



Exercise Options for On-Site Substance Abuse Collection Services

Committee of the Whole
March 9, 2021

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AVP, Risk Management



Recommendation

Authorization for the Interim President & Chief Executive Officer or his designee to approve the two one-year options for on-site substance abuse collection services for a total of \$356,400 for a new total not to exceed amount of \$1,090,650.

FTA/DOT Mandated Testing

- As a condition of continued funding, the Federal Transit Administration (FTA) requires DART to implement a drug and alcohol testing program for our safety-sensitive employees.
- All urine collections and breath tests must be conducted using Department of Transportation (DOT) protocols.
- The substance abuse program is audited annually.



References: 49 CFR Part 655 Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations; 49 CFR Part 40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

Chem Chek - Current Contractor

- Chem Chek
 - Founded in 1989 and incorporated in 1991.
 - Headquarters is in Richardson, TX
 - Woman Owned Business with a Texas Historically Underutilized Business (HUB) certificate

Contractor Scope

- Contractor Performs:
 - Random and follow-up urine collections and breath tests “on-site” at all Authority facilities.
 - Reasonable suspicion and post-accident urine collections and breath tests at Authority facilities, contractor’s facility, or area hospitals on emergency call-out basis.
 - A minimum of 1,382 tests per year.
- Contractor must be available 24 hours/7 days a week in order to perform both scheduled and emergency tests at all DART facilities.
 - Random tests must be unannounced and unpredictable; must be spread reasonably throughout the calendar year and must be conducted at all times of day when safety-sensitive functions are performed.
 - Employees must have reasonable expectation that they could be tested on any day while at work, including nights, weekends, and holidays.

Safety Sensitive Functions

- Safety Sensitive employees are subject to random drug and alcohol testing.
- Safety Sensitive duties include:
 - Operating a revenue service vehicle including when not in revenue service.
 - Operating a non-revenue service vehicle required to be operated by a holder of a CDL.
 - Controlling the dispatch and movement of revenue service vehicles.
 - Maintaining revenue service vehicles and equipment used in revenue service.
 - Carrying a firearm for security purposes.

Contract Costs

- On May 10, 2016, the Board approved a five-year contract, including two one-year options, to Chem Chek for a not to exceed amount of \$495,000.
- On January 22, 2019, the Board approved a \$239,250 increase in funding to comply with an increase in testing directed by the FTA.
- Vendor has agreed to maintain the \$16,500 monthly fee, for a cost of \$198,000 annually.
 - As consideration for exercising both one-year options, contractor will reduce fees by 10%, saving \$39,600 over the two-year period.
 - Adjusted monthly fee \$14,850 or \$178,200 annually.
 - Total cost for the two one-year options is \$356,400.

Recommendation

Authorization for the Interim President & Chief Executive Officer or his designee to approve the two one-year options for on-site substance abuse collection services for a total of \$356,400 for a new total not to exceed amount of \$1,090,650.