

**ARKANSAS STATE HIGHWAY COMMISSION
AHTD - EQUIPMENT AND PROCUREMENT DIVISION
BID INVITATION**

Bid Number: Contract No. H-18-204P

BID OPENING LOCATION:
AHTD Equipment and
Procurement Division
11302 W. Baseline Road
Little Rock, AR 72209

MAIL TO:
AHTD Equipment and
Procurement Division
P.O. Box 2261
Little Rock, AR 72203

DELIVER TO:
AHTD Equipment and
Procurement Division
11302 W. Baseline Road
Little Rock, AR 72209

Bid Opening Date: June 20, 2017 Time: 11:00 a.m.

Sealed bids for furnishing the commodities and/or services described below, subject to the Standard Bid Conditions of this Bid Invitation will be received at the above-noted mail and delivery locations until the above-noted bid opening date and time, and then publicly opened at the above-noted bid opening location. **Bids must be submitted on this form, with attachments when appropriate, or bids will be rejected. Late bids and unsigned bids will not be considered.**

In compliance with this Bid Invitation and subject to all the Conditions thereof, the undersigned offers and agrees to furnish any and all items upon which prices are quoted, at the price set opposite each item.

Company Name: _____

Name (Type or Print): _____

Address: _____

Title: _____

Phone: _____ Fax: _____

City: _____ State: _____ Zip: _____

E-mail Address: _____

Federal Tax ID or Social Security No.: _____

Signature: _____

Signature must be legible, original (not photocopied) and in ink.
Unsigned bids will be rejected.

Item No.	Description	Quantity	Unit	Unit Price	Amount
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Service Contract for furnishing to the Arkansas State Highway and Transportation Department **Substance Testing Services for Department Employees** according to specifications attached to and made a part of this bid, at pricing set forth on the attached Bid Form for the period beginning Date of Award thru June 30, 2018, with an option to renew at original pricing, specifications and conditions, upon mutual agreement of the parties.

FOB: Statewide

To be eligible to bid, bidder must meet and provide documentation for the following qualifications:

- 1) Company must have been in the drug testing business for at least five years.
- 2) Company must have performed services identical or very similar to those being required by AHTD for at least five different companies.
- 3) Company must have performed a minimum of 500 tests for companies located in the State of Arkansas within the previous 24 months.
- 4) Company must have a qualified staffed office located in the State of Arkansas and provide a 24 hour/7 day service. This office must have been located in the State of Arkansas for at least **two** years. It also must remain open for business within the State of Arkansas during the duration of the contract.

The specifications set forth herein shall supercede any standard condition with which there may be conflict.

All bidders should complete and return the Eligible Bidder Certification (Attachment A) and Disclosure Form (see Page 2 of Standard Bid Conditions – Item 18) issued with this bid. A current copy of the DFA Illegal Immigrant Contractor Disclosure Certification (see Page 2 of Standard Bid Conditions – Item 17) should also be submitted with bid.

Bid Bond in the amount of \$500.00 required of all bidders at time of bid opening or bid will be rejected. **Personal and company checks are not acceptable as Bid Bonds.** See Condition 4 on page 1 of Standard Bid Conditions.

Performance Bond in an amount to be determined by the Department, not to exceed \$500.00, will be required of successful bidder prior to providing services. **Personal and company checks are not acceptable as Performance Bonds.** See Condition 4 on page 1 of Standard Bid Conditions.

Bids and Specifications are available on-line by going to the AHTD Web Site – www.arkansashighways.com and clicking on “Commodities and Services Bids/Contracts Information”. Tabulations will also be available at this site after award of bid/contract. If you have any questions, call this office at 501-569-2667.

TWO SIGNED COPIES OF BID INVITATION AND BID PRICE FORM MUST BE SUBMITTED.

STANDARD BID CONDITIONS

1. **GENERAL:** Any special terms and conditions included in the invitation for bid override these standard terms and conditions. The standard terms and conditions and any special terms and conditions become part of any contract entered into if any or all parts of the bid are accepted by the Arkansas State Highway Commission (AHTD).
2. **ACCEPTANCE AND REJECTION:** AHTD reserves the right to reject any or all bids, to accept bids in whole or in part (unless otherwise indicated by bidder), to waive any informalities in bids received, to accept bids on materials or equipment with variations from specifications where efficiency of operation will not be impaired, and to award bids to best serve the interest of the State.
3. **PRICES:** Unless otherwise stated in the Bid Invitation, the following will apply: (1) unit prices shall be bid, (2) prices should be stated in units of quantity specified (feet, each, lbs., etc.), (3) prices must be F.O.B. destination specified in bid, (4) prices must be firm and not subject to escalation, (5) bid must be firm for acceptance for 30 days from bid opening date. In case of errors in extension, unit prices shall govern. Discounts from bid price will not be considered in making awards.
4. **BID BONDS AND PERFORMANCE BONDS:** If required, a **Bid Bond** in the form of a cashier's check, certified check, or surety bond issued by a surety company, in an amount stated in the Bid Invitation, must accompany bid. **Personal and company checks are not acceptable as Bid Bonds.** Failure to submit a Bid Bond as required will cause a bid to be rejected. The Bid Bond will be forfeited as liquidated damages if the successful bidder fails to provide a required Performance Bond within the period stipulated by AHTD or fails to honor their bid. When a bidder claims and can show clear and convincing evidence that a material mistake was made in the bid and was not the bid intended, the bidder may be permitted to withdraw their bid prior to award without forfeiture of bid bond. Cashier's checks and certified checks submitted as Bid Bonds will be returned to unsuccessful bidders; surety bonds will be retained. The successful bidder will be required to furnish a **Performance Bond** in an amount stated in the Bid Invitation and in the form of a cashier's check, certified check, or surety bond issued by a surety company, unless otherwise stated in the Bid Invitation, as a guarantee of delivery of goods/services in accordance with the specifications and within the time established in the bid. **Personal and company checks are not acceptable as Performance Bonds.** In some cases, a cashier's check or certified check submitted as a Bid Bond will be held as the Performance Bond of the successful bidder. Cashier's checks or certified checks submitted as Performance Bonds will be refunded shortly after payment has been made to the successful bidder for completion of all terms of the bid; surety bonds will be retained. Surety bonds must be issued by a surety company authorized to do business in Arkansas, and must be signed by a Resident Local Agent licensed by the Arkansas State Insurance Commissioner to represent that surety company. Resident Agent's Power-of-Attorney must accompany the surety bond. Certain bids involving labor will require Performance Bonds in the form of surety bonds only (no checks of any kind allowed). These bonds shall not only serve to guarantee the completion of the work, but also to guarantee the excellence of both workmanship and material until the work is finally accepted and the provisions of the Plans, Specifications, and Special Provisions fulfilled. In such cases, the company issuing the surety bond must comply with all stipulations herein and must be named in the U. S. Treasury listing of companies holding Certificates of Authority as acceptable sureties on Federal Bonds and as acceptable reinsuring companies. Any excess between the face amount of the bond and the underwriting limitation of the bonding company shall be protected by reinsurance provided by an acceptable reinsuring company. Annual Bid and Performance Bonds on file with E & P Division must have sufficient unencumbered funds to meet current bonding requirements, or the bid will be rejected, unless the balance is submitted as set forth above, prior to bid opening.
5. **TAXES:** The AHTD is not exempt from Arkansas State Sales and Use Taxes, or local option city/county sales taxes, when applicable, and bidders are responsible to the State Revenue Department for such taxes. These taxes should not be included in bid prices, but where required by law, will be paid by the AHTD as an addition thereto, and should be added to the billing to the AHTD. The AHTD is exempt from Federal Excise Taxes on all commodities except motor fuels; and excise taxes should not be included in bid prices except for motor fuels. Where applicable, tax exemption certificates will be furnished by the AHTD.
6. **"ALL OR NONE" BIDS:** Bidders who wish to bid "All or None" on two or more items shall so stipulate on the face of bid sheet; otherwise, bid may be awarded on an individual item basis.
7. **SPECIFICATIONS:** Complete specifications should be attached for any substitution or alternate offered, or where amplification is necessary. Bidder's name must be placed on all attachments to the bid.
8. **EXCEPTIONS TO SPECIFICATIONS:** Any exceptions to the bid specifications must be stated in the bid. Any exceptions to manufacturer's published literature must be stated in the bid, or it will be assumed that bidder is bidding exactly as stated in the literature.
9. **BRAND NAME REFERENCES:** All brand name references in bid specifications refer to that commodity or its equivalent, unless otherwise stated in Bid Invitation. Bidder should state brand or trade name of item being bid, if such name exists.
10. **FREIGHT:** All freight charges should be included in bid price. Any change in common carrier rates authorized by the Interstate Commerce Commission will be adjusted if such change occurs after the bid opening date. Receipted common carrier bills that reflect ICC authorized rate changes must be furnished.

11. **SAMPLES, LITERATURE, DEMONSTRATIONS:** Samples and technical literature must be provided free of any charge within 14 days of AHTD request, and free demonstrations within 30 days, unless AHTD extends time. Failure to provide as requested within this period may cause bid to be rejected. Samples, literature and demonstrations must be substantially the same as the item(s) being bid, unless otherwise agreed to by AHTD. Samples that are not destroyed will be returned upon request at bidders expense. Samples from successful bidders may be retained for comparison with items actually furnished.
12. **GUARANTY:** Unless otherwise indicated in Bid Invitation, it is understood and agreed that any item offered or shipped on this bid shall be newly manufactured, latest model and design, and in first class condition; and that all containers shall be new, suitable for storage or shipment and in compliance with all applicable laws relating to construction, packaging, labeling and registration.
13. **BACKORDERS OR DELAY IN DELIVERY:** Backorders or failure to deliver within the time required may constitute default. Vendor must give written notice to the AHTD, as soon as possible, of the reason for any delay and the expected delivery date. The AHTD has the right to extend delivery if reasons appear valid. If reason or delivery date is not acceptable, vendor is in default.
14. **DEFAULT:** All commodities furnished will be subject to inspection and acceptance by AHTD after delivery. Default in promised delivery or failure to meet specifications authorizes the AHTD to cancel award or any portion of same, to reasonably purchase commodities or services elsewhere and to charge full increase, if any, in cost and handling to defaulting vendor. Applicable bonds may be forfeited.
15. **ETHICS:** *"It shall be a breach of ethical standards for a person to be retained, or to retain a person, to solicit or secure a State contract upon an agreement of understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies maintained by the contractor for the purpose of securing business."* (Arkansas Code, Annotated, Section 19-11-708).
16. **NOTICE OF NONDISCRIMINATION:** The Arkansas State Highway Commission, through the AHTD, complies with all civil rights provisions of federal statutes and related authorities that prohibit discrimination in programs and activities receiving federal financial assistance. Therefore, the AHTD does not discriminate on the basis of race, sex, color, age, national origin, religion (not applicable as a protected group under the Federal Motor Carrier Safety Administration Title VI Program), disability, Limited English Proficiency (LEP), or low-income status in the admission, access to and treatment in the AHTD's programs and activities, as well as the AHTD's hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the AHTD nondiscrimination policies may be directed to Joanna P. McFadden Section Head – EEO/DBE (ADA/504/Title VI Coordinator), P. O. Box 2261, Little Rock, AR 72203, (501)569-2298, (Voice/TTY 711), or the following email address: joanna.mcfadden@ahtd.ar.gov. Free language assistance for Limited English Proficient individuals is available upon request. This notice is available from the ADA/504/Title VI Coordinator in large print, on audiotape and in Braille.
17. **PROHIBITION OF EMPLOYMENT OF ILLEGAL IMMIGRANTS:** Pursuant to Arkansas Code Annotated 19-11-105, all bidders must certify prior to award of a contract that they **do not** employ or contract with any illegal immigrant(s) in its contract with the state. Bidders shall certify online at <https://www.ark.org/dfa/immigrant/index.php>.
18. **DISCLOSURE:** Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that order, **shall** be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy **shall** be subject to all legal remedies available to the agency.

Arkansas State Highway Commission
 Bid Price Form – Substance Testing Services
 AHTD - Contract No. H-18-204P

Bidder: _____

Bidder must extend all unit prices, or enter “0” as applicable, and record an overall total. Any notes, comments, or amounts written outside this format will be ignored in evaluating total cost. **New Federal Regulations in force beginning October 1, 2017 should be taken into consideration when submitting prices.**

<u>Item</u>	<u>Unit Price</u>	<u>Estimated Annual Quantity*</u>	<u>Total Extended Price</u>
Testable Employee Pool		2000	
<u>Pre-Employment Screens</u>			
1. AHTD Location	\$_____per specimen	50	\$_____
2. Local Clinic/Hospital	\$_____per specimen	300	\$_____
3. Vendor Location	\$_____per specimen	50	\$_____
4. Random Drug Tests (AHTD Location Only and/or Local Clinic or Hospital for Random absentee testing)	\$_____per specimen	1000	\$_____
5. Random Alcohol Tests (AHTD Location Only and/or Local Clinic or Hospital for Random absentee testing)	\$_____per test	200	\$_____
<u>Reasonable Suspicion Tests Drug Tests</u>			
6. AHTD Location	\$_____per specimen	1	\$_____
7. Local Clinic/Hospital	\$_____per specimen	1	\$_____
8. Vendor Location	\$_____per specimen	1	\$_____
<u>Alcohol Tests</u>			
9. AHTD Location	\$_____per test	1	\$_____
10. Local Clinic/Hospital	\$_____per test	1	\$_____
11. Vendor Location	\$_____per test	1	\$_____
<u>Post-Accident Tests Drug Tests</u>			
12. AHTD Location	\$_____per specimen	1	\$_____
13. Local Clinic/Hospital	\$_____per specimen	1	\$_____
14. Vendor Location	\$_____per specimen	1	\$_____
<u>Alcohol Tests</u>			
15. AHTD Location	\$_____per test	1	\$_____
16. Local Clinic/Hospital	\$_____per test	1	\$_____

Arkansas State Highway Commission
 Bid Price Form – Substance Testing Services
 (Continued)
 AHTD - Contract No. H-18-204P

Bidder: _____

Bidder must extend all unit prices, or enter “0” as applicable, and record an overall total. Any notes, comments, or amounts written outside this format will be ignored in evaluating total cost.

<u>Item</u>	<u>Unit Price</u>	<u>Estimated Annual Quantity*</u>	<u>Total Extended Price</u>
17. Vendor Location	\$_____ per test	1	\$_____
18. Positive Drug Retests	\$_____ per specimen	10	\$_____
<u>Travel**</u>			
19. During Business Hours	\$_____ per mile	5000	\$_____
20. After Business Hours	\$_____ per mile	5000	\$_____
21. Sample Collection Kits	\$_____ per kit	1500	\$_____
<u>Laboratory Personnel Depositions</u>			
22. Phone Deposition	\$_____ per hour	1	\$_____
23. Expert Testimony	\$_____ per hour	2	\$_____
24. Travel***	\$_____ per mile	100	\$_____
<u>Medical Review Officer Depositions</u>			
25. Phone Deposition	\$_____ per hour	1	\$_____
26. Expert Testimony	\$_____ per hour	2	\$_____
27. Travel***	\$_____ per mile	100	\$_____
<u>TOTAL BID PRICE</u> (Add Extended Price Totals for Items 1 through 27)			\$_____

**Though this contract guarantees no set quantities of testing, the listed estimated quantities are typical for the AHTD annual testing program, with exception of retests and depositions, of which, to this date, there have been none during the AHTD testing history, so nominal quantities for these items are being estimated to facilitate bid price comparison.*

**Reimbursement will be for mileage traveled within the State of Arkansas only.

***Mileage for depositions will be reimbursed from deponent’s location. Room and board charges incurred for depositions will be reimbursed at the rate established for Arkansas state employees.

**ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT
SPECIFICATIONS FOR
SUBSTANCE TESTING SERVICES FOR DEPARTMENT EMPLOYEES**

1. General Requirements:

- (a) Substance testing services will be required for drugs and alcohol in order to comply with United States Department of Transportation regulations, as well as to support AHTD policies. At this time, the AHTD does not have trained personnel to perform drug and alcohol testing. Therefore, all drug and alcohol testing will be performed by the Contractor.
- (b) The AHTD Drug and Alcohol Testing Policy is made a part of these specifications as Appendix A. The AHTD requires bidders to provide the following requirements:
 - (1) Establish and conduct a drug and alcohol testing program for the AHTD,
 - (2) Ensure compliance with all pertinent regulatory and AHTD policy requirements, and
 - (3) Ensure the highest quality, accuracy, reliability and efficiency in specimen collection, analysis and reporting.
- (c) No award resulting from this bid may be assigned, sold, or transferred without the prior written consent of AHTD. Furthermore, no obligation incurred pursuant to this bid and resulting contract may be delegated without prior written consent of AHTD.
- (d) The AHTD reserves the right to cancel any award without recourse upon written notice to the Contractor. The successful bidder may terminate this contract by giving AHTD a minimum of ninety (90) days written notice of intent to terminate.
- (e) The AHTD makes no guarantee whatsoever of any specific number of tests or amount of business, if any, under this contract.
- (f) Successful bidder must conduct the entire AHTD drug and alcohol testing program as set forth herein. Bidder may subcontract portions of the required services to other companies, provided the subcontractor's name and qualifications are supplied, and said subcontractor(s) meet the Department of Transportation's criteria and guidelines, as well as a list of the specific services to be performed by the subcontractor(s). Successful bidder must immediately inform the AHTD in writing of any change in such subcontractor(s) during the term of this contract and must supply all information about the new subcontractor(s) required herein.
- (g) Bids may be rejected if there are any unauthorized additions, conditions, omissions, or irregularities of any kind that may tend to make the proposal incomplete, indefinite, or ambiguous as to its meaning, or if the bidder adds any provisions reserving the right to accept or reject an award.
- (h) Payment will be monthly for completed reports invoiced during that 30-day period. All invoicing shall indicate testing date and location. It should also reference each individual tested, by AHTD Identification or Social Security number, in order to protect the privacy of the individual.

Invoicing shall be addressed as follows:

Arkansas State Highway and Transportation Department
Attn: Human Resources Division/Workforce Development, Health & Safety
P.O. Box 2261
Little Rock, AR 72203

- (i) Name, business address and telephone number of the person who will be responsible for the day-to-day operations and oversight of this program must be submitted. A resume' detailing the education, credentials and experience of this person must be submitted upon request.
- (j) Copies of required licensing and/or certification and a listing of the entities issuing them, the date of issue, current status, expiration/renewal dates, and certification/license number must be submitted upon request.
- (k) Company must have current Certificates of Insurance of coverage for contract liability, libel, errors and omissions, and litigation involving drug and alcohol screenings. Copies of these Certificates must be submitted with bid.
- (l) Normal business hours of the successful bidder must coincide with those of the Department, as follows: 7:00 a.m. - 5:30 p.m. CDT Monday through Thursday; 7:00 a.m. - 4:30 p.m. CDT Friday and CST Monday through Friday.
- (m) A 24 hour toll-free telephone number must be maintained for requesting any type test.
- (n) All pricing must be set forth in sufficient detail to permit complete and accurate evaluation and comparison of program costs under each bid. Explanations of each cost should be referenced and attached as necessary to assure complete understanding of all aspects of the bid. Any terms integral to the pricing structure (such as 'pool', what constitutes a 'change in the pool,' etc.) must be completely explained.
- (o) The AHTD will pay no costs or fees other than those set forth on the Bid Price Form and any Addenda thereto. All prices of the successful bidder must remain firm for the entire contract term and any extensions thereof.

2. **Laboratory Services Requirements:**

- (a) Participating laboratories must be currently certified by the Substance Abuse and Mental Health Services Administration (SAMHSA - formerly NIDA) and the U.S. Department of Health and Human Services (DHHS), and must have necessary state, county and local licenses and permits as may be required by law to perform the proposed services.
- (b) Copies of required licensing, registration and/or certification of the laboratory service(s), the laboratory director(s) and the technician(s) and a listing of the entities issuing them, the date of issue, current status, expiration/renewal dates, and license/registration/certification number(s) must be submitted upon request. This requirement includes SAMHSA and DHHS and other required certifications or permits of each laboratory providing service under this program. Successful bidder must immediately inform the AHTD in writing of any change in such laboratory during the term of this contract and must supply all information about the new laboratory required herein.
- (c) A Certificate of Insurance for each laboratory giving details of liability protection insurance coverage for libel, contract liability, omissions and errors, and litigation involving drug and alcohol screenings must be submitted. All certifications, licenses, permits, etc. shall remain current during this contract. Copies of all cancellation and renewal notices received during the term of any resultant contract must be submitted to the AHTD immediately.

- (d) All laboratories shall have at least one qualified forensic toxicologist available to provide litigation assistance, including but not limited to expert witness testimony and depositions. A resume' detailing the education, credentials and experience of this person must be submitted upon request.
- (e) Location(s) of laboratory facilities to be used to perform required services, as well as days of week and hours of operation each day, must be provided.
- (f) Successful bidder shall be responsible for the provision and distribution of all supplies necessary to conduct testing, as set forth herein, to the AHTD Workforce Development, Health & Safety Section.
- (g) Successful bidder shall be responsible for overnight transportation of all specimens to the appropriate testing facility via certified courier.
- (h) All substance testing services, including subcontractor(s), must comply with federal, state and local regulations; substance testing standards must meet or exceed all regulatory requirements; and all work must be accomplished in accordance with regulations of the United States Department of Transportation (DOT).
- (i) The laboratory shall conduct testing of specimens (primary and split) according to applicable regulations and make adequate provision for the storage and accessibility of split samples.
- (j) Detection limits shall be consistent with applicable regulations.
- (k) Validity tests shall consist of at least three of the following: creatinine, chloride, specific gravity, pH. Adulteration assays must meet appropriate federal requirements.
- (l) The laboratory shall provide quantification of positive results.
- (m) Negative results must be reported to a Medical Review Officer (MRO) within 24 hours; confirmed positive results must be reported to a Medical Review Officer within 48 hours.
- (n) Initial and confirmation testing shall be performed at two different HHS certified facilities.
- (o) The laboratory shall maintain pertinent records for the period of time as set forth by federal regulations.
- (p) All result reporting and monthly summaries must be forwarded to the Medical Review Officer and the Department according to SAMHSA regulations.
- (q) The laboratory of the successful bidder shall maintain, and make available to the AHTD upon request, records of laboratory personnel involved in all phases of the AHTD testing program, including but not limited to: resumes, certifications and licenses, performance evaluations, advancements, and results of color blindness tests.
- (r) The laboratory of the successful bidder shall provide to the AHTD upon request a list of all personnel with access to those areas used for receiving, testing and storage of urine specimens, including supervisors with the authority to sign for and take control of urine specimens and delivery personnel.

- (s) The AHTD shall have the right to conduct on-site inspections of laboratory facilities, before award (with appointment) and after award (with no advance notice), with independent consultants at AHTD discretion.
- (t) The laboratory of the successful bidder shall make available upon request by the AHTD SAMHSA inspection reports.

3. **Medical Review Officer Requirements:**

- (a) MRO must be a licensed doctor of medicine (MD) or osteopathy (DO) with knowledge and/or experience with drug abuse disorders, with appropriate medical training to interpret and evaluate positive drug screen results, and experience with DOT regulations as they apply to MROs. Although formal addictionology training and experience or certification as an MRO is not required, it will be considered.
- (b) The following information regarding the doctor(s) who will be serving as the Medical Review Officer(s) must be provided upon request.
 - (1) Education, licenses, MRO Training and Certification (if any).
 - (2) Experience in the field of substance abuse and toxicology drug testing, and as a MRO.
 - (3) Does the MRO have a medical practice apart from his/her responsibilities as a MRO and, if so, how will that practice effect his/her ability to provide services under this RFP?
 - (4) Physical location address(es) of all MROs.
 - (5) Describe the method to be used to report drug screen results (fax, personal computer hookup, on-site printer).
 - (6) Describe how the MRO will handle problems with collection sites (i.e., collector errors, missing or delayed MRO paperwork on specimens, etc.).
 - (7) Describe the controls used by the MRO to minimize rejection rates, collector errors, etc.
- (c) The MRO cannot have ownership in any laboratory used by the AHTD for its substance testing.
- (d) The MRO must be accessible during and after the AHTD business hours and on weekends to verify presumptive test results of applicants and employees.
- (e) The MRO must maintain a toll-free telephone number for use of applicants and employees outside the local calling area.
- (f) The MRO must have liability and malpractice insurance. A certificate of insurance must be provided upon request.
- (g) The AHTD reserves the right to conduct an on-site inspection at the MRO's facility with independent consultants at AHTD discretion, before and after any contract award.

- (h) MRO must review all results prior to reporting and any negative results must be returned within 72 hours to the AHTD. MRO must follow appropriate federal guidelines with any positive results.
- (i) MRO must comply with all state and federal regulations regarding results format and records retention.
- (j) MRO must have the capability to receive electronically all substance test results from the testing laboratory 24 hours a day, 7 days a week.

4. **Collection Site Services Requirements:**

- (a) Collection Site Services are required by the AHTD and shall be completed at the AHTD locations noted in Appendix B.
- (b) It is the current policy of the AHTD to have multiple individuals tested at one location.
- (c) Split samples are required.
- (d) Use of certified EBT equipment is required for alcohol testing at multiple locations.
 - EBT devices must be provided in sufficient quantities and at locations necessary for complete service area coverage within the specified time requirement.
 - EBT devices must meet all certification requirements established in 49 CFR Part 40
 - Provisions must be made for back-up EBT devices if necessary.
- (e) Bidders must describe personnel required to assure accurate and secure testing and the provisions for security of samples in transit.
- (f) Bidders must set forth what is required of the AHTD (manpower, facilities, etc.) to accommodate testing activities.

5. **Other Requirements:** Please answer the following questions and be prepared to provide any requested information concerning your company's provision of proficiency testing/blind samples and random employee selection computer programs.

(a) **Proficiency Testing/Blind Samples**

- (1) Do you prepare your own samples or do you purchase them? _____
- (2) If you prepare your own samples, what are your QC standards? _____

- (3) If you prepare your own samples, are you evaluated internally or externally on your standards? _____

- (4) If you purchase samples, what measures do you take to ensure quality samples? _____

- (5) How long have you been with your present proficiency testing program? _____

(6) Do you plan to change proficiency testing programs in the near future? _____

(b) Random Employee Selection Computer Program

(1) Who validated the program? _____

(2) How would the lists be accessed (fax, personal computer, etc.)? _____

(3) What kind of special reports will be provided? _____

(4) How would the program be updated as the employee pool changes? _____

(5) How would the lists of randomly selected employees be accessed by the Department? _____

(c) Staffing

(1) Can you test multiple locations on the same day? _____

(2) How many collectors do you have on staff? _____

ARKANSAS STATE HIGHWAY AND TRANSPORTATION DEPARTMENT

APPENDIX B – COLLECTION SITE LOCATIONS

District One Headquarters
Hwy. 64, West of Jct, Hwy. 1 North
Wynne, AR 72396

District Eight Headquarters
370 Aspen Lane
Russellville, AR 72801

District Two Headquarters
4900 Hwy. 65 South
Pine Bluff, AR 71611

District Nine Headquarters
4590 Hwy. 65
Harrison, AR 72602

District Three Headquarters
2911 Hwy. 29 North
Hope, AR 71802

District Ten Headquarters
2510 West Kingshighway
Paragould, AR 72451

District Four Headquarters
808 Frontier Rd.
Barling, AR 72923

District Five Headquarters
1673 Batesville Blvd.
Batesville, AR 72503

Equipment and Procurement Division
11302 W. Baseline Road
Little Rock, AR 72209

District Six Headquarters
8900 Mabelvale Pike
Little Rock, AR 72209

Maintenance Division
11300 W. Baseline Road
Little Rock, AR 72209

District Seven Headquarters
2245 California Avenue
Camden, AR 71701

Materials Division
11301 W. Baseline Rd.
Little Rock, AR 72209

- **Where possible, there should also be clinics/hospitals, with trained and DOT certified personnel, available for use in each county within the state. A copy of this list must be updated and provided to this Department bi-annually.**

ATTACHMENT A

ELIGIBLE BIDDER CERTIFICATION

The Bidder represents and warrants for itself, its employees and its subcontractors and certifies they:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this Bid been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph two (2) of this Certification;
4. Have not within a one-year period preceding this application/Bid had one or more public transactions (Federal, State, or local) terminated for cause or default; and

The Bidder represents, warrants and acknowledges the understanding that restrictions placed on the employment of labor or on the scale of pay for the work on a contract will be the requirements of the Fair Labor Standards Act (Federal Wage-Hour Law) of 1938, 28 USC §201 et seq., and other applicable labor laws.

The person executing this Certification further represents, warrants and affirms the truthfulness and accuracy of the contents of the statements submitted on or with this Certification and understands that the provisions of 31 USC §3801 et seq. are applicable thereto.

BIDDER NAME

BY: _____
Signature

TITLE: _____

CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM

Failure to complete all of the following information may result in a delay in obtaining a contract, lease, purchase agreement, or grant award with any Arkansas State Agency.

SUBCONTRACTOR: _____ SUBCONTRACTOR NAME: _____

Yes No

IS THIS FOR:

TAXPAYER ID NAME: _____ Goods? Services? Both?

YOUR LAST NAME: _____ FIRST NAME: _____ M.I.: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP CODE: _____ COUNTY: _____

AS A CONDITION OF OBTAINING, EXTENDING, AMENDING, OR RENEWING A CONTRACT, LEASE, PURCHASE AGREEMENT, OR GRANT AWARD WITH ANY ARKANSAS STATE AGENCY, THE FOLLOWING INFORMATION MUST BE DISCLOSED:

FOR INDIVIDUALS*

Indicate below if: you, your spouse or the brother, sister, parent, or child of you or your spouse is a current or former: member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee:

Position Held	Mark (✓)		Name of Position of Job Held <small>(senator, representative, name of board/ commission, data entry, etc.)</small>	For How Long?		What is the person(s) name and how are they related to you? <small>(i.e., Jane Q. Public, spouse, John Q. Public, Jr., child, etc.)</small>	
	Current	Former		From MM/YY	To MM/YY	Person's Name(s)	Relation
General Assembly							
Constitutional Officer							
State Board or Commission Member							
State Employee							

None of the above applies

FOR AN ENTITY (BUSINESS)*

Indicate below if any of the following persons, current or former, hold any position of control or hold any ownership interest of 10% or greater in the entity: member of the General Assembly, Constitutional Officer, State Board or Commission Member, State Employee, or the spouse, brother, sister, parent, or child of a member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee. Position of control means the power to direct the purchasing policies or influence the management of the entity.

Position Held	Mark (✓)		Name of Position of Job Held <small>(senator, representative, name of board/ commission, data entry, etc.)</small>	For How Long?		What is the person(s) name and what is his/her % of ownership interest and/or what is his/her position of control?		
	Current	Former		From MM/YY	To MM/YY	Person's Name(s)	Ownership Interest (%)	Position of Control
General Assembly								
Constitutional Officer								
State Board or Commission Member								
State Employee								

None of the above applies

Contract and Grant Disclosure and Certification Form

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the agency.

As an additional condition of obtaining, extending, amending, or renewing a contract with a state agency I agree as follows:

1. Prior to entering into any agreement with any subcontractor, prior or subsequent to the contract date, I will require the subcontractor to complete a **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM**. Subcontractor shall mean any person or entity with whom I enter an agreement whereby I assign or otherwise delegate to the person or entity, for consideration, all, or any part, of the performance required of me under the terms of my contract with the state agency.

2. I will include the following language as a part of any agreement with a subcontractor:

Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this subcontract. The party who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the contractor.

3. No later than ten (10) days after entering into any agreement with a subcontractor, whether prior or subsequent to the contract date, I will mail a copy of the **CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM** completed by the subcontractor and a statement containing the dollar amount of the subcontract to the state agency.

Signature _____	Title _____	Date _____
Vendor Contact Person _____	Title _____	Phone No. _____

Agency Use Only				
Agency Number _____	Agency Name _____	Agency Contact Person _____	Contact Phone No. _____	Contract or Grant No. _____