



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

WWV12886

PAGE

1

ADDRESS CORRESPONDENCE TO ATTENTION OF:

PAUL REYNOLDS
304-558-0468

*719125926 304-344-8378
DRUG TESTING CENTERS OF AMERICA
100 LEE ST WEST

CHARLESTON WV 25302

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	FOB	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	\$ 73	\$ 65,700
				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.						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE

Julia Barker

TELEPHONE 304-344-8378

DATE 05/24/2012

TITLE VP of Operations

FEIN 27 1631636

ADDRESS CHANGES TO BE NOTED ABOVE

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

RECEIVED

2012 MAY 29 AM 10:08

WV PURCHASING
DIVISION



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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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.</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>						
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE <i>Julia Barker</i>				TELEPHONE 304-344-8378	DATE 05/24/2012	
TITLE VP of Operations		FEIN 27-1631636		ADDRESS CHANGES TO BE NOTED ABOVE		

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05/10/2012				
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LINE	QUANTITY	UOP	QAT 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 PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST 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: RFQ. NO.:						
				PAUL REYNOLDS	FILE 43	
				WWV12886		

SIGNATURE <i>Julia Barker</i>		TELEPHONE 304-344-8378	DATE 05/24/2012
TITLE VP of Operations	FEIN 27-1631636	ADDRESS CHANGES TO BE NOTED ABOVE	

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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: 304-344-0069						

CONTACT PERSON (PLEASE PRINT CLEARLY): Julia Barker						

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:						\$ 65,700
SEE REVERSE SIDE FOR TERMS AND CONDITIONS						
SIGNATURE Julia Barker			TELEPHONE 304-344-8378		DATE 05/24/2012	
TITLE VP of Operations		FAX 27-1631636		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 be 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.

- 7
- (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 sealed 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: \$ 73 per test for 900* tests per year = \$ 65,700.

*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.

Attachment 1

WorkForce West Virginia Field Office Listing

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

**DRUG TESTING CENTERS OF AMERICA-CHARLESTON
100 LEE STREET WEST
CHARLESTON, WV 25302
PHONE: 304-344-8378, FAX: 304-344-0069**

RE: WWV12886

If awarded the contract associated with RFQ number WWV12886 Drug Testing Centers of America agrees to comply with all specifications of said RFQ.

Scope of Services

Drug Testing Centers of America shall provide drug testing services in accordance with the required specifications, to include the following:

- 1) We shall utilize Medtox Laboratories as the SAMHSA certified laboratory to test all specimens for the substances and concentrations mandated in the RFQ. Dr. Daniel Drew and Dr. John Tetrack of Nationwide Medical Review shall serve as the Medical Review Officers and shall review all results submitted.
- 2) All employees and agents utilized by Drug Testing Centers of America will adhere to the regulations put forth by the United States Department of Transportation in regards to the collection, transportation, and testing of all specimens.
- 3) We will have locations available for walk in clients throughout the State of West Virginia. These locations will be available Monday through Friday between the hours of 8:00 am and 5:00 pm.
- 4) We shall ensure that clients referred by WFWV have a valid Drug Test Authorization Form, signed by a representative of WFWV and shall ensure that no drug tests are given after the date established on said form.

- 5) We shall inform each 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. Each test result shall be clearly marked as Pass or Fail.
- 6) An internet-based database of the test results will be maintained to include the following information: client name, address, social security number, and the test results. Confidential access to this database shall be established for designated WFWV employees. We agree to maintain these records for the time periods specified.
- 7) We have established testing/collections sites within 20 miles of each of the WFWV local offices as shown on Attachment I and upon award of the contract resulting from this RFQ will provide WFWV with a list of those testing facilities along with all other pertinent information. We shall be able to provide services at all locations specified with this RFQ within fifteen (15) days of being awarded a contract.
- 8) Drug Testing Centers of America agrees that the only costs associated with this RFQ will be the per test fee and will be based on the actual number of tests conducted and there will be no fees for rejected specimens. Detailed, itemized invoices for tests completed will be submitted to WFWV on a monthly basis as required.

Experience and Qualifications

- 1) Drug Testing Centers of America is a drug and alcohol testing company that has demonstrated its' expertise and experience in drug and alcohol testing for five (5) years and is an active member of Drug and Alcohol Testing Industry Association (DATIA).
- 2) Personnel are required to follow all collection protocols as mandated by The Department of Transportation and have completed training requirements as mandated in 49 CFR Part 40.



Drug Testing Centers AMERICA



Full-Service-Occupational-Health

www.drugtestingcenters.com

245 Main Street
Paintsville, Kentucky 41240
Office: 606-788-8378 (TEST)
Toll Free: 866-788-9191
Fax: 606-788-0259

100 Lee Street West
Charleston, West Virginia 25302
Office: 304-344-8378 (TEST)
Toll Free: 888-838-3787
Fax: 304-344-0069

FAX TRANSMITTAL FORM

To: Purchasing Division
Name: Paul Reynolds
CC:
Phone:
Fax: 304-558-3970

From: Julia Barker
Date Sent: 6/4/12

Number of Pages: 5

Please see the attached Addendum on WWV12886 for the bid submitted on 5/24/12 by Drug Testing Centers of America-Charleston Corporation.

**Thank you
Julia Barker**

RECEIVED
2012 JUN -5 AM 8:45
**WW PURCHASING
DIVISION**

CONFIDENTIALITY NOTICE: This message is intended only for the addressee and may contain information that is privileged, confidential and/or proprietary information. If you are not the intended recipient, do not read, copy, retain or disseminate this message or any attachment. If you have received this message in error, please notify the sender immediately and delete all copies of this message and any attachment. Neither this transmission of this message or any attachment, nor any error in transmission or delivery shall constitute a waiver of any applicable legal privilege.



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LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
			ADDENDUM NO. 1			
	ANSWER TO TECHNICAL QUESTIONS ATTACHED.					
	ADD: EXHIBIT 11					
	BID OPENING DATE CHANGED					
	FROM: 05/30/12 @1:30 P.M.					
	TO: 06/07/12 @1:30 P.M.					
0001	15		961-48	MANDATORY DRUG SCREENING SERVICES		
***** THIS IS THE END OF RFQ WWV12886 ***** TOTAL: _____						

SIGNATURE

Julia A. Barker

TELEPHONE

304-344-8378

DATE

6-4-12

TITLE

VP - Operations 27-1631636

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.: RFQ WWV 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 ☐

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.

Julia A. Barker
SIGNATURE
Drug Testing Centers of America
COMPANY
6/4/12
DATE

Drug Testing Centers



AMERICA

Full-Service-Occupational-Health**www.drugtestingcenters.com**

100 Lee Street West
Charleston, West Virginia 25302
Phone: 304-344-8378
Toll Free: 888-838-3787
Fax: 304-344-0069

FAX TRANSMITTAL FORM

To:
Name:
CC:
Phone:
Fax:

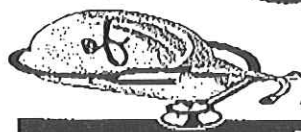
From: *Sanley*
Date Sent:
Number of Pages:

Message

*Faxed to me on 5/28/12
see last page instructions.*

CONFIDENTIALITY NOTICE: This message is intended only for the addressee and may contain information that is privileged, confidential and/or proprietary information. If you are not the intended recipient, do not read, copy, retain or disseminate this message or any attachment. If you have received this message in error, please notify the sender immediately and delete all copies of this message and any attachment. Neither this transmission of this message or any attachment, nor any error in transmission or delivery shall constitute a waiver of any applicable legal privilege.

Drug Testing Centers



AMERICA

Full-Service-Occupational-Health

www.drugtestingcenters.com

245 Main Street
Paintsville, Kentucky 41240
Office: 606-788-8378 (TEST)
Toll Free: 866-788-9191
Fax: 606-788-0259

100 Lee Street West
Charleston, West Virginia 25302
Office: 304-344-8378 (TEST)
Toll Free: 888-838-3787
Fax: 304-344-0069

FAX TRANSMITTAL FORM

To: Workforce West Virginia
Name: Paul Reynolds
CC:
Phone:
Fax: 304-358-3970

From: Julia Barker
Date Sent: 6/12/12
Number of Pages: 14

Paul, I am submitting the three signed Addendums for bid number WWV12886 that was previously submitted by Drug Testing Centers of America.

Julia Barker

RECEIVED
2012 JUN 12 PM 3:37
WW PURCHASING
DIVISION

CONFIDENTIALITY NOTICE: This message is intended only for the addressee and may contain information that is privileged, confidential and/or proprietary information. If you are not the intended recipient, do not read, copy, retain or disseminate this message or any attachment. If you have received this message in error, please notify the sender immediately and delete all copies of this message and any attachment. Neither this transmission of this message or any attachment, nor any error in transmission or delivery shall constitute a waiver of any applicable legal privilege.



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

Solicitation

NUMBER

WWV12886

PAGE

1

ADDRESS CORRESPONDENCE TO ATTENTION OF

PAUL REYNOLDS
304-558-0468

VENDOR

*719125926 304-344-8378
DRUG TESTING CENTERS OF AMERICA
100 LEE ST WEST

CHARLESTON WV 25302

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

OPENING DATE

06/14/2012

BID OPENING TIME 01:30PM

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

SIGNATURE

Julia Barker

TELEPHONE

304-344-8378

DATE

6/12/12

VP of Operations

FEIN

27-1631636

ADDRESS CHANGES TO BE NOTED ABOVE

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

Answers to Technical Question for WWV12886
Addendum 3

Please change the response to Question 16 on Addendum 2

FROM:

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 Q26.

TO:

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.

TECHNICAL QUESTIONS WILL NOT BE ACCEPTED AFTER June 7, 2012.

ADDITIONAL TERMS AND CONDITIONS ATTACHED.

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.

iv. Notation that no subcontractors will be used if the bidder will perform the work

b. **Submission.** The completed subcontractor list shall be provided to the Purchasing Division within one business day of the opening of bids for review. Failure to submit the subcontractor list within one business day after the deadline for submitting bids shall result in disqualification of the bid.

c. **Substitution of Subcontractor.** Written approval must be obtained from the Purchasing Division before any subcontractor substitution is permitted. Substitutions are not permitted unless:

- I. The subcontractor listed in the original bid has filed for bankruptcy;
- II. The subcontractor in the original bid has been debarred or suspended; or
- III. The contractor certifies in writing that the subcontractor listed in the original bill fails, is unable, or refuses to perform his subcontract.

3. **GREEN BUILDINGS MINIMUM ENERGY STANDARDS:** In accordance with § 22-29-4, all new building construction projects of public agencies that have not entered the schematic design phase prior to July 1, 2012, or any building construction project receiving state grant funds and appropriations, including public schools, that have not entered the schematic design phase prior to July 1, 2012, shall be designed and constructed complying with the ICC International Energy Conservation Code, adopted by the State Fire Commission, and the ANSI/ASHRAE/IESNA Standard 90.1-2007: *Provided*, That if any construction project has a commitment of federal funds to pay for a portion of such project, this provision shall only apply to the extent such standards are consistent with the federal standards.



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
WWV12886

PAGE
1

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

*719125926 304-344-8378
DRUG TESTING CENTERS OF AMERICA
100 LEE ST WEST

CHARLESTON WV 25302

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	FOB	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 TECHNICAL 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		
				MANDATORY DRUG SCREENING SERVICES		
				***** THIS IS THE END OF RFQ WWV12886 ***** TOTAL:		

SIGNATURE <i>Julia Barker</i>		TELEPHONE 304-344-8378	DATE 6/12/12
TITLE VP of Operations		FEIN 27-1631636	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 (I)-"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 HIPAA 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: Hydrocodone/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 ug/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.: ... WWV 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

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.

Julia Barker
SIGNATUREDrug Testing Centers of America
COMPANY6/12/12
DATE



State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 60130
Charleston, WV 25305-0130

WV PURCHASING AGO SECT Fax 304-550-4115

May 25 2012 10:32am P001/004

Request for
Quotation

WV12886

PAUL REYNOLDS
304-558-0668

*719125926 304-344-8378
DRUG TESTING CENTERS OF AMERICA
100 LEE ST WEST

CHARLESTON WV 25302

WORKFORCE WEST VIRGINIA
OFFICE OF ADMIN. SUPPORT-5302

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

DATE PRINTED 05/24/2012		ITEM TERMS OF SALE 06/07/2012		BID OPENING TIME 01:30PM	
LINE	QUANTITY	UNIT	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	961-68	MANDATORY DRUG SCREENING SERVICES		
***** THIS IS THE END OF RFQ WV12886 ***** TOTAL:					
SIGNATURE: Julia A. Barker					
TITLE: VP - Operations				TELEPHONE: 304-344-8378	DATE: 6-4-12
ADDRESS CHANGED TO BE NOTED ABOVE					

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

WV PURCHASING ACO SECT Fax 304-550-4116

May 26 2012 10:32am P002/004

ADDENDUM NO. 1

2

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?

WV PURCHASING ACA SECT Fax 304-550-4115

May 25 2012 10:42am P003/004

3

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

WV PURCHASING AEA SECT Fax 304-558-4115

May 25 2012 10:32am P004/004

4

EXHIBIT 10

REQUISITION NO.:...RFQ WWV 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

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
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INFORMATION ISSUED IN WRITING AND ADDED TO THE
SPECIFICATIONS BY AN OFFICIAL ADDENDUM IS BINDING.


SIGNATUREDrug Testing Centers of America
COMPANY6/4/12
DATE

REV. 11/96

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 SIGNATUREVendor's Name: Drug Testing Centers of America- CharlestonAuthorized Signature: *Julia Barker* Date: 05/24/2012State of KentuckyCounty of Johnson, to-wit:Taken, subscribed, and sworn to before me this 24th day of May, 2012.My Commission expires OCTOBER 30, 2012.NOTARY PUBLIC *[Signature]*