First Judicial District of Pennsylvania's

Request for Proposal(s)

For

Drug and DNA Specimen Collection Services

And

Drug Screening Tests Services

Both Dated November 10, 2011

VENDORS' QUESTIONS AND ANSWERS
(COMBINED FOR BOTH ABOVE PROJECTS)

http://courts.phila.gov

PLEASE BE ADVISED THAT THE DEADLINE FOR THE ABOVE REFERENCED RFP HAS BEEN EXTENDED TO THURSDAY, JANUARY 5TH, 2012 BY 3:00 P.M.

Q1. ***How many locations will ship samples to the lab or will samples only be shipped from the 1401 Arch Street location?***
All samples will be shipped to/from 1401 Arch Street, Philadelphia, PA.

Q2. ***How many samples per day do you collect on average?***
Approximately 250-300 per day.

Q3. ***What is the current volume of clients enrolled in a random testing program?***
A random testing program is not utilized for our offender population, however, this feature is utilized for approximately 100 employees at this time.

Q4. ***What is the current line item price you are paying for the services as listed in Attachment 2, page 15? What is the current pricing per screen/ per confirmation?***
It is not the policy of the FJD to release pricing information at this time. It is the FJD's preference that prospective vendors independently prepare their most competitive cost proposals in accordance with the terms, conditions, and specifications of the RFP.

Q5. ***What does your current vendor charge for these professional services:***

- ***a. Litigation packages***
- ***b. In person testimony***
- ***c. Court ordered Phone testimony***
- ***d. Notarized affidavits***

Please refer to Q4 above.

Q6. Who is the current vendor for these services?
The current vendor for drug testing services is Phamatech Laboratories & Diagnostics of California and Compliance Oversight Solutions Ideal, LLC, of Pennsylvania for drug and DNA specimen collection services.

Q7. Are you currently happy with your contracted provider?
No response.

Q8. What were your biggest challenges in working with the contracted laboratory this past contracted year?
No response.

Q9. Which laboratory is currently performing the drug screens and confirmations?
Please refer to Q6 above.

Q10. Who will be performing collections under this RFP?
This contract is also under RFP at this time.

Q11. How can we get a copy of the current contract?
It is not the current practice of the FJD to provide a copy of the incumbent's contract. However, a formal request process is available via the FJD's website at http://courts.phila.gov. Access the link for RJA 509 requests for instructions and the requisite documentation.

Q12. Can you please confirm the number of drug screens required for the upcoming contract?
There is no way to anticipate the exact number of tests "required" for the upcoming contract. Currently between 250-300 specimens are collected daily and shipped to the laboratory for testing.

Q13. How many drug screens were performed last year? Of that number, how many were positive?
64,147 screens were preformed with a 32% positive rate.

Q14. Are MRO services required for negative, positive, tests or both?
MRO services will be required only for employee testing and then only for positive tests.

Q15. Is confirmation testing to be done by GC/MS?
At this time, the FJD will accept GC/MS only.

Q16. What is the expected number of positive tests?
The historic positive rate of specimens that are initially positive and need to be re-screened is forty (40%) to forty-three (43%) percent.

Q17. May we receive a copy of the current chain of custody form?
Due to current contract restrictions, we are unable to provide at this time.

Q18. What are the drugs to be tested, and their cut-off levels?
SAMHSA cutoff levels are required for the substances listed on the RFP.

Q19. Are you testing for or would like to test for Designer drugs like K2/Spice and Bath Salts?
Currently designer drugs are not included in the testing panel but may be requested in the future.

Q20. Are expert witnesses required to appear in court? If so, how many times is it anticipated that expert witness services will be needed? How many in person expert witness testimonies did you request last year?
On occasion, yes. Based on prior statistics, projections indicate less than five (5) in an annual period.

Q21. How many litigation packages did you request last year?
No litigation packages were requested last year.

Q22. How many court ordered phone testimonies did you request last year?
No telephone testimonies were requested last year.

Q23. How many notarized affidavits did you request last year?
No affidavits were requested last year.

Q24. Is it anticipated that after hours testing will be required?
For 24 hour call, the selected vendor will need both a male and female collector on call 24 hours a day. After hour calls are strictly for law enforcement personnel only. Typically, collections occur at the 1401 Arch Street, Philadelphia location, however in the event of a severe incident, a hospital visit may be necessary. Historically, the average number of after hour calls is less than ten (10) per year.

Q25. Are pick-ups required on weekends? No, pick-ups are required daily Monday through Friday between 4:30 and 5:00pm.

Q26. Would the First Judicial District accept a US Department of Health and Human Services Clinical Laboratory Improvement Amendments (CLIA) certification as an alternative to SAMHSA?
SAMHSA certification is endorsed by the American Probation and Parole Association and is the only certification acceptable to the FJD's Adult Probation and Parole Department.

Q27. Is the FJD comfortable with a vendor that sub-contracts with a SAMHSA -certified laboratory for the GC/MS confirmations?
No.

Q28. Instead of using a general term to describe immunoassay testing, the bid specifications note a specific type of immunoassay testing called EMIT. Would you consider doing

business with laboratories that use KIMS (Kinetic Interaction of Micro-particles in Solution) testing instead of EMIT? Both methods are immunoassay tests.
No.

Q29. Double EMIT testing is no longer the gold standard for SAMHSA certified laboratories' drug testing programs. In the past, drug testing laboratories were required to repeat the screening method in order to have confidence that the screening equipment worked properly and obtained the same result as the first screen. As many technological advances have occurred in every type of business, the laboratory screening process has also improved so that double EMIT testing is an added expense with no proven advances in reliability. Efficient and legally respected laboratories have not used double EMIT methods for over 10 years without judicial or scientific ramifications. In making the double EMIT testing a requirement for your drug testing program, your agency is disqualifying the most technically advanced and respected laboratories. Is your agency prepared to do business only with laboratories that are lacking in technical advances and therefore inferior?
The FJD will continue to require a second screening of all positive samples.

Q30. On page 2, under section "D. Preparation of Proposals, Parts ii. and iv." can you please clarify whether responding to the RFP with a proposal of additional services beyond the scope of the RFP would cause the submission to be disqualified?

- ***Specifically, if a prospective vendor were to propose a full service operation, including random test calendar management, collections of samples, screening of samples, and reporting of results, would this disqualify the proposal? Is the FJD willing to consider a full service model that may lower total costs to the court?***

To be considered, vendors' proposals must respond to all requirements in the RFP. *Any other information thought to be relevant, but not applicable to the enumerated categories, should be provided as an appendix to the proposal.*

Q31. On page 12, under "Part I: Drug Screening Tests", in reference to the language "In addition, for specifically identified specimens, an alcohol screen is to be added to the testing process", please clarify who identifies the specimens?
The APPD will identify those samples to be tested for alcohol in addition to the standard panel.

Q32. On page 13, regarding the use of Loryx Systems "Monitor" case management system, will the vendor have direct access to the system and upload results into the system or are you simply requesting that the file formats "facilitate direct upload of drug test results"? Another way to ask is whether you want the vendor managing the Monitor system or merely providing the data to the system.
The vendor(s) awarded this contract will be required to provide files to be uploaded into the Monitor System. The vendor(s) will not have direct access to the system.

Q33. What is the anticipated start date for sending in specimens?
Subsequent to bid closing, all bids are evaluated by a Selection Committee comprised of authorized representatives of the FJD. Pending approval of the Committee's recommendation by

the Administrative Authority and after a successful negotiation process, contract execution is anticipated as soon as possible.

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