

## PROCUREMENT SUMMARY

## DRUG TESTING LABORATORY SERVICES/ PS75883000

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|----|---|--|
| 1. | <b>Contract Number: PS75883000</b>  |  |
| 2. | <b>Recommended Vendor:</b> Phamatech, Inc.  |  |
| 3. | <b>Type of Procurement (check one):</b> <input type="checkbox"/> IFB <input checked="" type="checkbox"/> RFP <input type="checkbox"/> RFP-A&E<br><input type="checkbox"/> Non-Competitive <input type="checkbox"/> Modification <input type="checkbox"/> Task Order |  |
| 4. | <b>Procurement Dates:</b>   |  |
|    | <b>A. Issued:</b> April 15, 2022  |  |
|    | <b>B. Advertised/Publicized:</b> April 15, 2022   |  |
|    | <b>C. Pre-Proposal Conference:</b> April 26, 2022   |  |
|    | <b>D. Proposals Due:</b> May 13, 2022   |  |
|    | <b>E. Pre-Qualification Completed:</b> January 11, 2023   |  |
|    | <b>F. Conflict of Interest Form Submitted to Ethics:</b> December 27, 2022  |  |
|    | <b>G. Protest Period End Date:</b> February 20, 2023  |  |
| 5. | <b>Solicitations Picked up/Downloaded:</b><br>17  | <b>Bids/Proposals Received:</b><br>1       |
| 6. | <b>Contract Administrator:</b><br>Marc Margoni  | <b>Telephone Number:</b><br>(213) 922-1304 |
| 7. | <b>Project Manager:</b><br>Mary Ahumada   | <b>Telephone Number:</b><br>(213) 922-7172 |

**A. Procurement Background**

This Board Action is to approve the award of Contract No. PS75883000 to Phamatech, Inc., to provide as-needed drug laboratory testing services for safety-sensitive employees and job candidates in accordance with Federal Transit Administration (FTA) regulations 49 CFR Part 655. Board approval of contract award is subject to resolution of all properly submitted protest(s).

Request for Proposal (RFP) No. PS75883 was issued as a lowest price, technically acceptable procurement in accordance with Metro's Acquisition Policy and the contract type is a firm fixed unit rate. Metro did not establish a Race Conscious Disadvantaged Business Enterprise (RC DBE) goal for this contract.

No amendments were issued during the solicitation phase of this RFP.

The solicitation was available for download from Metro's website. Advertisements were placed in four leading publications within Los Angeles County (i.e. Los Angeles Daily News, La Opinion, Watts Times, and the Asian Journal) to notify potential proposers of this solicitation. Metro also notified proposers from the Metro's vendor database based on applicable North American Industry Classification System (NAICS) codes.

A virtual pre-proposal conference was held on April 26, 2022.

A total of 17 firms downloaded the RFP and were included on the planholders list. No questions were received regarding the solicitation.

Only one proposal was received on May 13, 2022.

Metro staff canvassed firms on the planholders list to determine why no other proposals were received. Of the 17 firms on the planholders list, only five (5) firms are laboratories that provide drug testing services. Of the five (5) potential proposers, only the incumbent contractor, Phamatech, Inc., is certified by the Department of Health and Human Services (HHS) to conduct urine drug testing and meets the Department of Transportation's (DOT) drug and alcohol testing requirements. As of January 3, 2023, there are only 18 HHS-certified laboratories approved to perform urine drug testing in the US.

## **B. Evaluation of Proposals**

A Proposal Evaluation Team (PET) consisting of staff from Human Resources, HEAR & Wellness Program, and Employee & Labor Relations was convened and conducted a comprehensive technical evaluation of the single proposal received from Phamatech, Inc. (Phamatech) based on the lowest price, technically acceptable selection process.

On June 21, 2022, the PET met to review the evaluation criteria package, process confidentiality and conflict of interest forms, and take receipt of the proposal to initiate the evaluation phase.

Evaluations were conducted from June 21, 2022, through July 26, 2022, based on the pass/fail evaluation criteria stated in the RFP, which considered the following:

1. Location of the laboratory facility;
2. Years of experience of the lead certifying scientist analyzing and certifying urine specimens under DOT drug testing regulations;
3. Certification with the Department of Health and Human Services (HHS) under the National Laboratory Certification Program (NLCP);
4. Computer and technical capabilities of the laboratory to provide secure and confidential electronic transmission of results;
5. Ability to meet the requirements of the scope of services including timeframes for processing DOT specimens; and
6. Availability to provide as needed subject matter consultation and expert witness testimony.

The evaluation criteria are appropriate and consistent with criteria developed for similar drug testing laboratory services procurements. After evaluation of the proposal, the PET determined Phamatech to be technically acceptable to perform the required services as outlined in the Scope of Services and is the lowest price.

### **C. Cost/Price Analysis**

The recommended fully burdened rates have been determined to be fair and reasonable based on historical costs, technical evaluation, price analysis and the independent cost estimate (ICE). Metro's ICE is slightly lower than the negotiated amount since it did not consider escalation rates for the second and third year of the base term and the option years.

Staff successfully negotiated \$58,500 in cost savings from Phamatech's proposal.

|    | <b>Proposer Name</b> | <b>Proposal Amount</b> | <b>Metro ICE</b> | <b>Award Amount</b> |
|----|----------------------|------------------------|------------------|---------------------|
| 1. | Phamatech, Inc.      | \$706,875              | \$634,200        | <b>\$648,375</b>    |

### **D. Background on Recommended Contractor**

The recommended firm, Phamatech, Inc. (Phamatech), founded in 1991, is headquartered in San Diego, CA. It is a licensed toxicology laboratory with the Substance Abuse and Mental Health Administration (SAMHSA), College of American Pathologists (CAP) and Clinical Laboratory Improvement Amendments (CLIA) certifications. Phamatech is also registered with the U.S. Food and Drug Administration (FDA) and certified by the International Organization for Standardization (ISO) as a manufacturer of 510K approved and CLIA waived QuickScreen instant urine drug testing devices.

Phamatech operates a state-of-the-art facility located in San Diego where all laboratory testing is performed. Phamatech specializes in high-volume screening tests using EMIT II analyzer and confirmation testing methods using Gas Chromatography/Mass Spectrometry (GC/MS) and Liquid Chromatography tandem-Mass Spectrometry (LC-MS/MS).

Existing clientele include the County of Los Angeles, the Broward County Sheriff's Office in Florida, Amazon, Walgreens, the United States Federal Bureau of Prisons, Los Angeles County Department of Children and Family Services, U.S. Customs & Border Protection, California Department of Corrections and Rehabilitation, and Fulton County Juvenile Court.

Phamatech, Inc. is a registered Minority-Owned Business Enterprise, certified by The Pacific Southwest Minority Supplier Development Council. Phamatech believes in promoting diversity within the community and makes every effort to and has successfully utilized minority-owned, women-owned, and veteran-owned disadvantaged companies.

Phamatech, Inc. has been providing drug laboratory testing services to Metro since 2015 and performance has been satisfactory.