

Solicitation Amendment No. 001

To: Prospective Bidder/Offeror:	Date:
Prospective Proposers	December 11, 2019
Project Title:	Project No.:
Drug Testing & Medical Examination Services	RFP-C 20-11

Description of Solicitation Amendment: The Request for Proposal (Project RFP-C No. 20-11) is hereby amended as set forth below:

1. Proposal submittal due date has been changed from December 16, 2019 by 2:00 pm (local time) **to December 17, 2019 by 2:00 pm (local time).**

2. The following items have been removed in its entirety. (as per below)

Item b, of Sub-Section 3.2, Contractors Responsibilities on Page No. 9 of 36,

~~The Contractor shall be required to conduct certified collections to include three-minute rapid screen results (upon request) for drug tests as outlined within the US DOT specifications (49 CFR Part 40) regarding drug testing, with laboratory confirmation for all non-negative results, as directed by HCC. (See the link below for US DOT specifications (49 CFR Part 40) <https://www.transportation.gov/part40>~~

Item h, of Sub-Section 3.2, Contractors Responsibilities on Page No. 10 of 36,

~~The Contractor shall provide a motor carrier / school representative in accordance with TRC Section 643.064. (Transportation Code) Available to view on the following link: <http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.643.htm>~~

3. The following has been added. (as per below)

Item h, of Sub-Section 3.2, Contractors Responsibilities on Page No. 10 of 36,

The Federal Motor Carrier Safety Administration (FMCSA) does not have a "school" category, so we will be testing a pre-employment, non-DOT drug test, and a DOT drug test once they receive their Commercial Learns Permit (CLP). In some cases, a student will have a CLP or Commercial Driver's License (CDL) when entering school, so there will be a Department of Transportations (DOT) drug test.

4. Page 29 of 36, Exhibit No. 1, Sample Master Service Agreement, Section No. 10, Insurance, Sub-section No. 10.1.7, Insurance Coverage, has been revised to include the following, "Professional Liability Coverage: \$1,000,000 per occurrence".
5. Questions and answers have been released (below and attached hereto).

Please visit our website at <https://www.hccs.edu/about-hcc/procurement/>

Except as provided herein, all terms and conditions of the solicitation remain unchanged and in full force and effect.

Acknowledgement of Amendment No. by:	Date:
Company Name (Bidder/Offerer):	
Signed by:	
Name (Type or Print):	Title:

REQUEST FOR PROPOSAL
PROJECT NO. RFP-C 20-11
DRUG TESTING & MEDICAL EXAMINATION SERVICES

QUESTIONS AND ANSWERS No. 1

Date: December 11, 2019
To: Prospective Respondents
From: Procurement Operations Department, Houston Community College
Subject: Questions and Answers Responses

- Q1. Motor Carriers: Page 10, "h" states, The Contractor shall provide a motor carrier / school representative in accordance with TRC Section 643.064. (Transportation Code) Available to view on the following link: <http://www.statutes.legis.state.tx.us/Docs/TN/htm/TN.643.htm>

The link only elaborates "(6) "Motor Carrier" means an individual, association, corporation, or other legal entity that controls, operates, or directs the operation of one or more vehicles that transport persons or cargo over a road or highway in this state."

As a provider of drug tests (and/or medical exams), I don't understand why the contractor would need to provide a vehicle operator? It seems that the motor carriers are the ones we'd be testing. Can you give more clarification/elaboration?

Response: Please refer to Solicitation Amendment No. 1, Line Item No. 2.

- Q2. Page No. 9 of 36, Sub-Section 3.2, Contractors Responsibilities, Item b, states,

The Contractor shall be required to conduct certified collections to include three-minute rapid screen results (upon request) for drug tests as outlined within the US DOT specifications (49 CFR Part 40) regarding drug testing, with laboratory confirmation for all non-negative results, as directed by HCC. (See the link below for US DOT specifications (49 CFR Part 40) <https://www.transportation.gov/part40>

DOT does not allow rapid drug screens for DOT testing. All DOT testing should be lab based. Rapid testing is allowable for NON DOT urine drug screens. Please clarify?

Response: Please refer to Solicitation Amendment No. 1, Line Item No. 2.

- Q3. HCC specifies in RFP Section 3.1, paragraph F, that "Contractor shall be required to be listed in the US DOT FMCSA National Registry of Certified Medical Examiners", does this statement intend that Third Party Administrators who are partnered with Collection Center, Lab, and MRO providers who are listed, but whom may not be themselves listed directly, need not apply to this RFP?

If a service provider of Drug and Occupational Medical Screening utilizes only providers who are FMCSA Certified when performing Collection, Lab, and/or MRO services, does this address the requirement?

EXAMPLE: Vendor uses LabCorp. LabCorp is listed in US DOT FMCSA Registry. If so then the statement "Contractor, and/or Contractor's provider performing Drug and Medical testing shall be required to be listed.

Response: Yes, this is acceptable. Contractors may partner with registered certified collection labs.

- Q4. Related to the requirements for Contractor, Page 17 of 36, Paragraph 13 Equal Opportunity Employer (EOE) states "Furthermore, all persons performing work under this contract must be an employee of the company." Does this requirement mean to exclude any Contractor who relies upon a defined network of non-company vendor partnerships for executing portions of the Contractor's overall solution?

Example: Contractor uses Concentra Network partner to perform the specified Drug Screen Collection and Physicals only portion of Contractor services. Can a Contractor who uses non-company provider networks participate in this HCC RFP effort?

Response: This is acceptable if a Contractor subs with a lab that meets all requirements of this RFP. It is preferred that our employees have a "one stop shop", physicals and drug test available at same location or time.

- Q5. Per "Pricing Proposal" page 12 of 36 and the table marked 2. Total Cost, Item No. 1 through 5. Should this Unit Cost be stated per each or per 100 qty. as indicated by page 9 of 36 Section 3.1 Placing Orders, which specifies both Unit Cost and Extended Total for 100 qty.?

Response: Section 3.1, Placing Orders, is a sample format of information that will be provided on the P.O. by HCC.

- Q6. After the first year term, and per any of the following one year term, if there was an industry increase for pricing, what is the contractual vehicle to address price changes, up or down, over the 5 total potential term?

Response: The Contractor is responsible to forecast future price increases and factor in the final unit cost.

- Q7. Please clarify if a completed Form 1295 is or is not required for this RFP per page 17 of 36, Section 10, "A completed Form 1295 is not required for: (1) an institution of higher education. Does the "an institution of higher education;" refer to HCC as the Issued By, or the vendor as the Issued to party?

Response: A governmental entity or state agency may not enter into certain contracts with a business entity does not submit a disclosure of interested parties. Please see link - https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

- Q8. Does HCC require the Attachment No 4 "Conflicts of Interest Form" specified on page 22 of 36 to be executed and submitted BEFORE the RFP response is submitted per it's statement "This form must be received by HCC Office of System wide Compliance before the vendor's bid proposal" or should this notarized form be signed and returned as part of Bidders response to RFP?

Response: Provide Attachment No. 4, signed dated and notarized along with all other attachments as part of your final proposal response.

Q9. Who is the current supplier providing these services?

Response:

1. **Dr. Patricia H. Janke, MD PA**
2. **Foley Carrier Services**
3. **Work Well, PLLC**

Q10. What is the current price paid for 5 panel DOT lab based urine tests and DOT physical exams?

Response:

- a.) **5-Panel DOT drug screening - \$35.00 to \$50.00**
- b.) **Physical examinations - \$50.00 to \$60.00**

Q11. What was the total spend for 2018 and expected for 2019 for these services?

- a. # of 5 panel DOT urine tests
- b. # of DOT physical exams

Response: Approximately \$60,000 annually.

Q12. For the FMCSA Clearinghouse which starts on January 6, 2019:

- a. Will provider be responsible for conducting Full and Partial Queries for drivers to be compliant with new FMCSA rules? If so, Houston Community College would have to purchase the queries from FMCSA and elect provider as CTPA to use the queries.
- b. Will costs associated with running the Queries be part of quote?
- c. Will provider be responsible for inputting test results into the Clearinghouse?

Response:

- a.) **Yes to both questions. HCC, will require all queries to be recorded.**
- b.) **Yes, the Contractor shall capture all cost inclusive in its proposal response.**
- c.) **Yes.**

Q13. What is frequency of testing?

- a. Was said there are 24 classes per year with 12 students per class. How often would testing be required?

Response: Tests are required almost daily. HCC may have evening and weekend classes in addition to 24 regular classes. HCC prefers that the Contractor also test during the week and open on Saturday without an extra fee.

Q14. How will Houston Community College let provider know about when testing will be needed? Will students call lab to set up appointments or will HCC contact lab?

Response: HCC will send students with authorization and/or scheduled appointment. It would be beneficial to have both.

Example: A student walks in to register for a class that starts tomorrow, an HCC representative will send them immediately to be tested and physical, for those that register in advance we could schedule at their convenience

Q15. Can DOT physicals be done by appointment?

Response: Yes.

Q16. Should 5 panel urine testing include confirmation and MRO?

Response: Yes.

Q17. Could testing be conducted on a mobile basis at the school on specific dates?

Response: HCC has never used mobile drug testing services that since HCC does not have a separate restrooms to conduct the test. Mobile services may require a minimum number of test for an onsite service. Drug testing onsite after a person receives their CLP or CDL would be acceptable. We are open to considering solutions.

Q18. Please clarify the required drug screen panels to be performed. A DOT drug screen, by default, is a send out (not instant) 5 panel test. Is this the only required drug screen or are others required?

Response: DOT drug screening for truck driving only.

Q19. Is a specific lab required for DOT drug screens? We currently use Alere laboratory for our DOT drug screens which includes our MRO services. Presuming DOT guidelines are followed, is Alere acceptable?

Response: Yes, providing all DOT criteria is met.

Q20. During the pre-proposal meeting, there was mention that the vendor awarded the contract would need to serve as the TPA. Please clarify if this is the case and if so what that specifically entails?

Response: Third Party Administrator (TPA), is a term being used with the new Drug and Alcohol Clearinghouse see the following link:

<https://www.fmcsa.dot.gov/regulations/drug-alcohol-testing/what-are-consortiumthird-party-administrators>

Q21. Is the vendor awarded the contract required to be a member of the FMCSA Clearinghouse? I see that Employers have the ability to designate a TPA within the Clearinghouse. Would we be designated to the Clearinghouse by HCC if we are awarded the contract?

Response: Yes to both questions.

Q22. Would we be required to enter DOT drug screen results and DOT physical exam results into the Clearinghouse if we are awarded the contract?

Response: Yes.

Q23. Would we be required to follow up with individuals who are tested regarding positive drug screens and/or certification expirations?

Response: Yes.

Q24. Would we be required to search the Clearinghouse for previous failures or issues that occurred in other states? Or would we only be responsible for reporting the testing performed by our organization?

Response: Refer to Question No. 1.

Q25. Under the insurance requirements, please clarify what the insurance for product/completed ops is as stated in 10.1.4?

Response: Service or Product: In this case, referring to service completed or on going operation of service. The \$2,000,000 Product Aggregate falls under the \$1,000,000 General Liability Coverage. See Solicitation Amendment No. 1, Line Item No. 3.

Q26. How shall the vendor awarded the contract know who is authorized for testing?

Response: HCC needs a process in place either paper or electronic to make sure the student is authorized by HCC and HCC will be responsible for paying for that student.

Q27. How shall the vendor awarded the contract be expected to send results to HCC?

Response: Yes, HCC needs it electronic or by fax, prefer electronic.

Q28. Are there any reporting requirements for the vendor to provide to HCC?

Response: All reporting required by FMCSA.

Q29. If awarded the contract, would the vendor be required to provide after-hours drug testing?

Response: Preferred but not required, HCC needs a place to drug test for post-accident since we run classes at night and weekends.

Q30. How much was the last contract for this service with your previous vendor?

Response: Work was spread across several vendors.

Q31. How many students was enrolled in the truck driving program in the 2018-2019 academic year and calendar year?

Response: Over 1200 enrolled students, per academic year. A lot of our students HCC trains, work for companies that are trained for their motor pool. These companies do not require HCC to provide drug testing. Other companies come to HCC requesting drug testing only for their employees.

Q32. Has there been any compliance issues that have come up in the past?

Response: None.

Q33. What processes or issues in the drug testing process would you like to see resolved?

Response: Responses that include innovations which may make the process more efficient.

Q34. Are all the test will be DOT TEST? Or Non DOT As Well?

Response: DOT, 5 panel.

Q35. Does the Prime Contractor have to be insured and the covers the Sub-Contractors?

Response: The prime contractor and any sub-contractor must meet HCC's insurance requirements.

Q36. Are Alcohol test required for POST ACCIDENTS?

Response: Yes.

Q37. Are Return to Duty and Follow-up Testing included this RFP?

Response: Include as additional services.

Q38. The understanding is that this for the students in the trucking program. Will this RFP also cover the teachers and other staff that hold CDL's?

Response: Truck driving students only.

Q39. Mentioned on Page 9 Section 3.2 b in the RFP, does the program currently include instant (immediate result) drug testing and if so for what reason?

Response: No.

Q40. Is any of the testing completed on-site at the school, or is it all completed at the testing facilities?

Response: No, not at present. But the College is open to learning more about on-site testing.

Q41. Is there a need for Saturday testing for the DOT drug tests or physicals, or any afterhours testing (outside of Mon-Fri 8am to 5pm)? – On-site or at the testing facility.

Response: Preferred but not required.

Q42. What is the current vendor charging for the DOT drug test and the DOT FMCSA physical?

Response: Refer to Question No. 10.

Q43. Please clarify section 3.2 h (page 10) in the RFP: The Contractor shall provide a motor carrier / school representative in accordance with TRC Section 643.064. Please clarify?

Response: Refer to Solicitation Amendment No.1, Line Item 2.

Q44. DOT Drug Screening is only a 5-panel. However on page 12, the Pricing Proposal in section 2 Total Cost, lists a DOT 10-panel, DOT 12-panel and DOT 21-panel. First, I would like to confirm this is supposed to be NON-DOT. And second, I'd like a list of the drugs HCC would like screened for each.

Response: No, 10-panel, 12-panel and 21-panel stated line items are DOT drug screening. A drug list is not available at this time.

Q45. On page 1, Instruction 1.9 says to submit Exhibit No. 1 Sample HCC Master Services Agreement. If it is just a SAMPLE agreement, is it required that we fill it out/sign it? Or are we just sending it back blank as it is?

Response: HCC, request suppliers to review the attached, sample master services agreement and to respond by signing the signature page and returning with their response agreeing to the terms and conditions as stated herein.

When issued, "Questions & Answers" shall automatically become a part of the solicitation documents and shall supersede any previous specification(s) and/or provision(s) in conflict with the Questions & Answers. All revisions, responses, and answers incorporated into the Questions & Answers are collaboratively from both the Procurement Operations and the applicable HCC Department(s). It is the responsibility of the bidder/respondent to ensure that it has obtained all such letter(s). By submitting a bid on this project, bidders/respondents shall be deemed to have received all Questions & Answers and to have incorporated them into this solicitation and resulting proposal response.

· Furthermore, it is the responsibility of each Contractor to obtain any previous Questions & Answers associated with this solicitation

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