

SCOPE OF WORK FOR DRUG AND ALCOHOL TESTING

1.0 PURPOSE

The purpose of this contract is to provide the City of Austin (City) with a drug and alcohol testing program for uniformed and non-uniformed employees that is compliant with the Department of Transportation Regulations (DOT) and 49 CFR, parts 40 and 382 issued under the Omnibus Transportation Employee Testing Act of 1991 and the City of Austin Emergency Medical Services (EMS) Department Meet and Confer contract with the EMS Employee Association. http://www.dot.gov/sites/dot.dev/files/docs/PART40_2012.pdf
<http://www.cleat.org/wp-content/uploads/2013/03/EMS-Meet-and-Confer-Agreement.pdf>

2.0 BACKGROUND

2.1 AUSTIN TRAVIS COUNTY EMERGENCY MEDICAL SERVICES

Austin Travis County Emergency Medical Services (ATCEMS) employs approximately 475 uniformed employees and about 100 non-uniformed employees.

The drug and alcohol testing program will include all employees, who at any given time, may be required to handle or administer pharmaceuticals or operate city owned vehicles. This I will include uniformed employees and non-uniformed employees.

ATCEMS employees are subject to a urine analysis as well as a saliva analysis. In the case of post-accident-post on the job injury, they are also subject to a chemical breath test for alcohol.

2.2 AUSTIN POLICE DEPARTMENT

The Austin Police Department (APD) employs over 1,700 police officers.

All police officers are subject to drug testing on a random basis, upon reasonable suspicion, and after a critical incident. In addition, officers assigned to certain Divisions may be randomly tested up to three times a year.

Random drug testing shall be done by urine analysis. Drug testing for pre-employment shall be done by both urine and hair follicle analysis. Critical incident and reasonable suspicion may be done by one or any combination of urine, hair follicle, breath, or blood analysis.

2.3 AUSTIN FIRE DEPARTMENT

The Austin Fire Department (AFD) employs over 1,100 fire fighters.

All fire fighters are subject to drug testing on a random basis, upon reasonable suspicion and after a critical incident. Passing a pre-employment drug testing is required as a condition of employment.

3.0 CONTRACTOR'S RESPONSIBILITIES

- 3.1 The Contractor shall have a minimum of three collection sites that are capable of handling all required tests.

- 3.1.1 The Contractor shall have at least one site in each geographic zone as indicated below:
 - 3.1.1.1 Zone 1: North West- The northwest geographic zone is defined as the area north of US Hwy 183 North, west of N. Lamar; south of Parmer Lane and east of Anderson Mill Road.
 - 3.1.1.2 Zone 2: Central- The central geographic zone is defined as the area west of IH35; east of Loop 1/MoPac Highway; north of the Lady Bird Lake and south of 51st Street.
 - 3.1.1.3 Zone 3: South West- The southwest geographic zone is defined as the area South of Ben White Blvd; west of Congress Avenue; north of Stassney Lane and east of Manchaca Road.
- 3.1.2 Each site shall provide adequate light in parking area for City customers, ambulances, motorcycles, and delivery vans.
- 3.1.3 Each site shall be in compliance with the Americans with Disabilities Act (ADA).
http://www.ada.gov/regs2010/titleIII_2010/titleIII_2010_regulations.htm
- 3.2 The Contractor shall have a mobile unit or equivalent capability for accident sites and/or hospital sites.
- 3.3 The Contractor shall provide specimen collection services, laboratory services, medical review office services, and record keeping and data collection.
- 3.4 The Contractor shall provide, at their facility, specimen collection and alcohol testing 24-hours a day, 7 days a week, 365 days a year.
- 3.5 The Contractor shall comply with all applicable Federal and State testing requirements.
- 3.6 The Contractor shall establish a "chain of custody" procedure that complies with Federal Regulations.
<http://www.phmsa.dot.gov/staticfiles/PHMSA/hrmpdfs/1988%20hist%20rulemaking/53%20FR%2047002.pdf>
- 3.7 The Contractor shall establish a "chain of custody" in the transfer of samples to the IDA certified laboratory and necessary forms relating to the same.
http://workplace.samhsa.gov/DrugTesting/Level_1_Pages/CertifiedLabs.html
<http://www.drugabuse.gov/related-topics/drug-testing>
- 3.8 The Contractor shall contract with a Federal Department of Health and Human Services' National Institute on Drug Abuse (NIDA) certified laboratory for testing.
- 3.9 The Contractor shall establish an internal procedure for random testing of City employees on a monthly and/or quarterly basis.

4.0 CONTRACTOR TESTING REQUIREMENTS

- 4.1 Laboratory Analysis

- 4.1.1 All laboratory analysis shall be provided in accordance with all current DOT regulations and the Department of Health and Human Services (DHHS) procedures and remain current throughout the entire term of the contract .
- 4.1.1.1 Urine analysis shall be conducted with an initial immunoassay screen to eliminate negative urine specimens from further analysis.
- 4.1.1.2 Positive screen results shall be confirmed by conducting gas chromatography/mass spectrometry (GC/MS) method of analysis.
- 4.1.1.3 The same laboratory shall accomplish primary screening and positive confirmatory testing. A different laboratory, certified by the DHHS, as directed by the Medical Review Officer (MRO) shall conduct Split Sample Testing.
- 4.1.1.4 Retainage of split urine specimen shall be maintained in frozen storage for sixty (60) days from the date on which the laboratory acquires it.
- 4.1.1.5 Retainage of split hair specimens shall be maintained for ninety (90) days from the date on which the laboratory acquires it.
- 4.1.1.6 Retainage of blood specimens shall be maintained in frozen storage for ninety (90) days from the date on which the laboratory acquires it.
- 4.1.1.7 The cutoff values used in the oral specimen testing shall be based on current Substance Abuse Mental Health Services Administration (SAMHSA) Guidelines for Oral Fluid Testing.
- 4.1.1.8 The Contractor shall provide the MRO, within twenty-four (24) hours, positive or negative results.
- 4.1.1.9 Provide proper documentation and storage of test results and describe procedures to ensure protection to samples.
- 4.1.2 The Contractor shall conduct the following five types of controlled substances and alcohol testing for employees:
- 4.1.2.1 Pre-employment testing
- 4.1.2.2 Reasonable suspicion testing
- The Contractor shall have the ability to provide on-site testing within one (1) hour of the request for testing.
 - On-site testing for alcohol may be done at the scene of an accident or at the Contractor's facility/clinic; this will be determined by the City.
- 4.1.2.3 Post fleet accident testing
- 4.1.2.4 Post-Accident On the Job Injury (OJI) testing

- The Contractor shall have the ability to perform required test within one (1) hour of the request for testing.

4.1.2.5 Random testing

4.2 Drug Testing

4.2.1 Five (5) Panel Split Sample Drug Screen to include:

- Marijuana (THC metabolite)
- Cocaine (including crack)
- Amphetamines (including methamphetamines)
- Opiates (including heroin)
- Phencyclidine (PCP) with Ecstasy panel include

4.2.2 Other Opiate panel included on every third specimen of random testing. Other opiates include:

- Barbiturates
- Benzodiazepines
- Propoxyphene/Metabolite
- Methadone

4.2.3 Reasonable Suspicion Testing:

- Steroid Panel: Anabolic Steroid
- Boldenon
- Epi-testosterone
- Methandienone
- Methyltestosterone
- Nandrolone
- Oxandrolone
- Oxymetholone
- Stanozolol
- Testosterone Conc

4.2.4 Direct observation shall not be a part of the urine collection process unless lab personnel have reason to believe that the initial specimen was adulterated.

4.2.5 The Split sample method shall be conducted in accordance with the Department of Health and Human Services (DHHS) regulations.

4.3 Breath Alcohol Testing

4.3.1 Breath Alcohol Testing (BAT) is performed by certified Breath Alcohol Technicians in accordance with DOT guidelines.

4.3.2 Alcohol testing shall be included in all post OJI tests, post fleet accident testing, and reasonable suspicion testing.

- 4.3.3 BAT is to be performed utilizing devices to measure breath alcohol included in the DOT Conforming Product list of Evidential Breath Measurement Devices.
- 4.3.4 Facilities shall provide visual and aural privacy to the individual being tested to prevent unauthorized persons from seeing or hearing test results.
- 4.3.5 Test results shall be available immediately to the City following breath alcohol test.
- 4.3.6 All necessary equipment, personnel, and materials for testing shall be provided by the Contractor at the location where testing is conducted.

4.4 Random Drug Testing

- 4.4.1 The Contractor shall provide an approved scientific method for random selection of employees, including one database for employees who are eligible for random testing annually, and another for those employees who are eligible for random testing up to three times annually (for assignment screening) ten (10) days after contract award date.
- 4.4.2 Each City Department will provide an updated, electronic employee list to the Contractor each month.
- 4.4.3 Upon request from the Contract Manager, random lists, using Microsoft Excel compatible software, shall be generated and electronically forwarded to the Contract Manager according to numerical needs.
- 4.4.4 Upon request, the Contractor shall provide database information to the City for verification of current employees in each database. The City will provide the vendor changes to the database as they occur or at a minimum on a monthly basis.
- 4.4.5 Record of employee selection for random testing shall be maintained by the Contractor and available upon request.

4.5 Hair Specimen Collection

- 4.5.1 The following methods of specimen collection shall be provided:
 - 4.5.1.1 Three samples of hair shall be collected from the scalp or other body area, if necessary. No samples shall be taken from the pubic area.
 - 4.5.1.2 If an officer does not have sufficient head or body hair for a sample, a fingernail or toenail sample shall be taken for analysis.

4.6 Expert Witness, shall be any of the following:

- 4.6.1 Medical Review Officer (MRO)
- 4.6.2 Toxicologist

4.6.3 Collection/Blood Alcohol Technician and other personnel as needed

4.7 Test Results

4.7.1 The laboratory shall report all specimen test results to the MRO, defined by the Federal Health and Human Services Administration, as "A person who is a licensed physician and who is responsible for receiving and reviewing laboratory results generated by an employer's drug testing program and evaluating medical explanations for certain drug test results" for review prior to releasing test results.

4.7.1.1 Negative

The laboratory shall report negative or "diluted" test results within 24 hours after receipt of a specimen by the laboratory.

4.7.1.2 Positive

The laboratory shall report positive test results within 24 hours after receipt of a specimen by the laboratory.

4.8 Blind Specimen Testing

4.8.1 Blind specimen testing will be conducted in accordance with current federal regulations and standards.

http://www.dot.gov/odapc/part40/40_103

4.9 The City reserves the right to add addition drug screening requirements as needed.

Specific to ATCEMS:

Drug testing shall be for illegal drugs and controlled substances listed in 49 CFR Section 40.87 and for designated medications that are approved or use in patient care by the current Clinical Operating Guidelines as adopted by the Department.

<http://www.atcomd.org/index.php/clinical-opsstandards>

4.9.1 Urine Testing

Seven (7) Panel plus Fentanyl and Oxycodone to include:

- Amphetamines
- Barbiturates
- Benzodiazepines
- Cannabinoids (Marijuana)
- Cocaine Metabolites
- Opiates
- Oxycodone
- Phencyclidine (PCP)

4.9.2 Saliva Testing

Seven (7) + 3 Panel Saliva Testing to include:

- Amphetamines
- Barbiturates
- Benzodiazepines
- Cannabinoids (Marijuana)

- Cocaine Metabolites
- Opiates
- Oxycodone
- Phencyclidine (PCP)
- Ecstasy screen (MDA/MDMA)
- Methamphetamine

Specifications specific to APD:

4.10 Blood Alcohol Testing

4.10.1 At the discretion of the Austin Police Chief or designee, APD will occasionally require blood analysis for critical incident and reasonable suspicion testing.

4.10.1.1 Contractor shall provide staff that are qualified, certified and/or licensed by an appropriate Federal, State, or local authority to perform blood draws.

4.10.1.2 Contractor shall be required to draw typically two (2) blood draws per subject, but the required number of blood draws may vary in order to obtain sufficient sample blood volume.

4.10.1.3 Blood samples drawn shall be collected in a medically approved manner, following all labeling, chain of custody, and refrigeration protocol as established by Federal, State and local authority.

5.0 MEDICAL REVIEW OFFICER (MRO)

5.1 The Contractor shall provide medical review services by an American Association of Medical Review Officers certified MRO.

5.2 The MRO shall be a physician licensed in the State of Texas (medical doctor or doctor of osteopathy) who shall be responsible for receiving laboratory results generated by the City's alcohol and drug testing program.

5.3 The MRO shall be experienced in substance abuse disorders and have appropriate medical training to interpret and evaluate an individual's:

- Confirmed positive test result
- Medical history
- Other relevant biomedical information

5.4 The MRO shall be responsible for contacting the employee to obtain addition medical information.

5.5 The MRO shall be responsible for investigating information, reviewing same, and making a determination as to the positive or negative status of the substance use.

5.6 The MRO shall provide physical examinations, if necessary.

- 5.7 The Contractor shall provide written proof of the qualifications of the MRO. Proffshall include medical degree(s), licenses and certifications, and years of experience and shall be included under Section C on the Bid Sheet.
- 5.8 The Contractor shall provide procedures used to report negative and positive test results, within twenty-four (24) hours of review by the MRO.
- 5.9 The Contractor shall submit information documenting the percentage of time the MRO maintains a medical practice apart from his/her responsibilities as an MRO.

Note: To be consistent with Federal Regulations and to avoid a potential conflict of interest, the MRO cannot be an employee of the testing laboratory conducting the drug tests. The MRO shall not enter into any relationship with an employer's laboratory that creates a conflict of interest or the appearance of a conflict of interest with their responsibilities to said employer. The MRO may not derive any financial benefit by having an employer use a particular laboratory.

6.0 RECORD KEEPING, DATA COLLECTION, AND STATE MANAGEMENT REPORTING

- 6.1 The Contractor shall provide the City all required reports including any reports mandated by Federal Regulations governing the drug and alcohol testing program.
- 6.2 The Contractor shall be required to setup a data base of all employees. The data base shall include: name, social security number, employee identification number, classification, department, division or unit of employment and phone number.
- 6.3 The Contractor shall be required to maintain all records, including confidential records, concerning the collection and test results for the appropriate time period as established in the Federal Regulations or should state law require a longer period for record retention, the latter shall be the standard operating procedure.
- 6.4 The Contractor shall ensure that all test results are forwarded directly to the MRO for depository or if deemed appropriate by the City, directly to the Contract Manager for which the employee works.
- 6.5 The Contractor shall provide the Contract Manager, with each City department, a monthly summary of all test results conducted, the outcome of those results, and any other pertinent data that is deemed appropriate by the City on a monthly basis.
- 6.6 The Contractor shall provide documentation on how tests shall be conducted.
- 6.7 The Contractor shall provide within forty-eight hours updates on any report required by the City.

7.0 RESPONSE TIME

- 7.1 The Contractor shall deliver within a twenty-four (24) hour period verification of results to the City.
- 7.2 The Contractor shall provide or have the capability of providing twenty-four (24) hour coverage for all testing.

- 7.3 In instances of "post-accident" testing, the Contractor shall have the capability of performing the required tests within one (1) hour of the request for testing.

8.0 COMMUNICATIONS

In addition to providing written correspondence and reports required by the City to meet compliance of Federal Regulations and State requirements, the Contractor shall also provide:

- Telephonic reporting of all results, services of a telephone number which is answered 24/7/365 for assistance
- A secure fax machine or email to provide confidential information on employee's drug and alcohol test results.

9.0 CONFIDENTIALITY

To protect the individual, all records that are maintained by the vendor or its sub-Contractors shall be kept confidential. Any violation may result in the Contractor being held liable by the City of Austin and the individual, whose record was disclosed.

10.0 REPORTING REQUIREMENTS

- 10.1 Positive test results shall be reported to the Contract Manager or their designee as soon as possible after confirmation of results and no later than 24 hours after their confirmation. Positive test result reporting shall be by telephonic methods.
- 10.2 Monthly and annual testing reports containing information to be defined by the Contract Manager shall be available electronically.
- 10.3 Contractor shall provide the Contract Manager hard copy test results and completed chain of custody forms signed by the MRO upon completion of test results review.

11.0 QUALITY ASSURANCE REQUIREMENTS

- 11.1 Quarterly, the Contractor shall provide a report indicating the percentage of error in all labs used for urinalysis to the Contract Manager
- 11.2 The Contract Manager will monitor performance, and if, after three (3) times of non-performance, the City reserves the right to terminate the Contract with cause.

12.0 EVALUATION CRITERIA

- 12.1 Price – 51 Points Maximum. Bidder with the lowest cost to the City receives maximum points; remaining bidders are scored on a percentage ratio basis.
- 12.2 Collection Facilities, Collection Procedures, Reporting, Random Drug Testing – 19 Points Maximum. Description of procedures for collection, laboratory analysis, reporting and review of test results, method of random selection, and MRO procedures. List of collection facilities including, staffing levels, addresses and hours of operation. Bidder may be asked to provide a tour of each facility. Name(s) of contracted laboratory services and copies of certifications. Describe mobile unit or equivalent capability for accident sites.

12.3 Experience and Personnel – 20 Points Maximum. submit current certification for BATs; proof of credential and training certifications for MRO to include all relative medical training and background and applicable experience; resumes of all professional and technical staff providing services under this contract; and company background investigation policy of bidder and subcontractors.

12.4 Local Business Presence – 10 Points Maximum.

Team's Local Business Presence	Points Awarded
Local business presence of 90% to 100%	10
Local business presence of 75% to 89%	8
Local business presence of 50% to 74%	6
Local business presence of 25% to 49%	4
Local presence of between 1 and 24%	2
No local presence	0