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Q&A's Set #1
INVITATION FOR BID (IFB)
FORENSIC TOXICOLOGY DRUG TESTING LABORATORY (FTDTL)
PROJECT NO. F10B4400012
April 22, 2014

Ladies/Gentlemen:

This list of Questions and Responses #1 (Q&A Set #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: What vendor currently holds this contract?

Answer: Phamatech Incorporated, San Diego, California.

2. Question: Please provide information on how to request/obtain a copy of the contract with the current vendor.

Answer: Using the below link information, you can navigate to the Department of Budget and Management's Contract Library, all solicitation documents can be viewed there, including a redacted copy of the current Contract.

[Forensic Toxicology Drug Testing Laboratory 2009-2014](#)

3. Question: Are MRO services to be performed by the awarded contractor?

Answer: No MRO services are required under this contract. MRO services are currently being provided to the State under a separate State Contract, see IFB Section 1.2.X.

4. Question: What was the positive rate for 2013 or the last fiscal year?

Answer: The confirmed positive rate for calendar year 2013 is 2.8% .

5. Question: How many test results resulted in court cases/litigation in 2013 or the last fiscal year?

Answer: Less than five. According to DBM records, the lab has only been required to respond to one administrative hearing case since 1999.

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6. Question: How many litigation packages and/or expert witness testimonies were needed in 2013 or the last fiscal year

Answer: None from the drug testing laboratory.

7. Question: To obtain this certificate (Medical Laboratory Permit) it does take 6-8 weeks to receive according to the Maryland Department of Health. Can a receipt showing that the certification is in process be provided if not received by bid submission?

Answer: There has been a change to the Minimum Qualification listed in IFB Section 2.1.1.a as well as the required proof of meeting this requirement as listed in IFB Section 2.1.2.a. This will be addressed in Amendment #1 to be issued shortly.

The revised Minimum Qualification now required per IFB Section 2.1.1.a will be for a Maryland State Clinical Laboratory License. A realistic time frame for receiving this License would be four (4) weeks. Additionally, this time frame may possibly be expedited or shortened even further at the request of the Department.

A current Maryland State Clinical Laboratory License issued by the Maryland Department of Health & Mental Hygiene's Office of Health Care Quality (DHMH-OHCQ) or proof of submission of the application for Licensure dated no later than the due date and time for receipt of bids (See § 1.11) must be received with your original Bid Submission. It is highly recommended that potential Bidders use a commercial carrier acting as agent for the Bidder, Express Mail, Priority Mail or Certified Mail when submitting their application to the Maryland Department of Health & Mental Hygiene's Office of Health Care Quality (DHMH-OHCQ) as these are the only forms for which both the date and time of receipt can be verified by the Department.

The Bidder selected as the recommended Awardee must provide a copy of its License issued by DHMH-OHCQ to the Procurement Officer prior to the issuance of the Notice To Proceed (NTP).

The application for the Maryland State Clinical Laboratory License, Laboratory Licensing Change and Renewal forms in addition to the list of Frequently Asked Questions (FAQ's) can be found here: <http://dhmh.maryland.gov/ohcq/Labs/sitePages/Licensure.aspx>

For labs submitting a request for a new license, once you have navigated to the above page, the specific pdf file you must click on for the application for the Maryland State Clinical Laboratory Licensee is titled, "Maryland State Compliance Application".

Additionally, for more information pertaining to the licensing process for the State of Maryland, you may contact, the Coordinator for Laboratory Licensing & Surveying Office of Health Care Quality, paul.celli@maryland.gov.

8. Question: Who is the current vendor providing the services under this current contract?

Answer: See response to #1 above.

9. Question: In Section 3.2.3 Reporting Requirements: "The FTDTL Contractor shall fax copies of all lab reports to the Contract Monitor within one business day of the completion of all required testing". Later in that same section paragraph 3 "Reports shall be submitted using a secure web based file transfer solution provided by DBM". Are you requiring test

result reports to be sent by both methods or can the test reports be sent via the secure web based file transfer only?

Answer: We are requiring the vendor to provide faxed copies of lab reports, as well as electronic copies through the web-based file transfer.

10. Question: Who currently holds the collection contract that the awarded contractor for this IFB F10B4400012 will be working with?

Answer: White Glove Drug & Alcohol Testing, Incorporated, Severna Park, Maryland.

11. Question: Will the awarded contractor for this IFB be shipping all drug testing supplies & Shipping materials to each different location in attachment T?

Answer: No. Drug testing supplies and shipping materials should be shipped to our specimen collection contractor (see #10 above). On an infrequent basis, there may be a need for the lab to ship its CCF's to another State vendor that occasionally perform specimen collections for the State.

12. Question: Will a national pick-up and delivery service such as UPS or Fed Ex suffice for this contract and shipping samples back to the awarded contracted laboratory?

Answer: Yes.

13. Question: Can you provide the name of the MRO responsible for this IFB?

Answer: Either Dr. Robert H. Toney, Jr. or Dr. Mike Lyons currently perform the MRO services required under this contract.

14. Question: Will the department entertain any other type of avenue to receive results other than electronic file transfer?

Answer: No.

15. Question: In Section 3.6 Invoicing C. "Contractor shall apprise the Contract Monitor of the receipt of any specimen(s) that does (do) not contain a sufficient quantity to allow appropriate testing, regardless of the reason for the insufficiency". How is the department requesting this information be delivered to the Contract Monitor?

Answer: This information may be delivered by phone, fax or email.

16. Question: In Section 3.2.2 Lab Testing Requirements: Will the department accept other methods of testing for initial screening other than immunoassay method?

Answer: No. State of Maryland Regulations (Attachment R) specify that the initial screening must use an immunoassay.

17. Question: Who is the State's current laboratory testing vendor?

Answer: See response to #1 above.

18. Question: What are the prices the State currently pays the services requested by the IFB?

Answer: Price per Initial Immunoassay Screening is \$7.25.

Price per GC/MS Confirmation is \$14.00.

Fully Loaded Hourly Rate for Expert Preparation & Testimony is \$100.00 per hour.

19. Question: Would the State be interested in adding tests for additional substances not

listed in section 3.2.2 Lab Testing Requirements, such as designer drugs, bath salts, synthetic marijuana (spice), etc., at any point during the contract period?

Answer: We do not anticipate adding any additional drugs to our panel at this time.

20. Question: Would the State accept LC/MS/MS as an alternative methodology for confirmation of positive specimens? LC/MS/MS confirmation method is more sensitive and specific than GC/MS, and increases compound identification specificity through the use of two mass spectrometers, versus a single one for GC/MS methods. In Volume 73, No. 228, page 71868 of the Federal Register, the Department of Health & Human Services indicates that LC/MS/MS methodologies have proven to be reliable to test specimens, and produce forensically and scientifically supportable results. Moreover, LC/MS/MS results have proven to be defensible in courts of law across the country.

Answer: No. State of Maryland Regulations (Attachment R) specify that the confirmatory test shall be GC/MS.

21. Question: Can the State provide the zip codes for the Drug Testing Collection Sites listed in Attachment T?

Answer: Yes. The State has revised Attachment T, to include zip codes. This revised form will be issued separately and renamed, "Attachment T Revised".

Date Issued: April 22, 2014

By <signed>.
Mike Yeager
Procurement Officer