT certify the laboratory (Federal Register, July 16, 1996) as meeting the minimum standards of the Mandatory Guidelines published in the Federal Register on April 30, 2010 (75 FR 22809). After receiving DOT certification, the laboratory will be included in the monthly list of HHS-certified laboratories and participate in the NLCP certification maintenance program.

South Bend Medical Foundation, Inc.,
530 N. Lafayette Blvd., South Bend,
IN 46601. 574-234-4176 x1276.

Southwest Laboratories, 4625 E. Cotton
Center Boulevard, Suite 177, Phoenix,
AZ 85040. 602-438-8507/800-279-
0027.

St. Anthony Hospital Toxicology
Laboratory, 1000 N. Lee St.,
Oklahoma City, OK 73101. 405-272-
7052.

STERLING Reference Laboratories, 2617
East L Street, Tacoma, Washington
98421, 800-442-0438.

Toxicology & Drug Monitoring
Laboratory, University of Missouri
Hospital & Clinics, 301 Business Loop
70 West, Suite 208, Columbia, MO
65203. 573-882-1273.

Toxicology Testing Service, Inc., 5426
N.W. 79th Ave., Miami, FL 33166.
305-593-2260.

U.S. Army Forensic Toxicology Drug
Testing Laboratory, 2490 Wilson St.,
Fort George G. Meade, MD 20755-
5235. 301-677-7085.

Dated: December 15, 2010.

Elaine Parry,

Director, Office of Management, Technology,
and Operations, SAMHSA.

[FR Doc. 2010-32908 Filed 12-30-10; 8:45 am]

BILLING CODE 4160-20-P

DEPARTMENT OF HOMELAND SECURITY

U.S. Customs and Border Protection

Agency Information Collection Activities: CBP Regulations Pertaining to Customs Brokers

AGENCY: U.S. Customs and Border
Protection, Department of Homeland
Security.

ACTION: 30-Day notice and request for
comments; Extension of an existing
information collection: 1651-0034.

SUMMARY: U.S. Customs and Border
Protection (CBP) of the Department of
Homeland Security will be submitting
the following information collection
request to the Office of Management and
Budget (OMB) for review and approval
in accordance with the Paperwork
Reduction Act: CBP Regulations
Pertaining to Customs Brokers (19 CFR
part 111). This is a proposed extension
of an information collection that was
previously approved. CBP is proposing
that this information collection be
extended with no change to the burden
hours or to the information being
collected. This document is published
to obtain comments from the public and
affected agencies. This proposed
information collection was previously

published in the **Federal Register** (75
FR 67094) on November 1, 2010,
allowing for a 60-day comment period.
This notice allows for an additional 30
days for public comments. This process
is conducted in accordance with 5 CFR
1320.10.

DATES: Written comments should be
received on or before February 2, 2011.

ADDRESSES: Interested persons are
invited to submit written comments on
this proposed information collection to
the Office of Information and Regulatory
Affairs, Office of Management and
Budget. Comments should be addressed
to the OMB Desk Officer for Customs
and Border Protection, Department of
Homeland Security, and sent via
electronic mail to
oir_submission@omb.eop.gov or faxed
to (202) 395-5806.

SUPPLEMENTARY INFORMATION: U.S.
Customs and Border Protection (CBP)
encourages the general public and
affected Federal agencies to submit
written comments and suggestions on
proposed and/or continuing information
collection requests pursuant to the
Paperwork Reduction Act (Pub. L. 104-
13). Your comments should address one
of the following four points:

(1) Evaluate whether the proposed
collection of information is necessary
for the proper performance of the
functions of the agency/component,
including whether the information will
have practical utility;

(2) Evaluate the accuracy of the
agencies/components estimate of the
burden of the proposed collection of
information, including the validity of
the methodology and assumptions used;

(3) Enhance the quality, utility, and
clarity of the information to be
collected; and

(4) Minimize the burden of the
collections of information on those who
are to respond, including the use of
appropriate automated, electronic,
mechanical, or other technological
techniques or other forms of
information.

Title: CBP Regulations Pertaining to
Customs Brokers (19 CFR Part 111).

OMB Number: 1651-0034.

Form Numbers: CBP Forms 3124 and
3124E.

Abstract: The information contained
in part 111 of the CBP regulations
governs the licensing and conduct of
customs brokers. Specifically, an
individual who wishes to take the
broker exam would complete CBP Form
3124E, "Application for Customs Broker
License Exam"; or to apply for a broker
license, CBP Form 3124, "Application
for Customs Broker License" must be
completed. The procedures to request a

local or national broker permit can be
found in 19 CFR 111.19, and a triennial
report is required under 19 CFR 111.30.
The information collected from customs
brokers is provided for by 19 U.S.C:
1641. CBP Forms 3124 and 3124E may
be found at [http://www.cbp.gov/xp/
cgov/toolbox/forms/](http://www.cbp.gov/xp/cgov/toolbox/forms/). Further
information about the customs broker
exam and how to apply for it may be
found at [http://www.cbp.gov/xp/cgov/
trade/trade_programs/broker/
broker_exam/notice_of_exam.xml](http://www.cbp.gov/xp/cgov/trade/trade_programs/broker/broker_exam/notice_of_exam.xml).

Current Actions: This submission is
being made to extend the expiration
date with no change to the burden hours
or to this collection of information.

Type of Review: Extension (without
change).

Affected Public: Businesses,
Individuals.

**CBP Form 3124E, "Application for
Customs Broker License Exam
Estimated Number of Respondents:**
2,300.

**Total Number of Estimated Annual
Responses:** 2,300.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden

Hours: 2,300.

**Estimated Total Annual Cost to the
Public:** \$466,000.

**CBP Form 3124, "Application for
Customs Broker License"**

Estimated Number of Respondents:
300.

**Total Number of Estimated Annual
Responses:** 300.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden

Hours: 300.

Triennial Report (19 CFR 111.30)

Estimated Number of Respondents:
3,833.

**Total Number of Estimated Annual
Responses:** 3,833.

Estimated Time per Response: .5
hours.

**Estimated Total Annual Burden
Hours:** 1,917.

**Estimated Total Annual Cost to the
Public:** \$383,300.

**National Broker Permit Application
(19 CFR 111.19)**

Estimated Number of Respondents:
500.

**Total Number of Estimated Annual
Responses:** 500.

Estimated Time per Response: 1 hour.

Estimated Total Annual Burden

Hours: 500.

**Estimated Total Annual Cost to the
Public:** \$112,500.

If additional information is required
contact: Tracey Denning, U.S. Customs
and Border Protection, Regulations and
Rulings, Office of International Trade,
799 9th Street, NW., 5th Floor,



APPENDIX B

529 Sixth Avenue
Huntington, WV 25701
T: 304.529.4453
T: 800.442.3926
F: 304.529.4459

337 12th Street
Dunbar, WV 25064
T: 304.766.1680
T: 800.644.3212
F: 304.776.1684

1425 E Dublin-Granville Road Suite 109
Columbus, OH 43229
T: 614.410.3926
T: 800.321.8382
F: 614.410.3937



ClearStar Logistics Medical Review Office

ClearStar Logistics' Medical Review Office (CSL-MRO) maintains full compliance with State and Federal statutes pertaining to drug screening and drug reporting; specifically focused on the gold standard for drug screening compliance, DOT's 49 CFR part 40. Many times in non-regulated programs, DOT's standards are used as a benchmark for a successful program.

Our licensed Medical Review Officers oversee a staff, who together reviews every single drug screen that comes into our office. All negatives are released the same day, after a match-up of the electronic lab result with the paper MRO copy of the Custody and Control Form (CCF). All presumptive positives, or non-negatives, are carefully reviewed for accuracy and audited to make sure the Chain of Custody has not been compromised. Once this review process is complete, the doctor then makes attempts to call the donor to conduct the MRO Interview. The purpose of this interview is to see if there is any legitimate reason that the drug, they were found positive for, is in their system. Based on this interview the doctor will either leave the result a positive or overturn it to a negative. If the doctor does overturn the result based on a prescription medication, that prescription will have been verified by the prescribing doctor or the filling pharmacy. A positive result typically takes 48-72 hours from the time the lab receives the specimen, depending on how soon the donor can be reached.

All results, negative and positive, are electronically double-checked by our state-of-art, industry specific MRO software. In addition, all non-negatives go through a last "triple check" by a senior MRO Assistant who makes sure all steps were conducted properly. All of these "extra" steps are done to assure our clients that when they receive a result; it is the true result for that drug screen.

TODD SHOULBERG
Director of Sales
ClearStar Logistics

1122 S. Wickham Road
Suite D
W. Melbourne, FL 32904
Direct: 321-821-3383 • Fax: 360-326-1808
www.clearstarlogistics.net

CURRICULUM VITAE

Emilia De Los Angeles Vives, MD.MRO
10329 Westley Way
Orlando, Fl 32825
Tel: (407) 382-0417

Education:

- Bachelor's Degree in Mathematics
Saul Delgado College
Havana, Cuba- 1977
- Instituto Superior de Ciencias Medicas de la Habana, Cuba
Medical Doctor Degree- 1983
- Post-doctoral Training in Pediatrics
- Pedro Borrás Hospital Havana, Cuba -- 1983 thru 1987

Experience:

- 1993-1994: Pediatrician at Pedro Borrás Hospital in Havana, Cuba
- 01/98-08/00: Orlando Family Physicians
885 N. Powers Dr. Orlando, Fl.
Practicing Family Medicine: no age limits
- 01/99-11/01: Orange County Health Department
5425 S. Semoran Blvd. Orlando, Fl.
Family Practice Service to Indigent Population
- 04/02- present: Sunny Medical PL
11183 S. OBT.Trl. Ste, 204D Orlando, Fl 32837
- Medical Director, Family Practice and Pediatrics

Additional Experience:

09/88-06/90: Pediatric Clinic Instructor, Pedro Borrás Hospital, Havana, Cuba

Clinical Research:

- Prevalence of viral hepatitis in the pediatric population
- Incidence and prevalence of giardiasis in the pediatric population
- Prevalence of congenital hip dysplasia

Publications:

- Clinical investigative report: "Viral Meningoencephalitis Epidemic"

Licenses and Certifications:

- Board of Pediatrics: Havana, Cuba 1987
- U.S.M.L.E. I 1996
- U.S.M.L.E. II 1997
- U.S.M.L.E. III 2001
- Florida License :ME84737
- ECFMG #0-518-845-3
- Medical Review Officer Board Cert#081019203 , S.C.2008

Language: English ,Spanish And French.

Reference: Available upon request.

AAMRO

American Association of Medical Review Officers



THIS IS TO CERTIFY THAT

Emilia Dives, M.D.

having presented to the Executive Board of the American Association of Medical Review Officers satisfactory evidence of prescribed qualifications and having passed an approved examination before the

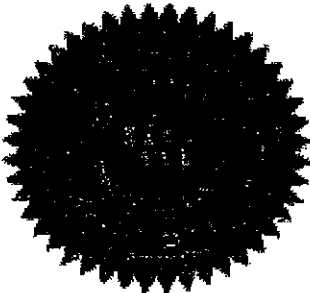
American Association of Medical Review Officers

in accordance with national standards of competency and expertise established for Medical Review Officers, is hereby accredited and designated as a

Certified Medical Review Officer

and by order of the AAMRO Board has been entered as such in the AAMRO Registry of Certified Medical Review Officers

Given and dated this 19th day of October, 2008



[Signature] Chairman

Countersigned and sealed with the Seal of the American Association of Medical Review Officers the day and date above written

Cindy Ferrell Corporate Secretary

Certificate Number 081019203

Comprehensive Medical Review Officer Training

MROALERT

awards this training certificate to

Emilia Vives, M.D.

In recognition of completion of the 24.75 hour Comprehensive Medical Review Officer Training Program

Theodore F. Skults

Theodore F. Skults, JD, MS
Program Director



Charlotte, NC
October 17-19, 2008

ORIGINAL

MICHAEL S. LAUGHREY, MD, MPH&TM, MSM

Dr. Laughrey has a very long history of being a Medical Director of his specific area of influence throughout his entire military career and has expanded that into his civilian career. He originally was the Medical Commander of the 58th Fighter Squadron at Eglin AFB from 1997-2001. Within this role, he was the first in the USAF to have his flight line medical clinic to be certified by JCAHO. Also, during this first duty assignment, he became the EMS Director at Eglin AFB. He orchestrated a flawless F-17 mishap exercise that included coordination with civilian counterparts. He also obtained a certificate from the State of Alabama to provide these same services at the emergency rooms he moonlighted at on the weekends. Because of his superior leadership skills, he was awarded the 1998 Company Grade Officer of the Year Award for the 96th Air Base Wing; a first for a physician ever to win at Eglin AFB. He also deployed to Prince Sultan Air Base, Saudi Arabia, where he achieved enough flying hours to obtain an Aerial Achievement Medal. He continued these same duties at Moody AFB in Valdosta, GA from 2003-2006 and Patrick AFB, FL from 2006-2008. While at Patrick AFB, he also oversaw all the EMS personnel assigned at Cape Canaveral AFS, so he is very familiar of working with EMS personnel over the phone and reviewing logs for thoroughness and accuracy. Dr. Laughrey continues to practice emergency medicine in Ormond Beach, FL to hone his skills and remain current with all EMS, ACLS, and ATLS protocols.

EDUCATION AND TRAINING

- USAF School of Aerospace Medicine, Residency in Aerospace Medicine and Occupational Medicine, 2003
- Eglin AFB Hospital, Post-Residency in Flight Medicine, 2001
- University of Tennessee Medical Center, Residency in Surgery, 1997
- Keesler Medical Center, Residency in Surgery, 1996
- Keesler Medical Center, Internship in Surgery, 1995
- Troy State University, Postgraduate MSM, 1999
- Tulane School of Public Health and Tropical Medicine, Postgraduate MPH and TM, 1994
- Tulane Medical School, MD, 1994
- United States Air Force Academy, BS in Aeronautical Engineering, 1990

BOARD CERTIFICATIONS AND LICENSURE

- Board Certified Aerospace Medicine, expires January 2013
- Board Eligible Occupational Medicine
- Basic Life Support (BLS), expires May 2011
- Advanced Cardiac Life Support (ACLS), expires May 2011
- PALS, expires May 2011
- ATLS, expires February 2013
- NPI #1790767614
- FL #ME-0076128
- FL DEA #BL6217500

EXPERIENCE

May 2008 – Present

Comprehensive Health Services, Inc.

Medical Review Authority, Lead Physician

Dr. Laughrey is well versed in military and governmental agency physical standards.

- Transportation Security Administration (TSA) Contract – Medical Review Authority for medical evaluations and drug screenings for airport security screeners

- Department of Energy (DOE) Marshallese Islands – Medical Director, ensures any concerns of possible history of radiation exposure to these select individuals is well evaluated and documented per the stringent standards of the DOE
- Global Linguist Solutions (GLS) Medical Director – Lead Physician reviewing deployment examinations for individuals that will be stationed in Iraq for 1 year performing translation duties for the U.S. Military
- Olgoonik Medical Director – Lead Physician reviewing deployment examinations
- Nebraska Department of Environmental Quality (DEQ) – Medical Director, verifies that individuals can perform their duties safely and without jeopardizing themselves or their employer

July 2006 – March 2008
Chief, Aerospace Medicine

Patrick AFB Clinic

Dr. Laughrey oversaw the entire Operational Medical Services for the 45th Space Wing at Patrick AFB and Cape Canaveral Air Force Station.

- Had medical oversight for 4 physicians and 10 technicians.
- Responsible for the overall health and well-being of 1,200 active duty personnel.
- Was the primary reason that Patrick AFB achieved an Outstanding on their Health Services Inspection in 2006 due to a perfect score in all categories of the Operational Medical Services.

July 2003 – June 2006
Flight Medicine Flight Commander

Moody AFB Clinic

Dr. Laughrey supervised the 347th Aeromedical Flight Medicine flight for Moody AFB, Valdosta, GA.

- Had medical oversight for 8 physicians and 32 technicians.
- Deployed to Kirkuk AB, Iraq where he supervised 2 physicians and 8 technicians in very austere conditions living and working in tents in very hazardous conditions with our base being the most bombed location within the entire Central Command Area of Responsibility
- Medical Director for the Moody AFB EMS system that involved 24 hour flight line response with 4 fully stocked ambulances
- Responsible for the overall health and well-being of 1,000 flyers and 800 dependents

May 1998 – Present
Emergency Room Physician

Various locations

Emergency Room Physician with approximately 10,000 hours of experience in various locations in Alabama, Georgia and Florida; currently performing as an Emergency Room Physician in Ormond Beach, FL. Constantly works as the only physician within the hospital and is the only physician in house for the nurses to call with any emergency within the emergency room or the entire hospital.

PROFESSIONAL ASSOCIATIONS

Brevard County Medical Society, Member (2006 – Present)
Aerospace Medical Association, Life Member (1997 – Present)
Society of USAF Flight Surgeons, Life Member (1997 – Present)

HONORS AND AWARDS:

- Distinguished Graduate at USAFA, 1990
- Who's Who Among Students in American Universities and Colleges, 1990

ABSTRACTS ACCEPTED FOR PRESENTATIONS:

- Effects of Hyperbaric Oxygen on Endocarditis in a Rat Model, Society of Hyperbaric and Undersea Medicine, 6/97
- Effects of Hyperbaric Oxygen on Sepsis in a Rat Model, Society of Hyperbaric and Undersea Medicine, 6/97
- Prevention of Postoperative Pleural Adhesions With Hyaluronic Acid in a Goat Model, Society of Air Force Clinical Surgeons, 12/96

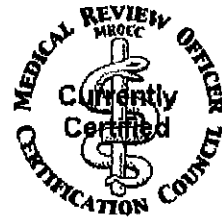
PRESENTATIONS:

Facilitation of Recovery From Acute Blood Loss With Erythropoetin and Hyperbaric Oxygen, Society of Air Force Clinical Surgeons, 4/03

PUBLICATIONS:

Radio Frequency Radiation Exposure of the F-15 Crewmember, Aviation, Space, and Environmental Medicine, Vol 74, No. 8, Aug 03, pg 851-7

Medical Review Officer Certification Council
836 Arlington Heights Road, #327, Elk Grove Village, Illinois 60007
(T) 847.631.0599 | (F) 847.483.1282



The physician named below is currently certified through the **Medical Review Officer Certification Council.**

Name of Certified Medical Review Officer: **Michael S. Laughrey, M.D., M.P.H., TM, MSM**

Certification Number: **908231**

Expires on: **3/4/2015**

This notice serves as verification that the physician listed above is a currently-certified Medical Review Officer (MRO) through the Medical Review Officer Certification Council (MROCC). As a security measure, an authentic verification letter contains the name of the certified MRO, a valid certificate number, a certificate expiration date, and the blue MROCC seal with the words "Currently Certified" in red letters.

MROCC certifies, through an eligibility process and written examination, licensed physicians who have had appropriate CME training and experience in performing the essential duties of the MRO.

MROCC Certification is valid for a six-year period.

MROCC's Certification Examination is based upon the federal requirements developed by the Department of Health and Human Services for federal drug testing programs, and fulfills the requirement for Certification of Medical Review Officers as established by the Department of Transportation in its Procedures for Transportation Workplace Drug and Alcohol Testing Programs 49 CFR part 40 of the Federal Register.

A listing of all currently-certified Medical Review Officers may be found on the MROCC web site. Questions concerning this physician or Council policies and procedures may be submitted to MROCC using the address information above.

Elizabeth E. Gresch MD

Elizabeth E. Gresch, MD
Chairman of the Board

Benjamin Gerson MD

Benjamin Gerson, MD
Secretary

Brian L. Compney

Brian L. Compney
Executive Director

Promoting and Preserving the Highest Quality of Standards Among MROs
www.mrocc.org

[home]

ORIGINAL



Medical Review Officer Certification Council
836 Arlington Heights Road, #327, Elk Grove Village, IL 60007*847-831-0589*FAX 847-483-1282*mrocc@mrocc.org

Date: March 4, 2009

Verification of Certification for: Michael S. Laughrey, M.D., M.P.H., TM, MSM

Certification Number: 09-08231

Expiration Date: 3/4/2015

This notice serves as verification that the above referenced physician is a certified Medical Review Officer (MRO) through the Medical Review Officer Certification Council (MROCC). MROCC Certification is valid for a six-year period. The first two digits of the certification number indicate the year in which the physician was certified. A blue watermark of the MROCC logo with 'Currently Certified' in red letters authenticates an original verification of certification from the Council. This letter may also be downloaded from the MROCC website.

MROCC certifies, through an eligibility process and written examination, licensed physicians who have had appropriate training and experience in performing the essential duties of the MRO.

MROCC's certification examination is based upon the federal requirements developed by the Department of Health and Human Services for federal drug testing programs, and fulfills the requirement for certification of Medical Review Officers as established by the Department of Transportation in its Procedures for Transportation Workplace Drug and Alcohol Testing Programs 49 CFR Part 40 of the Federal Register.

The referenced physician is listed in the MROCC registry of Certified MROs located on the MROCC homepage on the internet. A listing of all currently-certified MROs may be viewed and their verification letters printed from the web site.

Brian Compney
Executive Director

Elizabeth E. Gresch, M.D.
Chairman of the Board

MROCC
<http://www.mrocc.org>

321-368-2299
babydollandjgarcia@mta.com
m/laughrey@ch5medical.com

ORIGINAL



EXHIBIT I

529 Sixth Avenue
Huntington, WV 25701
T: 304.529.4453
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F: 304.529.4459

337 12th Street
Dunbar, WV 25064
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T: 800.644.3212
F: 304.776.1684

1425 E Dublin-Granville Road Suite 109
Columbus, OH 43229
T: 614.410.3926
T: 800.321.8382
F: 614.410.3937

www.healthresearchsystems.com

Explanation of ASSISTANT's Random Selection Feature

One of the key elements of the ASSISTANT software system is its ability to produce unbiased random selections of personnel subject to drug and alcohol testing. Integral to the defensibility of ASSISTANT's selection methodology is the fact that the software operator can in no way manipulate the selection process. The following describes in general terms how ASSISTANT creates a list of randomly selected personnel for testing. A more comprehensive explanation, complete with all of the statistical trappings, is available upon request from Compliance Software.

STEP 1. A "pool group" is created. The pool group includes those personnel subject to random testing. The operator also specifies the rate of random testing, or a specific number of pool members to be selected each period. For example, the Department of Transportation requires a 50% annual testing rate. This means that, over the course of one year, at least 50 drug tests must be conducted for every 100 employees in the pool.

It is important to understand that the 50 tests do not have to be conducted on 50 different individuals. In fact, this is highly improbable, if not impossible. At a 50% selection rate, the actual probability is that 37 or 38 different individuals will be selected for the 50 tests. This means that 12 or 13 of the 100 individuals in the pool will be selected at least twice or more.

STEP 2. Before beginning the selection process, ASSISTANT figures out how many tests need to be conducted for the "selection period." The selection period is usually a week or month. The Department of Transportation requires that each member of the pool have an equal chance at being selected for a test every selection period. When figuring out how many tests are needed for the period, ASSISTANT takes into account absenteeism, incomplete tests, etc. to make sure that the minimum number of required tests is accomplished.

STEP 3. ASSISTANT uses a random algorithm, or mathematical equation, to assign an "index number" to every one in the pool. The employee's index number is usually different every selection period, however, it is possible for the computer to assign the same index number two or more periods in a row. The number of index numbers is always equal to the number of people in the pool for the selection period. The index number becomes the "identity" of each member of the pool group for the selection period.

For example, if the pool group has 100 members, then each member in the pool will receive a randomly assigned index number between 1 and 100.

STEP 4. Using a random algorithm, ASSISTANT generates a series of random numbers equal to the number of tests required for the period. ASSISTANT then looks at

the index numbers that are randomly assigned to the pool group members and matches up the numbers.

For example, if ASSISTANT determined that 5 tests were needed for the period in a pool group of 100 members, it would pick at random 5 numbers between 1 and 100. For illustrative purposes, let's assume that the numbers 34, 45, 67, 35 and 10 were picked by ASSISTANT. ASSISTANT would then search through the 100 index numbers and find out which pool group member were assigned the index numbers of 34, 45, 67, 35 and 10. Those five individuals would be selected for a test.

IMPORTANT: THIS PROCESS CANNOT BE UNDONE. ONCE ASSISTANT HAS ASSIGNED INDEX NUMBERS AND MADE SELECTIONS, A PERMANENT RECORD FOR EACH SELECTION IS CREATED.

It is also important to know that the random algorithm used by ASSISTANT has been thoroughly tested and documented. ASSISTANT's random number generator verification is available upon request. Statistical analysis has also determined that computer algorithms are the "best" random generators because they are free from physical biases and can thoroughly document the random selection process.

If the explanation above seems a little confusing, the following example will help illustrate how ASSISTANT selects individuals for random tests:

Let's assume that there are 52 people in a room that are subject to random testing. Let's also assume that 5 people need to be picked for random tests. We can accomplish this goal fairly with two decks of playing cards. First, we would shuffle both decks of cards. We then take the cards from one deck and pass out one card, face down, to each person in the room. Next, we would draw five cards from the second shuffled deck and place them face up on a table. Everyone in the room would then turn their playing card face up. The five cards on the table from the second deck will match up to five individuals in the room holding cards from the first deck. These five individuals are now "picked" for a test.

We could repeat this exercise time and time again, shuffling both decks each time and passing out the cards. The odds are that some individuals will never get "picked", and, in like manner, some individuals will be picked several times.

Random Selection Explanation and Verification

ASSISTANT Drug Program Management Software provides users with two options for random selection: Simple Random Sampling with Replacement (SRS) and Composite Random Sampling (CRS, patented). The pseudo-random number generator for both methodologies utilizes the "Linear Congruential Method" (Lehmer, 1951, documented in "Algorithms in C", by Robert Sedgewick). In summary, this method:

1. Takes a seed value based upon the computer's clock;
2. Multiplies it by a constant "b";
3. Adds 1;
4. Takes the remainder when divided by a second constant "m".

This last value becomes the random number (between 0 and m-1). The following pages document the verification tests for the pseudo-random number generator used in ASSISTANT.

Table 1. Results of the 50 chi-square tests.

<u>chi-square</u>	<u>Prob (chi-square)</u>
107.4	0.26502
99.4	0.46980
98.8	0.48676
86.2	0.81705
108.2	0.24773
103.2	0.36633
102.6	0.38206
80.0	0.91919
99.0	0.48110
85.4	0.83316
89.0	0.75437
76.8	0.95210
98.2	0.50382
115.6	0.12174
103.6	0.35599
98.0	0.50952
107.4	0.26502
80.4	0.91417
117.2	0.10232
111.6	0.18221
100.2	0.44738
136.4	0.00759
85.0	0.84090

108.0	0.25199
81.8	0.89493
89.6	0.73977
122.6	0.05410
90.6	0.71464
93.4	0.63987
77.8	0.94314
126.0	0.03483
78.8	0.93300
118.2	0.09147
108.8	0.23523
90.8	0.70950
108.2	0.24773
100.8	0.43074
96.6	0.54953
97.0	0.53809
98.8	0.48676
90.4	0.71974
111.0	0.19282
124.0	0.04529
97.6	0.52094
92.4	0.66721
97.2	0.53237
112.4	0.16870
94.2	0.61761
104.6	0.33073
82.0	0.89197

REFERENCES

Gorenstein, S. 1967. Testing a random number generator. *Communications of the Association for Computing Machinery* 10: 111-118.

Sharp, W.E. and C. Bays. 1992. A review of portable random number generators. *Computers and Geosciences* 18 (1): 79-87.

Verification of the Assistant Random Number Generator

Two tests were performed to examine the properties of the pseudorandom number generator used for selection in ASSISTANT. The first test is a chi-square test which evaluates the uniformity of the distribution of generated numbers (Gorenstein 1967). The second test involves a test for independence with a plot of the generated numbers in two dimensions (Sharp and Bays 1992).

Chi-square test

For this test, the interval of 0 to 1 (the range of the pseudorandom data values) was divided up into 100 successive bins of equal size (.01 bin size). One thousand pseudorandom number values were generated and placed in the appropriate bin depending on the value (i.e., value from 0 to $<.01$ are placed in the first bin, from $.01$ to $<.02$ in the second bin..., and values from $.99$ to 1 in the last bin). A chi-square test comparing the expected number of values in each bin (10) with the realized number was performed. This test was repeated 50 times with 50 sets of pseudorandom numbers. The results are shown in Table 1. Note that the distribution of the probabilities are about what one would expect with random data used in a chi-square test. For example, one out of the 50 (.02) tests was associated with a probability $<.02$, and three out of the 50 tests (.06) were associated with a probability $<.05$.

Independence Test

The second test plots nonoverlapping pairs of pseudorandom numbers as coordinates in a bivariate plot. The vertical axis value (y) is the value of the first number of a pair, and the horizontal axis value (x) is the second number of a pair. If the generator is effectively generating independent pairs of pseudorandom numbers, then the pattern of points in the plot should appear random. Poor generators will show finely spaced lines or clear lattice patterns in the plot (Sharp and Bays 1992). The plot of 1,000 random pairs are shown in Figure 1. The pattern in the plot appears random.

ORIGINAL



EXHIBIT II

529 Sixth Avenue
Huntington, WV 25701
T: 304.529.4453
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337 12th Street
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T: 800.644.3212
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T: 800.321.8382
F: 614.410.3937

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CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/21/2010

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION is WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER GRAYHAWK INS & RISK MANAGEMENT SERVICES INC 1740 N COLLINS BLVD SUITE 200 RICHARDSON, TX 75080 (888) 661-3938 XW644 882	<table style="width: 100%;"> <tr> <td>CONTACT NAME:</td> <td></td> </tr> <tr> <td>PHONE (A/C, No, Ext): (888) 661-3938</td> <td>FAX (A/C, No): (877) 552-6091</td> </tr> <tr> <td>E-MAIL ADDRESS: Service.center@travelers.com</td> <td></td> </tr> <tr> <td>PRODUCER CUSTOMER ID #: 8182GA000</td> <td></td> </tr> </table>	CONTACT NAME:		PHONE (A/C, No, Ext): (888) 661-3938	FAX (A/C, No): (877) 552-6091	E-MAIL ADDRESS: Service.center@travelers.com		PRODUCER CUSTOMER ID #: 8182GA000							
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PHONE (A/C, No, Ext): (888) 661-3938	FAX (A/C, No): (877) 552-6091														
E-MAIL ADDRESS: Service.center@travelers.com															
PRODUCER CUSTOMER ID #: 8182GA000															
INSURED HEALTH RESEARCH SYSTEMS INC P O BOX 845 DUNBAR, WV 25064	<table border="1" style="width: 100%;"> <tr> <td style="text-align: center;">INSURER(S) AFFORDING COVERAGE</td> <td style="text-align: center;">NAIC #</td> </tr> <tr> <td>INSURER A: THE CHARTER OAK FIRE INSURANCE COMPANY</td> <td></td> </tr> <tr> <td>INSURER B:</td> <td></td> </tr> <tr> <td>INSURER C:</td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: THE CHARTER OAK FIRE INSURANCE COMPANY		INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
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INSURER F:															

COVERAGES CERTIFICATE NUMBER: 352228120011202 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

NSR TR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS																
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR			680-6852B388-10	02/25/2010	02/25/2011	<table border="1" style="width: 100%;"> <tr><td>EACH OCCURRENCE</td><td style="text-align: right;">\$1,000,000</td></tr> <tr><td>DAMAGE TO RENTED PREMISES (Ea occurrence)</td><td style="text-align: right;">\$300,000</td></tr> <tr><td>MED EXP (Any one person)</td><td style="text-align: right;">\$5,000</td></tr> <tr><td>PERSONAL & ADV INJURY</td><td style="text-align: right;">\$1,000,000</td></tr> <tr><td>GENERAL AGGREGATE</td><td style="text-align: right;">\$2,000,000</td></tr> <tr><td>PRODUCTS - COMP/OP AGG</td><td style="text-align: right;">\$2,000,000</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> </table>	EACH OCCURRENCE	\$1,000,000	DAMAGE TO RENTED PREMISES (Ea occurrence)	\$300,000	MED EXP (Any one person)	\$5,000	PERSONAL & ADV INJURY	\$1,000,000	GENERAL AGGREGATE	\$2,000,000	PRODUCTS - COMP/OP AGG	\$2,000,000		\$		
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A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS			BA-0783Y426-10	02/25/2010	02/25/2011	<table border="1" style="width: 100%;"> <tr><td>COMBINED SINGLE LIMIT (Ea accident)</td><td style="text-align: right;">\$1,000,000</td></tr> <tr><td>BODILY INJURY (Per person)</td><td style="text-align: right;">\$</td></tr> <tr><td>BODILY INJURY (Per accident)</td><td style="text-align: right;">\$</td></tr> <tr><td>PROPERTY DAMAGE (Per accident)</td><td style="text-align: right;">\$</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> <tr><td></td><td style="text-align: right;">\$</td></tr> </table>	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000	BODILY INJURY (Per person)	\$	BODILY INJURY (Per accident)	\$	PROPERTY DAMAGE (Per accident)	\$		\$		\$		\$		\$
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WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under SPECIAL PROVISIONS below																							
Y/N N/A																							

DESCRIPTION OF OPERATIONS/ LOCATIONS/ VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
 REGARDING THE LOCATIONS AT: 337 12TH ST DUNBAR, WV 25064; 529 SIXTH AVENUE HUNTINGTON, WV 25701; 600 6TH AVE. HUNTINGTON, WV 25701; 1545 BETHEL RD SUITE 100 COLUMBUS, OH 43220; AND 4421 EMERSON AVE. UNIT 203 PARKERSBURG, WV 26104

CERTIFICATE HOLDER HEALTH RESEARCH SYSTEMS, INC. 529 6TH AVENUE HUNTINGTON, WV 25701	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <div style="text-align: right; margin-top: 10px;"> </div>
--	--

Client#: 486942

63EXAMIMAN

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 11/04/2010

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: BB&T Insurance, 110 Dixie Street, Carrollton, GA 30117, 770 214-1991. CONTACT NAME: BB&T Insurance, PHONE: 770 214-1991, FAX: 888-751-2997. INSURED: Health Research Systems Inc dba Examination Management Services, 529 6th Avenue, Huntington, WV 25701. INSURER(S): Markel Ins(StringerWare), NAIC #: 38970.

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL SUBR NSR, WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Rows include General Liability, Automobile Liability, Umbrella Liab, Workers Compensation, and Professional liability.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required) Professional Liability - Testing Services; Claims Made; Retro Date: 11/09/00; Deductible: \$2,500; Training Endorsement DATIA MEMBER NUMBER: 45986

CERTIFICATE HOLDER: Drug & Alcohol Testing Industry Association (DATIA), 1325 G Street, NW, Suite 500#5001, Washington, DC 20005. CANCELLATION: 10 Days for Non-Payment. SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: Paula D. Layton

ORIGINAL



EXHIBIT III

529 Sixth Avenue
Huntington, WV 25701
T: 304.529.4453
T: 800.442.3926
F: 304.529.4459

337 12th Street
Dunbar, WV 25064
T: 304.766.1680
T: 800.644.3212
F: 304.776.1684

1425 E Dublin-Granville Road Suite 109
Columbus, OH 43229
T: 614.410.3926
T: 800.321.8382
F: 614.410.3937

www.healthresearchsystems.com

VENDOR PREFERENCE CERTIFICATE

Certification and application* is hereby made for Preference in accordance with West Virginia Code, §5A-3-37. (Does not apply to construction contracts). West Virginia Code, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the West Virginia Code. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

1. Application is made for 2.5% resident vendor preference for the reason checked:

- Bidder is an individual resident vendor and has resided continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a partnership, association or corporation resident vendor and has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or 80% of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; or, Bidder is a nonresident vendor which has an affiliate or subsidiary which employs a minimum of one hundred state residents and which has maintained its headquarters or principal place of business within West Virginia continuously for the four (4) years immediately preceding the date of this certification; or,

2. Application is made for 2.5% resident vendor preference for the reason checked:

Bidder is a resident vendor who certifies that, during the life of the contract, on average at least 75% of the employees working on the project being bid are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

3. Application is made for 2.5% resident vendor preference for the reason checked:

Bidder is a nonresident vendor employing a minimum of one hundred state residents or is a nonresident vendor with an affiliate or subsidiary which maintains its headquarters or principal place of business within West Virginia employing a minimum of one hundred state residents who certifies that, during the life of the contract, on average at least 75% of the employees or Bidder's affiliate's or subsidiary's employees are residents of West Virginia who have resided in the state continuously for the two years immediately preceding submission of this bid; or,

4. Application is made for 5% resident vendor preference for the reason checked:

Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; or,

5. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:

Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; or,

6. Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:

Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; or (b) assess a penalty against such Bidder in an amount not to exceed 5% of the bid amount and that such penalty will be paid to the contracting agency or deducted from any unpaid balance on the contract or purchase order.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of Revenue to disclose to the Director of Purchasing appropriate information verifying that Bidder has paid the required business taxes, provided that such information does not contain the amounts of taxes paid nor any other information deemed by the Tax Commissioner to be confidential.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), Bidder hereby certifies that this certificate is true and accurate in all respects; and that if a contract is issued to Bidder and if anything contained within this certificate changes during the term of the contract, Bidder will notify the Purchasing Division in writing immediately.

Bidder: HEALTH RESEARCH SYSTEMS, INC Signed: [Signature] Title: President Date: 1/17/2011

*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.

RFQ No. 8311C0026

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

West Virginia Code §5A-3-10a states: No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owed is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions. "Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities. "Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION: The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

Under penalty of law for false swearing (*West Virginia Code §61-5-3*), it is hereby certified that the vendor affirms and acknowledges the information in this affidavit and is in compliance with the requirements as stated.

WITNESS THE FOLLOWING SIGNATURE

Vendor's Name: HEALTH RESEARCH SYSTEMS, INC.

Authorized Signature: [Signature] Date: 1-17-11

State of WEST VIRGINIA

County of CABELL, to-wit:

Taken, subscribed, and sworn to before me this 17th day of January, 2011.

My Commission expires October 9, 2013.

AFFIX SEAL HERE

NOTARY PUBLIC [Signature]

