DEPARTMENT OF
BUDGET & MANAGEMENT

MARTIN O'MALLEY
Governor

ANTHONY BROWN
Lieutenant Governor

T. ELOISE FOSTER
Secretary

DAVID C. ROMANS
Deputy Secretary

Q&A's Set #1
Invitation for Bid (IFB)
FORENSIC TOXICOLOGY DRUG TESTING LABORATORY (FTDTL)
PROJECT NO. F10B9200023
May 15, 2009

Ladies/Gentlemen:

This list of Questions and Responses #1 is being issued to clarify certain information contained in the above referenced IFB. The statements and interpretations of IFB and contract requirements that are stated in the following questions of potential bidders are not binding on the State, unless the State expressly amends the IFB. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any potential bidder's statement or interpretation of IFB and contract requirements.

1. Question: Who is the current vendor?
Answer: Kroll Laboratory Specialists, Inc.

2. Question: What is the current pricing for the following?
Price per Initial Immunoassay Screening.
Price per GC/MS Confirmation.
Fully Loaded Hourly Rate for Expert Preparation & Testimony.
Answer: Price per Initial Immunoassay Screening is $7.85.
Price per GC/MS Confirmation is $17.45.
Fully Loaded Hourly Rate for Expert Preparation & Testimony is $125.00 per hour.

3. Question: Are MRO services required for negative, positive, tests or both?
Answer: No MRO services are required under this contract**.**

4. Question: Will the fees from the MRO be billed separately?
Answer: See response to question #3 above.

5. Question: Will there be any DHHS/DOT testing included in this bid?
Answer: As referenced in Section 2.2.1, the laboratory is required to adhere to the Mandatory Guidelines for Federal Workplace Drug Testing Programs published by the Department of Health and Human Services in testing specimens under this solicitation. None of the testing

required under this IFB applies to specimens collected under the Department of Transportation Procedures for Transportation Workplace Drug Testing Program (49 CFR, Part 40).

6. Question: Who is the current vendor for these services?
Answer: See response to question #1 above.

7. Question: What fees are in the current contract?
Answer: See response to #2 above.

8. Question: Effective May 2010 the DHHS/SAMHSA laboratories will be permitted to utilize Liquid Chromatography / Mass Spectrometry (LC/MS) as an alternative to GC/MC which is in full compliance with the Mandatory Guidelines for Federal Workplace Drug Testing Programs & federal testing regulations 49 CFR Part 40 (DHHS Federal Register November 25, 2008) . Additionally effective May 2010, cutoff levels for federal workplace drug testing for cocaine and amphetamines will be reduced from the present cocaine 300/150 ng/mL to 150/100 ng/mL. Amphetamines will be reduced from the present 1000/500 ng/mL to 500/ 250 ng/mL and there will be the addition of MDMA (Ecstasy) to the federal workplace testing panel. The IFB indicates the contract will run approximately five years.

Will the State of Maryland recognize and permit confirmation testing via LC / MS when permitted for HHS /SAMHSA laboratories effective May 2010?

Answer: No, the State will not recognize and permit confirmation testing via LC/MS. The Code of Maryland Regulations (COMAR 17.04.09 – Attachment J) specifies confirmation testing by GC/MS. A link to this COMAR reference is included in the IFB as Attachment J. Should the COMAR regulations change, the State may seek a contract modification or issue a change order, if necessary.

9. Question: Additional question from the submitter of question #8 above**,** will the State of Maryland reduce its cutoff levels to those levels of metabolites scheduled for reduction effective May 2010?
Answer: No, the State will not reduce its cutoff levels to those levels of metabolites scheduled for reduction effective May 2010. Should the COMAR regulations change, the State may seek a contract modification or issue a change order, if necessary. See response to question #8.

10. Question: Does the Collection Contractor provide all supplies for specimen collection except the CCFs which are provided by the FTDTL?
Answer: The Collections Contractor provides all supplies for specimen collection except the CCFs which are provided by the FTDTL.

11. Question: Who is the current provider for this service?
Answer: See response to question #1 above.

12. Question: What is the current pricing?
Answer: See response to question #2 above.

13. Question: Who is the current vendor providing the requested services?
Answer: See response to question #1 above.

14. Question: What is the current fee schedule for the requested services?
Answer: See response to question #2 above.

15. Question: Section 1.32 (Page 13) - If non-visual access is not a component of a bidder's online reporting system, does this disqualify a bidder?
Answer: The non-visual access provision has been deleted in its entirety via Amendment #2, dated and released 5/4/2009.

16. Question: Section 2.2.1 (Pages 15 and 16) - The initial test (screening levels) for Barbiturates and Benzodiazepines (200 ng/mL) are not industry standards. Industry standard screening levels are 300 ng/mL. Are initial tests (screening levels) of 200 ng/mL for Barbiturates and Benzodiazepines acceptable?
Answer: Initial screening levels of 200 ng/mL are required for Barbiturates and Benzodiazepines under this IFB.

17. Question: Section 2.2.2 (Page 17) - There are multiple report delivery methods indicated. Fax reporting is required. There is also an indication of a secure web-based solution for reporting. Is there a required electronic data interface that is required or is a bidder's online reporting system an acceptable method of reporting in lieu of an electronic data interface?
Answer: Reports will be submitted using a secure web based file transfer solution provided by DBM. This will provide end-to-end file encryption without end-user involvement or third party encryption programs. No additional charges or licensing will be required for authorized end users accessing the secure file transfer application from the Internet. Section 2.2.2 has been revised via Amendment #4, item 4, dated and released 5/15/2009.

18. Question: Section 2.4 (Page 20) - The indication is that Contractor invoices must be signed. This is not industry standard. Typical invoices include the PO #, Contractor's Federal Tax ID # and Contractor's mailing address. Will the State of Maryland accept invoices that are not signed by the Contractor? This would necessitate a manual process for handling of invoices prior to mailing
Answer: Yes, the State will accept invoices that are not signed. The State has amended this requirement via Amendment #2, dated and released 5/4/2009.

19. Question: Attachment L (Page 75) - Are you able to provide the Zip Code for the collection sites identified on Pages 75-78?
Answer: Yes. A revised Attachment L was issued simultaneously with Amendment #2 dated and released 5/4/2009.

20. Question: Our laboratory is bidding on a contract to perform workplace drug testing for Maryland employees. I understand that Maryland has a law that all testing must be conducted at laboratories certified by the Maryland Department of Health and Mental Hygiene. We are CAP-FUDT and SAMHSA certified. Is there an application process?
Answer: Maryland law requires laboratories to be certified by the Maryland Department of Health & Mental Hygiene**,** Office of Health Care Quality. Additionally**,** Laboratories must be in compliance with applicable standards of the State and locality in which the laboratory is located and ensure that CLIA certification exists for all clinical laboratory

services performed on behalf of the State. The State has amended IFB Section 2.2.1 in order to reflect this update and has incorporated the change into Amendment #4, item 3 dated and released 5/15/2009.

The CLIA application can be found on the website www.cms.hhs.gov/clia.
For information pertaining to the permit process for the State of Maryland, you may contact, the Coordinator for Laboratory Licensing & Surveying Office of Health Care Quality, sarahbennett@dhmh.state.md.us.

Date Issued: May 15, 2009

By <signed>.
Mike Yeager
Procurement Officer