

SERVICES CONTRACT

ITEM: 1-S **Agency Contact:** Margaret Embardino
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DEPARTMENT/PROGRAM: Department of Budget and Management (DBM)

CONTRACT ID: Specimen Collections Contract
ADPICS # 050B3400004

CONTRACT DESCRIPTION: Contract for the collection of urine specimens from applicants for employment for certain State job categories and State employees in certain job classifications or under certain circumstances. The collected specimens are then sent to a State contracted laboratory for testing to detect the use of illegal drugs.

AWARD: White Glove Drug & Alcohol Testing, Inc.
Severna Park, MD

TERM: 1/1/2013 – 12/31/2017

AMOUNT: \$375,000 Est.

PROCUREMENT METHOD: Competitive Sealed Bidding

BIDS OR PROPOSALS: See Attachment

MBE PARTICIPATION: 100% (Contractor is a Maryland Certified MBE)
0% Subcontracting Goal
(See Requesting Agency Remarks below)

INCUMBENT: Capitol MRO, Inc.
Annapolis, MD

REQUESTING AGENCY REMARKS: A notice of the availability of the Invitation for Bids (IFB) was advertised on *eMarylandmarketplace.com* and on DBM's Procurement web site. Copies of the solicitation notice are mailed directly to nine prospective vendors, of which five are Maryland firms and included no MBEs. A copy of the IFB was also sent to the Governor's Office of Minority Affairs.

Three bids were received in response to the IFB; all of which were deemed to be responsive. White Glove Drug & Alcohol Testing, Inc. submitted the lowest responsive bid and was deemed to be a responsible bidder. Therefore, White Glove Drug & Alcohol Testing, Inc. is recommended for contract award.

The State of Maryland has been testing applicants and employees for the illegal use of drugs since 1990 to assure its citizens that State employees are not impaired by the illegal use of drugs in the workplace. This practice ensures compliance with the Federal Omnibus Drug Abuse Act of 1988 ("Federal Act") which requires any State receiving Federal funds to establish a drug-free workplace.

The Federal Act also requires the State to have a policy on the use of substances, an employee awareness program and a procedure for employees to report their own convictions. The State conducts testing in seven different situations and for a panel of seven drugs. The contractor will provide all labor on-site at State specified locations and the minimal materials necessary for the collection of urine specimens. The contractor then sends the collected specimens to the State's contracted testing laboratory in pre-paid shipping kits provided by the testing laboratory.

In accordance with Executive Order 01.01.1991.16 and Code of Maryland Regulations (COMAR) 17.04.09, all applicants for employment in designated sensitive State job categories, as well as State employees in the same sensitive categories, must be tested to detect the illegal use of drugs based on an analysis of a specimen of their urine. In addition, any employee for which there is reasonable suspicion of illegal drug use must be tested. The bulk of the sensitive positions that require testing are Correctional Officers and other personnel of the Department of Public Safety and Correctional Services (DPSCS).

An estimated 6,900 specimen collections and subsequent drug tests will be performed each year. In addition, it is possible that contractor officials will have to appear at administrative and legal proceedings to testify as to the circumstances pertaining to a particular urine collection or the "chain of custody" of that urine specimen. The bid prices were evaluated based upon a model used in the IFB for evaluation purposes. The bid price evaluation model included estimates of the number of regular and emergency (incident related) collections and of preparation time and attendance (testimony) at administrative and legal proceedings. The *Award Amount* above is estimated based on the projected amount of collections and testimony needed for the duration of the five year contract period. Since this is an indefinite quantity, fixed unit price contract, the contractor will be paid for collection services and testimony based on the actual amount and type of services provided at the unit prices that are fixed in the contract.

There is no MBE goal established for this contract for two reasons: (1) there are no subcontracting opportunities. The specimen shipping kit used for each collection is supplied by the State's contracted testing laboratory and the collection sites are on State or local government premises. Accordingly, aside from very minimal supplies such as bluing agent, specimen cups, tape, signs, etc., virtually the entire expense of this contract is for the salaries of the certified personnel who conduct the collections and travel expenses for these personnel to and from the approximately 80 established collection sites; and (2) there is a need to strengthen the legal defensibility of the chain of custody of the samples being collected and tested by having as few vendors as possible involved in this contract. However, White Glove Drug & Alcohol Testing, Inc. is a Maryland certified MBE.

The source of funds for this contract comes from various sources within the specific agencies that request specimen collections under this contract.

ITEM: 1-S (Cont.) **ATTACHMENT**

BID OR PROPOSALS (Cont.):

<u>Bidders</u>	<u>Bids</u>
White Glove Drug & Alcohol Testing, Inc Severna Park, MD	\$275,729
National Safety Compliance, Inc Laguna Hills, CA	\$485,050
Forensic Drug & Alcohol Testing, LLC Chantilly, VA	\$541,492