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

## Request for Quotation

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

- 1. Awards will be made in the best interest of the State of West Virginia.
- 2. The State may accept or reject in part, or in whole, any bid.
- 3. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$125 fee.
- 4. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods this Purchase Order/Contract becomes void and of no effect after June 30.
- 5. Payment may only be made after the delivery and acceptance of goods or services.
- 6. Interest may be paid for late payment in accordance with the West Virginia Code.
- 7. Vendor preference will be granted upon written request in accordance with the West Virginia Code.
- 8. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
- 9. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
- 10. The laws of the State of West Virginia and the Legislative Rules of the Purchasing Division shall govern the purchasing process.
- 11. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
- 12. BANKRUPTCY: In the event the vendor/contractor files for bankruptcy protection, the State may deem this contract null and void, and terminate such contract without further order.
- 13. HIPAA BUSINESS ASSOCIATE ADDENDUM: The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, is available online at www.state.wv.us/admin/purchase/vrc/hipaa.htm and is hereby made part of the agreement. Provided that the Agency meets the definition of a Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
- 14. CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures, and rules. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf.
- 15. LICENSING: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, and the West Virginia Insurance Commission. The vendor must provide all necessary releases to obtain information to enable the director or spending unit to verify that the vendor is licensed and in good standing with the above entities.
- 16. ANTITRUST: In submitting a bid to any agency for the State of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the State of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the State of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the State of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

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

#### **INSTRUCTIONS TO BIDDERS**

- 1. Use the quotation forms provided by the Purchasing Division. Complete all sections of the quotation form.
- 2. Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as EQUAL to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
- 3. Unit prices shall prevail in case of discrepancy. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
- 4. All quotations must be delivered by the bidder to the office listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications. Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. Box 50130, Charleston, WV 25305-0130

5. Communication during the solicitation, bid, evaluation or award periods, except through the Purchasing Division, is strictly prohibited (W.Va. C.S.R. §148-1-6.6).



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SIGNATURE

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

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#### **SCOPE OF WORK – TECHNICAL SPECIFICATIONS**

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

#### **Vendor Requirements**

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

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

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

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

The vendor shall be required to name the software or internet-based result reporting proposed for use under this contract in the bid. Failure to submit a bid using approved software or to name such software in the bid shall result in rejection of the bid.

13. The vendor shall ensure that strict rules of confidentiality are maintained at all times. All test results and material acquired shall become the property of the WVDOT and the State of West Virginia. The custody and control form and the

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

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

#### Confidentiality

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

#### **Ownership of Materials Developed**

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

#### **Implementation**

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

Exhibit I

#### **TESTING LOCATIONS**

## <u>District One</u> -1334 Smith Street, Charleston, WV 25301 (304) 558-3001

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

## <u>District Two</u> – 801 Madison Avenue, Huntington, WV 25712 (304) 528-5625

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

### <u>District Three</u> – 624 Depot Street, Parkersburg, WV 26101 (304) 420-4595

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

### <u>District Four</u> – Meadowbrook Road, Clarksburg, WV 26302 (304) 842-1500

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

#### <u>District Five</u> – US 50, Burlington, WV 26710 (304) 289-3521

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

## <u>District Six</u> – 1 DOT Drive, Moundsville, WV 26041 (304) 843-4000

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

### <u>District Seven</u> - 255 Depot Street, Weston, WV 26452 (304) 269-0414

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

### <u>District Eight</u> - US Route 219 North, Elkins, WV 26241 (304) 637-0220

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

### <u>District Nine</u> - 103 1/2 Church Street, Lewisburg, WV 24901 (304) 647-7450

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

## <u>District Ten</u> – 270 Hardwood Lane, Princeton, WV 24740 (304) 487-5228

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

#### **ADDITIONAL LOCATIONS**

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

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

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

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

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

#### **BID COST**

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

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

		<u>Usage</u>	Total Cost	<u>Extension</u>
1.	Drug Screening After hours	<u>2000</u> <u>30</u>		
2.	Alcohol Testing After hours	800 20	and or the second second	****
3.	Expert Witness Testimony			
	Collector Testimony	10		
	Deposition	10		
	Expert Witness Testimony	10		···
4.	Laboratory Litigation Packages	2	•	
5.	Clinics ( <u>total cost</u> , i.e. charge for clinic + cost of test)	100	With the state of	
6.	Blind Specimens	54		
7.	No-Show Charges	20	<del></del>	
8،	Emergency Service Rates	12		
			Total	\$
Inc	ude the name of the software or	internet-based	d result reporting:	

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