

SUPREME COURT OF APPEALS OF WEST VIRGINIA

REQUEST FOR PROPOSAL

*West Virginia Probation and Treatment Court
Substance Abuse Screening Services*



REQUEST FOR PROPOSAL ISSUED MARCH 1, 2023

RESPONSES DUE MARCH 31, 2023

ALL DETAILS ARE INCLUDED IN THE FOLLOWING PAGES

**SUPREME COURT OF APPEALS OF WEST VIRGINIA
REQUEST FOR PROPOSAL (“RFP”)**

**WEST VIRGINIA PROBATION AND DRUG COURT
SUBSTANCE ABUSE SCREENING SERVICES**

RFP PROCESS TIME FRAMES

Request for Proposal Release Date:	March 1, 2023
Question Submission Deadline:	March 17, 2023
Request for Proposal Due Date:	March 31, 2023 by 5:00 p.m. EST
Proposal Award Date:	May 1, 2023

SUBMISSION OF PROPOSALS

Prospective awardees must submit completed proposal documents within the above-stated time frame and as follows:

Submit Complete Proposals to the Attention of:

STEPHANIE BOND
Director of the Division of Probation Services
Supreme Court of Appeals of West Virginia
1900 Kanawha Boulevard East
Building 1, Room E-100
Charleston, West Virginia 25305

Preferred Method of Submission:

ELECTRONIC
In Care of Stephanie Bond, Division Director at
Stephanie.Bond@courtsvw.gov

The Court will also accept timely paper submissions in care of the address noted above

Direct Questions about the Process to:

CHRISTINE FOX, DIVISION COUNSEL
Christine.Fox@courtsvw.gov

PROPOSAL AWARD PROCESS

The Division of Probation Services within the Administrative Office of the Supreme Court of Appeals of West Virginia will subject all proposals to thorough review based upon completeness, cost-effectiveness, knowledge base of the responsible entity, projected quality of deliverables, and reliability of deliverables. The Director of Probations Services will select two (2) finalists, if supported by the number and quality of the proposed submissions. The two (2) finalists may be asked to produce additional information and/or submit to an interview process. The final selection of a successful proposal is subject to the recommendation of the Director of Probation Services and final approval of the Supreme Court of Appeals of West Virginia (“Court”). The Director of Probation Services will notify the responsible entity of the successful proposal. The Court will post the results of the award process on its website (www.courtswv.gov) which shall serve as notice concerning the process to all those submitting proposals.

The person and/or entity submitting the successful proposal shall be required to enter into a potentially ongoing contract with the Administrative Office of the Court concerning the terms of engagement for provision of professional services required to timely supply materials and reliable laboratory services (“Project Deliverable”) as described in this RFP. The contract will reference all details concerning payment, quality, and other relevant terms and conditions of the engagement such as insurance coverage requirements. Work on the Project Deliverable shall not commence until the contract has been executed by the Court and entity submitting the successful proposal.

DESCRIPTION OF THE PROJECT

The Division of Probation Services within the Administrative Office of the Supreme Court of Appeals of West Virginia seeks proposals for the provision of specimen collection materials and related laboratory services of substance abuse screening and confirmation testing to assist probation officers and other judicial personnel throughout the State of West Virginia in supervising individuals on behalf of the court system.

The Project Deliverable requires the laboratory and/or distributor to provide reliable materials and services, including but not limited to:

- Substance abuse screening devices, including rapid screen multi-panel testing cups minimum and collection devices for urine and oral fluid
- Instant screen-testing cups shall, at a minimum, test for the following controlled substances: EtG, fentanyl, tramadol, amphetamines, methamphetamines, MDMA/Ecstasy, opiates, marijuana, cocaine, benzodiazepines, oxycodone, methadone, and buprenorphine
- Confirmation testing for at least the above substances, as well as the possibility of others (e.g., PCP, K2, barbiturates, LSD, Psilocybin, Eutylone and other synthetics, and/or bath salts)
- If applicable, information regarding devices, screening, and confirmation for hair and/or blood testing of substance abuse.
- A description of cut-off levels for testing
- CLIA-certified practices and protocol
- Use of equipment that meets ANSI standards

- Specify method of confirmation testing utilized
- List all lab certifications
- Description of timeline for receiving results
- Proper chain of custody tracking and protocol
- Reporting of results and test documentation *via* secure online database
- Specimen validity testing to include indication or identification of tampering, dilution, or adulteration
- Professional and qualified expert courtroom testimony as needed
- Proper observation of West Virginia and federal confidentiality statutes and regulations
- Training and/or training materials for the Court’s probation officers and other Court personnel
 - May include presenting at probation officer and/or Judges conferences as requested
- What communication from the lab with the Court’s probation officers will look like with regard to questions (i.e., interpretation of results, questions on substances that may cause “false positives”, etc.)
- Other related substance abuse screening laboratory services if necessary

The finished Project Deliverable is intended to provide substance abuse monitoring and accountability tools for probation officers and their probationers or other supervisees. As such, the testing and equipment **must be properly certified, reliable, and accurate** as the results of this testing may bear on the life and liberty rights of individuals involved in the criminal justice system or other court proceedings in the State of West Virginia. Moreover, the responsible party should anticipate a possible volume of 50,000 confirmations and potentially 80,000 instant screen testing cups annually.

COMPENSATION AWARD DETAILS

The Project Deliverable is funded through the Court’s budget as well as the fiscal account of local treatment courts or applicable state or federal grant monies. The responsible entity shall invoice the Division of Probation Services within the Administrative Office of the Supreme Court of Appeals of West Virginia, or the local treatment court designee as applicable, on a monthly basis as services are rendered. These invoices shall be subject to review and analyses, after which time the Court will request that the West Virginia State Auditor issue payment. In the event the Division of Probation Services does not consider the Project Deliverable to meet the standards of the RFP and contract, the resolution processes detailed in the contract shall apply.

PROJECT COMPLETION DEADLINE AND DELIVERABLE DUE DATES

The Project Commencement Date is start of the West Virginia Fiscal Year which is July 1, 2023 provided the execution of requisite contract.

The Project Completion Date shall be subject to the terms of the requisite contract. This project will entail a contract for ongoing services to expire at the close of the fiscal year at midnight on June 30, 2024, with the option to renew for the following fiscal year(s) on a yearly basis.

PROPOSAL COMPONENTS AND PROJECT DELIVERABLE REQUIREMENTS

All proposals submitted in response to this RFP must include all of the following components in order for the Director of Probation Services to consider the submission complete:

1. Completed Cover Page that includes:
 - a. Reference to the West Virginia Probation and Drug Court Substance Abuse Screening Services;
 - b. Name of the Entity Responsible for the Proposal, which shall be considered responsible for the Project Deliverable finished work product;
 - c. Contact Information for the Primary Contact (mailing address, telephone, email); and,
 - d. Description of the Professional Credentials.
2. A pricing list for expert witness testimony, screen and confirmation testing, collection devices, and rapid screen cups.
 - a. A detailed list of all drugs and substances tested and confirmed for both urine and oral drug screens.
 - b. This list is to include what the standard panel of drugs to be tested once a specimen is submitted to the lab for screening and reflexive confirmation
3. A narrative discussion as to the benefits of choosing the entity responsible for the proposal, which may include:
 - a. References of current clients;
 - b. Proof of certification; or
 - c. Possible financial savings.
4. An indication of whether the entity responsible intends to utilize subcontractor(s), and if so, which services and/or products the subcontractor(s) will provide.
5. The entity responsible for the successful Proposal and awarded the task of performing and fulfilling the Project Deliverable must follow the highest standards of laboratory services, in accordance with industry standards.

Note: For any questions submitted during the proposal process, the deadline is **March 17, 2023**. Please submit all questions in re: the Proposal and/or its process to Division of Probation Services Counsel, Christine Fox at the email address listed on Page 1 of this Proposal. After this time, all questions and answers will be compiled and posted to the Court's website at <http://www.courts.wv.gov/court-administration/request-for-proposals.html> in advance of the Proposal Submission Deadline of **March 31, 2023**.

THE SUPREME COURT OF APPEALS OF WEST VIRGINIA

This Request for Proposal is undertaken on behalf of the Supreme Court of Appeals of West Virginia, a unified court system, and the highest appellate court in the state. The Court is committed to access to justice to all citizens of the State of West Virginia, and is an affirmative action-equal employment opportunity employer.