

**ADDENDUM TWO REVISED QUESTIONS and ANSWERS
109559 O3**

Date: September 15, 2021

To: All Bidders

From: Carrie Olson, Procurement Specialist and Holly Glasgow, Procurement Contracts Officer
Department of Health and Human Services

RE: Addendum for Request for Proposal Number 109559 O3
to be opened September 24, 2021 at 2:00 p.m. Central Time

Questions and Answers

Following are the questions submitted and answers provided for the above mentioned Request for Proposal. The questions and answers are to be considered as part of the Request for Proposal. It is the Bidder's responsibility to check the State Purchasing Bureau website for all addenda or amendments.

<u>Question Number</u>	<u>RFP Section Reference</u>	<u>RFP Page Number</u>	<u>Question</u>	<u>State Response</u>
1.	I. Procurement Procedure Section H. Submission of Proposals # 1.b.	Page 4	<p><i>"The Bidders Cost Proposal and Proprietary information should be uploaded as separate and distinct files."</i></p> <p>1. It is understood that any proprietary information should be uploaded as a separate file, but it is ok for respondents to submit both pricing and response to scope of work in one file?</p>	Yes. The documents that shall be submitted are in Section H. of the RFP.
2.	I. Procurement Procedure Section H. Submission of Proposals # 1.b.	Page 4	<p><i>"The Bidders Cost Proposal and Proprietary information should be uploaded as separate and distinct files."</i></p> <p>2. Is it acceptable for respondents to submit their Fee Schedule catalog as a separate file from the cost proposal?</p>	Bidder shall submit all of their current Toxicology Tests listed by individual price that must include at a minimum, the tests found on Form B Cost Proposal (page 30).
3.	I. Procurement Procedure Section N. Request for Proposal/Proposal Requirements # 4.	Page 6	<p>One of the response requirements is, <i>"Completed State Cost Proposal Template"</i>.</p> <p>3. Is Form B considered the Cost Proposal Template? If so, since there is no area to enter pricing on that form, is it</p>	Yes, the Bidder shall submit all of their current Toxicology Tests listed by individual price that must include at a minimum, the tests found on Form B Cost Proposal (page 30).

			acceptable for respondents to attach their own pricing detail page to Form B to satisfy this requirement?	
4.	Section V. Contract Closeout	Page 15 - 16	4. Can the DHHS confirm that the inclusion of #3 means that the Contractor does not have to return data if the Contractor is required to retain it for regulatory and auditing purposes in accordance with its policies and procedures?	Section II. V. 3. Contractor Closeout Of the RFP is hereby amended and replaced with; 3. Return to the State all information and data. The Contractor is permitted to keep the information or data by contract or rule of law. Contractor may retain one copy of any information or data as required to comply with applicable work product documentation standards or as are automatically retained in the course of Contractor's routine back up procedures;
5.	Section III. Contractors Duties	Page 17	5. Please confirm that the bidder does not need to name specific personnel that will be performing services.	No. Bidder does not have to submit the names of specific personnel that will be performing the services.
6.	Section III. Contractors Duties. Insurance.	Page 21	6. Will the DHHS consider waiving the "Pollution Liability coverage requirement?"	No.
7.	Section IV.G.3.	Page 27	7. Results are not typically included on invoices due to the potential for confidential information – decedent's name and test results – being	Invoicing requirements are found in Section IV. G. 3.

			viewed by unauthorized individuals. Can the DHHS please confirm that results do not have to be provided with invoices given this is not listed in Section IV.G.3.?	
8.	Attachment Two		8. Our quarterly report routinely consists of the following information: account number with agency name, test description, number of times the test was ordered, test price and total expenditures per quarter. This is a standard report routinely given to clients. Will this format be acceptable?	The minimum information listed in Attachment Two is required, additional information is acceptable.
9.	Attachment Two		9. Will the DHHS consider extending the deadline for quarterly reporting in order to provide the County with the most up to date data? Typically our data is available between the 10th and 15th of every month.	Quarterly reports are due on the dates identified in Attachment Two.
10.			10. How many cases per year will be submitted for toxicology testing per this contract? Will	Annual Estimated Volume: Two hundred fifty (250) cases Yes. Refer to estimated quantities below:

			all cases request the same toxicology testing scope, or will they be broken down into multiple testing scopes based on the case type? If so, how many cases are expected to be submitted under a basic toxicology panel and how many under an expanded toxicology panel?	Basic panel (Psychoactive): Thirty (30) Expanded Panel (Comprehensive): One hundred seventy-five (175) Vitreous: Fifteen (15) Designer opioids (Enhance): Thirty (30)
11			11. Many Forensic toxicology labs have the ability to interface with commercially available case management software programs used by a coroner's office. Will a vendor's ability to interface with the existing case management software receive favorable consideration for the general qualifications section?	No, the evaluation of this RFP only considers cost...
12			12. Will a vendor with the ability for online order entry and delivery of reports electronically receive favorable consideration in the general qualifications section?	No, the evaluation of this RFP only considers cost...
13.			13. Some forensic laboratories often need to use a	No, the evaluation of this RFP only considers cost.

			reference lab for complex drug cases and rare compounds. This can often lead to extended turnaround time as well as adding laboratory personnel onto the chain of custody. Will applicants that do not use subcontractors receive favorable consideration within the general qualifications section?	
14.			14. How will the scope of synthetic marijuana (K-2), novel psychoactive substances (NPS), designer fentanyl and designer opioid substances between vendors be considered within the general qualifications section?	No, the evaluation of this RFP only considers cost.
15.			15. We have found that there are many forensic toxicology accreditations that are applied into varying industries, with very few that actually have a forensic testing component within them. For example the ISO 9001 accreditation is a general quality management system	No, the evaluation of this RFP only considers cost.

			<p>accreditation with no direct emphasis into forensic testing or toxicology. The ISO 17025 is a widely accepted accreditation for the forensic sciences. When under ANAB/ASCLD Lab, the ISO 17025 accreditation has a forensic component that recognizes standard forensic best practices that are not present with any other ISO accreditation. Will vendors with the ISO 17025 receive stronger considerations for this contract?</p>	
16.			<p>16. Nebraska has permits for alcohol and drug testing for medico-legal purposes (per Title 177, Chapter 1 and Chapter 7 and statute 60-6,201). This has not been a requirement in the past for this type of testing on postmortem cases within the state of Nebraska. We hold many national and state accreditations and we go through proficiency testing</p>	<p>This is not a requirement in the RFP.</p> <p>Section V. Scope of Work is amended to add: Bidder must have a CLIA certification.</p>

			throughout the year. Can this continue to be waived for this contract?	
17.			17. Some laboratories charge a fee for each specimen tested for a given order. Others charge a bundled price that covers testing of multiple specimens based on the entire case (for example, blood, urine, and vitreous). How is the State currently charged for testing on additional specimens for the same case?	DHHS currently has two contracts for this service. One Contractor provides for bundle pricing and one provides individual test prices.
18.			18. How are you currently being charged if you submit a blood and urine/vitreous sample on the same case?	Please refer to question #7 answer.
19.			19. Are you being charged separately for each specimen or is the urine/vitreous free/included when blood is tested?	Please refer to question #7 answer.
20.			20. Is it the State's preference to be charged individually per specimen or to have a single flat price per case, regardless of the	DHHS is evaluating based on individual test pricing. Bidder may submit bundled pricing, in addition to, individual test pricing.

			number of specimens tested?	
21.			21. How often does the State require testing for other samples such as capsules, powders, and fluids?	Refer to Section V. B. 5.b.
22.			22. Where in the proposal would it be most effective for evaluation purposes to indicate that additional testing may be available outside the standard test catalog?	At minimum, bidder must submit the pricing for the tests identified in Form B: Cost Proposal. Bidders may submit pricing of additional tests.
23.			23. How does the State expect to evaluate nonstandard testing for which there is no list price?	The state is only evaluating the cost of the required tests on the cost proposal. If the contractor is providing pricing for additional tests, please provide on the cost proposal.
24.			24. Would you accept/would you like additional information outside of the required forms?	Information outside the required forms will not be considered for evaluation.
25.			25. If no information is marked as proprietary, should there be two files? 1. technical specifications including required forms 2. cost proposal	Refer to Section I. H. One file is acceptable.
26.			26. You've scoped a specific lab's products. How will you evaluate the products offered by another laboratory?	The State of Nebraska is required to perform specimen sample testing per Attachment one - Center for Disease Control and Prevention Appendix eight (8).

27.			27. Who is the incumbent provider of these services?	Please refer to 84435.O4 and 94622.O4 https://statecontracts.nebraska.gov/
28.			28. What does the State currently pay for these services?	Please refer to the contracts listed in answer #27.
29.			29. What is the estimated annual volume of cases and/or tests requested?	Refer to question #10.
30.			30. What are the anticipated volumes of each type of test (basic panel, expanded panel, vitreous, designer opioids/NPS) or mix of tests anticipated (e.g. X% of cases will include basic panel, X% expanded, etc.)?	Refer to question #10.
31.	V.B.5.a Cost Proposal 3.1, 3.2, 3.3	Page 28 Page 30 Attachment One	31. Panels are referred to as basic, expanded, designer opioids, and NPS on the primary RFP document. Are the panels listed in Attachment 1 (i.e. Primary Toxicology Drug Screen, Enhanced Toxicology Drug Screen, Comprehensive Fentanyl Analog and Other Illicit Synthetic Opioids Testing) separate tests from	No, they are not separate. Yes, they do overlap.

			these? Or do they overlap (e.g. is the Primary Tox Drug Screen the same as what is required for the "Basic," is the "Enhanced" the same as the "Expanded," etc.)	
32.	Section V.	Page 28	32. How does the State want us to "complete" section V? Should we provide a response to each technical specification line by line? We want to be respectful and responsive in terms of abiding by the State's desired proposal outline.	By submitting the document outlined in the Section I.N. the bidder is attesting they can complete all the requirements outlined in Section V. Scope of Work.
33.	I.N.3.	Page 6	33. We do not see a section VI in the RFP. Please advise if this was a typo or if there is a missing section.	Section I.N.3. Request for Proposal/Proposal Requirements is hereby amended and replaced with: "3. Completed Sections II through IV;"

This addendum will become part of the proposal and should be acknowledged with the Request for Proposal.