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

# Request for Quotation

| RFQ NUMBER | PAGE |
|---|---|
| WWV12886 | 1 |

ADDRESS CORRESPONDENCE TO ATTENTION OF:
PAUL REYNOLDS
304-558-0468

VENDOR
*223130422 304-345-1396
JOE BOGGS & ASSOCIATES INC
1703 WOODVALE DR

CHARLESTON WV 25314

SHIP TO
WORKFORCE WEST VIRGINIA
OFFICE OF ADMIN. SUPPORT-5302

112 CALIFORNIA AVENUE
CHARLESTON, WV
25305-0112 304-558-2631

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|---|---|---|---|---|
| 05/10/2012 | | | | |

BID OPENING DATE: 05/30/2012 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|---|
| 0001 | | EA | | 961-48 | $81.30 | $73,170.00 |

MANDATORY DRUG SCREENING SERVICES

OPEN END CONTRACT

THE WEST VIRGINIA STATE PURCHASING DIVISION FOR THE AGENCY, WEST VIRGINIA WORKFORCE IS SOLICITING BIDS FOR MANDATORY DRUG SCREENING PER THE ATTACHED SPECIFICATIONS.

EXHIBIT 3

LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE UPON AWARD 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.

UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE IN THIS CONTRACT DOCUMENT BY THE STATE OF WEST VIRGINIA, ITS AGENCIES, OR POLITICAL SUBDIVISIONS, THE TERMS, CONDITIONS, AND PRICING SET FORTH HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.

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.

RECEIVED
2012 JUN -4 AM 11:04
WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| SIGNATURE | TELEPHONE | DATE |
|---|---|---|
| Joe Boggs | 304-345-1396 | 5-29-12 |
| TITLE: CEO | FEIN: 55-066-4639 | 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.html** 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).

State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
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| WWV12886 | 2 |

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| 05/10/2012 | | | | |

BID OPENING DATE: 05/30/2012 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT NO | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|---|

CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE 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.

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.)

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.

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.

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.

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| SIGNATURE | TELEPHONE | DATE |
|---|---|---|
| Joe Boggs | 304-345-1396 | 5-29-12 |
| TITLE: CEO | FEIN: 55-066-4639 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

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

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BID OPENING DATE: 05/30/2012 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|---|
| | THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND 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. INSURANCE: SUCCESSFUL VENDOR SHALL FURNISH PROOF OF COVERAGE OF COMMERCIAL GENERAL LIABILITY INSURANCE PRIOR TO ISSUANCE OF THE CONTRACT. UNLESS OTHERWISE SPECIFIED IN THE BID DOCUMENTS, THE MINIMUM AMOUNT OF INSURANCE COVERAGE REQUIRED IS $250,000. | | | | | |
| | WORKER'S COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKER'S COMPENSATION IF SUCCESSFUL. | | | | | |
| | REV. 01/17/2012 | | | | | |
| | NOTICE | | | | | |
| | A SIGNED BID MUST BE SUBMITTED TO: | | | | | |
| | DEPARTMENT OF ADMINISTRATION<br>PURCHASING DIVISION<br>BUILDING 15<br>2019 WASHINGTON STREET, EAST<br>CHARLESTON, WV 25305-0130 | | | | | |
| | THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED: | | | | | |
| | SEALED BID | | | | | |
| | BUYER: | | | PAUL REYNOLDS | FILE 43 | |
| | RFQ. NO.: | | | WWV12886 | | |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| SIGNATURE Joe Boggs | TELEPHONE 304-345-1396 | DATE 5-29-12 |
|---|---|---|
| TITLE CEO | FEIN | ADDRESS CHANGES TO BE NOTED ABOVE |

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

State of West Virginia
Department of Administration
Purchasing Division
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| 05/10/2012 | | | | |

BID OPENING DATE: 05/30/2012 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|---|
| | BID OPENING DATE: | | | 05/30/2012 | | |
| | BID OPENING TIME: | | | 01:30 P.M. | | |
| | PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: 304-345-8907 | | | | | |
| | CONTACT PERSON (PLEASE PRINT CLEARLY): Joe Boggs or Linda Boggs | | | | | |
| | ANY INDIVIDUAL SIGNING THIS BID IS CERTIFYING THAT: (1) HE OR SHE IS AUTHORIZED BY THE BIDDER TO EXECUTE THE BID OR ANY DOCUMENTS RELATED THERETO ON BEHALF OF THE BIDDER, (2) THAT HE OR SHE IS AUTHORIZED TO BIND THE BIDDER IN A CONTRACTUAL RELATIONSHIP, AND (3) THAT THE BIDDER HAS PROPERLY REGISTERED WITH ANY STATE AGENCIES THAT MAY REQUIRE REGISTRATION. | | | | | |
| | ****** THIS IS THE END OF RFQ WWV12886 ****** TOTAL: | | | | | $73,170.00 |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| SIGNATURE Joe Boggs | TELEPHONE 304-345-1396 | DATE 5-29-12 |
|---|---|---|
| TITLE CEO | FEIN 55-066-4639 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

STATE OF WEST VIRGINIA
WORKFORCE WEST VIRGINIA
REQUEST FOR QUOTATION
WWV12886

**Purpose**
WorkForce West Virginia (WFWV) is soliciting bids from qualified vendors to provide mandatory drug screening required for individuals desiring to participate in training offered through the WorkForce Investment Act (WIA) Title I National Emergency Grant Training and WIA Title I Adult, Dislocated Worker, and Youth programs.

**Overview**
Pursuant to Section 181(f) of WIA Title I, State Workforce Agencies are authorized to test and sanction WIA participants for the use of controlled substances. Effective July 1, 2012, WFWV is authorized to being screening all participants that enter into training-level (ITA) services funded by WIA Title I, individual training accounts and on-the-job training (OJT) for the specified drugs identified in this RFQ. WFWV prefers to begin the drug screening on July 1, 2012 or as soon thereafter as any contract resulting from this RFQ allows.

**Scope of Services**
The successful vendor will work cooperatively with the WFWV staff to provide drug screening/testing services for approximately nine hundred (900) individuals per year who are referred for training-level programs funded by WIA Title I National Emergency Grant Training, and WorkForce Investment Act Title I Adult, Dislocated Worker and Youth. The results of the drug testing will be used by WFWV to determine training and/or employment opportunities offered to and/or denied the clients.

The successful vendor shall provide drug testing in accordance with the following mandatory specifications:

(a) The successful vendor must be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA).
(b) The successful vendor shall be responsible for collecting urine samples to test for substance abuse from WFWV clients referred to the vendor from WFWV for the following substances:
    - Amphetamines
    - Cannabinoids/THC
    - Cocaine
    - Opiates
    - Phencyclidine (PCP)

- Benzodiazepines
- Propoxyphene
- Methadone
- Barbiturates
- Synthetic narcotics

(c) The successful vendor shall provide the required testing at the vendor's facilities located throughout the State of West Virginia.

(d) The successful vendor must accept walk-in clients.

(e) The successful vendor's business hours must accommodate clients between the hours of 8:00 am and 5:00 pm Monday through Friday, except for State holidays.

(f) The successful vendor shall require that clients referred by WFWV have a valid Drug Test Authorization Form (as developed by WFWV) signed by a representative of WFWV and shall ensure that no drug tests are given after the date established on said form.

(g) The successful vendor shall test, record, submit for review, and legally support confirmations of test specimens in conformity within the concentration cutoff levels set forth below:

| Initial Test Analyte | Initial Test Cutoff Concentration | Confirmatory Test Cutoff Concentration |
|---|---|---|
| Amphetamines | 1000 ng | 500 ng |
| Cannabinoids/THC | 50 ng | 15 ng |
| Cocaine | 300 ng | 150 ng |
| Opiates | 2000 ng | 2000 ng |
| Phencyclidine (PCP) | 25 ng | 25 ng |
| Benzodiazepines | 300 ng | 300 ng |
| Propoxyphene | 300 ng | 300 ng |
| Methadone | 300 ng | 300 ng |
| Barbiturates | 300 ng | 300 ng |
| Synthetic narcotics | 2000 ng | 2000 ng |

(h) The successful vendor must have the capability to provide screening cutoffs that are flexible and can be changed within a 30-day period as requested by WFWV.

(i) The successful vendor will determine the appropriate nanogram cut-off levels for drugs that have no threshold listed above.

(j) The successful vendor will have all test results reviewed by a Medical Review Officer (MRO).

(k) The successful vendor will agree that specimens testing positive after both the screening and confirmation test shall be considered positive for the purpose of retaining the sample. Positive samples shall be retained in a frozen state by the successful vendor for at least 365 calendar days.

(l) The successful vendor shall provide any and all follow-up testing or analysis required to either confirm a positive result or eliminate a false positive.

(m) The successful vendor will inform the participant of drug screen results via US Postal Service within 48 hours after collection of specimen for negative tests. For positive results, the participant shall be informed within 48 hours after review of the results by the MRO.

(n) The vendor shall ensure that all test results are clearly marked as Pass or Fail.

(o) The successful vendor shall maintain an internet-based database of the test results. At minimum, this database should include: client name, address, social security number, and the test results.

(p) The successful vendor will provide confidential access to designated WFWV employees to this database.

(q) The successful vendor must maintain client records for six (6) years following the expiration/cancellation of any contract resulting from this RFQ.

(r) At no additional cost to the agency whatsoever, the successful vendor shall support WFWV and the State of West Virginia with respect to all challenges, legal or otherwise, related to its product, processes, confirmations, including providing answers to interrogatories, depositions, and providing an expert witness or witnesses to testify in court and other witnesses if needed to support its chain of custody and efficacy of its product and laboratory confirmation services.

(s) The successful vendor must have testing/collections sites within 20 miles of WFWV local offices as shown on Attachment I. Upon award of a contract resulting from this RFQ, the successful vendor shall provide WFWV with a list of testing facilities along with their respective address and mileage from the WFWV office nearest said facility listed.

(t) The successful vendor will provide documentation for each test that includes the following:

1. Chain of Custody documentation that will accompany the urine specimen at all times, from collection to testing.
2. The documentation will include a statement indicating that the specimen was scaled and/or labeled for identification purposes at its collection.

3. The documentation will include spaces for printed names and signatures of the employee(s) who collect the urine specimen.
4. The documentation will include a statement whereby the donor of the urine specimen certifies that the specimen container was sealed and labeled in his/her presence. The statement of certification will be followed by a space for witness verification.

(u) The successful vendor shall ensure complete integrity of each specimen tested and the respective test results. Receiving, transfer and handling of all specimens by laboratory personnel shall be fully documented using chain-of-custody documentation compliant with DOT/NIDA.

(v) The successful vendor must ensure that any subcontracted facilities or services utilized by the vendor must meet all of the mandatory requirements provided in this RFQ.

(w) The successful vendor must be able to provide services at all locations specified with this RFQ within fifteen (15) days of issuance of any contract resulting from this RFQ.

(x) The only costs associated with this RFQ will be the per test fee and will be based on actual number of tests conducted. WFWV will not pay any additional fees whatsoever, which includes fees for handling of rejected specimens or those otherwise unfit for testing or for specimen adulteration assays.

(y) The successful vendor will adhere to the strict rules of confidentiality, issued by or through the United States Department of Transportation during any contract resulting from this RFQ and/or after termination/cancellation of said contract.

(z) The successful vendor must submit detailed, itemized invoices to WFWV on a monthly basis and will be reimbursed in arrears in accordance with West Virginia State Code.

(aa) The successful vendor will not assign, transfer or delegate interest in any contract resulting from this RFQ without the prior written consent of WFWV.

**Experience and Qualifications**

(a) Prior to the award of any contract resulting from this RFQ, the successful vendor must be in good standing with all State of West Virginia governmental offices (i.e., Unemployment Compensation, Insurance Commission, and the Purchasing Division)

(b) The successful vendor must employ a full-time, board certified, toxicologist of the American Board of Forensic Toxicology

(c) The successful vendor must be registered with the West Virginia Secretary of State's Office and the Purchasing Division of the Department of Administration, prior to award of any contract resulting from this RFQ.

(d) The successful vendor must sign, without altering, the following documents which are attached to this RFQ as exhibits:

1) Purchasing Affidavit, attached hereto as Exhibit 1
2) Agreement Addendum (WV-96), attached hereto as Exhibit 2

(e) The successful vendor must employ the services of a Medical Review Officer (MRO) as defined by the United States Department of Transportation, Office of Drug and Alcohol Policy and Compliance.
(f) All facilities utilized by the successful vendor must be SAMHSA certified.
(g) The successful vendor must adhere to the regulations put forth by the United States Department of Transportation.

Vendor's Proposed Cost: $ 81.30 per test for 900* tests per year = $ 73,170.00 ,

*This number is an estimate based on training history and is used for calculation purposes only. WFWV does not make any guarantees of the number of actual tests that will be requested per year. See Attachment, 8D.

**Attachment 1**

**WorkForce West Virginia Field Office Listing**

| | |
|---|---|
| Beckley<br>200 Value City Center<br>Beckley, WV 25802 | Morgantown<br>304 Scott Avenue<br>Morgantown, WV 26508 |
| Charleston<br>1321 Plaza East<br>Charleston, WV 25325 | Parkersburg<br>300 Lakeview Center<br>Parkersburg, WV 26101 |
| Clarksburg<br>321 West Main Street<br>Clarksburg, WV 26302 | Putnam<br>#19 Putnam Village, Hurricane<br>Teays, WV 25569 |
| Elkins<br>1023 North Randolph Avenue<br>Elkins, WV 26241 | Moorefield<br>1929 State Road 55<br>Moorefield, WV 26836 |
| Fairmont<br>320 Adams Street, Suite 107<br>Fairmont, WV 26554 | Summersville<br>830 Northside Drive<br>Summersville, WV 26651 |
| Huntington<br>2699 Park Avenue, Suite 240<br>Huntington, WV 25704 | Weirton<br>100 Municipal Plaza<br>Weirton, WV 26062 |
| Logan<br>300 Prosperity Lane<br>Logan, WV 25601 | Welch<br>110 Park Avenue, Suite 100<br>Welch, WV 24801 |
| Martinsburg<br>891 Auto Parts Place, Suite 1314<br>Martinsburg, WV 25402 | Wheeling<br>1275 Warwood Avenue<br>Wheeling, WV 26003 |
| Princeton<br>195 Davis Street<br>Princeton, WV 24740 | Pt. Pleasant<br>404 Main Street<br>Pt. Pleasant, WV 25550 |

JOE BOGGS &
ASSOCIATES, INC.
P.O. Box 771
Charleston, West Virginia 25323-0771

(304) 345-8985
(304) 345-8986
(304) 345-1396
1-800-321-7694
FAX (304) 345-8907

# QUOTATION OF SERVICES
# DRUG TESTING

**FOR: WORKFORCE WEST VIRGINIA**
**OFFICE OF ADMIN. SUPPORT-5302**

| | |
|---|---|
| **RFQ:** | **WWV12886** |
| **Buyer:** | **Paul Reynolds** |
| **Bid opening:** | **June 7, 2012 at 1:30 pm** |
| **Location** | **State of West Virginia**<br>**Department of Administration**<br>**Purchasing Division**<br>**112 California Avenue**<br>**Charleston, WV 25305-0112** |

## INTRODUCTION

We at Joe Boggs & Associates, Inc. are pleased to present this quotation for drug testing to the West Virginia Work Force RFQ WWV12886 to purchasing and Mr. Paul Reynolds. As an experienced Third Party Administrator with over 25 years of experience in both regulated and non regulated drug testing. Our program will provide excellent service in the most flexible and non disruptive manner available.

Joe Boggs & Associates, Inc offers access to the most technically sound and legally defensible drug testing services available. Our program utilizes fully trained collectors, certified Medical Review Officer (MRO) and Board Certified Toxicologist of the American Forensic Toxicology. We use Medtox Laboratories in St Paul MN and they are SAMHSA approved. We have been a vender with Medtox Laboratories for over 20 years.

Some clients as reference are West Virginia State Police, West Virginia Highways, WVDHR/BHHF, West Virginia State Treasurer's Office, Mercer County Board of Education and several County Commissions.

As a Company that is truly locally owned and operated, Joe Boggs & Associates, Inc., is not a subsidiary or franchise of any other entity and must stand on our own merit. In today's completive market place our success has come from delivering quality services while maintaining personal customer relations with clients whether large or small. Delivering these services in a State with such diverse geography, varying population densities different client needs and changing regulation often requires us to think outside of the box. We are committed to making drug and alcohol testing as efficient and free of problems as possible.

Joe Boggs is Founder and CEO of Joe Boggs & Associates, Inc. He also is a life time member of the Board of the West Virginia Motor Truck Association and elected to the Board of Directors of the Drug and Alcohol Testing Industry Association located in Washington, DC.

**STATE OF WEST VIRGINIA**
**WORKFORCE WEST VIRGINIA**
**REQUEST FOR QUOTATION**
**WWV 12886**

Joe Boggs & Associates, Inc. will provide drug testing services if selected for (WFWV). We will follow all guide lines and agree to full fill your RFQ WWV12886 starting on page 1 and ending on page 11.

(a), (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), (m), (n), (o), (p), (q), (r), (s), (t), (1 & 2), (3), (4), (u), (v), (w), (x), (y), (z) & (aa)

June 4, 2012

I understand that synthetic narcotics drugs panel does not include K-2 Spcie and Bath Salts. If it does we would need to add $125.00 per test and of course this would change the total.

DATE: 6-4-12

Signature

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, TO-WIT:

The foregoing affidavit was acknowledged before me, a notary public for said State and County, on the 4 day June, 2012, by Joe Boggs.

My commission expires: Sept 1, 2018.

707 Virginia St Charleston WV 25301

Notary Public

**NOTARY SEAL**

OFFICIAL SEAL
JACKQULINE WILLIAMS
NOTARY PUBLIC
STATE OF WEST VIRGINIA
707 Virginia Street East
Charleston, WV 25301-2705
My Commission Expires Sept. 1, 2018

AAMRO

# American Association of Medical Review Offi

THIS IS TO CERTIFY THAT

Glen Wright, M.D.

*aving presented to the Executive Board of the American Associatio*
*Medical Review Officers satisfactory evidence of prescribed qualifications*
*aving passed an approved examination before the*

## American Association of Medical Review Office

*n accordance with national standards of competency and expe*
*stablished for Medical Review Officers, is hereby accredited and design*
*s 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***

*iven and dated this* 27th *day of* September *19*98

American Association of Medical Review Officers Recertified 2003 - 2008

American Association of Medical Review Officers Recertified 2008 - 2014

*Chairman*

*Executive Dir*

*untersigned and sealed with the Seal of*
*e American Association of Medical Review*
*ficers the day and date above written*

Cindy Ferrell *Corporate Secretary*

*Certificate Number* 980927

# AMERICAN BOARD OF FORENSIC TOXICOLOGY

INCORPORATED 1976 IN THE DISTRICT OF COLUMBIA

THE AMERICAN BOARD OF FORENSIC TOXICOLOGY, INC., HEREBY DECLARES
THAT THE PROFESSIONAL EDUCATION, ATTAINMENTS,
AND COMPETENCE OF

## JENNIFER A. COLLINS, Ph.D.

HAVE BEEN FOUND SATISFACTORY, AND THAT THE OTHER REQUIREMENTS OF
THIS BOARD HAVE BEEN FULFILLED; AND THEREFORE GRANTS THIS
CERTIFICATE OF QUALIFICATION IN FORENSIC TOXICOLOGY AS A

## DIPLOMATE

GRANTED THIS FIRST DAY OF NOVEMBER 2010.
EXPIRES THIS THIRTY-FIRST DAY OF JUNE 2015.

RECOGNIZED BY

*American Academy of Forensic Sciences*
*California Association of Toxicologists*
*Society of Forensic Toxicologists*
*Canadian Society of Forensic Science*
*Southwestern Association of Toxicologists*

AMERICAN BOARD OF FORENSIC TOXICOLOGY

CERTIFICATE NO. 272

Marina Stajic
PRESIDENT

VICE-PRESIDENT

SECRETARY

TREASURER

*The American Board of Forensic Toxicology is accredited by the Forensic Specialties Accreditation Board*

*Advancing Excellence*

# The College of American Pathologists

*certifies that the laboratory named below*

## *MEDTOX Laboratories, Inc.*
## *Main Laboratory*
## *Saint Paul, Minnesota*
## *Mark G. Catlin, MD*

LAP Number: 3039201
AU-ID: 1189554
CLIA Number: 24D0665278

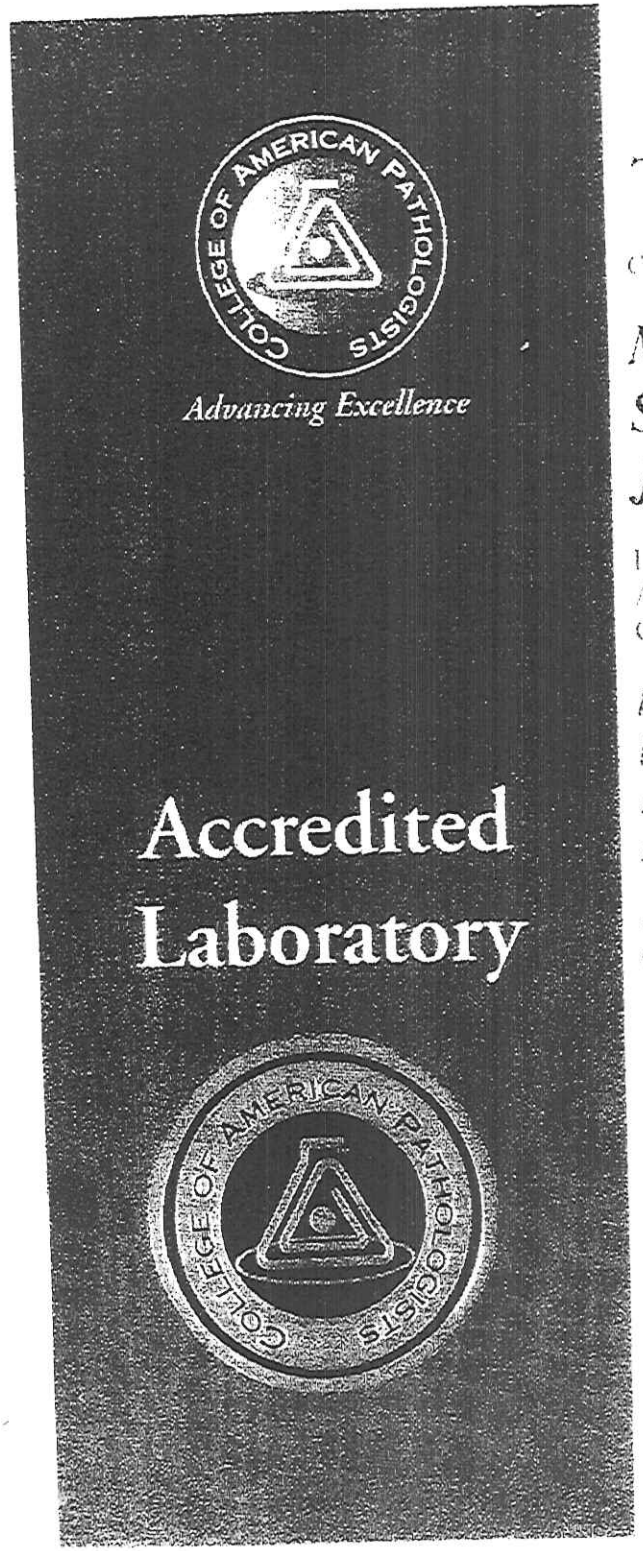
*has met all applicable standards for accreditation and is hereby fully accredited by the College of American Pathologists' Laboratory Accreditation Program. Reinspection should occur prior to February 4, 2009 to maintain accreditation.*

Accreditation does not automatically survive a change in director, ownership, or location and assumes that all interim requirements are met.

**Accredited Laboratory**

Chair, Commission on Laboratory Accreditation

President, College of American Pathologists




# The College of American Pathologists

*certifies that the laboratory named below*

## *MEDTOX Laboratories, Inc.*
## *Saint Paul, Minnesota*
## *Jennifer A. Collins, PhD,HCLD(ABB)*

LAP Number: 3039202
AU ID: 1192042
CLIA Number: 24D0665278

*has met all applicable standards for accreditation and is hereby fully accredited by the College of American Pathologists' Forensic Urine Drug Testing Accreditation Program. Reinspection should occur prior to February 4, 2009 to maintain accreditation.*

Accreditation does not automatically survive a change in director, ownership, or location and assumes that all interim requirements are met.

Chairman, Commission on Laboratory Accreditation

President, College of American Pathologists

Appendix C

# MEDTOX® Laboratories, Inc.

## CERTIFICATIONS / ACCREDITATIONS

- National Laboratory Certification Program (DHHS)
- HCFA CLIA ID# 24D0665278
- Medicare Provider# 690000036
- U.S. Drug Enforcement Administration License
- Minnesota Controlled Substance Permit (Drug Researcher License)
- CAP / AACC, Forensic Urine Drug Testing
- State of Florida, Agency for Healthcare Administration
- State of Maryland, Department of Health and Mental Hygiene
- Minnesota, Department of Health
- New York State, Department of Health
- Oklahoma, Department of Health
- State of Maine, Department of Human Services
- Commonwealth of Pennsylvania, Department of Health
- State of Vermont, Department of Health
- International Brotherhood of Teamsters and Trucking Management
- OSHA Blood Lead
- OSHA Cadmium
- California Department of Health Services, Blood Lead
- State of Hawaii, Department of Health
- State of New Hampshire Department of Health and Human Services, Blood Lead
- Ohio Department Health, Blood Lead

## Drugs of Abuse Proficiency Testing

- National Laboratory Certification Program (DHHS)
- CAP / AACC, Forensic Urine Drug Testing
- CAP / AACC, Whole Blood Alcohol / Volatiles
- State of Florida, Agency for Health Care Administration
- New York State. Department of Health
- Commonwealth of Pennsylvania, Department of Health
- Minnesota Bureau of Criminal Apprehension, Alcohol
- Department of Transportation, Blood Alcohol

## Therapeutic Drug Monitoring / Clinical Toxicology Proficiency Testing

- New York State, Department of Health
- CAP Therapeutic Drug Monitoring Comprehensive Special
- CAP Toxicology
- CAP Urine Toxicology
- CAP Immunosuppressive Drugs
- CAP Blood Oximetry
- CAP Pseudocholinesterase

## Metals Proficiency Testing

- CAP / AACC Blood Lead
- CAP Trace Metals
- CAP Cadmium
- New York State, Department of Health Blood Lead, Erythrocyte Protoporyphyrin, Mercury
- Centre de Toxicologie du Quebec, OSHA Cadmium
- Centre de Toxicologie du Quebec, Inter-Laboratory Comparison Program, Heavy Metals

63JOEBOG

Client#: 1309793

DATE (MM/DD/YYYY) 03/19/2012

# ACORD™ CERTIFICATE OF LIABILITY INSURANCE

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:
PHONE (A/C, No, Ext): 770 214-1991
FAX (A/C, No): 888-751-2997
E-MAIL ADDRESS:

| INSURER(S) AFFORDING COVERAGE | NAIC # |
|---|---|
| INSURER A : Markel Ins (Stringer Ware) | 38970 |
| INSURER B : | |
| INSURER C : | |
| INSURER D : | |
| INSURER E : | |
| INSURER F : | |

INSURED
Joe Boggs & Associates Inc
PO Box 771
Charleston, WV 25323

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.

| INSR LTR | TYPE OF INSURANCE | ADDL INSR | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS | |
|---|---|---|---|---|---|---|---|---|
| | GENERAL LIABILITY | | | | | | EACH OCCURRENCE | $ |
| | COMMERCIAL GENERAL LIABILITY | | | | | | DAMAGE TO RENTED PREMISES (Ea occurrence) | $ |
| | CLAIMS-MADE OCCUR | | | | | | MED EXP (Any one person) | $ |
| | | | | | | | PERSONAL & ADV INJURY | $ |
| | | | | | | | GENERAL AGGREGATE | $ |
| | GEN'L AGGREGATE LIMIT APPLIES PER: | | | | | | PRODUCTS - COMP/OP AGG | $ |
| | POLICY PRO-JECT LOC | | | | | | | $ |
| | AUTOMOBILE LIABILITY | | | | | | COMBINED SINGLE LIMIT (Ea accident) | $ |
| | ANY AUTO | | | | | | BODILY INJURY (Per person) | $ |
| | ALL OWNED AUTOS / SCHEDULED AUTOS | | | | | | BODILY INJURY (Per accident) | $ |
| | HIRED AUTOS / NON-OWNED AUTOS | | | | | | PROPERTY DAMAGE (Per accident) | $ |
| | | | | | | | | $ |
| | UMBRELLA LIAB OCCUR | | | | | | EACH OCCURRENCE | $ |
| | EXCESS LIAB CLAIMS-MADE | | | | | | AGGREGATE | $ |
| | DED RETENTION $ | | | | | | | $ |
| | WORKERS COMPENSATION AND EMPLOYERS' LIABILITY | | | | | | WC STATU-TORY LIMITS / OTH-ER | |
| | ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? Y/N (Mandatory in NH) | N/A | | | | | E.L. EACH ACCIDENT | $ |
| | If yes, describe under DESCRIPTION OF OPERATIONS below | | | | | | E.L. DISEASE - EA EMPLOYEE | $ |
| | | | | | | | E.L. DISEASE - POLICY LIMIT | $ |
| A | Professional | | | 3CD3301 | 03/19/2012 | 03/19/2013 | $1,000,000 Each Claim<br>$3,000,000 Aggregate | |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)
Professional Liability-Testing Services; Claims Made; Retro Date: 03/19/12; Deductible: $2,500; Background Check & MVR Endorsement; Training Endorsement
DATIA Member Number: 44837

CERTIFICATE HOLDER

Drug & Alcohol Testing Industry Association (DATIA)
1325 G Street, NW, Suite 500#5001
Washington, DC 20005

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

Paula D. Layton

© 1988-2010 ACORD CORPORATION. All rights reserve

400 Quarrier Street Charleston, WV 25301-2010

# WORKERS COMPENSATION AND EMPLOYERS LIABILITY POLICY

## INFORMATION PAGE WC 00 00 01 (A)

**RENEWAL OF POLICY NUMBER:** WC10217118-01
**POLICY NUMBER:** WC10217118-02

**INSURER:** BRICKSTREET MUTUAL INSURANCE COMPANY

1. **INSURED:**
JOE BOGGS & ASSOCIATES INC
PO BOX 771
CHARLESTON, WV 25323

**PRODUCER:**
BRICKSTREET MUTUAL INSURANCE COMPANY
400 QUARRIER STREET
CHARLESTON, WV 25301-2010

Insured is a(n) CORPORATION

Other work places and identification numbers are shown in the schedule(s) attached.

2. The policy period is from 07/09/2011 to 07/09/2012 12:01 A.M. at the insured's mailing address.

3. A. **WORKERS COMPENSATION INSURANCE:** Part One of the policy applies to the Workers Compensation Law of the state(s) listed here:

WEST VIRGINIA

B. **EMPLOYERS LIABILITY INSURANCE:** Part Two of the policy applies to work in each state listed in item 3.A. The limits of our liability under Part Two are:

| | | |
|---|---|---|
| Bodily Injury by Accident: | $1,000,000 | Each Accident |
| Bodily Injury by Disease: | $1,000,000 | Policy Limit |
| Bodily Injury by Disease: | $1,000,000 | Each Employee |

C. **OTHER STATES INSURANCE:** Part Three of the policy applies to the states, if any, listed here:
"Part Three of the policy applies to the states, if any, listed here: All states and U.S. territories except, North Dakota, Ohio,Washington, Wyoming, Puerto Rico, and the U.S. Virgin Islands, and states designated in Item 3.A. of the Information Page. "

D. This policy includes these endorsements and schedules:

SEE LIST OF ENDORSEMENTS - EXTENSION OF INFORMATION PAGE

4. The premium for this policy will be determined by our Manuals of Rules, Classifications, Rates and Rating Plans. All required information is subject to verification and change by audit to be made in accordance with Part Five of the Policy.

**DATE OF ISSUE:** 07/09/2011
**ISSUING OFFICE:** Charleston, WV
**PRODUCER:** BRICKSTREET MUTUAL INSURANCE COMPANY

## ORGANIZATION QUALIFICATIONS

The following is a list of personnel that will collect, certify and administer the drug and alcohol testing program at Joe Boggs & Associates, Inc. Collector certifications are found in Appendix A. MRO certifications are in Appendix B. MRO Resumes are in Appendix C. Breath Alcohol Technician certifications are in Appendix D.

Collectors and Breath Alcohol Technicians (all listed collectors have completed the training requirements of 49 CFR Part 40.33):

| | |
|---|---|
| Joe Boggs | Ritchie Boggs |
| Tom DeVault | J D Kittle |
| Edward Pritt | Gary Silman |
| Glen Thaxton | Robert J Turner Sr |

Random Selection

Ritchie Boggs

Collection Scheduling

Linda Boggs

Medical Review Officers

Dr Glen Wright, MD (primary) In-house

Dr Dennis M Demby, MD (back-up)

Dr James F Byers, MD (back-up)

Assistant Medical Review Officer

Ritchie Boggs

PEOPLEWORK SOLUTIONS

Joe Boggs & Associates, Inc.
P.O. Box 771
Charleston, WV 25323-0771

May 29, 2012

Dear Mr. Boggs,

Peoplework Solutions Corporation supports your efforts to provide the drug screening services for the Workforce West Virginia applicants. Having accessed the services of your company for several years, we have found your drug and alcohol screening to be convenient, timely, accurate, confidential and compliant.

In reviewing the RFQ we expect this planned process with Workforce West Virginia applicants will be challenging and believe the extensive experience of you and your staff will improve the ability of the proposal to reach its goal successfully.

Sincerely,

Sandra M. Ashley
President

Your Solution

497 First Ave. South * Nitro, WV 25143 * (304) 722-9119 * FAX (304) 722-9125

# Drug & Alcohol Testing Industry Association

# Certificate of Membership

Joe Boggs & Associates, Inc.
Charleston, WV

IS

Recognized as a Regular member
of the
Drug & Alcohol Testing Industry Association

Membership Expires: September 1, 2000

Jeffrey C. Smith
President
DATIA, Alexandria, VA

# *Certificate of Completion*

This certifies that on November 29, 2007

# Ritchie Boggs

successfully completed the curriculum specified by the Department of Transportation (DOT) and curriculum specified by **Intoximeters, Inc.** for certification as a

***Breath Alcohol Technician (BAT)***
***and***
***Factory Authorized Calibration Technician***

The curriculum presented corresponds with the DOT's BAT model curriculum established pursuant to 49 CFR Part 40 Procedures. It also corresponds with Intoximeters, Inc.'s proficiency in the use of the Evidential Breath Testing (EBT) curriculum which includes a review of the Evidential Breath Test device's Quality Assurance Plan, and requires demonstration of proficiency in conducting calibrations, calibration checks and the operation of the:

**ALCO SENSOR IV / RBT IV**

**ALCO SENSOR IV w/ MEMORY**

The course curriculum was approved by Intoximeters, Inc., the manufacturer of the Evidential Breath Test Device, and complies with the manufacturer's standards for the operation of the instrument.

Betsy Bailey
**Intoximeters, Inc.**

Floyd Wing, Instructor

Expires: November / 2012

13195

# *Certificate of Completion*

This certifies that on November 29, 2007

# ROBERT TURNER

successfully completed the curriculum specified by the Department of Transportation (DOT) and curriculum specified by **Intoximeters, Inc.** for certification as a

***Breath Alcohol Technician (BAT)***
***and***
***Factory Authorized Calibration Technician***

The curriculum presented corresponds with the DOT's BAT model curriculum established pursuant to 49 CFR Part 40 Procedures. It also corresponds with Intoximeters, Inc.'s proficiency in the use of the Evidential Breath Testing (EBT) curriculum which includes a review of the Evidential Breath Test device's Quality Assurance Plan, and requires demonstration of proficiency in conducting calibrations, calibration checks and the operation of the:

**ALCO SENSOR IV / RBT IV**

**ALCO SENSOR IV w/ MEMORY**

The course curriculum was approved by Intoximeters, Inc., the manufacturer of the Evidential Breath Test Device, and complies with the manufacturer's standards for the operation of the instrument.

Peter Bailey
**Intoximeters, Inc.**
Expires: November / 2012

Floyd Wing, Instructor
13194

# Certificate of Completion

**This Certifies that on December 5th 2007**

Joe Boggs

**Successfully Completed the curriculum specified by the U.S. Department of Transportation (DOT) for certification for**

Breath Alcohol Technician (BAT)

Refresher Training

**By demonstrating proficiency in the use of the Evidential Breath Testing (EBT), conduct seven error free tests, review of the device's Quality Assurance Plan, and demonstration of proficiency in conducting calibration/accuracy checks of the:**

## Intoximeters Alco-Sensor IV RBT IV

Richie A. Boggs, Trainer

Joe Boggs & Associates Inc.
1703 Woodvale Drive
Charleston, West Virginia 25314

# *Certificate of Completion*

**This certifies that on November 11, 2011**

## Glen Thaxton

**Successfully completed the curriculum specified by the Department of Transportation (DOT) for certification as a**

Breath Alcohol Technician (BAT)

**The curriculum presented corresponds with the DOT's BAT model curriculum established pursuant to 49 CFR Part 40 Procedures.**

**It also corresponds with Intoximeters, Inc's proficiency in the use of the Evidential Breath Testing (EBT) curriculum which includes**

**A review of the Evidential Breath Test device's Quality Assurance Plan, and requires demonstration of proficiency in conducting**

**Calibrations, calibration checks and the operation of the:**

ALCO-SENSOR IV/RBT IV

**The course curriculum was approved by Intoximeters, Inc., manufacturer of the Evidential Breath Test Device, and complies with**

**the manufacturer's standards for operation of the instrument.**

**Certificate Number:050819**

**Date: November 11, 2011**

**Instructor: Robert J. Turner, Sr.**

Robert J. Turner Sr.

# *Certificate of Completion*

**This certifies that on November 11, 2011**

## Gary T. Silman

**Successfully completed the curriculum specified by the Department of Transportation (DOT) for certification as a**

Breath Alcohol Technician (BAT)

**The curriculum presented corresponds with the DOT's BAT model curriculum established pursuant to 49 CFR Part 40 Procedures.**

**It also corresponds with Intoximeters, Inc's proficiency in the use of the Evidential Breath Testing (EBT) curriculum which includes**

**A review of the Evidential Breath Test device's Quality Assurance Plan, and requires demonstration of proficiency in conducting**

**Calibrations, calibration checks and the operation of the:**

ALCO-SENSOR IV/RBT IV

**The course curriculum was approved by Intoximeters, Inc., manufacturer of the Evidential Breath Test Device, and complies with**

**the manufacturer's standards for operation of the instrument.**

**Certificate Number:050818**

**Date: November 11, 2011**

**Instructor: Robert J. Turner, Sr.**

# Certificate of Completion

This certifies that on November 11, 2011

## Tom Devault

Successfully completed the curriculum specified by the Department of Transportation (DOT) for certification as a

Breath Alcohol Technician (BAT)

The curriculum presented corresponds with the DOT's BAT model curriculum established pursuant to 49 CFR Part 40 Procedures.

It also corresponds with Intoximeters, Inc's proficiency in the use of the Evidential Breath Testing (EBT) curriculum which includes

A review of the Evidential Breath Test device's Quality Assurance Plan, and requires demonstration of proficiency in conducting

Calibrations, calibration checks and the operation of the:

ALCO-SENSOR IV/RBT IV

The course curriculum was approved by Intoximeters, Inc., manufacturer of the Evidential Breath Test Device, and complies with

the manufacturer's standards for operation of the instrument.

Certificate Number:050820

Date: November 11, 2011

Instructor: Robert J. Turner, Sr.

Robert J. Turner Sr.

# The Drug & Alcohol Testing Industry Association

## Certificate of Attendance

## Ritchie Boggs

DATIA

Excelling as an MRO Assistant Workshop

April 6, 2006

0.75 Continuing Education Units/7.5 Continuing Education Hours

Christy Manar
Membership Director
DATIA, Washington, DC

# CERTIFICATE OF COMPLETION

*Ritchie A. Boggs*

This is to certify that on October 18, 2011, Ritchie A. Boggs successfully completed training for Urine Specimen Collection as required by 49CFR, Part 40.33. This training included Basic Information, DOT Urine Specimen Procedures Guidelines, Qualification Training, and Initial Proficiency Demonstration.

EMPLOYER
Joe Boggs & Associates, Inc.
PO Box 771
Charleston, WV 25323

INSTRUCTOR
Robert J. Turner, Sr. / Robert J. Turner Sr.
DATIA Certified Professional
Collector Trainer

# CERTIFICATE OF COMPLETION

*Tom Devault*

This is to certify that on October 18, 2011, Tom Devault successfully completed training for Urine Specimen Collection as required by 49CFR, Part 40.33. This training included Basic Information, DOT Urine Specimen Procedures Guidelines, Qualification Training, and Initial Proficiency Demonstration.

EMPLOYER
Joe Boggs & Associates, Inc.
PO Box 771
Charleston, WV 25323

INSTRUCTOR
Ritchie A. Boggs
DATIA Certified Professional
Collector Trainer

# CERTIFICATE OF COMPLETION

*Glen Thaxton*

This is to certify that on October 18, 2011, Glen Thaxton successfully completed training for Urine Specimen Collection as required by 49CFR, Part 40.33. This training included Basic Information, DOT Urine Specimen Procedures Guidelines, Qualification Training, and Initial Proficiency Demonstration.

EMPLOYER
Joe Boggs & Associates, Inc.
PO Box 771
Charleston, WV 25323

INSTRUCTOR
Ritchie A. Boggs
DATIA Certified Professional
Collector Trainer

# CERTIFICATE OF COMPLETION

*Edward Pritt*

This is to certify that on October 18, 2011, Edward Pritt successfully completed training for Urine Specimen Collection as required by 49CFR, Part 40.33. This training included Basic Information, DOT Urine Specimen Procedures Guidelines, Qualification Training, and Initial Proficiency Demonstration.

EMPLOYER
Joe Boggs & Associates, Inc.
PO Box 771
Charleston, WV 25323

INSTRUCTOR
Ritchie A. Boggs
DATIA Certified Professional
Collector Trainer

# CERTIFICATE OF COMPLETION

*Robert J. Turner, Sr.*

This is to certify that on October 18, 2011, Robert J. Turner, Sr. successfully completed training for Urine Specimen Collection as required by 49CFR, Part 40.33. This training included Basic Information, DOT Urine Specimen Procedures Guidelines, Qualification Training, and Initial Proficiency Demonstration.

EMPLOYER
Joe Boggs & Associates, Inc.
PO Box 771
Charleston, WV 25323

INSTRUCTOR
Ritchie A. Boggs
DATIA Certified Professional
Collector Trainer

# CERTIFICATE OF COMPLETION

*Gary T. Silman*

This is to certify that on October 18, 2011, Gary T. Silman successfully completed training for Urine Specimen Collection as required by 49CFR, Part 40.33. This training included Basic Information, DOT Urine Specimen Procedures Guidelines, Qualification Training, and Initial Proficiency Demonstration.

EMPLOYER
Joe Boggs & Associates, Inc.
PO Box 771
Charleston, WV 25323

INSTRUCTOR
Ritchie A. Boggs/RAB
DATIA Certified Professional
Collector Trainer

# CERTIFICATE OF COMPLETION

*Ritchie A. Boggs*

This is to certify that on October 18, 2011, Ritchie A. Boggs successfully completed training for Urine Specimen Collection as required by 49CFR, Part 40.33. This training included Basic Information, DOT Urine Specimen Procedures Guidelines, Qualification Training, and Initial Proficiency Demonstration.

EMPLOYER
Joe Boggs & Associates, Inc.
PO Box 771
Charleston, WV 25323

INSTRUCTOR
Robert J. Turner, Sr.
DATIA Certified Professional
Collector Trainer

# *Certificate of Completion*

This certifies that on November 11, 2011

## Tom Devault

**Successfully completed the curriculum specified by the Department of Transportation (DOT) for certification as a**

Breath Alcohol Technician (BAT)

The curriculum presented corresponds with the DOT's BAT model curriculum established pursuant to 49 CFR Part 40 Procedures.

It also corresponds with Intoximeters, Inc's proficiency in the use of the Evidential Breath Testing (EBT) curriculum which includes

A review of the Evidential Breath Test device's Quality Assurance Plan, and requires demonstration of proficiency in conducting

Calibrations, calibration checks and the operation of the:

ALCO-SENSOR IV/RBT IV

The course curriculum was approved by Intoximeters, Inc., manufacturer of the Evidential Breath Test Device, and complies with

the manufacturer's standards for operation of the instrument.

Certificate Number:050820

Date: November 11, 2011

Instructor: Robert J. Turner, Sr.

# *Certificate of Completion*

**This certifies that on November 11, 2011**

## Glen Thaxton

**Successfully completed the curriculum specified by the Department of Transportation (DOT) for certification as a**

Breath Alcohol Technician (BAT)

**The curriculum presented corresponds with the DOT's BAT model curriculum established pursuant to 49 CFR Part 40 Procedures. It also corresponds with Intoximeters, Inc's proficiency in the use of the Evidential Breath Testing (EBT) curriculum which includes A review of the Evidential Breath Test device's Quality Assurance Plan, and requires demonstration of proficiency in conducting Calibrations, calibration checks and the operation of the:**

ALCO-SENSOR IV/RBT IV

**The course curriculum was approved by Intoximeters, Inc., manufacturer of the Evidential Breath Test Device, and complies with the manufacturer's standards for operation of the instrument.**

**Certificate Number:0S0819**

**Date: November 11, 2011**

**Instructor: Robert J. Turner, Sr.**

# Certificate of Completion

This certifies that on November 11, 2011

## Gary T. Silman

Successfully completed the curriculum specified by the Department of Transportation (DOT) for certification as a

Breath Alcohol Technician (BAT)

The curriculum presented corresponds with the DOT's BAT model curriculum established pursuant to 49 CFR Part 40 Procedures.

It also corresponds with Intoximeters, Inc's proficiency in the use of the Evidential Breath Testing (EBT) curriculum which includes

A review of the Evidential Breath Test device's Quality Assurance Plan, and requires demonstration of proficiency in conducting

Calibrations, calibration checks and the operation of the:

ALCO-SENSOR IV/RBT IV

The course curriculum was approved by Intoximeters, Inc., manufacturer of the Evidential Breath Test Device, and complies with

the manufacturer's standards for operation of the instrument.

Certificate Number:050818

Date: November 11, 2011

Instructor: Robert J. Turner, Sr.

# CERTIFICATE OF COMPLETION

*Joe Boggs*

This is to certify that on October 18, 2011, Joe Boggs successfully completed training for Urine Specimen Collection as required by 49CFR, Part 40.33. This training included Basic Information, DOT Urine Specimen Procedures Guidelines, Qualification Training, and Initial Proficiency Demonstration.

EMPLOYER
Joe Boggs & Associates, Inc.
PO Box 771
Charleston, WV 25323

INSTRUCTOR
Ritchie A. Boggs
DATIA Certified Professional
Collector Trainer

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

# Request for Quotation

| RFQ NUMBER | PAGE |
|---|---|
| WWV12886 | 1 |

ADDRESS CORRESPONDENCE TO ATTENTION OF:
PAUL REYNOLDS
304-558-0468

VENDOR
*223130422 304-345-1396
JOE BOGGS & ASSOCIATES INC
1703 WOODVALE DR

CHARLESTON WV 25314

SHIP TO
WORKFORCE WEST VIRGINIA
OFFICE OF ADMIN. SUPPORT-5302

112 CALIFORNIA AVENUE
CHARLESTON, WV
25305-0112 304-558-2631

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|---|---|---|---|---|
| 05/24/2012 | | | | |

BID OPENING DATE: 06/07/2012 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|---|
| | | | ADDENDUM NO. 1 | | | |
| | ANSWER TO TECHNICAL QUESTIONS ATTACHED. | | | | | |
| | ADD: EXHIBIT 10 | | | | | |
| | BID OPENING DATE CHANGED | | | | | |
| | FROM: 05/30/12 @1:30 P.M. | | | | | |
| | TO: 06/07/12 @1:30 P.M. | | | | | |
| 0001 | | LS | | 961-48 | $81.30 | $73,170.00 |
| | MANDATORY DRUG SCREENING SERVICES | | | | | |
| | ****** THIS IS THE END OF RFQ WWV12886 ****** | | | | TOTAL: | $73,170.00 |

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| SIGNATURE | TELEPHONE | DATE |
|---|---|---|
| Joe Boggs | 304-345-1396 | 5-29-12 |

| TITLE | FEIN | |
|---|---|---|
| CEO | 55-066-4639 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

ADDENDUM NO. 1

## RESPONSES TO TECHNICAL QUESTION

**Q 1:** The successful vendor shall provide the required testing at the vendor's facilities located throughout the State. Can we use Collection sites-Clinic's?

**A 1:** Yes, as long as the clinics meet the distance requirements specified in **"S"** of the RFQ

**Q 2:** The successful vendor will inform the participant of drug screen results via US Postal Service within 48 hours after collection of specimen for negative Tests. For positive results, the participant shall be informed within 48 hours after review of the results by MRO. Is the vendor to notify the donor of the results?

**A 2:** Yes

**Q 3:** The successful vendor will provide confidential access to designated WFWV employees to this database. Due to HIPPA laws, we suggest only one person access to database.

**A 3:** We will drastically limit WFWV employees with access. However, one may not be sufficient. The number will be decided after contract award.

**Q 4:** The successful vendor must maintain client records for 6 years following the expiration. Cancellation of any contract resulting from this RFQ. The Dot requirement is 5 years after testing if positive and 1 year if negative.

**A 4:** We understand DOT's requirement. This is based on WFWV's federally mandated document retention time.

**Q 5:** The successful vendor shall ensure complete integrity of each specimen tested and the respective test results. Receiving, transfer and handling of all specimens by laboratory personnel shall be full documented using chain of custody documentation compliant with DOT. Will a Substance Abuse Professional be used for positive test since you are following DOT guidelines?

**A 5:** No. The individuals to be tested are clients- not employees.

**Q 6:** The successful vendor must employ full-time, board certified, toxicologist of the American Board of Forensic Toxicology. We use Medtox Laboratories in St. Paul, MN. They have toxicologist on their staff. Is that what you are asking?

**A 6:** Yes. As long as they are employed by the vendor, it can.

**Q 7:** Who is the current vendor?

**A 7:** N/A....This is a new contract for WorkForce West Virginia.

**Q 8:** Please provide your current pricing for you current services, i.e. Urine Drug Screens, Collection of Specimen, and Medical Review Officer Services.

**A 8:** See response to question 7.

**Q 10:** Would the vendor be testing employees or clients? If clients, please explain?

**A 10:** Clients are individuals who are referred for training-level programs funded by WIA Title I National Emergency Grant Training, and WorkForce Investment Act Title I Adult, Dislocated Worker and Youth.

**Q 11:** Please define synthetic narcotics?

**A 11:** Hydrocodone/hydromorphone

**Q 12:** What is your positivity rate?

**A 12:** See response to question 7. There is nothing in place to determine the rate.

**Q 13:** How many times in 2011 did you require legal assistance?

**A 13:** See response to question 7.

**Q 14:** The bid did not include the Agreement Addendum (WV-96), attached hereto as Exhibit 2. Please send the document or indicate not required.

**A 14:** NOT REQUIRED

EXHIBIT 10

REQUISITION NO.: WWW 12886

ADDENDUM ACKNOWLEDGEMENT

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

ADDENDUM NO.'S:

NO. 1 ✓

NO. 2 ✓

NO. 3 ✓

NO. 4 ✓

NO. 5 ✓

No 6 — Included Bypass.

I UNDERSTAND THAT FAILURE TO CONFIRM THE RECEIPT OF THE ADDENDUM(S) MAY BE CAUSE FOR REJECTION OF BIDS. 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.

Joe Boggs

SIGNATURE

Joe Boggs & Associates, Inc

COMPANY

5-25-12

DATE

REV. 11/96

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

# Request for Quotation

| RFQ NUMBER | PAGE |
|---|---|
| WWV12886 | 1 |

ADDRESS CORRESPONDENCE TO ATTENTION OF:
PAUL REYNOLDS
304-558-0468

VENDOR
*223130422 304-345-1396
JOE BOGGS & ASSOCIATES INC
1703 WOODVALE DR

CHARLESTON WV 25314

SHIP TO
WORKFORCE WEST VIRGINIA
OFFICE OF ADMIN. SUPPORT-5302

112 CALIFORNIA AVENUE
CHARLESTON, WV
25305-0112 304-558-2631

| DATE PRINTED | TERMS OF SALE | SHIP VIA | F.O.B. | FREIGHT TERMS |
|---|---|---|---|---|
| 06/05/2012 | | | | |

BID OPENING DATE: 06/14/2012 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|---|
| | ADDENDUM NO. 2 | | | | | |
| | ANSWER TO TECHINCAL QUESTIONS ATTACHED. | | | | | |
| | BID OPENING DATE CHANGED | | | | | |
| | FROM: 06/07/12 @1:30 P.M. | | | | | |
| | TO: 06/14/12 @1:30 P.M. | | | | | |
| | NO OTHER CHANGES | | | | | |
| 0001 | | LS | | 961-48 | $81.30 | $73,170.00 |
| | MANDATORY DRUG SCREENING SERVICES | | | | | |
| | ****** THIS IS THE END OF RFQ WWV12886 ****** TOTAL: | | | | | $73,170.00 |

RECEIVED
2012 JUN 14 PM 1:1
WV PURCHASING DIVISION

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

| SIGNATURE | TELEPHONE | DATE |
|---|---|---|
| Joe Boggs | 304-345-1396 | 6/11/12 |
| TITLE CEO | FEIN 55-066-4639 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

**RESPONSES TO TECHNICAL QUESTION RECEIVED FROM**
**WWV 12886**
Addendum 2

**Q1.** Are there peak times of utilization expected or will the anticipated 900 applicants be more evenly distributed?

**A1. Based on 2011 figures, peak times are anticipated to be January and August. Utilization will be steady for the remainder of months, with the exception of June and April being the least.**

**Q2.** With a requirement of a "walk-in, 8-5 site"the RFQ seems restricts this to brick and mortar providers such as clinics or hospitals. Is there a time frame and procedure for reporting results to insure timeliness to meet enrollment dates?

**A2. Yes, as per (l)-"The successful vendor will inform the participant of drug screen results via US Postal Service within 48 hours after collection of specimen for negative results." Internal guidelines instruct case managers as to how to refer the client and complete necessary paperwork to enroll the client on ITA/OJT contracts.**

**Q3.** What are the requirement/expectations to keep this HIPPA covered information confidential given that internet databases frequently breeched and/or hacked?

**A3. WorkForce West Virginia is not a health care provider as it is not providing the actual drug testing for patient treatment, but for forensic purposes. WorkForce is also not a health plan or a healthcare clearinghouse. Because WorkForce is not a healthcare provider that bills electronically, is not a health plan and is not a healthcare clearinghouse, it is not covered by HIPAA. Additionally, WorkForce proposes to perform drug testing for its own reasons and is not doing it on behalf of a HIPAA covered entity, so it is not a HIPAA business associate.**

**Although WorkForce West Virginia is not a HIPAA covered entity, WorkForce does expect the successful vendor to maintain safeguards in compliance with all applicable federal and state regulations governing personally identifiable information (PII), including protected health information (PHI). As permitted in these regulations, the vendor will be liable for any breach of sensitive information.**

**Q4.** How many times will the "select individuals" access an applicant's information.

**A4. As needed for reporting purposes**

**Q5.** Is it possible to qualify with a full time toxicologist on contract, as opposed to an employee?

**A5. Yes. As long as they are employed by the vendor, it can.**

**Q6.** Will the cost per test need to include the cost for re-test for all challenged results?

**A6. The initial test should include the costs for confirmatory tests should they be necessary. However, if tests are challenged, WFWV can be charged for a retest.**

**Q7.** Will there be any provisions for referral to resources or assistance (ie. DOT, SAP) to resolve drug issues for those with a positive result? If not that appears fairly short sighted when looking at developing a solid workforce for WV.

**A7. All clients will receive information on substance abuse counseling.**

**Q8.** There is a very strict procedure for drug testing result records maintenance with-in most sections. The RFQ references DOT regulations at one point, but those regulations are obviously not incorporated into the scope of this RFQ.

**A8. We understand DOT's requirement of five years retention however our request for six years is based on WFWV's federally mandated document retention time.**

**Q9.** Regarding the test for synthetic narcotics; are there specific drugs you wish to target with a synthetic narcotics screen? There are a great number of synthetic narcotic medications that must be individually identified on the ordered drug testing panel, some of which will affect test cost.

**A9 The definition for Synthetic Narcotics will encompass Hydrocodone/Hydromorphone as well as Oxycodone/Oxymorphone.**

**Q10.** The RFQ states that "The successful vendor must be certified by the Substance Abuse and Mental Health Services Administration (SAMHSA)" and that "All facilities utilized by the successful vendor must be SAMHSA certified". SAMHSA only certifies laboratories, not administrators or collection facilities. Is the State asking that a Vendor's laboratory be SAMHSA certified?

**A10. Yes**

**Q11.** Page 9, subsection (g) states that "The successful vendor must adhere to the regulations put for the by the United States Department of Transportation". Many of the requirements as stated in the RFQ are contrary to USDOT regulations. Is it the State's intention to require adherence to USDOT regulations specifically pertaining to the specimen collection process only and not the administrative, test configuration and records retention procedures

**A11. Yes**

**Q12.** In the addendum addressing vendor question # 11 (Please define Synthetic Narcotics?) The answer provided stated: Hydrcodone/Hydromormphone. This excludes Oxycodone/Oxymorphone which are heavily abused substances in West Virginia. Is it the State's intention to exclude Oxycodone/Oxymorphone and only test for Hydrocodone and Hydromorphone?

**A12. The definition for Synthetic Narcotics will encompass Hydrocodone/Hydromorphone as well as Oxycodone/Oxymorphone.**

**Q13.** In several places in the RFQ the word "employ" is used in describing the relationship between the administrator, the laboratory and the MRO. As a third party administrator we contract with SAMHSA certified labs and forensic toxicologists who are indeed employed by those labs. Is this contractor relationship acceptable for the purposes of this RFQ?

**A13. Yes**

**Q14.** The Cutoff level of 2000 ng/ml for Synthetic Opiates as stated in the RFQ is much higher than accepted standards. This will cause many individuals who should test positive for synthetic opiates to produce a negative test. Is it the State's intention to retain the cutoff level for synthetic opiates at the 2000 ng/ml level?

**A14. Yes, we are using SAMHSA recommended cutoff levels, which was raised from 300 ng/mL to 2,000 ng/mL in 1998 in order to avoid false positives from poppy seeds.**

**Q15.** Also, do you wish to test for substances such as K2, Spice, or Bath Salts? (synthetic Marijuana and Cocaine) These substances are in a separate class from synthetic narcotics and can affect test cost.

**A15. No**

**Q16.** The listed cutoff level for testing opiates and synthetic narcotics is 2000 ng/ml. SAMHSA-certified labs utilize DOT-recommended cutoff levels of 2000 ng/ml for Opiates. However, for synthetic narcotics the cutoff level is much lower. Is the lower cutoff level of 300 ng/ml for synthetic narcotics acceptable for this bid?

**A16. Cutoff level on RQF will remain at 2000ng/ml. See response to Q 26.**

EXHIBIT 10

REQUISITION NO.: NWV 12886

ADDENDUM ACKNOWLEDGEMENT

I HEREBY ACKNOWLEDGE RECEIPT OF THE FOLLOWING CHECKED ADDENDUM(S) AND HAVE MADE THE NECESSARY REVISIONS TO MY PROPOSAL, PLANS AND/OR SPECIFICATION, ETC.

ADDENDUM NO.'S:

NO. 1 ✓

NO. 2 ✓

NO. 3 ✓

NO. 4 ✓

NO. 5 ✓

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Joe Bopp
SIGNATURE

Joe Bopp & Associates Inc
COMPANY

6/11/12
DATE

REV. 11/96

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

# Solicitation

| NUMBER | PAGE |
|---|---|
| WWV12886 | 1 |

ADDRESS CORRESPONDENCE TO ATTENTION OF:
PAUL REYNOLDS
304-558-0468

VENDOR
*223130422 304-345-1396
JOE BOGGS & ASSOCIATES INC
1703 WOODVALE DR

CHARLESTON WV 25314

SHIP TO
WORKFORCE WEST VIRGINIA
OFFICE OF ADMIN. SUPPORT-5302

112 CALIFORNIA AVENUE
CHARLESTON, WV
25305-0112 304-558-2631

DATE PRINTED
06/07/2012

BID OPENING DATE: 06/14/2012 BID OPENING TIME 01:30PM

| LINE | QUANTITY | UOP | CAT. NO. | ITEM NUMBER | UNIT PRICE | AMOUNT |
|---|---|---|---|---|---|---|
| | | | ADDENDUM NO. 3 | | | |
| | ANSWER TO TECHNICIAL QUESTIONS ATTACHED. | | | | | |
| | BID OPENING DATE AND TIME REMAINS 06/14/12 @1:30 P.M. | | | | | |
| | NO OTHER CHANGES | | | | | |
| 0001 | | LS | | 961-48 | $81.30 | $73,170.00 |
| | MANDATORY DRUG SCREENING SERVICES | | | | | |
| | ****** THIS IS THE END OF RFQ WWV12886 ****** | | | | TOTAL: | $73,170.00 |

| SIGNATURE | TELEPHONE | DATE |
|---|---|---|
| | 304-345-1396 | 6/11/12 |
| TITLE CEO | FEIN 550664639 | ADDRESS CHANGES TO BE NOTED ABOVE |

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

## ADDITIONAL TERMS AND CONDITIONS

**Various Legislative acts passed in the 2012 session require inclusion of certain provisions in all state contracts. Accordingly, this addendum will add the three provisions listed below to the solicitation and resulting contract entered into between the State of West Virginia and the vendor. In the event that the solicitation is not for construction or architectural/engineering work, sections 2 and 3 below will not apply.**

1. **BACKGROUND CHECK:** In accordance with W. Va. Code § 15-2D-3, the Director of the Division of Protective Services may require any service provider whose employees are regularly employed on the grounds or in the buildings of the Capitol complex or who have access to sensitive or critical information to submit to a fingerprint-based state and federal background inquiry through the state repository.

   After the contract for such services has been approved, but before any such employees are permitted to be on the grounds or in the buildings of the Capitol complex or have access to sensitive or critical information, the service provider shall submit a list of all persons who will be physically present and working at the Capitol complex to the Director of the Division of Protective Services for purposes of verifying compliance with this provision.

   The State reserves the right to prohibit a service provider's employees from accessing sensitive or critical information or to be present at the Capitol complex based upon results addressed from a criminal background check.

2. **SUBCONTRACTOR LIST SUBMISSION:** In accordance with W. Va. Code § 5-22-1, The apparent low bidder on a contract for the construction, alteration, decoration, painting or improvement of a new or existing building or structure valued at more than $500,000.00 shall submit a list of all subcontractors who will perform more than $25,000.00 of work on the project including labor and materials. This provision shall not apply to any other construction projects, such as highway, mine reclamation, water or sewer projects.

   a. **Required Information.** The subcontractor list shall contain the following information:

      I. Bidder's name
      II. Name of each subcontractor
      III. License numbers as required by W. Va. Code § 21-11-1 et. seq.

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 exceed 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: Joe Boggs & Associates, Inc.

Authorized Signature: Joe Boggs Date: 6-4-2012

State of West Virginia

County of Kanawha, to-wit:

Taken, subscribed, and sworn to before me this 4 day of June, 2012.

My Commission expires Sept 1, 2018.

**AFFIX SEAL HERE**

OFFICIAL SEAL
JACKQULINE WILLIAMS
NOTARY PUBLIC
STATE OF WEST VIRGINIA
707 Virginia Street East
Charleston, WV 25301-2705
My Commission Expires Sept. 1, 2018

**NOTARY PUBLIC** Jackqueline Williams
707 Virginia St
Charleston, WV 25301