

REQUEST FOR PROPOSALS

Comprehensive Substance Abuse Testing Program
Implementation and Administration

for

_____ Department

_____ County, Tennessee

REQUEST FOR PROPOSALS - PAGE 2

1.0 INTRODUCTION. 3
 1.1 Purpose. 3
 1.2 Proposal Submittal. 3
 1.3 Schedule. 3

2.0 GENERAL CONDITIONS. 3
 2.1 Conformity with RFP. 3
 2.2 Uniformity of Proposals. 4
 2.3 County Profile. 4
 2.4 Additional Information. 4
 2.5 Performance Bond. 4
 2.6 Contract. 4
 2.7 Non-Collusion. 4
 2.8 Right to Reject Proposals. 4
 2.9 "One Company Solution". 5
 2.10 Liability and Insurance. 5
 2.11 Price. 5
 2.12 Implementation Schedule. 5
 2.13 Company Commitment. 5
 2.14 Program Responsibility. 6
 2.15 Rights to Submitted Material. 6

3.0 SELECTION PROCESS. 6
 3.1 Request for Proposals (RFP). 6
 3.2 Evaluation Criteria. 6
 3.3 Oral Presentations. 7
 3.4 Selection 7

4.0 PROPOSAL FORMAT. 8

REQUIRED FORMS. 9
 APPENDIX I. 10
 APPENDIX II. 11
 APPENDIX III. 12

1.0 INTRODUCTION

1.1 Purpose

This Request for Proposals (RFP) is offered to solicit proposals from qualified companies for the implementation and administration of a Comprehensive Substance Abuse Testing Program (the "Program") for the _____ Department of _____ County, Tennessee (the "Department"), which will ensure compliance with the requirements of the Omnibus Transportation Employee Testing Act of 1991 and the regulations promulgated thereunder, as well as all other applicable state and federal laws. In order to receive consideration, the proposal must address all aspects of such a Substance Abuse Testing Program.

1.2 Proposal Submittal

Sealed proposals (2 copies) will be accepted by the Department no later than (time) _____ (date) _____ at the _____ Office, _____, _____, Tennessee 3____. All proposals must be submitted in accordance with the conditions and instructions provided herein. **All proposals must remain open for acceptance for ninety (90) days.**

1.3 Schedule

- RFP released - _____
- Pre-proposal conference - _____
- Amendments to RFP issued - _____
- Closing date for proposal submittal - _____
- Oral presentations - _____
- Evaluation completed and company recommended - _____

This schedule is intended as a guideline for the timing of various events in this effort. Management requirements and other factors may cause certain of these dates to vary from original intentions. In no event, however, will the deadline for proposal submittal be changed.

2.0 GENERAL CONDITIONS

2.1 Conformity with RFP

All proposals must conform with the requirements presented in this RFP. Proposals not in conformity may be rejected. Exceptions to any requirement must be clearly noted in company's response.

2.2 Uniformity of Proposals

To facilitate evaluation, all proposals must be submitted in a uniform format as described in Section 4 of this RFP. ALL PROPOSALS SHALL INCLUDE COMPLETED FORMS WHICH ARE FOUND IN APPENDIX III. FAILURE TO COMPLETE THE REQUIRED FORMS COULD RESULT IN PROPOSALS BEING REMOVED FROM THE COUNTY'S CONSIDERATION.

2.3 County Profile

It is estimated that there are approximately _____ employees who are required to possess a commercial driver's license (CDL) within the Department, and approximately _____ employees throughout the County who are required to possess a CDL. Only those employees within the Department will be involved in the Program at this time, but the company must agree to allow all employees of the County to be included in the Program upon request.

2.4 Additional Information

All inquiries or requests for information relative to this RFP should be directed to _____, _____ in _____ County, Tennessee. His/her phone number is (____) ____-____.

2.5 Performance Bond

At the County's request, the selected company may be required to furnish a performance bond or other security as a guarantee of performance. All proposals must contain a statement of the company's willingness to furnish such security in the event the company receives the contract.

2.6 Contract

Although _____ County may not agree to execute the company's standard contract, the company's standard contract for all items included in this RFP must be included with the proposal. The company should indicate that this RFP and the company's written material will be included as part of the contract. The contract shall be terminable at the option of the County upon ____ days' notice without cause. If the contract does not include all aspects of the Program, the company must so indicate and state what items are not included and the reason those items are not included. The contract shall be governed by and enforced in accordance with the laws of the State of Tennessee.

2.7 Non-Collusion

Each proposal shall contain a company affidavit, a copy of which is enclosed in Appendix II.

2.8 Right to Reject Proposals

_____ County reserves the right to reject any or all proposals, to waive technicalities or informality and to accept any proposal deemed to be in the best interest of the County.

_____ County reserves the right to seek additional or new proposals and to waive informalities and minor inequities in proposals received.

2.9 "One Company Solution"

_____ County intends to purchase all components of the Program from one company. A company may use subcontractors to provide the various services. However, the company submitting the proposal shall be fully responsible for all phases of the Program and shall provide a surety performance bond for the entire contract.

2.10 Liability and Insurance

The selected company will defend, indemnify and hold harmless _____ County, its officers employees and agents from any and all costs (including reasonable attorneys' fees), damages, claims, losses, lawsuits, demands, settlements, and other expenses of any kind arising from the performance of the contract or the failure of the company to implement and administer the Program in accordance with all applicable state and federal laws, rules and regulations, including but not limited to breach of confidentiality, wrongful disclosure or misuse of information to the extent that such are caused by the negligence or willful acts of the company, its employees, agents or subcontractors. The company shall maintain in force, throughout the term of the contract, liability insurance in the minimum amount of one million dollars (\$1,000,000.00) covering its potential liability under this provision, which insurance policy shall name the County as an additional insured. The company shall also maintain worker's compensation insurance as required by applicable law.

2.11 Price

Prices quoted in the proposal shall be firm prices and not subject to increase during the term of any contractual agreement arising between _____ County and a company. The company should indicate its willingness to reduce the prices quoted to _____ County herein should the price quoted for any item be reduced by the company or its subcontractors during the term of the contract.

Prices should be submitted based upon a one-year renewable contract and based upon a three-year contract.

2.12 Implementation Schedule

Companies must specify in proposals the date on which the Program will be fully implemented, as well as a schedule for implementation of each component of the Program.

2.13 Company Commitment

Companies must state their commitment to providing a comprehensive plan which will provide the County with all needed assistance with all aspects of the Program throughout the term of the contract.

2.14 Program Responsibility

Notwithstanding the contents of the RFP, it is the responsibility of the company to verify the completeness, accuracy, and suitability of the company's proposal to meet the requirements of the Omnibus Transportation Employee Testing Act of 1991, and the regulations promulgated thereunder, in _____ County.

Any additional services or equipment required for full compliance with the law which are not included in the company's proposal, even if not specifically mentioned herein, shall be provided by the company without claim for additional payment. It is understood that a comprehensive Program which meets all requirements of the law is required. The successful company will be obligated to provide a system which meets all guarantees in its proposal for the price contained therein.

2.15 Rights to Submitted Material

All proposals, responses, inquiries, or correspondence relating to or in reference to this RFP, and all reports, charts, displays, schedules, exhibits, and other documents provided by companies will become the property of _____ County when received.

3.0 SELECTION PROCESS

The selection of a Program by _____ County will involve both objective and subjective elements. The process to be used to make this selection is outlined below.

3.1 Request for Proposals (RFP)

This RFP is intended to provide interested companies with uniform information concerning _____ County requirements for a comprehensive Program. In responding to this RFP, COMPANIES MUST ADHERE TO THE INCLUDED FORMAT AND USE THE REQUIRED FORMS.

3.2 Evaluation Criteria

The following elements will be reviewed by _____ County in evaluating all proposals:

- Company credentials, history and experience
- Credentials, history and experience of subcontractors
- Qualifications of all personnel providing services under the Program
- Policy development assistance
- Collection site, equipment and technicians
- SAMSHA/NIDA laboratory
- Method of transportation of samples to laboratory
- Qualifications of Medical Review Officer (MRO)
- Recommended testing procedures
- Methods for ensuring reliability of testing methods and results
- Methods for ensuring confidentiality
- Availability of after-hours testing

- Supervisor training
- Recommendations for reasonable suspicion testing
- Employee awareness programs
- Assistance with Employee Assistance Programs (EAP)
- Employee consultation services
- Random selection program
- Cost of testing for each employee and method
- Timetable for implementation of Program
- Availability of support
- Recordkeeping services

The relative importance of each factor is a management judgement and will include both objective and subjective analysis.

Proposals will be evaluated against the specifications presented in the RFP. _____ County reserves the right to eliminate a proposal for failure to comply with the requirements of the RFP.

3.3 Oral Presentations

If oral presentations are desired by _____ County, the presentations shall be arranged in advance in order to most effectively accommodate the scheduling requirements of _____ County.

The following limits shall be observed by companies during oral presentations:

The oral presentation may not be considered as a "negotiation session". Only material contained in the original formal written proposal will be considered in any subsequent evaluation procedures.

Companies shall observe time limitations imposed prior to the oral presentation. Presentations will not exceed two hours in length.

3.4 Selection

Following the evaluation process described above, _____ County will make all decisions regarding selection of finalists, contract negotiation and the award of the contract. The decisions of _____ County will be considered final.

4.0 PROPOSAL FORMAT

Proposals should be written in a concise, straightforward and forthright manner, and superficial marketing statements and materials should be avoided. Proposals should be organized in the following manner, using forms contained in the appendices where appropriate:

1. Statement of company credentials, history and experience (list home office and local office locations, as applicable).
2. List of six (6) organizations currently under contract with the company for substance abuse programs, with complete mailing address, telephone number, name of contact person, and length of time services have been provided, for each organization listed. Please indicate whether these programs are federally-mandated testing programs.
3. List of all subcontractors to be retained by the company in connection with the Program, with complete mailing address, telephone number, and name of contact person for each subcontractor, together with the services to be provided by the subcontractor.
4. Credentials, history and experience of all subcontractors.
5. Medical Review Officer credentials.
6. Credentials of other personnel who will be involved in the Program.
7. Description of drug testing program and procedures.
8. Description of alcohol testing program and procedures.
9. Description of alcohol testing equipment (EBT).
10. BAT certification of alcohol testing technicians.
11. Proof of laboratory certification (SAMSHA/NIDA).
12. Method of transportation of samples to laboratory.
13. Procedures for reporting of test results.
14. After-hours testing facilities.
15. Billing procedures (attach sample invoices).
16. Quality control measures employed.
17. Precautions employed to ensure confidentiality.
18. Recordkeeping procedures and services.
19. Employee awareness programs.
20. Supervisor training.
21. Employee education and consultation services.
22. Assistance provided with development of substance abuse policy.
23. Support services provided.
24. Itemized cost of each service to be provided under the Program, including cost per test for both drugs and alcohol for both positive and negative results. Itemized costs must be broken down into recurring costs and one-time costs (Appendix I).
25. Timetable for implementation of Program.
26. Proof of insurance coverage (liability and worker's compensation).
27. Bank references.
28. Any additional services provided which are not listed above.
29. Financial statements or other documentation which would assure the County that the company will be in business three years from now.

REQUIRED FORMS

Appendix I - Itemized Cost Sheet

Appendix II - Company Affidavit

Appendix III - Company Questionnaire

Failure to submit the required forms will be considered grounds for rejection of proposal.

APPENDIX I

Itemized Cost of Services

One-Year Contract

Three-Year Contract

One-time Costs:

Recurring Costs:

The costs listed above fully and accurately reflect all charges and fees for all services to be provided under the Program, whether by the company or by subcontractors, except as specifically listed below:

APPENDIX II

COMPANY AFFIDAVIT

The affiant states with respect to this Proposal to _____ County, Tennessee:

I (we) hereby certify that if the contract is awarded to our firm that no member or members of the governing body, elected official or officials, employee or employees of said County, or any person representing or purporting to represent the County, or any family member including spouse, parents, or children of said group, has received or has been promised, directly or indirectly, any financial benefit, by way of fee, commission, finder's fee or any other financial benefit on account of the act of awarding and/or executing a contract.

I hereby certify that I have full authority to bind the company and that I have personally reviewed the information contained in the RFP and this proposal, and all attachments and appendices, and do hereby attest to the accuracy of all information contained in this proposal, including all attachments and appendices.

I acknowledge that any misrepresentation will result in immediate disqualification from any consideration in the proposal process.

My proposal reflects a Program which will result in full compliance with the Omnibus Transportation Employee Testing Act of 1991, and the regulations promulgated thereunder, as they apply to _____ County.

I further recognize that _____ County reserves the right to make its award for any reason considered advantageous to the County. The Program selected may be without respect to price or other factors.

Signature _____

Date _____

Name _____

Phone _____

Title _____

Firm _____

Address _____

City, State, Zip _____

APPENDIX III

QUESTIONNAIRE

Approximately how many clients does your company presently have under contract for substance abuse testing services?

Approximately how many of your current clients are required by federal regulations to have a substance abuse testing program in place?

Approximately how many clients do you currently have in the state of Tennessee?

How long has your company been involved in substance abuse testing?

Is your company's business exclusively substance abuse testing? (If not, please state the approximate percentage of your business that is substance abuse testing.)

Is any litigation currently pending or threatened against your company involving any aspect of a substance abuse testing program? (If yes, please describe on a separate sheet.)

Has the company ever been involved in litigation in connection with a substance abuse testing program? (If yes, please explain on a separate sheet.)

Does the company have a toll-free telephone number for clients' use?

What hours is the company available by telephone to provide assistance?

Does the company provide all necessary forms for the Program?

Does your company publish a newsletter? How often?