



Department of Public Safety and Correctional Services

Office of the Secretary

300 E. JOPPA ROAD • SUITE 1000 • TOWSON, MARYLAND 21286-3020
(410) 339-5000 • FAX (410) 339-4240 • TOLL FREE (877) 379-8636 • V/TTY (800) 735-2258 • www.dpscs.state.md.us

DPSCS Q0012004

DRUG TESTING

AMENDMENT #4

August 9, 2011

STATE OF MARYLAND

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ANTHONY G. BROWN
LT. GOVERNOR

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MARYLAND COMMISSION ON
CORRECTIONAL STANDARDS

CORRECTIONAL TRAINING
COMMISSION

POLICE TRAINING
COMMISSION

MARYLAND PAROLE
COMMISSION

CRIMINAL INJURIES
COMPENSATION BOARD

EMERGENCY NUMBER
SYSTEMS BOARD

SUNDRY CLAIMS BOARD

INMATE GRIEVANCE OFFICE

Ladies/Gentlemen:

This Amendment #4 is being issued to change, add or delete certain information contained in the above named IFB. All information contained herein is binding on all Bidders who respond to this IFB. Specific parts of the IFB have been amended and the IFB changes are detailed below. The new language has been **double underlined and marked in bold** and deleted language has been marked with a strikeout (ex. ~~strikeout~~). These markings will help you more easily identify what has changed.

1. Add to IFB Section 1.2 (Abbreviations and Definitions) as item z-1: **“State Laboratory Permit – a current State Laboratory Permit issued by the DHMH-OHCQ.”**
2. Change IFB Section 2.1(1) to read: “Maryland DHMH-OHCQ Permit **Required**: As of the date of Bid submission the Bidder must hold and provide with its Bid a current **State Laboratory Permit issued by the** Maryland DHMH-OHCQ Permit in its name. Or, the Bidder must provide a notification to the Procurement Officer at the time of Bid submission that the Bidder will file and show proof **that is has filed** of filing for this Maryland DHMH-OHCQ permit application (as determined by Maryland DHMH-OHCQ) within five (5) working days of the Bid submission due date **an application with Maryland DHMH-OHCQ for the State Laboratory Permit.**”
3. Delete IFB Section 2.1.2 in its entirety: ~~“The Bidder shall provide at Bid submission a copy of its current and valid Maryland Clinical Laboratory License. If the Bidder is an out of state firm, the Bidder shall submit a comparable Clinical Laboratory License issued by an appropriate authority in which the laboratory is located. The DBM Procurement Officer will review for appropriateness.”~~ This Clinical Laboratory License requirement has been removed.
4. Change/Add IFB Sec 3.2(1)(a), to read:

“The Contractor shall test each urine sample for the presence of **concentration level of** Creatinine and up to four of the following drugs specified by the Department using the EMIT.

1. Opiates
2. Cocaine Metabolites
3. Cannabinoids
4. Benzodiazepines
5. Phencyclidine
6. ~~Methamphetamine~~ Amphetamines
7. Buprenorphine

Each Division – DPP, DOC, DPDS, and Patuxent Institution – will designate the drugs to include in its respective test panel. Each Division has the option to change the four drugs selected for testing from the list four times per year based on each Division’s operational needs. **Additionally, the Project Manager may designate drugs for a specific Division or the Department as a whole.** The Division will notify the Contractor thirty (30) days prior to the change in the selected drug(s) to be tested.”

5. Change IFB Sec 3.2(2)(a), to read: “The Contractor shall test each urine sample for the **level** presence of creatinine in addition to four of seven drugs listed in 3.2(1)(a) as listed above using the EMIT. The Contractor must perform all tests submitted and all required testing, regardless of quantity.”

6. Change IFB Section 3.2(2)(b)(6) to read: “**Amphetamines** ~~methamphetamine~~”

7. Change IFB Section 3.2(4)(a) to read: “The Contractor shall report that a urine sample is positive for a drug when both the initial test and confirmation test show that the drug is present in the urine sample based on the concentration cutoffs identified in section ~~3.22~~(2)(b) of this Scope of Work.”

8. Change/Add IFB Section 3.2(2)(d) to read: **“The Contractor shall maintain a strict chain-of-custody protocol for all specimens following collection in conformance with the law and the requirements of this IFB and industry standards for collection, recordkeeping, chain of custody, and laboratory work for urine specimens and for drug testing and collection.”**

9. Change/Add IFB Section 3.2(4)(c) to read:

“The middleware will enable various Departmental applications to obtain data from the Contractor’s software without knowledge of its database structure. The middleware will issue a web service call to the Contractor’s software and the Contractor’s software will return the requested data to the middleware. **Middleware is an application that will reside within the DPSCS domain. This application will intercept traffic coming from the lab and redirect the activity to the proper systems within DPSCS-ITCD. If changes are made within DPSCS-ITCD, only the middleware application will be affected lessening the impact on external systems.**”

Additionally, the State shall have the capability to query all data from the effective date of the Contract through Contract expiration including all option periods (if exercised). If for any reason, the Contractor’s software cannot successfully provide test results to the State’s middleware beginning on the

Contract effective date, the contractor will fax or email the test results to the appropriate Division representative (as noted in item #5 below) or at the direction of the State's Project Manager. Once initial testing of the State's middleware is completed to the satisfaction of the State as determined by the State's Project Manager, faxing or emailing results will no longer be required."

10. Change/Add IFB Section 3.3(1)(a) to read: "Plastic urine sample wide mouth containers each of which has a mouth with a diameter of at least 1.5 inches and that has a leak proof cap. **The State will also accept wide mouthed specimen bottles with built-in temperature strips.**"

11. Change IFB Section 3.3(1)(c) to read: "Temperature strips capable of indicating temperature readings between 90°-~~100~~ 110°F or **32.2°-37.7°C** ~~32°-38°C.~~"

12. Change IFB Section 3.3(1)(e) to read: "CCF that identify the **specimen and** donor by barcode and that are admissible as evidence in Maryland courts."

13. Change/Add IFB Section 3.3(1)(f) to read: "Security, tamper-evident seals for the sample containers. **Containers may be either a locked lid type or a regular screw top as long as evidence tape is supplied to secure the specimen bottle.**"

14. Change IFB Section 3.3(1)(i) to read: "Prepaid ~~first-class~~ mailers for the containers. If the Contractor utilizes a courier service to pick up the samples, the Contractor must supply an appropriate container(s) for courier use."

15. Change IFB Section 3.7 to read:

"Maryland law (Courts and Judicial Proceedings Article, §10-914, Annotated Code of Maryland) requires the laboratory test to be performed by a laboratory "certified by the Department of Health and Mental Hygiene and approved by the Division of Parole and Probation of the Department of Public Safety and Correctional Services.

1. Throughout the duration of this Contract, **Contractor shall maintain all necessary licenses and permits to perform the work under the Contract, including but not limited to the following:**

a. the Contractor shall ~~must~~ maintain a valid and current State Laboratory Permit issued by Maryland's DHMH-OHCQ for the Testing of Drugs of Abuse Forensic issued by Maryland's DHMH-OHCQ ("permit") and shall be in compliance with all applicable DHMH-OHCQ licensing requirements, as from time to time amended; and

b. Contractor's licensure and laboratories used by the Contractor shall be in compliance with all applicable Federal, State and local standards and requirements, as from time to time amended, for the locality in which the laboratory is located.

Please note that amendments to §§17-2A-01 et seq. of the Health-General Article of the Maryland Annotated Code may impact future licensing requirements for labs that do forensic analysis. Contractors will not be allowed to change submitted pricing.

~~2. Throughout the duration of this Contract, the Contractor must maintain a valid and current Clinical Laboratory License from Maryland or from the state in which the laboratory is located. Written approval for the out of state clinical laboratory license is provided solely by the DBM Procurement Officer or DPSCS Project Manager.~~

~~Laboratories must be in compliance with all applicable Federal, State and local standards for the locality in which the laboratory is located.”~~

16. Change IFB 3.9(2) to read:

“Within five (5) days of the notification of contract award the Contractor shall also submit a Transportation Plan to the Project Manager. The Contractor shall be responsible for all shipping costs and attendant expenses associated with the delivery of all urine specimens collected by the Department and sent to the Contractor’s testing facility. The Contractor will secure the services of a reliable delivery service that can assure an unbroken chain of custody and delivery to the Contractor’s lab in two (2) ~~(4)~~ business days, (examples include, UPS, Fed-Ex, USPS prepaid ~~first class~~ mailers or a dedicated courier service) **from scheduled pickup date.**

Each Division will designate the pickup schedules for its collection sites. Schedules may vary from daily to several times per week or on a random basis. The pickup schedules are subject to change based on each Division’s operational needs. The Bidder shall identify the means of transportation in their submitted transportation plan.”

17. Change IFB Section 3.11(3) to read:

“Employee Background Security - The Contractor shall obtain a criminal background check **for each individual performing services under the Contract,** including National Crime Information Center (NCIC) and the state(s) in which the employee works and or resides. The background check will include fingerprinting, for each individual performing service under the Contract. This check may be performed by a public or private entity. Successful NCIC and State criminal background check shall be completed prior to any Contractor employee providing services on-site at any location covered by this Contract.

The Contractor shall provide certification to the Department that the Contractor has completed the required NCIC and State criminal employee background check and that the Contractor’s employees assigned to this Contract have successfully passed this background check. The Department reserves the right to refuse to allow any individual employee to work on State premises based upon certain specified criminal convictions.

The NCIC and State criminal record check of each employee who will work on State premises shall be reviewed by the Contractor for convictions of any of the following crimes described in the Annotated Code of Maryland, Criminal Law Article:

