

REQUEST FOR PROPOSALS FOR

Drug and Alcohol Testing Services

ISSUING OFFICE

Pennsylvania Turnpike Commission

Human Resources Department

RFP NUMBER

08-10380-3612

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REQUEST FOR PROPOSALS FOR

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PART I

GENERAL INFORMATION FOR PROPOSERS

I-1. Purpose. This request for proposals (RFP) provides interested contractors with sufficient information to enable them to prepare and submit proposals for consideration by the Pennsylvania Turnpike Commission (Commission) to satisfy a need for Federal Department of Transportation mandated controlled substances and alcohol testing services as defined by the Department of Transportation, Federal Motor Carrier Safety Administration's regulations, as detailed in 49 CFR Parts 382 et al. along with the procedures described in 49 CFR Part 40 for employees in safety sensitive functions.

I-2. Issuing Office. This RFP is issued for the Commission by Patrick Burns, Human Resources Specialist, Human Resources Department, P.O. Box 67676, Harrisburg, PA 17106-7676, Telephone Number (717) 939-9551, extension 4142, Fax Number (717) 986-8760. Email address pburns@paturnpike.com. The Issuing Office is the sole point of contact in the Commission for this RFP.

I-3. Scope. This RFP contains instructions governing the proposals to be submitted and the material to be included therein; a description of the service to be provided; requirements which must be met to be eligible for consideration; general evaluation criteria; and other requirements to be met by each proposal.

I-4. Problem Statement. The Pennsylvania Turnpike Commission (PTC) requests a proposal to provide drug and alcohol testing services that insure compliance with the Department of Transportation, Federal Motor Carrier Safety Administration's controlled substances and alcohol use and testing rule as detailed in 49 CFR Parts 382 et al. along with the procedures described in 49 CFR Part 40 for employees in safety sensitive functions.

I-5. Type of Contract. It is proposed that if a contract is entered into as a result of this RFP, it will be a fee for service type contract. The Commission may in its sole discretion undertake negotiations with Proposers whose proposals as to price and other factors show them to be qualified, responsible, and capable of performing the work.

I-6. Rejection of Proposals. The Commission reserves the right to reject any and all proposals received as a result of this request, or to negotiate separately with competing Proposers.

I-7. Subcontracting. Any use of subcontractors by a Proposer must be identified in the proposal. During the contract period use of any subcontractors by the selected Proposer, that were not previously identified in the proposal, must be approved in advance in writing by the Commission.

A firm that responds to this solicitation as a prime may not be included as a designated subcontractor to another firm that responds to the same solicitation. **Multiple responses under any of the foregoing situations may cause the rejection of all responses of the firm or firms involved.** This does not preclude a firm from being set forth as a designated subcontractor to more than one prime contractor responding to the project advertisement.

I-8. Incurring Costs. The Commission is not liable for any costs the Proposer incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of award of contract.

I-9. Questions and Answers the Commission will permit prospective vendors to propose questions in regard to the RFP. The purpose of this is to clarify any points in the RFP, which may not have been clearly understood. Written questions should be submitted to the Issuing Office at the address indicated in Section I-2 to be received no later than **Wednesday, August 13, 2008**. All questions and written answers will be issued as an addendum to and become part of this RFP.

I-10. Addenda to the RFP. If it becomes necessary to revise any part of this RFP before the proposal response date, addenda will be posted to the Commission's website under the original RFP document. It is the responsibility of the Proposer to periodically check the website for any new information or addenda to the RFP.

The Commission may revise a published advertisement. If the Commission revises a published advertisement less than ten days before the RFP due date, the due date will be extended to maintain the minimum ten-day advertisement duration if the revision alters the project scope or selection criteria. Firms are responsible to monitor advertisements/addenda to ensure the submitted proposal complies with any changes in the published advertisement.

I-11. Response. To be considered, proposals must be delivered to the Pennsylvania Turnpike Commission's **Contract Administration Department, Attention Fran Furjanic**, on or before **12:00 Noon, local time, on Friday September 5, 2008**. The Pennsylvania Turnpike Commission is located at 700 South Eisenhower Blvd., Middletown, PA 17057. Please note that use of **U.S. Mail delivery does not guarantee delivery to this address by the above-listed time for submission. Proposers mailing proposals should allow sufficient delivery time to ensure timely receipt of their proposals.** If the Commission office location to which proposals are to be delivered is closed on the proposal response date, due to inclement weather, natural disaster, or any other cause, the deadline for submission shall be automatically extended until the next Commission business day on which the office is open. Unless the Proposers are otherwise notified by the Commission, the time for submission of proposals shall remain the same.

I-12. Proposals. To be considered, Proposers should submit a complete response to this RFP, using the format provided in PART II. Each proposal should be submitted in **six (6)** copies to the Contract Administration Department. No other distribution of proposals will be made by the Proposer. Each proposal page should be numbered for ease of reference. Proposals must be signed by an official authorized to bind the Proposer to its provisions and include the Proposer's Federal Identification Number. For this RFP, the proposal must remain valid for at least **60** days. Moreover, the contents of the proposal of the selected Proposer will become contractual obligations if a contract is entered into.

Each and every Proposer submitting a proposal specifically waives any right to withdraw or modify it, except as hereinafter provided. Proposals may be withdrawn by written or telefax notice received at the Commission's address for proposal delivery prior to the exact hour and date specified for proposal receipt. However, if the Proposer chooses to attempt to provide such written notice by telefax transmission, the Commission shall not be responsible or liable for errors in telefax transmission. A proposal may also be withdrawn in person by a Proposer or its authorized representative, provided its identity is made known and it signs a receipt for the proposal, but only if the withdrawal is made prior to the exact hour and date set for proposal receipt. A proposal may only be modified by the submission of a new sealed proposal or submission of a sealed modification which complies with the requirements of this RFP.

I-13. Economy of Preparation. Proposals should be prepared simply and economically, providing a straightforward, concise description of the Proposer's ability to meet the requirements of the RFP.

I-14. Discussions for Clarification. Proposers who submit proposals may be required to make an oral or written clarification of their proposals to the Issuing Office to ensure thorough mutual understanding and Proposer responsiveness to the solicitation requirements. The Issuing Office will initiate requests for clarification.

I-15. Best and Final Offers. The Issuing Office reserves the right to conduct discussions with Proposers for the purpose of obtaining “best and final offers.” To obtain best and final offers from Proposers, the Issuing Office may do one or more of the following: a) enter into pre-selection negotiations; b) schedule oral presentations; and c) request revised proposals. The Issuing Office will limit any discussions to responsible Proposers whose proposals the Issuing Office has determined to be reasonably susceptible of being selected for award.

I-16. Prime Proposer Responsibilities. The selected Proposer will be required to assume responsibility for all services offered in its proposal whether or not it produces them. Further, the Commission will consider the selected Proposer to be the sole point of contact with regard to contractual matters.

I-17. Proposal Contents. Proposals will be held in confidence and will not be revealed or discussed with competitors, unless disclosure is required to be made (i) under the provisions of any Commonwealth or United States statute or regulation; or (ii) by rule or order of any court of competent jurisdiction. If a contract is executed, however, the successful proposal submitted in response to this RFP shall be subject to disclosure. All material submitted with the proposal becomes the property of the Pennsylvania Turnpike Commission and may be returned only at the Commission’s option. Proposals submitted to the Commission may be reviewed and evaluated by any person other than competing Proposers at the discretion of the Commission. The Commission has the right to use any or all ideas presented in any proposal. Selection or rejection of the proposal does not affect this right.

I-18. Debriefing Conferences. Proposers whose proposals are not selected will be notified of the name of the selected Proposer and given the opportunity to be debriefed, at the Proposer’s request. The Issuing Office will schedule the time and location of the debriefing. The Proposer will not be compared with other Proposers, other than the position of its proposal in relation to all other proposals.

I-19. News Releases. News releases pertaining to this project will not be made without prior Commission approval, and then only in coordination with the Issuing Office.

I-20. Commission Participation. Unless specifically noted in this section, Proposers must provide all services to complete the identified work.

I-21. Cost Submittal. The cost submittal shall be placed in a separately sealed envelope within the sealed proposal and kept separate from the technical submittal. **Failure to meet this requirement may result in disqualification of the proposal.**

I-22. Term of Contract. The term of the contract will commence on the Effective Date (as defined below) and continue for a period of three (3) years. The Commission shall fix the Effective Date after the contract has been fully executed by the Contractor and by the Commission and all approvals required by Commission contracting procedures have been obtained.

I-23. Proposer's Representations and Authorizations. Each Proposer by submitting its proposal understands, represents, and acknowledges that:

a. All information provided by, and representations made by, the Proposer in the proposal are material and important and will be relied upon by the Issuing Office in awarding the contract(s). Any misstatement, omission or misrepresentation shall be treated as fraudulent concealment from the Issuing Office of the true facts relating to the submission of this proposal. A misrepresentation shall be punishable under 18 Pa. C.S. 4904.

b. The price(s) and amount of this proposal have been arrived at independently and without consultation, communication or agreement with any other Proposer or potential Proposer.

c. Neither the price(s) nor the amount of the proposal, and neither the approximate price(s) nor the approximate amount of this proposal, have been disclosed to any other firm or person who is a Proposer or potential Proposer, and they will not be disclosed on or before the proposal submission deadline specified in the cover letter to this RFP.

d. No attempt has been made or will be made to induce any firm or person to refrain from submitting a proposal on this contract, or to submit a proposal higher than this proposal, or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.

e. The proposal is made in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive proposal.

f. To the best knowledge of the person signing the proposal for the Proposer, the Proposer, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last four (4) years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as disclosed by the Proposer in its proposal.

g. To the best of the knowledge of the person signing the proposal for the Proposer and except as otherwise disclosed by the Proposer in its proposal, the Proposer has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the Proposer that is owed to the Commonwealth.

h. The Proposer is not currently under suspension or debarment by the Commonwealth, or any other state, or the federal government, and if the Proposer cannot certify, then it shall submit along with the proposal a written explanation of why such certification cannot be made.

i. The Proposer has not, under separate contract with the Issuing Office, made any recommendations to the Issuing Office concerning the need for the services described in the proposal or the specifications for the services described in the proposal.

j. Each Proposer, by submitting its proposal, authorizes all Commonwealth agencies to release to the Commission information related to liabilities to the Commonwealth including, but not limited to, taxes, unemployment compensation, and workers' compensation liabilities.

PART II

INFORMATION REQUIRED FROM PROPOSERS

Proposals must be submitted in the format, including heading descriptions, outlined below. To be considered, the proposal must respond to all requirements in this part of 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. Each proposal shall consist of two (2) separately sealed submittals. The submittals are as follows: (i) Technical Submittal, in response to Sections II-1 through II-7 hereof; (ii) Cost Submittal, in response to Section II-8 hereof.

The Commission reserves the right to request additional information which, in the Commission's opinion, is necessary to assure that the Proposer's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the RFP.

The Commission may make such investigations as deemed necessary to determine the ability of the Proposer to perform the work, and the Proposer shall furnish to the Issuing Office all such information and data for this purpose as requested by the Commission. The Commission reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Proposer fails to satisfy the Commission that such Proposer is properly qualified to carry out the obligations of the agreement and to complete the work specified.

II-1. Statement of the Problem. State in succinct terms your understanding of the problem presented or the service required by this RFP.

II-2. Management Summary. Include a narrative description of the proposed effort and a list of the items to be delivered or services to be provided.

II-3. Work Plan. Describe in narrative form your plan for implementing a drug and alcohol testing program for the Pennsylvania Turnpike Commission consistent with the Department of Transportation, Federal Motor Carrier Safety Administration's regulations. Use the task descriptions in Part IV of this RFP as your reference point. Modifications of the task descriptions are permitted; however, reasons for changes should be fully explained.

II-4. Prior Experience. Include experience in **Drug and Alcohol Testing Services**. Experience shown should be work done by individuals who will be assigned to the Commission's account as well as that of your company, including any on-site testing group. Studies or projects referred to should be identified and the name of the customer shown, including the name, address, and telephone number of the responsible official of the customer, company, or agency who may be contacted.

II-5. Personnel. Include the number, and names where practicable, of executive and professional personnel, analysts, auditors, researchers, programmers, consultants, etc., who will be engaged in the work. If the proposer has multiple locations, show where these personnel will be physically located during the time they are engaged in the work. Include through a resume or similar document education and experience in **Drug and Alcohol Testing Services**, including certifications. Indicate the responsibilities each will have in this project and how long each has been with your company. Identify subcontractors you intend to use and the services they will perform.

II-6. Training. If appropriate, indicate recommended training of Commission personnel. Include the personnel to be trained, the number to be trained, duration of the program, place of training, curricula, training materials to be used, number and frequency of sessions, and number and level of instructors.

II-7. M/W/DBE/ Participation. The Turnpike Commission is committed to the inclusion of disadvantaged, minority, and woman firms in contracting opportunities. Responding firms shall clearly identify DBE/MBE/WBE firms, expected to participate in this contract, in their Proposal. **If further information is desired concerning DBE/MBE/WBE participation,** direct inquiries to the Pennsylvania Turnpike Commission's Contract Administration Department by calling (717) 939-9551 Ext. 4241.

II-8. Cost Submittal. The information requested in this section shall constitute your cost submittal. **The Cost Submittal shall be placed in a separate sealed envelope within the sealed proposal, separate from the technical submittal.**

Proposers should **not** include any assumptions in their cost submittals. If the proposer includes assumptions in its cost submittal, the Issuing Office may reject the proposal.

The total cost you are proposing must be broken down into the following components:

a. Costs for Testing. Itemize to show the cost for the following categories:

The type of test taken. Include testing method:

- urine drug testing
- breath alcohol content testing

Include the testing category:

- pre employment,
- random,
- post accident
- return to duty
- reasonable suspicion

Include the cost for testing:

- the cost for collections done on site (Commission locations)
- the cost for collection off site (collection sites)
- the cost for laboratory services, including any extra costs due to split sample testing
- any other cost(s) associated with the collection and processing of testing
- total cost for each test.

In addition to listing costs for testing, the Commission has developed scenarios for testing that a vendor is likely to encounter in providing testing services. Vendors are required to respond with a cost for testing for each scenario. These scenarios have been attached to this RFP as Appendix C.

b. General Overhead Costs. Specify what is included and rate used. If there are no general overhead costs in your proposal, so state.

c. Consultant Costs. Itemize as in (a) above. If there are no consultant costs in your proposal, so state.

d. Subcontract Costs. Itemize as in (a) above. If there are no subcontract costs in your proposal, so state.

e. Cost of Supplies and Materials. Itemize. If there are no supplies and materials in your proposal, so state.

- f. **Other Direct Costs. Itemize.** If there are no other direct costs in your proposal, so state.
- g. **Total Cost.** Include any broker fees in your total cost.

Any costs not provided in the cost proposal will be assumed as no charge to the Commission.

The selected Proposer shall only perform work on this contract after the Effective Date is affixed and the fully-executed contract sent to the selected Proposer. The Commission shall issue a written Notice to Proceed to the selected Proposer authorizing the work to begin on a date which is on or after the Effective Date. The selected Proposer shall not start the performance of any work prior to the date set forth in the Notice of Proceed and the Commission shall not be liable to pay the selected Proposer for any service or work performed or expenses incurred before the date set forth in the Notice to Proceed. No Commission employee has the authority to verbally direct the commencement of any work under this Contract.

PART III

CRITERIA FOR SELECTION

III-1. Mandatory Responsiveness Requirements. To be eligible for selection, a proposal must be (a) timely received from the Proposer; (b) properly signed by the Proposer; and (c) formatted such that all cost data is kept separate from and not included in the Technical Submittal.

III-2. Proposals will be reviewed and evaluated by a committee of qualified personnel selected by the Commission. This committee will recommend for selection the proposal that most closely meets the requirements of the RFP and satisfies Commission needs. Award will only be made to a Proposer determined to be responsive and responsible in accordance with Commonwealth Procurement Code.

III-3. The following criteria will be used, in order of relative importance from the highest to the lowest, in evaluating each proposal:

a. Understanding the Needs of the Commission. This refers to the Proposer's understanding of the Commission needs that generated the RFP, of the Commission's objectives in asking for the services, and of the nature and scope of the work involved.

b. Proposer Qualifications. This refers to the ability of the Proposer to meet the terms of the RFP, and the quality of the services completed by the Proposer. This also includes the Proposer's ability to undertake a project of this size.

Proposals should include a detailed description of the organization's experience in drug and alcohol testing, specifically in testing consistent with the Federal Motor Carrier Safety Administration's regulations.

Proposals should include turn around times for both negative and positive tests results, defined as the time of receipt of the sample at the laboratory until time of reporting to the MRO. Include average turnaround times for tests that require spilt sample testing.

Proposers should also include samples of reports, documentation, testing forms, results, and any other documents to be used for this service.

If the contractor provides online access to test results and other electronic capabilities as a part of the service, they are to provide examples to the Commission.

The Proposer will also describe, if available, the mechanism used to resolve issues or problems that arise from the execution of services.

c. Personnel Qualifications. This refers to the competence of professional personnel who would be assigned to the job by the Proposer. Qualifications of professional personnel will include:

- Names and certifications of on site collection personnel, off site collection locations, and testing laboratories, as well as the relationship between the Proposer and personnel (e.g., subsidiary of Proposer, subcontractor)

- Personnel assigned by the Proposer to the Commission's account, including primary representative, client services representatives, and compliance personnel.

d. Soundness of Approach. This refers to the Proposer's ability to manage the requested service. Of equal importance is whether the technical approach is completely responsive to all written requirements contained in the RFP and if it appears to meet Commission objectives.

e. Available Facilities. This refers to the Proposer's ability to provide collection coverage for the entire Pennsylvania Turnpike. The Commission requires random drug and alcohol testing be done at Commission locations by on site testing groups. In addition, the Commission requires the majority of

reasonable suspicion drug and alcohol testing be done on site. The contractor will include the names of affiliated organizations that conduct on site drug and alcohol testing. This list should include both DOT and non-DOT testing and be available for after-hours reasonable suspicion drug and alcohol testing.

The contractor will also provide the names, location and hours of operation of qualified drug and alcohol test collection sites situated within 1 hour travel time (approx. 45 miles) from every location on the Turnpike (see Appendix B). The contractor should include twenty-four hour/seven day 800 number phone access for post accident and reasonable suspicion drug and alcohol test site locations. Collection sites must reside in the Commonwealth of Pennsylvania

f. Cost. While this area may be weighted heavily, it will not normally be the deciding factor in the selection process. The Commission reserves the right to select a proposal based upon all the factors listed above, and will not necessarily choose the firm offering the best price. The Commission will select the firm with the proposal that best meets its needs, at the sole discretion of the Commission.

III-4. Your proposal should include a performance guarantee covering the quality, timeliness, accuracy of your processes and outcome achieved through the execution of your contracted services.

PART IV

WORK STATEMENT

IV-1. Objectives. The Pennsylvania Turnpike Commission (Commission) requires controlled substance and alcohol testing services that comply with the Department of Transportation, Federal Motor Carrier Safety Administration's regulations, as detailed in 49 CFR Parts 382 et al. along with the procedures described in 49 CFR Part 40 for employees in safety sensitive functions. 49 CFR Parts 382 and 49 CFR Part 40 can be found on the Federal Motor Carrier Safety Administration's website at <http://www.fmcsa.dot.gov>.

IV-2. Nature and Scope of the Service. The work locations of covered employees are grouped in sections located approximately every 25 miles along the Turnpike right-of-way. There are a total of 21 section maintenance buildings. Each of these section maintenance buildings would be designated as a collection point. In addition, all tunnels, the Eastern Regional Office located in King of Prussia, the Western Regional Office located in New Stanton, and the Central Office located in Harrisburg would also be so designated. The total pool of employees in safety sensitive functions is 600 (approx.). A listing of Commission locations is included as appendix **B** of this document.

The Commission has adopted the language of the National Master Freight Agreement (NMFA) regarding drug and alcohol testing for Commercial Driver's License (CDL) employees. The NMFA was created by the Teamsters Union, which represents Commission employees. See Article 35, Section 3 of the NMFA regarding drug and alcohol testing, which is included as Appendix **A** of this document.

The contractor will provide all drug and alcohol testing consistent with the DOT, Federal Motor Carrier Safety Administration and NMFA guidelines regarding controlled substance and alcohol testing for all Commission employees in safety sensitive functions.

In addition to the requirements set forth by the DOT, all PTC employees are subject to reasonable suspicion drug and alcohol testing based on observation and documentation by trained PTC supervisory personnel. The contractor will also provide this type of testing.

IV-3. Requirements. The contractor must insure compliance with the DOT, Federal Motor Carrier Safety Administration's Controlled substances and alcohol use and testing rule as detailed in 49 CFR Parts 382 et al. along with the procedures described in 49 CFR Part 40.

The Commission requires random drug and alcohol testing be done at Commission locations by on site testing groups. In addition, the Commission requires the majority of reasonable suspicion drug and alcohol testing be done on site. The contractor will include the names of affiliated organizations that conduct on site drug and alcohol testing. This list should include both DOT and non-DOT testing and be available for after-hours reasonable suspicion drug and alcohol testing.

The contractor must identify collection sites that conduct drug and alcohol testing situated within 1 hour travel time (approx. 45 miles) from every location on the Turnpike (see Appendix B). This list must include the names, locations and hours of operation for collection sites that perform after hours reasonable suspicion testing. The collection sites must reside in the Commonwealth of Pennsylvania.

The contractor must also provide the following items consistent with the qualifications contained in the Federal Motor Carrier Safety Administration's regulations:

1. Trained qualified personnel with necessary expertise to collect drug test samples according to 49 CFR 40 Subpart C.
2. Certified Breath Alcohol Testing (BAT) and certified Saliva Screening Technician (SST) personnel with expertise to perform alcohol screen and required breath alcohol confirmation testing according to 49 CFR 40 Subpart J.
3. HHS certified Laboratory to evaluate samples according to 49 CFR 40 Subpart F. Include the name and address of the laboratory.
4. A certified Medical Review Officer (MRO) who meets the standards outlined in 49 CFR part 382 and 49 CFR Part 40 Subpart G (see link on page 12) for performing the duties associated with drug and alcohol testing. If there is more than one MRO on staff contracted by the service agent, include that number along with the hours of service coverage.

IV-4. Services. The contractor must provide information pertaining to the following criteria:

Random and Pre Employment Testing: The contractor will provide:

1. For Negative test results: Average test turnaround time defined as the time of receipt of the sample at the laboratory until time of reporting to the MRO.
2. For Positive or Non-negative test results: Average test turnaround time defined as the time of receipt of the sample at the laboratory until time of reporting to the MRO.
3. For Verified Positive, Adulterated or Cancelled drug tests: Average turnaround time defined as the time of receipt of laboratory test report until time of reporting verified drug test result to the Commission Designated Employer Representative (DER).
4. Transportation of split sample urine samples from the collection site to the laboratory.
5. All necessary paperwork to include logs, test results and all other necessary paperwork to comply with relevant 49 CFR 40 and 382 sections and modifications or clarifications thereof. Paperwork reduction in results reporting by use of electronic means is permitted provided such reporting methods are approved by the Commission and are compliant with electronic reporting provisions found in 49 CFR 40.163 (a-g).
6. Random pool management and random selection of safety-sensitive employees to be randomly tested for drugs (50%) and alcohol (10%) at federally mandated minimum or Commission approved random selection rates.
7. Required supplies including, but not limited to: Pre-printed Federal chain of custody forms, Split sample collection kits, DOT compliant shipping containers and pre-printed air bills according to 49 CFR 40 Subpart K.

Post Accident and Reasonable Suspicion Testing: The contractor must provide:

1. All services necessary to comply with the relevant CFR sections in the event of a covered employee's accident or determination of reasonable suspicion as defined in the relevant CFR sections.
2. Names, location and hours of operation of qualified drug and alcohol test collection sites situated within 1 hour travel time (approx. 45 miles) from every location on the Turnpike.
3. Twenty-four hour/seven day 800 number phone access for post accident and reasonable suspicion drug and alcohol test site locations.
4. Training materials relating to reasonable suspicion drug and alcohol testing, including the observation and documentation of signs and symptoms of drug and/or alcohol usage and initiating reasonable suspicion drug and alcohol testing for supervisory personnel. Include presentation materials (e.g. PowerPoint presentation) as well as handouts for participants.

If drug and alcohol supervisory training is offered by the Proposer, The Proposer will include the name/s of individuals that perform this type training, as well as the number of training hours available annually.

Follow up Testing: The contractor must provide:

1. Notice of follow up testing according to the respective Substance Abuse Professional (SAP) provided testing schedule in compliance with 49 CFR 40 Subpart O.
2. Chain of custody forms and other testing materials needed to conduct testing

Record Keeping: In accordance with 49 CFR 40 Subpart Q and Appendix F the contractor must:

1. Maintain reports to the Commission as required by the DOT Federal Motor Carrier Safety Administration's Controlled Substances and Alcohol use and Testing Rule as detailed in 49 CFR Parts 382 et al, along with the procedures described in 49 CFR Part 40, Subpart Q and Appendix B.
2. Describe the procedure that will be used to comply with the 2-day requirement for availability of records.
3. Describe the procedures necessary to comply with new employer requests for drug and alcohol screening information on a former employee.
4. Comply with the all annual Federal US DOT reporting confidentiality requirements in 49 CFR 40.341,349 and 351.
5. If online access of test results and other materials are available, provide a description of on line capabilities.

Appendix A - National Master Freight Agreement

Article 35

Section 3. Drug Testing

PREAMBLE

While abuse of alcohol and drugs among our members/employees is the exception rather than the rule, Teamsters Local Unions 77 and 250 and the Employer signatory to this Agreement share the concern expressed by many over the growth of substance abuse in American society.

The parties have agreed that the Drug and Alcohol Abuse Program will be modified in the event that further federal legislation or Department of Transportation regulations provide for revised testing methodologies or requirements. The parties have incorporated the appropriate changes required by the applicable DOT drug testing rules under 49 CFR Parts 40 and 382, and agree that if new federally mandated changes are brought about, they too will become part of this Agreement. The drug testing procedure, agreed to by labor and management, incorporates state-of-the-art employee protections during specimen collection and laboratory testing to protect the innocent and ensures the Employer complies with all applicable DOT drug and alcohol testing regulations. In order to eliminate the safety risks which result from alcohol or drugs, the parties have agreed to the following procedures:

NMFA UNIFORM TESTING PROCEDURE

A. Probable Suspicion Testing

In cases in which an employee is acting in an abnormal manner and at least one (1) supervisor, two (2) if available, have probable suspicion to believe that the employee is under the influence of controlled substances and/or alcohol, the Employer may require the employee (in the presence of a union shop steward, if possible) to undergo a urine specimen collection and a breath alcohol analysis as provided in Section 4B. The supervisor(s) must have received training in the signs of drug intoxication in a prescribed training program which is endorsed by the Employer. The Commission agrees to provide information on what type and the length of training provided to those Supervisors at the request of the Union. A list of Supervisors that have received training pursuant to Section 382.603 of the FMCSR shall be provided to the Union yearly in January. Probable suspicion means suspicion based on specific

personal observations that the Employer representative(s) can describe concerning the appearance, behavior, speech or breath odor of the employee. The observations may include the indication of chronic and withdrawal effects of controlled substances. The supervisor(s) must make a written statement of these observations within twenty-four (24) hours. A copy must be provided to the shop steward or other union official after the employee is discharged. Suspicion is not probable and thus not a basis for testing if it is based solely on third (3rd) party observation and reports. The employee shall not be required to waive any claim or cause of action under the law. For all purposes herein, the parties agree that the terms "probable suspicion" and "reasonable cause" shall be synonymous. Any employee testing positive for controlled substances and/or alcohol under this section will be entitled to the same provisions under section 3 J.

The following collection procedures shall apply to all types of testing:

A refusal to provide a urine specimen or undertake a breath analysis will constitute a presumption of intoxication and the employee will be subject to discharge without receipt of a prior warning letter. If the employee is unable to produce 45mL of urine, he/she shall be offered up to forty ounces of fluid to drink and shall remain at the collection site under observation until able to produce a 45mL specimen, for a period of up to three (3) hours from the first unsuccessful attempt to provide the urine specimen. If the employee is still unable to produce a 45mL specimen, the Employer shall direct the employee to undergo an evaluation which shall occur within five business days, by a licensed physician, acceptable to the MRO who has the expertise in the medical issues concerning the employee's inability to provide an adequate amount of urine. If the physician and MRO conclude that there is no medical condition that would preclude the employee from providing an adequate amount of urine, the MRO will issue a ruling that the employee refused the test. If an employee is unable to provide sufficient breath sample for analysis, the procedures outlined in the DOT regulations shall be followed for all employees. Such employees shall be evaluated by a licensed physician, acceptable to the Employer, who has the expertise in the medical issues concerning the employee's failure to provide an adequate amount of breath. Absent a medical condition, as determined by the licensed physician, said employee will be regarded as having refused to take the test. The Employer will adhere to DOT regulations for employees who are unable to provide a urine or breath specimen due to a permanent or long-term medical condition. Contractual time limits for disciplinary action, as set forth in the Collective Bargaining Agreement, shall begin on the day on which specimens are taken. In the event the Employer alleges only that the employee is intoxicated on alcohol and not drugs, previously agreed-to procedures under the Collective Bargaining Agreement for determining alcohol intoxication shall apply.

In the event the Employer is unable to determine whether the abnormal behavior is due to drugs or alcohol, the drug testing procedure contained herein and the breath alcohol testing procedure contained in Section 4B shall be used. If the laboratory results are not known prior to the expiration of the contractual time period for disciplinary action, the cause for disciplinary action shall specify that the basis for such disciplinary action is for "alcohol and/or drug intoxication".

B. DOT Random Testing

It is agreed by the parties that random urine drug testing will be implemented only in accordance with the DOT rules under 49 CFR Part 382, Subpart C.

The method of selection for random urine drug testing will be neutral so that all employees subject to testing will have an equal chance to be randomly selected.

The term "employees subject to testing" under this agreement is meant to include any employee required to have a Commercial Drivers License (CDL) under the Department of Transportation regulations.

Employees out on long term injury or disability for any reason shall not be tested.

The provisions of Article 35, Section 3 F 3 (Split Sample Procedures), and Article 35, Section 3 J 1 (One-Time Rehabilitation), shall apply to random urine drug testing and probable suspicion testing.

C. Non-Suspicion-Based Post-Accident Testing

Non-suspicion-based post-accident testing is defined as urine drug testing as a result of an accident which meets the definition of an accident as outlined in the Federal Motor Carrier Safety Regulations. Urine drug testing will be required after accidents meeting the following conditions and drivers are required to remain readily available for testing for thirty-two (32) hours following the accident or until tested.

Employees subject to non-suspicion-based post-accident drug testing shall be limited to those employees subject to DOT drug testing, who are involved in an accident where there is:

- (i) a fatality, or;
- (ii) a citation under State or local law is issued to the driver for a moving traffic violation arising from the accident in which
 - (a) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or
 - (b) one or more motor vehicles incurring disabling damage as a result of the accident, requires the vehicle(s) to be transported away from the scene by a tow truck or other vehicle.

The driver has the responsibility to make himself/herself available for urine drug testing within the thirty-two (32) hour period in accordance with the procedures outlined in this Subsection. The driver is responsible to notify the Employer upon receipt of a citation and to note receipt thereof on the accident report. Failure to so notify the Employer shall subject the driver to disciplinary action.

If a driver receives a citation for a moving violation more than thirty-two (32) hours after a reportable accident, he/she shall not be required to submit to post-accident urine drug testing.

The Employer shall make available a urine drug testing kit and an appropriate collection site for the driver to provide specimens.

The provisions of Article 35, Section 3 F 3 (Split Sample Procedures), and Article 35, Section 3 J 1 (One-Time Rehabilitation), shall apply to non-suspicion-based post-accident urine drug testing.

D. Chain of Custody Procedures

Any specimens collected for drug testing shall follow the DHHS/DOT (Department of Health and Human Services/ Department of Transportation) specimen collection procedures. At the time specimens are collected for any drug testing, the employee shall be given a copy of the specimen collection procedures. In the presence of the employee, the specimens are to be sealed and labeled. As per DOT regulations, it is the employee's responsibility to initial the seals on the specimen bottles, additionally ensuring that the specimens tested by the laboratory are those of the employee.

The required procedure follows:

When urine specimens are to be provided, at least 45 mL of specimen shall be collected. At least 30 mL shall be placed in one (1) self-sealing, screw-capped or snap-capped container. A urine specimen of at least 15mL shall be placed in a second (2nd) such container. They shall be sealed and labeled by the collector, and initialed by the employee without the containers leaving the employee's presence. The employee has the responsibility to identify each container and initial same. Following collection, the specimens shall be placed in the transportation container together with the appropriate copies of the chain of custody form. The transportation container shall then be sealed in the employee's presence. The container shall be sent to the designated testing laboratory at the earliest possible time by the fastest available means.

In this urine collection procedure, the donor shall urinate into a collection container capable of holding at least 55 mL, which shall remain in full view of the employee until transferred to tamper-resistant urine bottles, and sealed and labeled, and the employee has initialed the bottles.

It is recognized that the Specimen Collector is required to check for sufficiency of specimen, acceptable temperature range, and signs of tampering, provided that the employee's right to privacy is guaranteed and in no circumstances may observation take place while the employee is producing the urine specimens, unless required by DOT regulations. If it is established that the employee's specimen is outside of the acceptable temperature range or has been intentionally tampered with or substituted by the employee, the employee will be required to immediately submit an additional specimen under direct observation. Also, if it is established that the employee's specimen has been intentionally tampered with or substituted by the employee, the employee is subject to discipline as if the specimen tested positive. In order to deter adulteration of the urine specimen during the collection process, physiologic determinations for creatinine, specific gravity, pH, and any substances that may be used to adulterate the specimen shall be performed by the laboratory. If the laboratory suspects the presence of an interfering substance/adulterant that could make a test result invalid, but the initial laboratory is unable to identify it, the

specimen must be sent to another HHS certified laboratory that has the capability of doing so.

Any findings by the laboratory that indicate that a specimen is adulterated as a result of the fact that it contains a substance that is not expected to be present in human urine; a substance that is expected to be present is identified at a concentration so high that it is not consistent with human urine; or has physical characteristics which are outside the normal expected range for human urine shall be immediately reported to the Company's Medical Review Officer (MRO). The parties recognize that the key to chain of custody integrity is the immediate sealing and labeling of the specimen bottles in the presence of the tested employee. If each container is received undamaged at the laboratory properly sealed, labeled and initialed, consistent with DOT regulations as certified by the laboratory, the Employer may take disciplinary action based upon the MRO's ruling.

E. Urine Collection Kits and Forms

The contents of the urine collection kit shall be as follows:

1. The kit shall include a specimen collection container capable of holding at least fifty-five (55) mL of urine and contains a temperature reading device capable of registering the urine temperature specified in the DOT regulations.
2. Two (2) plastic bottles that are capable of holding at least thirty-five (35) mL, have screw-on or snap-on caps, and markings clearly indicating the appropriate levels for the primary (30 mL) and split (15 mL) specimens.
3. A uniquely numbered (i.e. Specimen Identification Number) DOT approved chain of custody form with similarly numbered Bottle Custody Seals, and a transportation kit seal (e.g., Box Seal) shall be utilized during the urine collection process and completed by the collection site person. In the case of probable suspicion or other contractually required testing, a Non-DOT chain of custody form will be used for the testing of Non-DOT employees. The appropriate laboratory copies are to be placed into the transportation container with the urine specimens. The exterior of the transportation kit shall then be secured, e.g., by placing the tamper-proof Box Seal over the outlined area.
4. Shrink-wrapped or similarly protected kits shall be used in all instances.

F. Laboratory Requirements

1. Urine Testing

In testing urine samples, the testing laboratory shall test specifically for those drugs and classes of drugs and adulterants employing the test methodologies and cutoff levels covered in the DOT Regulations 49 CFR, Part 40.

2. Specimen Retention

All specimens deemed positive, adulterated, substituted, or invalid by the laboratory, according to the prescribed guidelines, must be retained at the laboratory for a period of one (1) year.

3. Split Sample Procedure

The split sample procedure is required for all employees selected for urine drug testing. When any test kit is received by the laboratory, the "primary" sealed urine specimen bottle shall be immediately removed for testing, and the remaining "split" sealed specimen bottle shall be placed in secured storage. Such specimen shall be placed in refrigerated storage if it is to be tested outside of the DOT mandated period of time.

The employee will be given a shrink-wrapped or similarly protected urine collection kit. After receiving the specimen, the collector shall pour at least 30 mL of urine into the specimen bottle and at least 15 mL into the second split specimen bottle. Both bottles shall be sealed in the employee's presence, initialed by the employee, then forwarded to an accredited laboratory for testing. If the employee is advised by the MRO that the first (1st) urine sample tested positive, adulterated, or substituted, in a random, return to duty, follow-up, probable suspicion or post accident urine drug test, the employee may, within seventy-two (72) hours of receipt of the actual notice, request from the MRO that the second (2nd) urine specimen be forwarded by the first laboratory to another independent and unrelated accredited laboratory of the parties' choice for GC/MS confirmatory testing for the presence of the drug, or other confirmatory testing for adulterants; or to confirm that the specimen has been substituted as defined in 49 CFR Part 40. If the employee chooses to have the second (2nd) sample analyzed, he/she shall at that time execute a special check-off authorization form to ensure payment by the employee. Split specimen testing will conform to the regulations as defined in 49 CFR Part 40. If the employee chooses the optional split sample procedure, and so notifies his Employer, disciplinary action can only take place after the MRO reports a positive, adulterated, or substituted result on the primary test and the MRO reports that the testing of the split specimen confirmed the result. However, the employee may be taken out of service once the MRO reports a positive, adulterated, or substituted result based on the testing of the primary specimen while the testing of the split specimen is being performed. If the second (2nd) test confirms the findings of the first laboratory and the employee wishes to use the rehabilitation options of this Section, the employee shall reimburse the Employer for the cost of the second (2nd) sample's analysis before entering the rehabilitation program. If the second (2nd) laboratory report is negative, for drugs, adulterants, or substitution, the employee will be reimbursed for the cost of the second (2nd) test and for all lost time. It is also understood that if an employee opts for the split sample procedure, contractual time limits on disciplinary action in the Supplements are waived.

4. Laboratory Accreditation

All laboratories used to perform urine drug testing pursuant to this Agreement must be certified by Health and Human Services under the National Laboratory Certification Program (NLCP).

G. Laboratory Testing Methodology

1. Urine Testing

The initial testing shall be by, immunoassay which meets the requirements of the Food and Drug Administration for commercial distribution. The initial cutoff levels used when screening urine specimens to determine whether they are negative or positive for various classes of drugs shall be those contained in the Scientific and Technical Guidelines for Federal Drug Testing Programs (subject to revision in accordance with subsequent amendments to the HHS Guidelines).

All specimens identified as positive on the initial test shall be confirmed using gas chromatography/mass spectrometry (GC/MS) techniques. Quantitative GC/MS confirmatory procedures for drugs and confirmatory procedures for specimens that are initially identified as being adulterated or substituted shall comply with the testing protocols mandated by the Scientific and Technical Guidelines for Federal Drug Testing Programs (subject to revision in accordance with subsequent amendments to the HHS Guidelines).

Validity testing shall be conducted on all specimens, pursuant to HHS requirements, to determine whether they have been adulterated or substituted. All specimens which test negative on either the initial test or the GC/MS confirmation test shall be reported only as negative, unless they are confirmed to be adulterated, substituted, or invalid. Only specimens which test positive on both the initial test and the GC/MS confirmation test shall be reported as positive. Specimens that are confirmed to be adulterated or substituted shall be reported as such.

When a grievance is filed as a result of a drug test that is ruled positive, adulterated, or substituted, the Employer shall provide a copy of the MRO ruling to the Union.

Where Schedule I and II drugs are detected, the laboratory is to report a positive test based on a forensically acceptable positive quantum of proof. All positive test results must be reviewed by the certifying scientist and certified as accurate.

2. Prescription and Non-prescription Medications

If an employee is taking a prescription or non-prescription medication in the appropriate described manner he/she will not be disciplined. Medications prescribed for another individual, not the employee, shall be considered to be illegally used and subject the employee to discipline.

3. Medical Review Officer (MRO)

The Medical Review Officer (MRO) shall be a licensed physician with the knowledge of substance abuse disorders, issues relating to adulterated and substituted specimens, possible medical causes of specimens having an invalid result, and applicable DOT agency regulations. In addition, the MRO shall keep current on applicable DOT agency regulations and comply with the DOT qualification training and continuing education requirements. The MRO shall review all urine drug test results from the laboratory and shall examine alternate medical explanations for tests reported as positive, adulterated, or substituted, as well as those results reported as invalid. Prior to the final decision to verify a urine drug test result, all employees shall have the opportunity to discuss the results with the MRO. If the employee declines to

... speak with the MRO, or the employee fails to contact the MRO within 72 hours of being notified to do so by the Employer, or if the MRO is unable to contact the employee within ten (10) days of the receipt of the drug test result being reported to him by the laboratory, then the MRO may report the result to the Employer.

4. Substance Abuse Professional (SAP)

The Substance Abuse Professional (SAP), as provided in the regulations, means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, or employee assistance professional, or a drug and alcohol counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol & Other Drug Abuse). All must have knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders and be knowledgeable of the SAP function as it relates to Employer interest in safety-sensitive functions, and applicable DOT agency regulations. In addition, the SAP shall comply with the DOT qualification training and continuing education requirements.

H. Leave of Absence Prior to Testing

1. An employee shall be permitted to take leave of absence in accordance with the FMLA or applicable State leave laws for the purpose of undergoing treatment pursuant to an approved program of alcoholism or drug use. The leave of absence must be requested prior to the commission of any act subject to disciplinary action.

2. Employees requesting to return to work from a voluntary leave of absence for drug use or alcoholism shall be required to submit to testing as provided for in Part J of this Section. Failure to do so will subject the employee to discipline including discharge without the receipt of a prior warning letter.

The provisions of this Section shall not apply to probationary employees.

I. Disciplinary Action Based on Positive, Adulterated, or Substituted Test Results

Consistent with past practice under this Agreement, and notwithstanding any other language in any Supplement, the Employer may take disciplinary action based on the test results as follows:

1. If the MRO reports that a urine drug test is positive, adulterated, or substituted, the employee shall be subject to discharge except as provided in Part J.

2. The following actions shall apply in probable suspicion testing based on DOT and contractual mandates.

a. If the urine drug test is positive, adulterated, or substituted, according to the procedures described in Part G, the employee shall be subject to discharge.

b. If the breath alcohol test results show a blood alcohol concentration equal to or above the level previously determined by the Collective Bargaining Agreement for

alcohol intoxication, the employee shall be subject to discharge pursuant to the Collective Bargaining Agreement.

c. If the breath alcohol test is negative and the urine drug test is negative, the employee shall be immediately returned to work and made whole for all lost earnings.

J. Return to Employment After a Positive Urine Drug Test

1. Any employee with a positive, adulterated, or substituted urine drug test result, thereby subjecting the employee to discipline, shall be granted reinstatement on a one (1) - time lifetime basis if the employee successfully completes a course of education and/or treatment program as recommended by the Substance Abuse Professional (SAP). The SAP will recommend a course of education and/or treatment with which the employee must demonstrate successful compliance prior to returning to DOT safety-sensitive duty. The SAP will refer him/her to a treatment program which has been approved by the applicable Health and Welfare Fund, where such is the practice. Any cost of evaluation, education and/or treatment over and above that paid for by the applicable Health and Welfare Fund, must be borne by the employee.

2. Employees electing the one-time lifetime evaluation and/or rehabilitation must notify the Company within ten (10) days of being notified by the Company of a positive, adulterated, or substituted urine drug test. The evaluation process and education and/or treatment program must take a minimum of ten (10) days. The employee must begin the evaluation process and education and/or treatment program within fifteen (15) days after notifying the Company. The employee must request reinstatement promptly after successful completion of the education and/or treatment program. After the minimum ten (10) day period and re-evaluation by the SAP, the employee may request reinstatement, but must first provide a negative return to duty urine drug test, to be conducted by a clinic and laboratory of the Employer's choice, before the employee can be reinstated. Any employee choosing to protest the discharge must file a grievance. After the discharge is sustained, the employee must notify the Company within ten (10) days of the date of the decision, of the desire to enter the evaluation process and education and/or treatment program.

3. It is understood by the parties that employees will continue to receive all negotiated benefits under the Collective Bargaining Agreement.

4. Before reinstatement after the minimum ten (10) day period, the employee must be re-evaluated by the Substance Abuse Professional to determine successful compliance with any recommended education and/or treatment program. The employee must then submit to the Employer's return-to-duty urine drug test (and alcohol test if so prescribed by the SAP) with a negative result. The employee will be subject to at least six (6) unannounced follow-up urine drug tests in the first year, as determined by the SAP. If, at any time, the employee tests positive, provides an adulterated or substituted specimen, or refuses to submit to a test, the employee shall be subject to discharge.

(a) Return-to-duty drug test is a urine drug test which an employee must complete with a negative result, after having been reevaluated by a SAP to determine successful compliance with recommended education and/or treatment.

(b) Follow-up drug testing shall mean those unannounced urine drug tests required (minimum of six (6) in a twelve (12) month period) when an employee tests positive, provides an adulterated or substituted specimen, or refused to be tested and has been evaluated by the SAP, completed education and/or treatment, been reevaluated by SAP and returned to work. The requirements of follow-up testing follow the employee through breaks in service (i.e. layoff, on-the-job injury, personal illness/injury, leave of absence, etc.). In addition, the requirements of follow-up testing follow the employee to subsequent employers. The SAP has the authority to order any number of follow-up urine drug and/or alcohol tests and to extend the twelve (12) month period up to sixty (60) months.

K. Special Grievance Procedure

1. Disciplinary disputes will be heard in accordance with Article 26 (Grievance Procedure) of the Collective Bargaining Agreement.
2. The procedures set forth herein may be invoked only by the authorized Union Representative or the Employer.

L. Paid-for Time

1. Training

Employees undergoing substance abuse training as required by the DOT will be paid for such time and the training will be scheduled in connection with the employee's normal work shift, where possible.

2. Testing

Employees subject to testing and selected by the random selection process for urine drug testing shall be compensated at the regular straight time hourly rate of pay in the following manner provided that the test is negative:

a. Random Drug Tests

(1) for all time at the collection site.

(2) (a) for travel time one way if the collection site is reasonably en route between the employee's home and the terminal, and the employee is going to or from work; or

(b) for travel time both ways between the terminal and the collection site, only if the collection site is not reasonably en route between the employee's home and the terminal.

(3) When an employee is on the clock and a random drug test is taken any time during the employee's shift, and the shift ends after eight (8) hours, the employee is paid time and one-half for all time past the eight (8) hours.

(4) The Employer will not require the employee to go for urine drug testing before the city employee's shift, provided the collection site is open during or immediately following the employee's shift.

(5) During an employee's shift, an employee will not be required to use his/her personal vehicle from the terminal to and from the collection site to take a random drug test.

b. Non-Suspicion-Based Post-Accident Testing

(1) In the event of a non-suspicion-based post-accident testing situation, where the employee has advised the Employer of the issuance of a citation for a moving violation, but the Employer does not direct the employee to be tested immediately, but sends the employee for testing at some later time [during the thirty-two (32) hour period], the employee shall be paid for all time involved in testing, from the time the employee leaves home until the employee returns home after the test.

(2) When the Employer takes a road driver out of service and directs the employee to be tested immediately, the Employer will make arrangements for the road driver to return to his/her home terminal in accordance with the Collective Bargaining Agreement.

Section 4. Alcohol Testing

The parties agree that in the event of further federal legislation or DOT regulations providing for revised methodologies or requirements, those revisions shall, to the extent they impact this Agreement, unless mandated, be subject to mutual agreement by the parties.

A. Employees Who Must be Tested

There shall be random, non-suspicion-based post-accident and probable suspicion alcohol testing of all employees subject to DOT-mandated alcohol testing. This includes all employees who, as a condition of their employment, are required to have a DOT physical, a CDL and are subject to testing for drugs under Article 35, Section 3 B.

Employees covered by this Collective Bargaining Agreement who are not subject to DOT-mandated alcohol testing are only subject to probable suspicion testing as provided in Article 35, Section 3 of the NMFA or the appropriate article of the applicable Supplemental Agreement. The alcohol breath testing methodology outlined in this Section will be utilized for all employees required to undergo probable suspicion testing. (For test results and discipline, refer to NMFA, Article 35, Section 3 I 2.)

B. Alcohol Testing Procedure

All alcohol testing under this Section will be conducted in accordance with applicable DOT/FMCSA regulations. All equipment used for alcohol testing must be on the NHTSA Conforming Products List and be used and maintained in compliance with DOT requirements. Breath samples will be collected by a Breath Alcohol Technician (BAT) who has successfully completed the necessary training course that is the equivalent of the DOT model course and who is knowledgeable of the alcohol testing procedures set forth in 49 CFR Part 40 and any current DOT Guidance. Law enforcement officers who have been certified by state or local governments to conduct breath alcohol testing are deemed to be qualified as Breath Alcohol Technicians. The training shall be specific to the type of Evidential Breath Testing (EBT) device being used for testing. The Employer shall provide the employees with material containing the information required by Section 382.601 of the Federal Motor Carrier Safety Regulations.

1. Screening Test

The initial screening test uses an Evidential Breath Testing (EBT) device, unless other testing methodologies or devices are mandated or agreed upon, to determine levels of alcohol. The following initial cutoff levels shall be used when screening breath samples to determine whether they are negative or positive for alcohol.

Breath Alcohol Levels:

Less than 0.02% BAC - Negative

0.02% BAC and above - Positive (Requires Confirmation Test)

2. Confirmatory Test

All samples identified as positive on the initial screening test, indicating an alcohol concentration of 0.02% BAC or higher, shall be confirmed using an EBT device that is capable of providing a printed result in triplicate; is capable of assigning a unique number to each test; and is capable of printing out, on each copy of the printed test result, the manufacturer's name for the device, the device's serial number and the time of the test unless other testing methodologies or devices are mandated or mutually agreed upon.

A confirmation test must be performed a minimum of fifteen (15) minutes after the screening test, but not more than thirty (30) minutes, unless otherwise provided by conditions set forth and defined in 49 CFR Part 40.

The following cutoff levels shall be used to confirm a positive test for alcohol:

Breath Alcohol Levels:

Less than 0.02% BAC - Negative

0.02% BAC to 0.039% BAC - Positive*

0.04% BAC and above - Positive*

*Refer to Section 4 L for Discipline Based on a Positive Test.

C. Notification

All employees subject to DOT-mandated random alcohol testing will be notified of testing by the Employer, in person or by direct phone contact.

D. Pre-Qualification Testing for Non-DOT Personnel

Section has been deleted

E. Random Testing

The method used to randomly select employees for alcohol testing shall be neutral, scientifically valid and in compliance with DOT regulations.

The annual random testing rate for alcohol use shall be the rate established by the Administrator of the FMCSA.

In the event of a grievance or litigation, the Employer shall, upon written request from the employee, release to the employee and the Union (in its capacity as representative of the grievant and as a decision maker in the grievance process), information required to be maintained under the DOT alcohol testing regulations and arising from the results of an alcohol test which is subject to release under the regulations.

The parties agree that no effort will be made to cause the system and method of selection to be anything but a true random selection procedure ensuring that all affected employees are treated fairly and equally.

Employees subject to random alcohol testing shall be tested within one (1) hour prior to starting the tour of duty, during the tour of duty, or immediately after completing the tour of duty.

Employees who are on long-term illness or injury leave of absence, disability or vacation shall not be subject to testing during the period of time they are away from work.

F. Non-Suspicion-Based Post-Accident Testing

Employees subject to non-suspicion-based post-accident alcohol testing shall be limited to those employees subject to DOT alcohol testing, who are involved in an accident where there is:

- (i) a fatality, or;
- (ii) a citation under State or local law is issued to the driver for a moving traffic violation arising from the accident in which

(a) bodily injury to a person who, as a result of the injury, immediately receives medical treatment away from the scene of the accident, or

(b) one or more motor vehicles incurring disabling damage as a result of the accident, requires the vehicle(s) to be transported away from the scene by a tow truck or other vehicle.

Alcohol testing will be required under the above conditions and employees are required to submit to such testing as soon as practicable. Under no circumstances shall this type of testing be conducted after eight (8) hours from the time of the accident.

It shall be the responsibility of the driver to remain readily available for testing after the occurrence of a commercial motor vehicle accident. It is also the responsibility of the employee to not use alcohol for eight (8) hours or until a DOT post-accident alcohol test is performed, whichever occurs first. It is not the intention of this language to require the delay of necessary medical attention or to prohibit the driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident or necessary medical attention.

Prior to the effective date of the DOT alcohol testing regulations, the Employer agrees to give each employee subject to DOT non-suspicion-based post-accident testing written notification of the procedures required by the DOT regulations in the event of an accident as defined by the DOT.

G. Substance Abuse Professional (SAP)

1. The Substance Abuse Professional (SAP), as provided in the regulations, means a licensed physician (Medical Doctor or Doctor of Osteopathy), or a licensed or certified psychologist, social worker, or employee assistance professional, or a drug and alcohol counselor (certified by the National Association of Alcoholism and Drug Abuse Counselors Certification Commission or by the International Certification Reciprocity Consortium/Alcohol & Other Drug Abuse). All must have knowledge of and clinical experience in the diagnosis and treatment of alcohol and controlled substance-related disorders, be knowledgeable of the SAP function as it relates to Employer interest in safety-sensitive functions, and applicable DOT agency regulations. In addition, the SAP shall comply with the DOT qualification training and continuing education requirements.

2. The Employer will provide the employee with a list of resources available to the driver in evaluating and resolving problems with the misuse of alcohol as soon as practicable but no later than thirty-six (36) hours after the Employer's receipt of notice from the BAT that the employee has a BAC of 0.04% or higher, exclusive of holidays and weekends. The SAP will be responsible for recommending the appropriate course of education and/or treatment required prior to the employee returning to work and is the only person responsible for determining, during the evaluation process, whether an employee will be directed to a rehabilitation program, and if so, for how long.

3. Follow-up and return-to-duty tests need not be confined to the substance involved in the violation. If the SAP determines that a driver needs assistance with an alcohol and drug abuse problem, the SAP may require drug tests to be performed

along with any required alcohol follow-up and/or return-to-duty tests, if it has been determined that a driver has violated the drug testing prohibition.

4. Any cost of evaluation by the SAP and/or rehabilitation recommended by the SAP associated with the abuse of alcohol while performing or available to perform safety-sensitive functions under this Agreement, over and above that paid for by the applicable Health and Welfare Fund, must be borne by the employee. The Employer will pay for random, non-suspicion-based post-accident and probable suspicion alcohol testing. Return-to-duty and follow-up alcohol testing that is prescribed by the SAP, will be paid for by the Employer, provided the employee tests negative.

H. Probable Suspicion Testing

Employees subject to DOT probable suspicion alcohol testing under this Section shall be tested in accordance with current, applicable DOT regulations.

For all purposes herein, the parties agree that the terms "probable suspicion" and "reasonable cause" shall be synonymous.

Probable suspicion is defined as an employee's specific observable appearance, behavior, speech or body odor that clearly indicates the need for probable suspicion alcohol testing.

In the event the Employer is unable to determine whether the abnormal behavior or appearance is due to alcohol or drugs, the Employer shall specify that the basis for any disciplinary action or testing is for alcohol and/or drug intoxication. In such cases, the employee shall be tested in accordance with Article 35, Section 3 A, and applicable DOT alcohol testing regulations.

In cases where an employee has specific, observable, abnormal indicators regarding appearance, behavior, speech or body odor, and at least one (1) supervisor, two (2) if available, have probable suspicion to believe that the employee is under the influence of alcohol, the Employer may require the employee, in the presence of a union shop steward or other employee requested by the employee under observation, to submit to a breath alcohol test. Suspicion is not probable and thus not a basis for testing if it is based solely on third party observation and reports.

The supervisor(s) must make a written statement of these observations within twenty-four (24) hours. A copy must be provided to the shop steward or other union official after the employee is discharged or suspended or taken out of service.

All supervisors and Employer representatives designated to determine whether probable suspicion exists to require an employee to undergo alcohol testing shall receive specific training on the physical, behavioral, speech and performance indicators of how to detect probable suspicion alcohol misuse and use of controlled substances as required by DOT regulations.

In the event the Employer requires a probable suspicion test, the Employer shall provide transportation to and from the testing location.

I. Preparation for Testing

All alcohol testing shall be conducted in conformity with the DOT alcohol regulations. Any alleged abuse by the Employer, such as proven harassment of any employee or deliberate violation of the regulations or the contract shall be subject to the grievance procedure to provide a reasonable remedy for the alleged violation.

Upon arrival at the testing site, an employee must provide the Breath Alcohol Technician (BAT) with proper identification. The employee shall not be required to waive any claim or cause of action under the law.

A standard DOT approved alcohol testing form will be used by all testing facilities. In the case of probable suspicion or other contractually required testing, a Non-DOT chain of custody form will be used for the testing of Non-DOT employees.

J. Specimen Testing Procedures

All procedures for alcohol testing will comply with Department of Transportation regulations.

No unauthorized personnel will be allowed in any area of the testing site. Only one alcohol testing procedure will be conducted by a BAT at the same time.

The employee will provide his or her breath sample in a location that allows for privacy. The Employer agrees to recognize all employees' rights to privacy while being subjected to the testing process at all times and at all testing sites. Further, the Employer agrees that in all circumstances the employee's dignity will be considered and all necessary steps will be taken to ensure that the entire process does nothing to demean, embarrass or offend the employee unnecessarily. Testing will be under the direct observation of a Breath Alcohol Technician (BAT). All procedures shall be conducted in a professional, discreet and objective manner. Direct observation will be necessary in all cases.

The employee shall provide an adequate amount of breath for the Evidential Breath Testing device. If the individual is unable to provide a sufficient amount of breath, the BAT shall direct the individual to again attempt to provide a complete sample.

If an employee is unsuccessful in providing the requisite amount of breath, the Employer then must have the employee obtain, within five (5) days, an evaluation from a licensed physician selected by the Employer and the Local Union and who has the expertise in the medical issues concerning the employee's inability to provide an adequate amount of breath. If the physician is unable to determine that a medical condition has, or with a high degree of probability could have, precluded the employee from providing an adequate amount of breath, the employee's failure to provide an adequate amount of breath will be regarded as a refusal to take the test and subject the employee to discharge.

K. Leave of Absence Prior to Testing

An employee shall be permitted to take leave of absence in accordance with the FMLA or applicable State leave laws for the purpose of undergoing treatment pursuant to an approved program of alcoholism or drug use. The leave of absence must be requested prior to the commission of any act subject to disciplinary action.

This provision does not alter or amend the disciplinary provision (Article 35, Section 4 L) of this Section.

Before returning to work from a voluntary leave of absence, the employee must have completed any recommended treatment and taken a return to duty test, with a result of less than 0.02% BAC, and further be subject to six (6) unannounced follow-up alcohol tests in the first twelve (12) months following the employee's return to duty.

L. Disciplinary Action Based on Positive Test Results

1. First Positive Test

0.02% BAC-0.039% BAC

Out of Service for 24 hours

0.04% BAC-Less than State DWI/DUI Limit

Out of Service for the length of time determined by the SAP with a minimum of twenty-four (24) hours

State DWI/DUI Limit and Above

Subject to discharge

2. Second Positive Test

0.02% BAC-0.039% BAC

Out of Service for a five (5) calendar day suspension

0.04% BAC-Less than State DWI/DUI Limit

Out of Service for the length of time determined by the SAP with a minimum of a twenty (20) calendar day suspension

State DWI/DUI Limit and Above

Subject to discharge

3. Third Positive Test

0.02% BAC-0.039% BAC

Out of Service for a fifteen (15) calendar day suspension

0.04% BAC-Less than State DWI/DUI Limit

Out of Service for the length of time determined by the SAP with a minimum of a thirty (30) calendar day suspension

State DWI/DUI Limit and Above

Subject to discharge

4. Fourth Positive Test

0.02% BAC-0.039% BAC

Subject to discharge

0.04% BAC-Less than State DWI/DUI Limit

Subject to discharge

State DWI/DUI Limit and Above

Subject to discharge

5. An employee who is tested positive in a non-suspicion-based post-accident alcohol testing situation shall be subject to the following discipline for the positive alcohol test or the vehicular accident, whichever is greater:

First Non-Suspicion-Based Post-Accident Positive Test - 0.02% BAC - 0.039% BAC - Thirty (30) calendar day suspension. 0.04% BAC and higher - Subject to discharge.

Second Non-Suspicion-Based Post-Accident Positive Test - 0.02% BAC and higher - Subject to discharge.

6. An employee's refusal to submit to any alcohol test will subject the employee to discharge.

M. Return to Duty After a Positive (Greater than .04 to the State Limit) Alcohol Test

Before returning to work the employee must be evaluated by a SAP, comply with any education and/or treatment recommended by the SAP, be re-evaluated by the SAP to determine compliance with recommended education and/or treatment, and take a return-to-duty alcohol test, showing a result of less than 0.02% BAC. The employee will be subject to at least six (6) unannounced follow-up alcohol and/or drug tests as determined by the SAP. The requirements of follow-up testing follow the employee through breaks in service (i.e. layoff, on-the-job injury, personal illness/injury, leave of absence, etc.). In addition, the requirements of follow-up testing follow the employee to subsequent employers. The SAP has the authority to order any number of follow-up alcohol and/or urine drug tests and to extend the twelve (12) month period up to sixty (60) months.

N. Paid-for-time -Testing

Employees subject to testing and selected by the random selection process for alcohol testing shall be compensated at the regular straight time hourly rate of pay provided that the test is negative:

1. Random Alcohol Tests

- a. Paid for all time at the collection site.
- b. (1) for travel time one way if the collection site is reasonably en route between the employee's home and the terminal, and the employee is going to or from work; or
(2) for travel time both ways between the terminal and the collection site, only if the collection site is not reasonably en route between the employee's home and the terminal.
- c. When an employee is on the clock and a random alcohol test is taken any time during the employee's shift, and the shift ends after eight (8) hours, the employee is paid time and one-half for all time past the eight (8) hours.
- d. The Employer will not require the city employee to go for alcohol testing before the city employee's shift, provided the collection site is open during or immediately following the employee's shift.
- e. During an employee's shift, an employee will not be required to use his/her personal vehicle from the terminal to and from the collection site to take a random alcohol test.

2. Non-Suspicion-Based Post-Accident Testing

- a. In the event of a non-suspicion-based post-accident testing situation, where the employee has advised the Employer of the issuance of a citation for a moving violation, but the Employer does not direct the employee to be tested immediately, but sends the employee for testing at some later time (during the eight (8) hour period), the employee shall be paid for all time involved in testing, from the time the employee leaves home until the employee returns home after the test.
- b. When the Employer takes a driver out of service and directs the employee to be tested immediately, the Employer will make arrangements for the driver to return to his/her home terminal in accordance with the Collective Bargaining Agreement.

O. Record Retention

The Employer shall maintain records in a secure manner so that disclosure of information to unauthorized persons does not occur.

Each Employer or its agent is required to maintain the following records for two years:

1. Records of the inspection and maintenance of each EBT used in employee testing;

2. Documentation of the Employer's compliance with the Quality Assurance Program for each EBT it uses for alcohol testing, and

3. Records of the training and proficiency testing of each BAT used in employee testing.

The Employer must maintain for five years records pertaining to the calibration of each EBT used in alcohol testing, including records of the results of external calibration checks.

P. Special Grievance Procedure

1. Disciplinary disputes will be heard in accordance with Article XXVI (Grievance Procedure) of the Collective Bargaining Agreement.

2. It is understood by the parties that employees will continue to receive all negotiated benefits under the Collective Bargaining Agreement.

3. The Procedures set forth herein may be invoked only by the authorized Union representative or the Employer.

Appendix B

Pennsylvania Turnpike Commission Regional and Field Offices

DISTRICT 6 (milepost 0.02 to milepost 48.0)

DISTRICT 6 FIELD OFFICE: MILEPOST

(located at old New Castle I/C) 033.80 North Bound

DISTRICT 6 INTERCHANGES

Exit - (Mile Marker)

- 2 Gateway Toll Plaza (Toll East Bound non-ticket, cash exchange and E- ZPass)
- 10 New Castle
- 13 Beaver Valley
- 28 Cranberry
- 30 Warrendale
- 39 Butler Valley
- 48 Allegheny Valley

PA TURNPIKE 60

Exit - (Mile Marker)

- 29 Chippewa B28.99 South Toll Turnpike Plaza (Mainline Weigh Barrier)
- 31 Beaver Falls
- 33 PA Turnpike (Exit 10)
- 40 Moravia
- B4 1.42 North Toll Plaza (Mainline Weigh Barrier, PA Turnpike Exit 10)
- 43 Mount Jackson Road
- 45 New Castle

PA TURNPIKE 576 (Findlay Connector)

Exit - (Mile Marker)

- S1 PA Rte. 60/Pittsburgh International Airport
- S2 U.S. Rte. 30/Clinton/Imperial
- S4 Bald Knob Road
- S6 U.S. Rte 22

DISTRICT 1 (milepost 48.03 to milepost 91.0)

DISTRICT 1 FIELD OFFICES

Fare Collection (West Regional Office) 75.20 West Bound

Maintenance (Gibsonia) 39.62 West Bound

DISTRICT 1 INTERCHANGES

Exit - (Mile Marker)

- 57 Pittsburgh
- 67 Irwin
- 75 New Stanton

PA TURNPIKE 43 (PA 51 to US 40)

Exit - (Mile Marker)

- M30 U.S. 40
- M32 California
- M34 Elco
- M35 Mainline Toll Plaza
- M36 I-70

M39 Charleroi/Donora
M44 PA Route 136/New Eagle
M48 Finleyville
M52 Mainline Toll Plaza Weigh Barrier
M54 PA Route 51/Jefferson Hills

PA TURNPIKE 43 (Uniontown to PA/WV State Line)

Exit - (Mile Marker)
M8 Big Six Rd.
M5 Mainline Toll Plaza Weigh Barrier
M4 Ramp Toll Plaza (Rubles Mill Rd.)
M2 Gans Road

PA TURNPIKE 66

Exit - (Mile Marker)
0 U.S. 119 and I-70
1 Arona Road
4 PA 136
G 4.70 Mainline Toll Plaza Weigh Barrier
6 U.S. 30
8 PA 130
9 Old PA 66
12 Township Road 627
14 U.S. 22

DISTRICT 1 - MAINTENANCE BUILDINGS

Homewood 11.84 East Bound
Gibsonia 39.62 West Bound
Harrison City 63.24 West Bound
Donegal 88.76 West Bound
Greensburg 6.2 North Bound
Frank L. Irey, Jr. (AKA Jefferson Hills) 52.0 North Bound

DISTRICT 2 (milepost 91.0 to milepost 201.3)

DISTRICT 2 FIELD OFFICES

Fare Collection (Everett) 154.20 West Bound
Maintenance (Everett) 154.20 West Bound

DISTRICT 2 INTERCHANGES

Exit - (Mile Marker)
91 Donegal
110 Somerset
146 Bedford
161 Breezewood
180 Fort Littleton
189 Willow Hill
201 Blue Mountain

DISTRICT 2 MAINTENANCE BUILDINGS

Somerset 113.97 East Bound
Kegg 132.15 West Bound
Everett 154.20 East Bound
Burnt Cabins 186.03 East Bound

DISTRICT 2 TUNNELS

Allegheny Tunnel 122.18 -123.34
Tuscarora Tunnel 186.2 -187.21
Blue Mountain/Kittatinny Tunnels 197.48 -199.32

DISTRICT 3 (milepost 201.3 to milepost 312)

DISTRICT 3 FIELD OFFICES

Fare Collection (Harrisburg West Interchange) 241.96 East Bound
Maintenance (Bowmansville) 288.33 West Bound

DISTRICT 3 INTERCHANGES

Exit - (Mile Marker)
226 Carlisle
236 Gettysburg Pike
242 Harrisburg West
247 Harrisburg East
266 Lebanon-Lancaster
286 Reading
298 Morgantown
312 Downingtown

DISTRICT 3 MAINTENANCE BUILDINGS

Newville 214.27 West Bound
New Cumberland 243.84 East Bound
Mt. Gretna 265.56 East Bound
Bowmansville 288.33 West Bound

DISTRICT 4 (milepost 312 to milepost 359.01)

DISTRICT 4 OFFICES

Fare Collection (Eastern Regional Office) 330.14 East Bound
Maintenance (Plymouth Meeting) 333.60 West Bound

DISTRICT 4 INTERCHANGES

Exit - (Mile Marker)
326 Valley Forge
333 Norristown
20 Mid-County (Express E-ZPass, start/end of Northeast Extension Junction 333.86)
339 Fort Washington
340 Virginia Drive Slip Ramp (E-ZPass only, West Bound)
343 Willow Grove
351 Philadelphia
358 Delaware Valley
359 Delaware River Bridge

DISTRICT 4 MAINTENANCE BUILDINGS

Devault 316.27 West Bound
Plymouth Meeting 333.59 West Bound
Trevose 353.05 East Bound

DISTRICT 5 (milepost 30.13 to milepost 130.64)

DISTRICT 5 OFFICES

Fare Collection (Slatington) A70.07 North Bound
Maintenance (Slatington) A70.07 North Bound

DISTRICT 5 INTERCHANGES

Exit - (Mile Marker)

- 31 Lansdale
- 44 Quakertown
- 56 Lehigh Valley
- 74 Mahoning Valley
- 95 Pocono
- 105 Wilkes-Barre
- 112 Wyoming Valley Mainline Toll Barrier (end of ticket system)
- 121 Keyser Avenue (coin-drop/cash exchange/ E-ZPass)
- 130 Clarks Summit (coin-drop/cash exchange/ E-ZPass)

DISTRICT 5 MAINTENANCE BUILDINGS

Quakertown A23.7 North Bound
Slatington A50.1 North Bound
Pocono A74.6 South Bound
Wyoming Valley A94.5 South Bound

DISTRICT 5 TUNNEL

Lehigh Tunnel A70.74-A71.56

Drug and Alcohol Testing Scenarios

To accurately determine the cost for services, the Commission has developed examples of the different types of drug and alcohol testing that a contractor is likely to encounter.

Provide your cost for each of these scenarios incorporating all of the costs associated, including mileage, travel and waiting times, the costs for the test and all other costs that would be incurred. You are also required to provide a total cost for each scenario.

Scenario # 1

A typical round of random drug and alcohol testing for the Commission involves:

- 115 random drug tests
- 25 random alcohol tests

All of these tests would be scheduled for on-site testing, requiring the vendor to utilize a testing group to come to all PTC Maintenance locations. The testers are required to be at each location for a period of **2 hours**.

However, some employees selected for testing were not available for testing, and would be required to go to a collection site for testing. These numbers are:

- 20 employees scheduled for drug testing
- 7 employees scheduled for alcohol testing.

You are required to provide an itemized cost for:

- Testing done at PTC locations (per test)
- Collector charges, including mileage, travel time and other charges (identify each cost)
- Charges for missed tests
- Cost for collection site tests (per test)
- Total cost for Scenario #1

Scenario # 2

The Commission requires two reasonable suspicion tests.

- One is a DOT covered employee, including a drug and an alcohol test
- One is a non DOT employee, including a drug and an alcohol test

Both testing scenarios have the following conditions:

- Both tests take place after hours in the late evening at a Commission work location
- Both tests require a collector to drive approximately 45 miles
- Both tests require the collector to work four hours, including an hour waiting time.

You are required to provide an itemized cost for:

- Testing (per test)
- Collector charges, including mileage, travel time and other charges (identify each cost)
- Total cost for Scenario #2

Addendum No. 1

RFP # 08-10380-3612

Drug and Alcohol Testing Services

Following are the answers to questions submitted in response to the above referenced RFP as of Wednesday, August 13, 2008. All of the questions have been listed verbatim, as received by the Pennsylvania Turnpike Commission.

1. Who is the current vendor?

The current Vendor is First Advantage.

2. What is the current pricing?

The current cost for testing is \$49.50 for drug test and \$25.00 for alcohol test.

3. What are the current testing location zip codes and addresses?

The locations and addresses for all PTC locations will be included as an attachment to this document.

4. How many tests were done in 2007?

There were approximately 330 random drug tests and 72 alcohol tests conducted in 2007.

5. What is the expected confirmation rate?

We cannot accurately predict the confirmation rate for testing.

6. How many tests were done via collection sites in 2007?

All pre employment DOT drug tests, post accident tests, and follow up tests were conducted at collection sites in 2007.

7. How many tests were done at the PTC sites in 2007?

The vast majority of random tests were conducted at PTC locations in 2007.

8. For mobile testing, is the vendor allowed to use PTC facilities?

Yes.

9. Are non D.O.T. tests the same panel as D.O.T. tests?

Yes.

10. How is the pool currently grouped for randomization?

The pool contains those PTC employees that work in safety sensitive functions.

11. Will random testing be performed monthly or quarterly?

Currently, the PTC uses three periods per year for testing. Testers will have the entire period to conduct testing.

12. If a maintenance facility or several have one random candidate selected monthly or quarterly, will the on-site collector need to perform the one random, or will that candidate be sent to a collection site facility?

Random selections will be sent to a collection site only if they are not available for on site testing.

13. Approx. how many follow up testing and return to duty tests were performed in 2007?

There was approximately 3 Return to Duty and 30 follow up tests conducted in 2007.

14. If the listed on-site providers are not available for after hours/reasonable suspicion drug and alcohol testing at the time, will another on-site collector be acceptable?

Yes.

15. My understanding is your CDL drivers work out of the maintenance sheds, and I wanted to clarify if we need collectors at each of the locations on schedule B or at each of the maintenance sheds?

Maintenance Department employees work out of Maintenance sheds, but for the purposes of any reasonable suspicion testing scenarios, collectors will need to be able to travel to any PTC location.

16. How do we obtain a copy of the last accepted bid from your previous vendor?

This information can be obtained through a right to know request made to the PTC. Information regarding right to know requests can be found on the PTC's website, www.paturmpike.com

17. How many people are required for Training? Is this for supervisor training? How many times per year will training be necessary?

The PTC conducts approximately 5 Drug and Alcohol Supervisory Training classes annually for new supervisory personnel and refreshers for current supervisory personnel.

18. Can you please state what the “after hours” will be for on-site testing? Will it be for anything after 5pm, or are there different hours defined by the PTC?

After hours is defined by the PTC as after 5:00 pm.

19. Can you give an estimate of how many after hour tests were performed for urine drug screens and breathe alcohol tests in 2007?

There were less than 5 after-hours collections in 2007.

All other terms, conditions and requirements of the original RFP dated July 25, 2008 remain unchanged unless modified by this Addendum.

Please see below for the listing of PTC locations and addresses