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Secretary

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Deputy Secretary

**Q & A's #1 to
Invitation for Bids (IFB)
Specimen Collection Project No. F10B8200005
October 19, 2007**

Ladies/Gentlemen:

The Department of Budget and Management has received the following questions, which are answered for all Bidders to the referenced IFB, below:

1. Question: Since the contractor is responsible for shipping the specimen to the lab, who is the lab and where is it located?

Answer: The lab currently used by the State is Kroll Laboratory Specialists, Inc., located in Gretna, Louisiana.

2. Question: How much is the State of Maryland currently paying for collection services?

Answer: The State is currently paying \$10.61 per collection for regular collections and \$15.91 per collection for emergency collections. However, it is important to note that the requirements for this solicitation have changed with regard to the definition of emergency collections. Given the uncertain current economic climate, the State would expect bids to reflect current market pricing. Moreover, your approach to pricing should consider that making a profit and recovering overhead are dependent upon your prices. Remembering that competition drives prices down and that your need to mitigate risk drives prices up, you have to determine what you want to put into the price bid form (Attachment D).

3. Question: What is the current/projected contract value?

Answer: The projected contract value is \$370K (5 years x \$74K per year). We emphasize that this is a estimate, and is not to be regarded as a minimum or maximum on the contract value.

4. Question: Who is the current contract holder and is their previous winning bid available for review?

Answer: The incumbent is Chesapeake Occupational Health Services, Inc. The per unit prices of Chesapeake Occupational Health Services, Inc. are listed in answer #2. The

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previous bid is available for review subject to a Public Information Act Request. You must contact the Procurement Officer with your request.

5. Question: Please confirm what percentage of the testing if any will be DOT compliant (split tests) or if all of the required tests are NON-DOT (single specimen).

Answer: None of the collections require split specimens; all of the required tests are non-DOT single specimen collections.

6. Question: Attachment A #4 allows us to ask for travel time payment. We ask the State consider mileage reimbursement as well.

Answer: No, mileage reimbursement is not contemplated in the IFB. The State's Contract (Attachment A, item#4, second and third paragraphs) speaks to reimbursed costs associated with the Contractor's employee providing a "deposition or testimony" only.

Specifically, IFB Section 2.2.8 second and third paragraphs state, "If it is necessary for any Contract personnel to provide a deposition or testimony, the Contractor will be paid for each person authorized by the Contract Manager. The Contractor will be paid the hourly rate specified in its Financial Proposal, or a prorated portion thereof rounded off in 15-minute increments, for each hour or increment, that each authorized person spends preparing for and/or providing the actual deposition or testimony. Each authorized person must document the nature and rationale for any billable preparation time, to the satisfaction of the Contract Manager. The Contractor will also be paid the hourly rate, or prorated portion thereof, for all time spent by each authorized person traveling within Maryland to attend a deposition, hearing or court session which is more than 30 miles from the Contract Manager's office in Baltimore. Billing for travel time is only allowed for travel outside the above-prescribed 30-mile radius."

7. Question: Regarding page 15, 2.2.3 we respectfully request that the State reconsider allowing the contractor to refuse scheduling further than three weeks in advance.

Answer: IFB Section 2.2.3 will not be changed. The State is not willing to allow the contractor to refuse to schedule more than three weeks in advance.

8. Question: Regarding page 16, 2.2.3 b. Would the state consider a minimum charge of \$125 for every traveling collection by the contractor, regardless of how many are tested, and also allow the contractor to bill for the full amount of the number scheduled, if cancellation is not done at least 48 hours in advance, in writing? An analysis of the first eight pages of scheduling recaps show that over 35% of the time that a contractor is asked to travel for collection there are nine or fewer performed. With the wage minimums required, archiving of the paperwork for at least three years, scheduling coordination, additional staffing to be "at the ready" for both sexes twenty four hours per day, seven days per week (which incidentally is totally impractical at face value), computer entry of results at the office, minimum insurance requirements, and the disruption to the scheduling of other work, we believe the State can find plenty of justification for this minimal consideration.

Answer: The State will not consider a minimum charge of \$125 for every traveling collection by the Contractor and the State will not allow the contractor to bill for the full amount of the number of tests scheduled regardless of the number of tests performed. The IFB seeks bids based on per unit pricing for the tests performed. All bidders should consider the above elements when determining their price bid.

9. Question: Regarding page 16, 2.2.3 d. We ask that the State allow the contractor to bill the full amount bid for Emergency Collections once personnel have been dispatched by the contractor to the State collection site. Asking the contractor or personnel to absorb the cost with only a pittance of the compensation for “no shows” we feel is fundamentally unfair if the State thinks it through. Arriving at the site and not performing a collection only lowers the contractor’s cost ever so slightly, for these one at a time, middle of the night collections.

Answer: The State will not modify the IFB as requested. All bidders should consider the above elements when determining their price bid.

10. Question: Regarding page 22, 2.7 we ask that the State consider a fuel escalation provision that allows the Contracting Officer the latitude to award additional fair compensation to the Contractor for unforeseen escalation in fuel cost, without going back to the State’s bureaucracy asking for permission for same.

Answer: The State is not willing to modify the IFB as requested. All bidders should consider the above elements when determining their price bid.

11. Question: On an average, a Mobile Testing Agency (contractor) bills out their personnel at considerably more per shift, than historical daily totals to the State for drug collection. As such we ask that the State consider a “waiting fee” consideration to be added to the bid for times when it is more convenient to the state for our personnel to wait around during the day at a fraction of our normal production. Often the Contractor is asked to stay for eight hours or more with the promise of ten or fifteen collections during the entire period. Normal production is about ten people per hour.

Answer: The State is not willing to modify the IFB as requested. All bidders should consider the above elements when determining their price bid.

12. Question: According to DOT collections guideline mentioned in the contract as reference (49CFR part 40) direct observation is to be performed if “the collector observed materials brought to the collection site or the employee’s conduct clearly indicated an attempt to tamper with a specimen” . What happens if the collector’s gender is different from the employees? 2.2.5.H states that we are responsible for having the same gender collector. May we ask the State for a direct observation fee for a two person team to meet this requirement?

Answer: As noted in Section 2.2.5H, direct observed collections “shall only be made with specific authorization from the ATR or the MRO”. When a direct observation is required, the Contractor will be given advance notice of specific gender requirements. The State is not willing to modify the IFB as requested.

13. Question: We ask that the State stop adding additional collection sites and in fact consider reducing the number of sites currently on the list, by analyzing their historical usage. We know the contract administrator is under considerable pressure to add new sites and we ask the State top management to give the administrator the backing needed to reverse the number thereby possibly lowering cost for all concerned.

Answer: No, the State must reserve the right to add collection sites as needed.

14. Question: Are the State Agencies requesting the applicants not to use the rest room for a couple hours in advance of testing to lower the contractors waiting time?

Answer: No.

15. Question: If two or three jobs are scheduled during the same day and we face a shy bladder situation, what happens to the other jobs scheduled?

Answer: A Bidder must take into consideration that eventuality and be prepared to meet the requirements of the Contract.

16. Question: Would you accept a single collector to do all State mobile drug collections?

Answer: Yes, with the caveat that the contractor must be able to meet all of the State's needs as encompassed by the Contract. The current IFB does not stipulate a limitation on the number of collectors to do the mobile drug collections.

Date Issued: October 19, 2007

By <signed>.
Mike Yeager
Procurement Officer