

# ALAMEDA-CONTRA COSTA TRANSIT DISTRICT



## STAFF REPORT

---

**MEETING DATE:** 2/12/2020

**Staff Report No.** 20-046

---

**TO:** AC Transit Board of Directors  
**FROM:** Michael A. Hursh, General Manager  
**SUBJECT:** Drug and Alcohol, CDL Medical Exam and Physical Agility Testing Services

### ACTION ITEM

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

Consider authorizing the District to issue a Request for Proposal (RFP) for drug and alcohol testing, commercial driver license (CDL) medical examinations and physical agility testing services of prospective/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 this agency's most valuable resources - its employees - as well as the health and safety of the public.

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

The expenditure for these services varies depending on the number of alcohol tests and drug screenings, commercial driver license medical examinations and recertifications, and physical agility examinations required each year. The cost information will be disclosed at the time of the award to ensure the District receives the best possible pricing.

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

The United States Department of Transportation (USDOT) and the Federal Transit Administration (FTA) require all transit employers to verify their employees are fully trained and medically qualified to be behind the wheel and perform other safety-sensitive related functions (*USDOT Rule 49 CFR Part 40 and FTA 49 CFRA Part 655*).

The District's Alcohol and Substance Abuse Policy (Board Policy 200) requires that all potential new candidates pass a pre-employment alcohol and drug test as a condition of employment. Additionally, all new candidates applying for safety-sensitive job classifications and existing employees transferring into safety-sensitive job classifications are also required to pass a USDOT physical examination conducted by a licensed medical

examiner listed on the Federal Motor Carrier Safety Administration (FMSCA) National Registry. When applicable, the FTA guidelines require employers to administer the following regulated alcohol and drug tests to its employees/prospective employees: Pre-employment, Random, Post-Accident, Reasonable Suspicion, Return-To-Duty and Follow-Up. Physical agility testing is conducted only for those job classifications requiring manual lift tests, pulmonary function tests and respirator fit tests.

This new contract would be valid for a period of three (3) years, with two (2) one-year option periods.

The RFP Evaluation Committee panel will comprise of an equal number of management personnel and union representatives (as appointed by ATU Local 192, IBEW Local 1245 and AFSCME Local 3916) and an external member, as stated in Board Policy 200 and Board Policy 465.

#### **ADVANTAGES/DISADVANTAGES:**

The District has historically engaged multiple providers under multiple contracts to deliver alcohol and drug testing, USDOT medical examinations, and physical agility examination services. The District currently has five (5) separate contracts between several vendors providing these services. A significant disadvantage of having several contracts is the procurement process has become an extremely long and time-consuming process. Another disadvantage is that separate contracts have proven challenging for District staff to audit the multiple service providers to ensure all compliance measures and quality assurance requirements are being met in accordance with local, state, and federal guidelines.

The advantage of a new procurement, which bundles all services, is that providers will be able to combine all testing and medical examination services into a single comprehensive package, offer an all-inclusive reduced price, and permit District management to more readily audit compliance.

#### **ALTERNATIVES ANALYSIS:**

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

#### **PRIOR RELEVANT BOARD ACTION/POLICIES:**

Board Policy 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

Chris Andrichak, Director of Management and Budget  
Gene Clark, Director of Procurement and Materials  
Claudia L. Allen, Chief Financial Officer  
Denise C. Standridge, General Counsel  
Linda A. Nemeroff, District Secretary