**COUNTY OF ALAMEDA**

**Questions & Answers**

**to**

**RFQ No. 902027**

### for

**DRUG TESTING KITS & LABORATORY SERVICES**

**Networking/Bidders Conference Held on August 6, 2021**

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| **This County of Alameda, General Services Agency (GSA), RFQ Questions & Answers (Q&A) has been electronically issued to potential bidders via e-mail. E-mail addresses used are those in the County’s Small Local Emerging Business (SLEB) Vendor Database or from other sources. If you have registered or are certified as a SLEB, please ensure that the complete and accurate e-mail address is noted and kept updated in the SLEB Vendor Database. This RFQ Q&A will also be posted on the GSA Contracting Opportunities website located at** [**Alameda County Current Contracting Opportunities**](https://gsa.acgov.org/do-business-with-us/contracting-opportunities/)**.** |

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Thank you for your participation and interest in the County of Alameda.

All the questions are direct copy and paste from written questions emailed by Bidders. In the answers of these questions, the County of Alameda shall be noted as “County”. The Questions and Answers are the final stance of the County. Please consider this document in preparation of your bid response.

**Questions and Answers:**

1. From the Bid Form A-1, lines 6, 7 and 8 are for breath alcohol test equipment, maintenance and mouth pieces. Is there a certain make/model that the County prefers?

**A1) The County currently uses the model “Alcohol Saliva Test Strip a rapid preliminary method to detect a saliva alcohol concentration (SAC) greater than 0.02%”.**

**The County is open to using alternate testing equipment like what is currently being used.**

1. From the Bid Form A-1, please confirm line item 10, comprehensive drug panel testing is a lab based screen performed by EIA.
   1. **Confirmed. Comprehensive drug panel testing is a lab-based screen performed by EIA.**
2. From the Bid Form A-1, please clarify line item 12 is referring to confirmations performed on onsite testing cups.
   1. **Yes, it is.**
3. Please describe what is expected for line item 5 of Bid Form A-1, for alcohol saliva instant test strips. This test strip is described in D.7.a. as a “test strip that detects a saliva alcohol concentration of 0.02% and must be an ethyl glucuronide test.” Please clarify. These are two independent tests, providing two kinds of information, and are not available on the same device.

**A4) The County currently uses the Reditest Alcohol Saliva Test Strip a rapid preliminary method to detect a saliva alcohol concentration (SAC) greater than 0.02%. The ethyl glucuronide test is not a requirement. Please see Addendum 1.**

1. Does the County anticipate lab based oral fluid testing, either screening or confirmations? If so, can the Bid Form be edited to include two additional line items, for a comprehensive oral fluid screen panel and a confirmation oral fluid price?
   1. **Yes. Please see the revised Bid Forms.**
2. Q.4. on page 20 says Invoices shall be accompanied by acceptable proof of delivery. Could you please describe how this process currently works and what kind of proof is acceptable?
   1. **Currently, invoices are received by email submission as well as sent by US Mail. At the start of this contract, all invoices will need to be submitted through the Probation Department Online Invoice Portal. A packing slip must be included in all shipments as this will be needed for invoice reconciliation.**
3. On Page 5 of the RFQ, under B. Scope, this section states that the ACPD will administer onsite tests themselves. However, the second paragraph states that testing laboratories will confirm positive results and/or test negative results with enzyme immunoassay (EIA), GC and/or GC/MS and/or LC/MS/MS

Will the County be utilizing a combination of lab based screening as well as onsite test kits for the initial screening?

* 1. **All initial screening will be done on-site. Laboratory services will only be utilized if verification of a test result is required.**

1. Is the County asking the testing laboratory to utilize the EIA method to confirm onsite test results? This is a verification of the initial on site screening device and not a confirmation, so this test is not legally defensible. Please clarify.
   1. **No. The County is asking for the lab to utilize GC-MS or HPLC-MS to confirm onsite testing results.**
2. Is the County expecting LC-MS/MS testing for initially negative screened samples? Please clarify.
   1. **No.**
3. Item D.1. of the Scope section on page 5/6 of the RFQ states that the laboratory vendor must have the CLIA, the California Dept. of Health Clinical Laboratory License, and either the CA certification for multiple substances, or the DEA Controlled Substance Registration Certificate. Then on page 6, under Item 3, the RFQ states that the laboratory shall possess and maintain a minimum of one or more of the following certifications/accreditations: (a) SAMHSA, (b) CLIA), and (c) CAP. These same requirements are restated on page 16 of the Bid Response Packet under Credentials, Items 1 and 2.

Can you please clarify your certification requirements?

* 1. **California certification requirements are:**

**CLIA – Clinical Laboratory Improvement Amendments**

**State License - California Dept. of Health Clinical Laboratory License**

**CAP – College of American Pathologists**

1. Will specimens be sent to the laboratory in the onsite test kit containers, or does the County intend to use the specimen bottles provide by the laboratory (per D.i. on page 10)?
   1. **Specimens will be sent to the laboratory in the onsite test kit containers. The County will not transfer the specimen to a different container.**
2. How many locations will the vendor need to pick up samples from?
   1. **Mail is the preferred way for samples to be delivered. The County has four pickup sites should pickup be required:**
3. **Juvenile Justice Center – Alameda County**

**2500 Fairmont Dr, C3013, San Leandro, CA 94578**

1. **Center for Reentry Excellence – Alameda County**

**400 Broadway, Oakland, CA 94607**

1. **Community Probation South County  
   24085 Amador St., Suite No. 310 Hayward, CA 94544**
2. **East County Hall of Justice  
   5149 Gleason Drive, #D115, Dublin, CA 94568**
3. What is the positivity rate resulting from the onsite test kits (ie, what % are sent to the lab for additional testing)?
   1. **Probation utilizes onsite testing and requires minimal laboratory services to verify test results.**
4. Who is currently providing these products and services for the County?

**A14) The current incumbents are Redwood Toxicology Laboratory and Phamatech, Inc.**

1. What is the County currently paying for these products/services?
   1. **Please submit a public record request online at** <https://gsa.acgov.org/about-gsa/contact-us/public-records-request/>
2. Is there a copy of the current contract available to view?
   1. **Please submit a public record request online at** <https://gsa.acgov.org/about-gsa/contact-us/public-records-request/>
3. Is expert witness testimony typically required for this contract? If so, approximately how many testimonies per year are required? Is remote video or telephonic testimony acceptable?
   1. **In the past five years, Probation has had zero need for virtual or in-person expert testimony. Remote video or telephonic testimony would be determined by the Court on a case-by-case basis.**
4. This RFQ requires products and services that are specific to drug testing. The products and services requested do not provide adequate opportunity to meet a 20% SLEB requirement, for the reasons below:

1. Please note that the applicable NAICS industry codes for the SLEB, as provided on page 18 of the RFQ, are 621511 and 541380, represent Medical Laboratories and Testing Laboratories, respectively. Because national certifications require extensive laboratory documentation, personnel infrastructure and quality control processes, we doubt that small or disadvantaged businesses would have the resources to pursue and maintain the certifications required in this RFQ.

2. Per the links provided in the RFQ document (at https://acgov.org/sleb/overview.htm), item c. on this page states that “The County reserves the right to waive the small/emerging local business participation requirements on contracts over $25,000 if the additional estimated cost to the County, which may result from inclusion of the requirements, exceeds five percent (5%) of the total estimated contract amount or Ten Thousand Dollars ($10,000), whichever is less.” Please note that per the reasons stated above, any laboratory testing subcontracted to an SLEB would likely need to be sent out to a properly certified laboratory. This would result in two markups on the testing services, one markup from the SLEB entity and another markup from the certified laboratory. Similarly, if the County were to purchase onsite tests from an SLEB, this would also result in two markups on the product, one from the SLEB and one from the product manufacturer. It appears likely that the markups on the products and/or services would be at least 20%. Therefore, we believe the cost of requiring 20% SLEB participation in the contract would result in a significant additional estimated cost to the County, which most likely would exceed 5% of the total estimated contract amount.

Given the above information, is the County willing to waive the 20% SLEB subcontracting requirement?

* 1. **For this RFQ, the SLEB requirements are NOT waived. All Bidders must meet the SLEB requirements outlined in the RFQ. Bidders are not required to be SLEB certified in order to submit a proposal on this RFQ; however, a non-SLEB Bidder would be required to subcontract a minimum of 20% to a SLEB certified organization. The County reserves the right to waive the SLEB requirement. Bidders, however, may take an exception to the SLEB requirement. If a Bidder wants to take an exception from meeting the SLEB requirements, the Bidders should put “N/A” across the SLEB Information Sheet (page 15 of the Exhibit A – Bid Response Packet) but still sign and date the sheet. In addition, the Bidder should state they are requesting an exception from the SLEB requirements on the EXCEPTIONS AND CLARIFICATIONS form (page 13 of Exhibit A – Bid Response Packet). Please note, however, that the County is under no obligation to accept any exceptions and such exceptions may be a basis for bid disqualification.**

**While the SLEB requirements are not waived, please note that certain bidding entities may be exempt from the SLEB requirements and are not required to subcontract with a SLEB. These entities include, but are not limited to, non-profit community-based organizations (CBO) with 501 (c) 3 status that provide services directly to County clients/residents, as well as non-profit religious organizations (NPO). A full list of exempt entities can be found on the County’s website at:** [**http://www.acgov.org/auditor/sleb/overview.htm**](http://www.acgov.org/auditor/sleb/overview.htm)**.**

1. Who is the incumbent provide for the requested services?
   1. **The current incumbents are Redwood Toxicology Laboratory and Phamatech, Inc.**
2. What is the County currently paying for the requested services?
   1. **Please submit a public record request online at** <https://gsa.acgov.org/about-gsa/contact-us/public-records-request/>
3. Is the County interested in receiving pricing for lab-based confirmation testing for the urinalysis and oral-fluid on-site devices?
   1. **All initial screening will be done on-site. Laboratory services will only be utilized if verification of a test result is required. Any clarifications should be listed on the Exceptions and Clarifications page of the Exhibit A - Bid Response Packet.**
4. Can the County clarify whether it would accept proposals from vendors that have CLIA or CAP certification but not SAMHSA?
   1. **Yes**.
5. Could you please advise as to whether the bidder must be a lab? The bid says “Bidder shall possess all permits, licenses and professional credentials necessary to supply product and perform services as specified under this RFQ.” May the bidder, instead be a product provider who also supplies lab and collection services, with the providers for those services as subcontractors? Especially if the provider has bid and provided the combined services for a long number of years, and the lab they use holds all of the required certificates.

**A23)** **Question 1 – No.**

**Question 2 – Yes.**