

23800

DATE: December 13, 2011

TO: Honorable Board of Acquisition and Contract

FROM: Kevin Cheverko
Commissioner of Correction

RE: Authorization for the County of Westchester to exercise the second of three renewal options of an agreement with Partners in Safety, Inc. to provide random drug testing of Probationary Correction Officers in an amount not to exceed \$20,000.00 for a term commencing January 1, 2012 and terminating on December 31, 2012

Authority is requested to exercise the second of three renewal options of its agreement with Partners In Safety, Inc. located at 800 Route 17M Middletown, New York to provide comprehensive random drug testing services of Probationary Correction Officers in an amount not to exceed Twenty Thousand (\$20,000.00) Dollars for a period commencing January 1, 2012 and terminating on December 31, 2012 at the rates set forth in Schedule "A-2" attached hereto, subject to budget appropriations.

Your Honorable Board authorized the County to exercise its first renewal option in the amount not to exceed Twenty Thousand (\$20,000.00) Dollars for a period commencing January 1, 2011 and terminating on December 31, 2011 on December 16, 2010. The extension was thereafter duly executed.

Based on past performance, continuity and satisfaction with previous contracts and because their pricing is reasonable without any rate increases in subsequent amendments and the convenient collection site in White Plains, it is proposed that it is in the best interest of the County to enter into agreement with Partners In Safety.

The goals and objectives of this Agreement are to promote and maintain a drug-free workplace at the Department of Correction, to conduct substance abuse testing in a professional and confidential manner that meets licensing standards and applicable collective bargaining requirements, and to promote the highest standards of professional conduct and workplace safety. The Department of Correction and Partners in Safety will work in a collaborative manner to: (1) insure the integrity of the collection and screening process and (2) actively monitor the reporting of test results in a timely, confidential and professional manner.

These services will be tracked and monitored by the Department of Correction's Special Investigations Unit who participates in the off-site screening.

This agreement is exempt from the Westchester County Procurement Policy and procedures pursuant to Section 3(a)(viii) thereof.

Approval of the attached resolution is respectfully requested.

KC/mlg

APPROVED BOARD OF ACQUISITION & CONTRACT - 01/12/2012 - JOMARY VIEIRA, SECRETARY

RESOLUTION

Upon a communication from the Commissioner of Correction be it hereby

RESOLVED, that the County of Westchester is authorized to execute the second of three renewal options for its agreement with Partners in Safety, Inc., pursuant to which Partners in Safety, Inc. provides comprehensive random drug testing services of Probationary Correction Officers in accordance with Schedule "A-2" attached hereto and made a part hereof for an amount not to exceed Twenty Thousand (\$20,000.00) Dollars for a term commencing January 1, 2012 and terminating on December 31, 2012 at the rates set forth in the attached Schedule of Rates, subject to budget appropriation, and be it further

RESOLVED, that the County shall have the option to renew the agreement for up to one additional one-year periods, subject to future appropriation, at the rates set forth in Schedule "A" attached hereto and made a part hereof; and be it further

RESOLVED, that the County shall retain the right, upon the occurrence of any release by the Governor of a proposed budget of the State of New York and/or the adoption of the State budget or any amendments thereto, and after the County has a reasonable period of time to conduct an analysis of the impacts of such budget(s) on County finances, to terminate this Agreement or to renegotiate the amounts and rates approved herein. If the County subsequently offers to pay a reduced amount to the Consultant, then such Consultant shall have the right to terminate this Agreement upon reasonable prior written notice; and be it further

RESOLVED, that the County Executive or his duly authorized designee is hereby authorized and empowered to execute any and all documents necessary to accomplish the purpose of this Resolution.

Account to be Charged/credited	Fund	Agency	Capital Project Or Org	Object/ Sub Object	Activity	Dollars
	101	35	1000	4380	3000	\$20,000

Budget Funding Year(s) 2012 Start Date 01/01/2012 End Date 12/31/2012
 (must match resolution)

\$20,000

Funding Source

Tax Dollars \$20,000

State Aid _____

Federal Aid _____

Other _____

SCOPE OF WORK

DRUG TESTING
OF PROBATIONARY CORRECTION

SCHEDULE A-2

Westchester County
Department of Correction
Valhalla, NY

2010 - 2013

APPROVED BOARD OF ACQUISITION & CONTRACTS - 01/12/2012 - JOMARY VIEIRA, SECRETARY

I. SCOPE OF WORK:

Vendor must agree to provide the following comprehensive range of services to the Department of Correction:

- (A) Collection services at a site in close proximity to the correctional complex in Valhalla, New York that can accommodate – through extended or flexible hours – an agency that operates on three shifts (7 am – 3 pm, 3 pm – 11 pm, and 11 pm – 7 am).
- (B) Urinalysis services that provide a SAP-10 screening for the presence of amphetamines, cannabinoids, cocaine, opiates, phencyclidine, benzodiazepines, barbiturates, methadone, methaqualone, and propoxyphene and a GC/MS (gas chromatography/mass spectrometry) confirmation test for the presumptive positives within 48 hours.
- (C) Temperature reading of the urine sample (within normal limits) by a collection specialist and labeling of the sample in presence of the probationary employee.
- (D) Assessment of each specimen for signs of possible adulteration; specimen adulteration assays shall consist of two or more of the following: creatinine, chloride, specific gravity, and/or pH.
- (E) Medical review officer (MRO) services by a medical professional that is certified by the American Association of Medical Review Officers (AAMRO) or the Medical Review Officers Certification Council (MROCC).
- (F) Expert witness testimony at a grievance arbitration hearing and/or Article 75 Court proceeding (when necessary) by a supervisor or medical director as to the selection, collection, testing and analysis procedures used to identify those persons who test positive for controlled substances.
- (G) Frozen storage of positive urine samples for one year from the date of testing.

The Westchester County Department of Correction shall require the medical review officer (MRO) to be independent of the laboratory conducting the SAP-10 and GC/MS tests. The drug-testing laboratory should be certified by SAMSHA-NIDA (U.S. Department of Health & Human Services) and licensed by the New York State Department of Health. The Department of Correction will consider proposals from a laboratory or drug testing service using a laboratory that is not dual certified by SMASHA-NIDA and the New York State Department of Health.

II. SUPPLIES:

The licensed drug testing laboratory and/or drug testing services firm shall provide (in advance of any testing) a sufficient supply of pre-printed chain-of-custody consent forms customized for the County of Westchester Department of Correction and tamper-proof security labels with pre-printed ID numbers referenced to the chain-of-custody form, specimen collection cup, transportation & shipping supplies.

III. CONFIDENTIALITY/TEST RESULTS:

All test results shall be considered confidential and shall not be released to any person except as set forth herein. Negative test results must be released to the designated MRO within 24 hours after receipt of the specimen at the testing site. Positive results (or those requiring a GC/MS confirmation test) must be released to the MRO within 72 hours after the receipt of the sample at the testing site. Final testing results – using the employee's Social Security number for identification purposes – shall be delivered in a sealed envelope marked "CONFIDENTIAL" to the Commissioner of Correction or his designated representative. The final results shall be forwarded to the following mailing address:

COMMISSIONER OF CORRECTION
WESTCHESTER COUNTY CORRECTION DEPARTMENT
P.O. BOX 389 – WOODS ROAD
HQ BUILDING

No independent (secondary) testing of urine samples provided by employees of the Westchester County (NY) Department of Correction shall be permitted without the written consent of the Commissioner of Correction or his designated representative.

IV. ON-SITE INSPECTION:

Vendor shall permit on-site inspection of its collection and testing facilities by Department of Correction and/or other County officials. In addition the vendor shall be subject to unannounced on-site inspections of their collection and testing facilities by Department of Correction and/or other County officials.

V. METHOD OF PAYMENT:

Upon the completion of all professional services the Westchester County (NY) Department of Correction will supply the provider with a standard claim form for payment by the Westchester County Department of Finance.

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COUNTY OF WESTCHESTER DEPARTMENT OF CORRECTION

PARTNERS IN SAFETY
SCHEDULE OF RATES

2010 - 2013

Price Proposal:

Cost per SAP-10 test including collections at office of Partners In Safety during office hours, CC/MS confirmation, adulteration testing, MRO review, and frozen storage:	\$47.00 per test
Cost per SAP-10 test including off-site collection during office hours, CC/MS confirmation, adulteration testing, MRO review, and frozen storage:	\$47.00 per test Plus \$15.00 per collection
Split sample sent to another lab and tested, if requested by Department of Correction:	\$250.00
On-site Collection Fee:	\$150.00 includes first two hours, \$75.00 for each additional hour (minimum volume required)
Hourly rate for expert testimony by Program Manager:	\$275.00 per hour with a minimum of four hours
Hourly rate for testimony by Medical Review Officer:	\$275.00 per hour with a minimum of four hours
Emergency Service: (for special situations requiring urgent on-site or tests on nights, weekends or holidays)	\$125.00 per hour minimum of two hours plus cost of test

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