

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

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**MEETING DATE:** 11/12/2020

**Staff Report No.** 20-046a

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**TO:** AC Transit Board of Directors

**FROM:** Michael A. Hursh, General Manager

**SUBJECT:** Contract Awards for Drug and Alcohol Testing, Medical Examinations and Physical Agility Testing Services

### ACTION ITEM

#### **RECOMMENDED ACTION(S):**

Consider approving contract awards to Concentra, CCCMA Occupational Clinic, and Mega Lab Services for drug and alcohol testing, commercial driver license (CDL) medical examinations, and physical agility testing services of prospective and current employees.

#### **STRATEGIC IMPORTANCE:**

Goal - Safe and Secure Operations

Initiative - Employee Recruitment, Training and Retention

It is the policy of the Alameda-Contra Costa Transit District to provide a drug and alcohol-free workplace and environment for all employees and patrons. A drug and alcohol-free workplace protects the District's most valuable resources - its employees - as well as the health and safety of the public.

#### **BUDGETARY/FISCAL IMPACT:**

These contract awards will be valid for a period of three (3) years (January 01, 2021 through December 31, 2023). Each contract includes two (2) one-year priced option periods which the District may exercise at its sole option.

The total estimate of the current drug and alcohol testing contracts is \$506,050 annually. The projected average annual cost of these new contracts for the selected vendors is estimated at \$502,683. The difference represents an approximate cost savings in the amount of \$16,833 to the District over the period of five (5) years assuming the option periods are exercised.

The actual costs for the services will vary depending on the actual number of alcohol and drug tests, commercial driver license medical examinations, and physical agility testing required and actually performed each year.

#### **BACKGROUND/RATIONALE:**

The United States Department of Transportation (DOT) and Federal Transit Administration (FTA) regulations

require that the District comply with the following statutory requirements:

- 50% of all safety-sensitive employees must be randomly tested annually for drugs.
- 10% of all safety-sensitive employees must be randomly tested annually for alcohol.
- Safety-sensitive employees required to hold a California Drivers' License must be certified as physically qualified to work on and operate commercial motor vehicles.
- Pre-employment, Random, Post-Accident, Reasonable Suspicion, Return-To-Duty and Follow-Up tests will be administered under FTA guidelines for all safety-sensitive employees.

The DOT and FTA require all prospective and current employees in safety-sensitive job classifications to pass regulated pre-employment alcohol and drug tests, submit to the mandated testing mentioned above and pass the DOT medical examinations to continue working in or when transferring into safety-sensitive job classifications. In addition, the District is required to conduct physical agility testing for job classifications requiring manual lift tests, pulmonary function tests and respirator fit tests to determine if a person will be able to perform the physical requirements indicated in the District's job specifications.

The District has historically engaged multiple providers to conduct drug and alcohol screening, medical examination, and certification services. In order to stabilize and prevent potential price increases and to establish contractual performance standards, the District seeks to enter into contracts for drug and alcohol screening services, DOT medical examinations, and physical agility testing services.

The procurement process to secure drug and alcohol screening services, DOT medical examinations and physical agility testing services was conducted under the guidelines of the District's procurement department, through a sealed public Request for Proposals (RFP). The District received six (6) proposals in response to the solicitation. Three (3) of these proposals were determined to have met the material requirements outlined in the RFP. The Evaluation Committee reviewed the proposals from these respondents: Concentra, CCCMA Occupational Clinic, and Mega Lab Services. The three providers all scored within the competitive range. Awarding contracts to all three (3) firms will provide testing services at locations readily accessible to employees and potential employees.

These contracts would each be valid for a period of three (3) years, with two (2) one-year priced option periods.

For all the reasons stated in this report, staff recommends that the District award contracts to Concentra, CCCMA Occupational Clinic and Mega Lab Services to comply with federal regulations and achieve the District's mission of providing safe, reliable transit service.

**ADVANTAGES/DISADVANTAGES:**

An advantage to awarding these contracts is that the prices for mandated drug and alcohol screenings, DOT medical examinations, and pre-screening physical agility testing services are comparable and slightly lower than existing contractual costs for these services. Another advantage is these awards will allow the District to stay in compliance with all applicable federal, state, and local laws governing commercial driver license requirements, alcohol and drug testing and medical examinations.

There are no disadvantages to awarding these contracts as this testing is required for all covered job

classifications as set forth in FTA 49 CFR Parts 40 and 655 and the Drug-Free Workplace Act of 1988 as well as other applicable federal, state and local laws, ordinances, rules and regulations.

**ALTERNATIVES ANALYSIS:**

There are no alternatives to the course of action recommended in this report.

**PRIOR RELEVANT BOARD ACTION/POLICIES:**

Staff Report 20-046 - Authorization to solicit for drug and alcohol testing, commercial driver license (CDL) medical examinations and physical agility testing services of prospective/current employees.

Board Policy 200 - Alcohol and Substance Abuse Policy

Board Policy 465 - Procurement Policy

**ATTACHMENTS:**

None.

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