

ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



STAFF REPORT

MEETING DATE: 12/11/2019

Staff Report No. 17-333c

TO: AC Transit Board of Directors
FROM: Michael A. Hursh, General Manager
SUBJECT: Drug and Alcohol Testing and Medical Examination Contract Extension

ACTION ITEM

RECOMMENDED ACTION(S):

Consider authorizing the General Manager to enter into a six-month contract extension with Concentra for drug and alcohol testing and medical examinations (Contract No. 2018-1424B) from January 1, 2020 to June 30, 2020.

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 this agency's most valuable resources - its employees - as well as the health and safety of the public.

BUDGETARY/FISCAL IMPACT:

The estimated value of the current contract is \$140,000 from December 1, 2018 through December 31, 2019. The total amount needed for the contract extension from January 01, 2020 through June 30, 2020 is approximately \$64,000.

BACKGROUND/RATIONALE:

Under the current Drug and Alcohol Testing and Medical Examinations Contract Number 2018-1424B, Concentra provides the District with the following services: alcohol screenings and urine specimen collections for drug testing; federal medical examinations to determine if a person is medically qualified to hold a commercial driver's license; and additional physical agility testing to determine if a person will be able to perform the physical requirements indicated in the District's job specifications.

The District's Alcohol and Substance Abuse Policy, Board Policy 200, requires that all potential new candidates pass a pre-employment alcohol and a drug test as a condition of employment and requires existing safety-sensitive employees to submit to a periodic drug test as part of the U.S. Department of Transportation (DOT) medical examination process. Physical agility testing is conducted only for job classifications requiring manual

lift tests, pulmonary function tests and respirator fit tests.

The DOT and the Federal Transit Administration (FTA) require all employees in safety-sensitive job classifications to pass regulated pre-employment alcohol and drug tests, submit to random testing and pass the DOT medical examinations to continue working in or when transferring into safety-sensitive job classifications.

In anticipation of this contract expiring, staff examined the possibility of combining services provided in other contracts as well as other factors such as the upcoming negotiation of the Alcohol and Substance Abuse Policy and collective bargaining agreement requirements. It was determined that most efficient way to proceed would be to combine services and do one procurement. In order to do so, staff needs additional time for the procurement process. This necessitates extending the instant contract to allow for the new procurement.

For all the reasons above, the Concentra contract should be extended through the end of the current fiscal year. If the contract is not extended, the District will be unable to request pertinent alcohol and drug testing, DOT medical examinations and physical agility testing until the new contract is signed.

This extension will help the District to continue to achieve its mission of providing safe, reliable transit services to the communities that we serve.

ADVANTAGES/DISADVANTAGES:

An advantage of extending the Drug and Alcohol Testing and Medical Examinations Contract Number 2018-1424B through the end of the current fiscal year is that this 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.

Another advantage to extending the contract is this will allow the District ample time to generate a new global contract to include services provided under the Drug and Alcohol Screening and DOT Re-Certifications Services Contract No. 2017-10344.

The disadvantage of not extending the Drug and Alcohol Testing and Medical Examinations Contract Number 2018-1424B is that the District will be unable to meet alcohol and drug testing and DOT medical examinations statutory requirements for all covered job classifications as indicated in FTA 49 CRF Part 655 and all other applicable federal, state and local laws, ordinances, rules and regulations.

ALTERNATIVES ANALYSIS:

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

PRIOR RELEVANT BOARD ACTION/POLICIES:

Board Policy No. 200 - Alcohol and Substance Abuse Policy
Board Policy 465 - Procurement Policy

ATTACHMENTS:

None

Prepared by:

Maria Campos, Human Resources Administrator

In Collaboration with:

Terra Duan, Contracts Specialist

Cheryl Sudduth, Contracts Services Manager

Approved/Reviewed by:

Nathaniel Kramer, Acting Executive Director of Human Resources

Gene Clark, Director of Procurement and Materials

Chris Andrichak, Director of Management and Budget

Claudia L. Allen, Chief Financial Officer

Denise C. Standridge, General Counsel

Linda A. Nemeroff, District Secretary