

**COUNTY OF TANEY - MISSOURI**



**Request for Proposal  
For  
Drug Screening Services**

**Taney County, Missouri**

**RFP #201101-118 – Drug Screening Services**

**Release Date:  
January 5, 2011**

**Submittal Deadline:  
February 3, 2011  
Not later than 3:00 p.m. Central Time**

**Taney County Purchasing  
132 David Street  
P.O. Box 1630  
Forsyth, MO 65653**

**Linda Gifford, Purchasing Agent  
Phone: 417-546-7281 Fax: 417-546-7280  
E-mail: [lindag@co.taney.mo.us](mailto:lindag@co.taney.mo.us)**

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**INSTRUCTIONS AND GENERAL CONDITIONS**

- 1) **Delivery of Proposals:** Sealed proposals, subject to Instructions and General Conditions and any special conditions set forth herein, will be received at the Taney County Purchasing Office until the proposal closing date and time indicated herein for furnishing the County with services as detailed in the following request for proposal.
  
- 2) **Proposal Closing Date:** All proposals shall be **delivered before 3:00P.M.**, Central Time, on **February 3, 2011** to:

Taney County Purchasing Department  
Linda Gifford, Purchasing Agent  
132 David Street  
P.O. Box 1630  
Forsyth, MO 65653

**Proposal Public Opening Date: Proposals will be opened publicly at 9:00a.m. on February 7, 2011, but only names of offerors will be read aloud.**

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- 3) The County will not accept any proposals received after 3:00P.M and will return such late proposals to the Offeror.
  
  - 4) Offerors must submit one (1) original and three (3) copies of the proposal (total of four). Proposals will be opened publicly at 9:00a.m. on February 7, 2011 but only names of offerors will be read aloud. All proposal responses will be considered public information and following contract execution or rejection of all proposals, all responses will become a part of public record and will be released to any person or firm that requests it.
  
  - 5) Proposals must be submitted in a sealed envelope identified with the proposal number and date of closing. List the proposal number on the outside of the box or envelope and note "Response to Request for Proposal enclosed".
  
  - 6) If you do not care to submit a proposal, please return the *No Bid Response Page* and note your reason. No fax or electronic transmitted proposals will be accepted.
  
  - 7) If you have obtained this proposal document from our Web Page or from another source than the Taney County Purchasing Department, please check with our office prior to submitting your proposal to ensure that you have a complete package. The Purchasing Department cannot be responsible for providing addenda if we do not have you on our Vendor list for this proposal.

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- 8) This County is not responsible for any expenses which proposers may incur in preparing and submitting proposals called for in this Request for Proposals.
  
- 9) The County reserves the right to conduct personal interviews or require presentations of any or all proposers prior to selection. The County will not be liable for any costs incurred by the proposer in connection with such interviews/presentations (i.e. travel, accommodations, etc.)
  
- 10) All proposals submitted shall be binding for ninety (90) calendar days following the opening.
  
- 11) Taney County reserves the right to reject any or all proposals, when such rejection is in the best interest of the County.
  
- 12) Bid may be awarded to one company or multiple companies; when such award is in the best interest of the County.

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**INTRODUCTION AND GENERAL INFORMATION**

**Introduction:**

- 1) This document constitutes a request for competitive, sealed proposals for the provision of employee drug and alcohol testing services as set forth herein.
- 2) Organization – This document, referred to as Request for Proposal (RFP), is divided into the following parts:
  1. Instructions and General Conditions
  2. Instructions and General Information
  3. Scope of Services
  4. Evaluation and Award Process

**Guideline for Written Questions:**

- 1) All questions regarding this Request for Proposal shall be submitted in writing, **prior to the proposal opening** and no later than **5:00 p.m., Wednesday, January 19, 2011**. All questions must be mailed, faxed or emailed to the attention of Linda Gifford, Purchasing Agent. All such questions will be answered in writing, and such answers will be provided to all parties having obtained a Request for Proposal packet by the County by posting the addendum on the County Web site at [www.taneycounty.org](http://www.taneycounty.org) (select Current Bid Notices). Submit questions to:

**Linda Gifford  
Taney County Purchasing Agent,  
PO Box 1630  
132 David Street  
Forsyth, MO 65653**

- 2) In the event that it becomes necessary to revise any part of this RFP, written addenda will be issued. Any addendum to this RFP is valid only if in writing and issued by the Taney County Purchasing Department. Please check with our office prior to submitting your proposal to ensure that you have a complete package.
- 3) Timeline: The County anticipates a contract award following the evaluation of the proposal responses within 60 days from the RFP opening date. These dates are provided for informational purpose and may change as requirements dictate.

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- 4) Sunshine Laws: Due to applicable sunshine laws and regulations concerning public documents, the County's proposal file becomes part of public record at the time of contract execution or when all proposals are rejected.

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**SCOPE OF SERVICES**

**1. Purpose and Background Information:**

Taney County invites proposals to obtain the services of a qualified firm to provide Department of Transportation (DOT) and non- Department of Transportation (DOT) alcohol and drug collection and testing services for the County of Taney, in accordance with the requirements of all applicable federal and state statutes and the following specifications. Prices must remain firm for the period of one year beginning from the award of a contract.

The County of Taney has approximately 280 full time employees. The County has approximately 70 DOT employees and approximately 155 non- DOT employees The County will require the provider to conduct approximately 175 random, post-accident, pre-employment, reasonable suspicion, return to duty, and follow up drug and alcohol tests annually. These quantities represent estimated usage and should not be considered guaranteed quantities actual usage may be more or less depending upon demand. Testing will be on an as-needed if-needed basis.

**2. Proposal Format:**

All vendors must submit their response to the bid specifications in the following format. Failure to follow the specified format may result in the proposal being deemed non-responsive and subject to immediate rejection.

**1. Cover Letter**

The proposal must include a cover letter which introduces the vendor and provides a highlight of their experience in relation to the proposed services.

**2. Executive Summary**

The vendor will include an executive summary which will provide the highlights of vendor's response, unique qualifications of the vendor and any information which will assist the selection committee in evaluating the vendor's submittal.

**3. Letter of Transmittal**

The vendor will include a Letter of Transmittal which will contain the following information:

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- a) Statement indicating the company which will be providing the services required in the RFP and indicating any subcontractors which will be utilized.
- b) Statement indicating the point of contact for RFP clarification or additional information.
- c) Statement indicating the person authorized to legally obligate the vendor.
- d) Provide complete contact information to include name, address, phone, fax, and e-mail address for the contact person.
- e) The letter of Transmittal must contain Statements affirming:
  - 1. **Statement of No Inducement:** A statement certifying that no attempt has been made or will be made by the respondent to induce any other person or firm to submit or not to submit a bid with regard to this RFP. Furthermore this is to certify that the bid contained herein is submitted in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other non-competitive bid.
  - 2. **Statement of No Investigation/Conviction:** A statement certifying that the bidder, it's affiliates, parent company, subsidiaries, officers, directors, subcontractors, and employees are not currently under investigation by any governmental agency and have not in the last five years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or the performance of any public contract.

**4. Vendor Experience**

The vendor will include all relevant history and experience in providing the proposed services. Work history will be specific to the proposed services in the corrections industry. Experience in similar correctional or industry services can not be substituted.

**5. Vendor References**

The Taney County Purchasing Office is interested in contacting and verifying references from other facilities similar in size and scope to Taney County. The vendor will provide the name of reference, contact person and contact phone number

**6. General Requirements:**

- 6.1 The contractor shall provide drug and alcohol testing and related services for the county of Taney in accordance with the provisions and requirements stated herein.

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- 6.2 The contractor shall provide testing services to enable the requesting county agency's compliance with the Omnibus Transportation Employee Testing Act of 1991 (the "Act"), and its amendments, which mandates random drug and alcohol testing of county agency employees required to hold Commercial Driver's Licenses (CDLs). The contractor shall also provide testing for pre-employment, post-accident, reasonable suspicion, return-to-duty, and follow-up testing of county agency employees required to hold Commercial Driver's Licenses.
- 6.3 At the request of the county agency, the contractor shall also conduct post-accident drug and alcohol testing for any county employee and pre-employment drug testing for any prospective or new hire employee.
- 6.4 The contractor shall comply with all confidentiality requirements established in the Act and as otherwise stated herein. The contractor shall release the results of testing only to the county employee being tested and the county agency.
- 6.5 The contractor shall provide services on an as needed, if needed basis at any time 24 hours per day, seven days a week, including federal and state holidays as requested by the state agency. The contractor shall agree and understand that the County of Taney may participate in the contract, but that the contract does not require mandatory participation by the county.
- 6.6 The contractor shall understand and agree that the County of Taney does not guarantee a minimum or maximum number of tests.
- 6.7 The contractor shall provide all materials, supplies, and equipment necessary to successfully perform the services required herein, including but not necessarily limited to, specimen collection and identification supplies, test tubes, labels, reagents, shipping containers, split specimen containers, etc.
- a. All testing equipment, materials, and supplies used by the contractor must meet accuracy and reliability standards and requirements as established by the Federal Department of Transportation (DOT), Federal Department of Health and Human Services (HHS), and the Missouri Department of Health and Senior Services.
- 7.0 **Alcohol Testing Requirements:** In accordance with the Act and at the request of the state agency, the contractor shall conduct alcohol testing services.
- 7.1 The contractor's EBT must be on the Conforming Products List (CPL) of the National Highway Traffic Safety Administration (NHTSA) for both screening



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and confirmation alcohol tests.

- 7.2 When conducting alcohol tests, the contractor shall provide a Breath Alcohol Technician (BAT) meeting the training and qualification requirements of 49, CFR, Part 40.213.
- 7.3 The contractor shall immediately notify the County of a Breath Alcohol Confirmation test finding of 0.02 or greater.”
- 7.4 The contractor shall conduct all screening and testing in accordance with the Federal DOT alcohol testing regulations and procedures
- a. In the event the Federal DOT reviews and revises its alcohol testing regulations and procedures, the contractor shall, at that time, expand its alcohol testing option (e.g., use a blood testing procedure) upon the mutual agreement of the contractor and the County of Taney.

8.0 **Drug Testing Requirements:** In accordance with the Act and at the request of the state agency, the contractor shall conduct drug testing services.

8.1 The contractor shall provide a five (5) panel drug screen using current procedures as approved by the Federal HHS and the Federal DOT. The contractor shall test the collected urine specimens for detection of all the following five (5) drugs:

1. *Amphetamines/Methamphetamines/MDMA (ecstasy)*
2. *Marijuana (THC)*
3. *Cocaine*
4. *Opiates*
5. *Phencyclidine (PCP)*

8.2 The contractor shall provide a ten (10) panel drug screen upon request of the state agency. The contractor shall test the collected urine specimens for detection of all the following ten (10) drugs (please specify if panel screen is different than listed below):

1. *Benzodiazpines*
2. *Marijuana (THC)*

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3. *Amphetamine*
4. *Phencyclidine (PCP)*
5. *Barbiturates*
6. *Methadone*
7. *Cocaine*
8. *Opiates*
9. *Methaqualone*
10. *Propoxyphene*

- 8.3 The contractor's laboratory, or the laboratory utilized by the contractor, must be certified by the Federal HHS per Federal DOT regulations.
- 8.4 The contractor must report all Medical Review Officer (MRO) verified positive test results to the County of Taney.
- a. If a county employee challenges a positive test result, the contractor shall send the split specimen to a second lab for re-testing.
  - b. The contractor shall conduct confirmation drug tests on positive test results as mandated by Federal DOT regulation and shall follow the same procedures for non-federal DOT mandated tests.
- 8.5 The contractor shall ensure that the collectors are qualified in accordance with Federal DOT regulations. If requested by the county, the contractor shall provide proof to the county of a collector's qualifications.
- 9.0 ***Random Testing Requirements:***
- 9.1 The contractor shall develop and administer procedures and protocols for random drug and alcohol testing as mandated by Federal DOT regulation. The contractor shall select individuals for testing, conduct the test, notify appropriate authorities regarding test results, and otherwise operate the random testing system in a manner that complies with the Act.
- 9.2 Updates to the County's random testing pool, as well as random selections shall be sent electronically to the county agency.
- 9.3 The contractor shall conduct random drug, alcohol, non-DOT and DOT testing

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at a designated location at the Taney County Courthouse. If provider does not provide mobile services, collection site (s) shall be convenient to County employees and applicants. Please explain process.

- 9.4 The contractor shall explain the options on pre-employment and post-accidental screenings. On site or in office – Please explain your process and price savings (if any) to the County.
- 9.5 The contractor must collect all specimens in accordance with the Federal DOT requirements outlined in 49 CFR Part 40.
- a. The contractor must use a Federal Custody and Control Form (CCF) for DOT drug tests and a Federal Alcohol Testing Form (ATF) for DOT alcohol tests. For non-DOT tests, a non-DOT CCF and ATF must be used.
  - b. The contractor shall collect all specimens (non-federal and federal) as split samples.

11.0 ***Training Requirements:***

- 11.1 The contractor shall provide a training workshop to the County Human Resources Department, at the request of the county, in accordance with the requirements of 49 CFR 382.603 et seq. on the topics of alcohol and drug abuse. The contractor shall also provide CDL driver training, at the request of the county, in accordance with the requirements of 49 CFR 382.601. The contractor shall provide all materials, supplies, and professional trainers.
- 11.2 The scheduling and site location of workshops shall be mutually agreed upon by the requesting county agency and the contractor.
- 11.3 The workshops shall cover the physical, behavioral, speech, and performance indicators on probable/suspected use of alcohol and/or drugs. Each workshop shall contain topics that meet training requirements specified in the Act.
- 11.4 The contractor must furnish a certificate of workshop completion to each participant who has completed each workshop.
- 11.5 The county agency shall have the right to cancel a scheduled workshop, without incurring liability, financial or otherwise, by providing the contractor with notice of its intent to cancel at least ten working days prior to the date on which the workshop is scheduled to begin.

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12.0 ***Medical Review Officer Requirements:***

12.1 The contractor shall provide a Medical Review Officer (MRO) who must be a licensed physician (M.D. or D.O.) knowledgeable in areas of drug abuse and toxicology procedures to review the results of all drug tests. The qualifications and performance of the MRO must be in compliance with 49 CFR Part 40.

13.0 **Expert Witness Testimony Services:**

If requested by the County, the contractor shall provide expert testimony and witness services by qualified professionals (e.g., pathologists, biochemists, etc.) with technical expertise concerning specimen test results, chain of custody procedures, and any other aspect of the services required herein as deemed necessary in a court proceeding. Please list all costs associated.

14.0 **Reporting Requirements:**

14.1 If requested by the Federal DOT for audit purposes, the County of Taney must submit detailed records of their alcohol and drug abuse prevention program to the Federal DOT. Therefore, if requested by the county, the contractor shall provide any necessary information and data to the county that will aid the county in submitting the required records to the Federal DOT.

14.2 If requested by the County, the contractor must provide the County with an annual MIS report and semi-annual lab report on DOT drug tests.

14.3 If requested by the County, the contractor shall provide copies of maintenance reports kept on the breath alcohol testing equipment used, including a description of what is checked for and how often maintenance is done (see the following website for the blank reports:  
<http://www.dhss.mo.gov/Lab/BreathAlcohol/Forms.html>).

***Pricing:***

Provide unit prices for each component of the drug screening services plus any and all monthly service costs/charges associated with the service. The County will not pay for charges not specifically itemized and/or addressed in this proposal. Please list pricing for random, post-

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accident, pre-employment, reasonable suspicion, return to duty, and follow up drug and alcohol tests. Please list pricing for mileage if mobile unit applies.

***Invoicing and Payment Requirements:***

Invoicing – The contractor must submit an itemized monthly invoice to the county for services provided during the previous month.

- a. The contractor may submit the invoice via email.
- b. The County of Taney does not pay federal excise and sales tax on direct purchases of tangible personal property. Exemption number 12495816.

Payment:

Taney County reserves the right to make payment for goods and/or services with a County credit card without incurring any additional fees from the vendor.

***Non-Exclusivity:***

The Contract is non-exclusive and shall not in any way preclude the County from entering into similar agreements and/or arrangements with other vendors or from acquiring, equal or like goods and/or services from other entities or sources.

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**EVALUATION AND AWARD PROCESS:**

Taney County will evaluate provider's proposals based upon technical capability, site location (s), account management/administration, and cost. The following ranking indicates the priority and weight of each of these evaluation criteria elements:

Rating value

1. Technical 25%
2. Site 20%
3. Account Management/Administration 25%
4. Cost 30%

All proposals will be evaluated by an evaluation team consisting of several members of the County's Personnel along with County Purchasing Agent. The provider or providers deemed to have proposals within the competitive range will be contacted for negotiations, if negotiations are deemed necessary. Once negotiations and BAFO's are completed, the evaluation team will make a recommendation to the County Commission.

**AWARDS**

- A. Unless otherwise stated in the Request for Proposal, cash discounts for prompt payment of invoices will not be considered in the evaluation of prices, if part of the proposal. However, such discounts are encouraged to motivate prompt payment.
- B. As the best interest of the County may require, the right is reserved to make awards; to reject any and all proposals or waive any minor irregularity of technicality in proposals received.
- C. Awards will be made to the Proposer whose proposal (1) meets the specifications and all other requirements of the Request for Proposal and (2) is the best proposal, considering price, responsibility of the Proposer and all other relevant factors in the criteria for award.

**OPEN COMPETITION**

It is the intent and purpose of the Purchasing Department that the Request for Proposal permits free and open competition. However, it shall be the Proposer's responsibility to advise the Purchasing Department if any language, requirements, etc., or any combination thereof, inadvertently restricts or limits the requirement to a single source or otherwise prohibits the submission of a proposal. The notification should be received by the Purchasing Department at least three days prior to the Request for

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Proposal closing date and time. The Proposer may submit a notification after the proposal closing provided sufficient time is permitted for a thorough review by the Purchasing Department and/or Evaluation Committee and its decision will be final.

Contract Renewal

The original contract period shall be as stated in the Request for Proposal (RFP). The contract shall not bind, nor purport to bind, the County for any contractual commitment in excess of the original contract period. The County shall have the right, at its sole option, to renew the contract for three (3) additional one-year periods, or part thereof. In the event the contract is renewed, all terms, conditions, and provisions of the original contract shall remain the same and apply during the renewal period.

Early Termination

The County reserves the right to cancel the contract with thirty (30) days written notice and seek new bids/proposals at any time for cause or convenience. Cause may be defined as, but not limited to, failure to satisfactorily continue to meet the minimum qualification requirements/capabilities outlined in this document. Cancellation for cause will result in the provider being deemed non-responsible and may result in the rejection of any future bids/proposals by the provider.

Missouri Immigration Law Affidavit. The bidder is informed pursuant to Section 285.530, of the Missouri Revised Statutes as a condition of the award of any contract in excess of five thousand dollars (\$5,000.00) the successful bidder shall by sworn affidavit and provision of documentation, affirm the business entity is enrolled and participating in a federal work authorization program with respect to its employees who work in connection with the contracted services. To that end, the bidder will furnish a signed affidavit (attached) affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. If you are an Individual/Proprietorship, then you must return the attached Certification of Individual Bidder.

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STATE OF MISSOURI     )  
  ) ss  
COUNTY OF TANEY     )

**AFFIDAVIT**

(as required by Section 285.530, Revised Statutes of Missouri)

As used in this Affidavit, the following terms shall have the following meanings:

**EMPLOYEE:**

Any person performing work or service of any kind or character for hire within the State of Missouri.

**FEDERAL WORK AUTHORIZATION PROGRAM:**

Any of the electronic verification of work authorization programs operated by the United States Department of Homeland Security or an equivalent federal work authorization program operated by the United States Department of Homeland Security to verify information of newly hired employees, under the Immigration Reform and Control Act of 1986 (IRCA), P.L. 99-603.

**KNOWINGLY:**

A person acts knowingly or with knowledge,

- (a) with respect to the person's conduct or to attendant circumstances when the person is aware of the nature of the person's conduct or that those circumstances exist; or
- (b) with respect to a result of the person's conduct when the person is aware that the person's conduct is practically certain to cause that result.

**UNAUTHORIZED ALIEN:**

An alien who does not have the legal right or authorization under federal law to work in the United States, as defined in 8 U.S.C. 1324a(h)(3).

BEFORE ME, the undersigned authority, personally appeared \_\_\_\_\_, who, being duly sworn, states on his oath or affirmation as follows:

1. My name is \_\_\_\_\_ and I am currently the President of \_\_\_\_\_ (hereinafter "Contractor"), whose business address is \_\_\_\_\_, and I am authorized to make this Affidavit.



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2. I am of sound mind and capable of making this Affidavit, and am personally acquainted with the facts stated herein.
  
3. Contractor is enrolled in and participates in a federal work authorization program with respect to the employees working in connection with the following services contracted between Contractor and \_\_\_\_\_:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.
  
4. Contractor does not knowingly employ any person who is an unauthorized alien in connection with the contracted services set forth above.
  
5. Attached hereto is documentation affirming Contractor's enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services.

Further, Affiant saith not.

\_\_\_\_\_

[printed name], Affiant

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_

Notary Public  
State of Missouri

My Commission Expires:  
Commissioned in \_\_\_\_\_ County  
Commission # \_\_\_\_\_

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*PLEASE NOTE:*

Acceptable enrollment and participation documentation consists of the following 2 pages of the E-Verify Memorandum of Understanding:

1. A valid, completed copy of the first page identifying the Contractor; and
2. A valid copy of the signature page completed and signed by the Contractor, and the Department of Homeland Security - Verification Division

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**“NO BID RESPONSE FORM”**

NOTE: COMPLETE AND RETURN THIS FORM ONLY IF YOU DO NOT WANT TO  
SUNBIT A BID

**If you do not wish to respond to this bid request, please fill this form out and return it to  
the Purchasing Department by mail or fax.**

**If you would like to FAX this “NO Bid” Response Form to our office, the FAX number is  
(417) 546-7280.**

**BID: #201101-118 Drug Screening Services**

**Business Name:** \_\_\_\_\_

**Address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Contact:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Reason(s) for not bidding:**

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