

## **Request for Proposals (RFP)**

### **Drug and Alcohol Testing Services for 45<sup>th</sup> Circuit Adult Drug Treatment Court (ADTC)**

**&**

### **45<sup>th</sup> Circuit Swift and Sure Sanctions Probation Program (SSSPP)**

**Request for Proposals.** St. Joseph County, MI 45<sup>th</sup> Circuit Adult Drug Treatment Court (Heretofore referred to as ADTC) and the 45<sup>th</sup> Circuit Court Swift and Sure Sanctions Probation Program (Heretofore referred to as SSSPP) are requesting proposals to provide frequent, random, and observed drug and alcohol tests.

#### **Description of Services.**

1. Drug and alcohol testing must be frequent (minimum of twice/week), random, and observed (same sex) urine analyses (UA) drug and alcohol tests. Gender identity means an individual's internal sense of being male or female, which may be different from an individual's sex assigned at birth. Other testing methods as requested by ADTC and/or SSSPP Team members must be provided in those instances.
2. Testing must be provided at a community testing site, as well as via mobile testing administered in program participant's homes and other locations as requested.
3. The probability of being tested in the evening, weekend, and holidays must be the same as on any other days/times. Testing days must be selected by a computerized randomizer.
4. Coordinate services and communicate immediately in the event of a positive test with the participant's MDOC Agent, the participant's Case Manager, and the Program Coordinator. Vendor is responsible for ordering and maintaining necessary inventory including PPE supplies.
5. Enter all test results into the Michigan Drug Court Case Management Information System (MDCCMIS) within 24 hours of administering a test.
6. Timely communication with participants during testing and following up with ADTC and/or SSSPP Team after each test is the responsibility of the vendor regarding any statements, behaviors or observations related to the participants, (including but not limited to observations of participants prior to, during, and after testing.

7. Test specimens must be examined for all unauthorized substances that are suspected to be used by drug court participants. Randomly selected specimens are to be tested periodically for a broader range of substances to detect new substances that might be emerging in the drug court population.

8. Vendor is responsible for following all evidence-based practices to reduce the risk of the participant providing an adulterated, tampered, or substitute specimen.

9. When a participant denies substance use in response to a positive screening test, vendor agrees to send a portion of the same specimen to a SAMHSA approved laboratory and for confirmatory analysis using the instrumented test GC/MS.

10. Unless a participant admits to using the drug identified by the screening procedure, confirmation of presumptive positive tests is mandatory. The vendor is responsible to provide ADTC and/or SSSPP confirmation test results within 48 hours of sample collection.

11. The vendor is responsible for routinely examining and testing specimens for evidence of dilution and adulteration including temperature testing, creatinine, and specific gravity testing.

12. Vendor is required to follow generally accepted chain-of-custody procedures when handling test specimens. Therefore, if independent professionals or laboratories perform drug and alcohol testing, they must be trained carefully to follow proper chain of custody procedures. A chain-of-custody form is completed when a urine sample has been collected and is being transported from the testing site. This form ensures the identity and integrity of the sample through transport, testing, and reporting of results.

13. The vendor and the associated SAMHSA approved lab used for confirmation testing must cooperate if the court determines that scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue. A witness qualified as an expert by knowledge, skill, experience, training, or education will testify in the form of an opinion or otherwise if (1) the testimony is based on sufficient facts or data, (2) the testimony is the product of reliable principles and methods, and (3) the witness has applied the principles and methods reliably to the facts of the case.

14. Vendors are required to comply with Title 42 of the United States Code, Section 290dd2, which is the federal law that protects the confidentiality of the identity, diagnosis, prognosis, or treatment of any patient records that are maintained in

connection with the performance of any federally assisted program or activity relating to substance abuse education, prevention, training, treatment, rehabilitation, or research. 42 CFR, Part 2, contains the regulations implementing the alcohol and substance abuse confidentiality law.

15. Vendors are required to comply with the Health Insurance Portability and Accountability Act (HIPAA). HIPAA is a federal law that protects confidentiality and the security of protected health information.

16. Vendor is required to follow the State of Michigan State Court Administrative Office (SCAO), Problem Solving Courts, Michigan Association of Treatment Court Professionals Adult Drug Court Standards, Best Practices, and Promising Practices (December 2019) <https://courts.michigan.gov/Administration/SCAO/Resources/Documents/bestpractice/ADC-BPManual.pdf> and the National Association of Drug Court Professionals (NADCP) Best Practice Standards regarding Drug and Alcohol Testing (2018) <https://www.nadcp.org/wp-content/uploads/2022/05/Adult-Drug-Court-Best-Practice-Standards-Volume-2-Text-Revision-December-2018-corrected-May-2022.pdf> and all updated versions as released.

17. Vendor is required to provide expeditious communication with the ADTC and SSSPP Program Coordinator/s and to participate in ADTC and SSSPP Staffing and Core Team meetings as requested by ADTC and SSSPP. Vendor must agree to participate in interdisciplinary trainings as requested.

18. Vendor must agree to and accommodate all requested auditing activities upon request by ADTC and SSSPP to ensure that services are being performed as described in this RFP.

19. Vendor is required to provide reasonable accommodations under the American Disabilities Act as requested.

#### **TIMELINE:**

December 1, 2022: RFP distributed to potential vendors.

December 15, 2022: Proposals are due by email at 5:00 p.m. to [blissm@stjosephcountymi.org](mailto:blissm@stjosephcountymi.org)

December 22, 2022 – Contract award announced.

January 1, 2023 – Vendor begins providing services.

#### **EVALUATION CRITERIA AND SELECTION:**

ADTC and SSSPP will evaluate each RFP submitted based on responsiveness to the project's needs and the ability to describe how they will ensure services will be provided in accordance with the requirements listed in the RFP. ADTC and SSSPP will consider the estimated value, the project scope and complexity, as well as the professional nature of the services to be rendered. Each vendor submitting a proposal should include the following information:

1. The name of the agency or organization and location of all its offices, specifically indicating the principal place of business. ADTC and/or SSSPP is interested in seeking firms that have a presence in St. Joseph County and surrounding areas, however, this should not dissuade a bidder from outside of the area from submitting a proposal.
2. A brief history of the vendor including the range of services offered specially in working with ADTC and SSSPP.
3. The education, training, experience, licensing, and qualifications of the vendor.
4. The agency or organization's approach to managing cost control, risk identification, and risk mitigation.
5. A brief description of vendor's approach to budget estimating and management. Describe your method of cost control. If a project is over budget during any phase, describe the analysis ideas and processes that your team will undertake to reduce costs.
6. A brief response to the following:
  - a. Information on the vendor's technical capabilities and ability to timely perform the services as reflected by the vendor's current and projected workload and having adequate personnel, equipment, and facilities.
  - b. Indicate the present level of professional and general liability and other insurance coverage for the vendor.
  - c. List and describe any past or current actions taken by any regulatory agency against the vendor or its agents or employees with respect to any work performed.
  - d. Provide any other pertinent information regarding qualifications and performance data requested by ADTC and/or SSSPP.
  - e. To be considered responsive to the requirements of this RFP, the vendor shall provide verifiable evidence that the vendor and associated consultants or contractors meet all the requirements and qualifications described herein. ADTC and/or SSSPP reserves the right to request additional information which, in its sole opinion, is necessary to assure the vendor ethics, competence, business organization, and financial resources are adequate to perform the work described herein.
  - f. Provide a list of all current contracts.
7. Competence to ethically perform the services as reflected by technical training and education, general experience, experience in providing the required services, and the

qualifications and competence of persons who would be assigned to perform the services.

8. Ability to ethically perform the services described in this RFP as reflected by workload and the availability of adequate personnel, financial resources, equipment, and facilities to perform the services ethically and expeditiously.
9. Fee proposal. Attach an itemized listing of your proposed cost breakdown based on an estimated cost of delivering services for ADTC \$35,000 and SSSPP \$35,000 from 1/1/2023 – 9/30/2023. Allowable costs include Range of cost/UA screen and cost of confirmation tests. Specificity and detail is required.

**Bonds and Insurance.** The vendor shall procure and maintain bonds and insurance as required by law.

**Waiver.** By submitting a proposal, the vendor agrees to waive any claim it has, or may have, against St. Joseph County, MI and its agents or representatives, and their respective employees, arising out of, or in connection with, the administration, evaluation, or recommendation of any proposal; waiver of any requirements under the proposal documents or the contract documents; acceptance or rejection of any proposals; and award of the contract.

**Disqualification of Bidders.** Vendors may be disqualified, and their proposals disregarded for reasons which include, but are not limited to the following:

1. ADTC and/or SSSPP has reason to believe that the vendor has engaged in collusion.
2. The vendor being involved in any litigation against any party related to the proposal.
3. The vendor is in arrears on any existing contract or has defaulted on a previous contract.
4. The vendor has uncompleted work which, in the judgment of ADTC & SSSPP, will prevent or hinder the prompt completion of the requirements of this RFP, if it were awarded to the vendor.
5. Other appropriate reason as determined by ADTC & SSSPP.

**Non-responsive proposals.** A vendor that fails to respond to any request for information may be deemed non-responsive and its proposal may not be considered for the award. Submission of a proposal in response to this RFP is certification that you, your company, and any subcontractor is not currently debarred, suspended, proposed for debarment, declared ineligible, or otherwise excluded from submitting proposals to any State or Federal department or agency or any political subdivision of the State of Michigan.

**Rejection of Proposals.** ADTC & SSSPP reserves the right (a) to terminate the proposal process at any time; (b) to reject any or all proposals; (c) to change the schedule and dates for responses, interviews, and other dates; and (d) to waive formalities and minor irregularities in the proposals received. ADTC & SSSPP further reserves the right to conduct a pre-award survey of any vendor under consideration regarding any of the information furnished by the vendor or

to require other evidence of ethical, managerial, financial, technical, and other capabilities, the positive establishment of which is determined by ADTC and/or SSSPP to be necessary for the successful performance of the contract. ADTC and/or SSSPP further reserves the right to cancel or amend this RFP at any time and will attempt to notify recipients accordingly.

**Public Records.** The vendor acknowledges by submitting a proposal that any and all information may be subject to the Public Records law of Michigan.

**Contract Award.** If awarded, the vendor will enter into a written contract with the 45<sup>th</sup> Circuit Court using the template provided by the State of Michigan Court Administrative Office (SCAO).

**Questions.** Vendors should submit all questions, inquiries, or requests for clarification about the project by email to [blissm@stjosephcountymi.org](mailto:blissm@stjosephcountymi.org). Questions, inquiries, or requests for clarification will not be accepted by phone, in person, or by other means. All questions must be submitted by 5:00 p.m. December 10, 2022, to allow for response information to be provided to all interested parties.