Department of Children and Family Services
RFP for Genetic Testing
Vendor Inquiries
August 17, 2010

Comments Received from Vendors:

Section 1.6(a) Proposer's Minimum Qualifications states, "Utilize a genetic testing protocol which is approved by the American Association of Blood Banks (AABB) and in accordance with state law;" and

"Furnish College of American Pathologists (CAP) proficient testing accreditations for the current year and the three (3) previous years for Polymerase Chain Reaction (PCR); also furnish College of American Pathologist (CAP) proficient testing accreditation for the current and the three (3) previous years for Restricted Fragment Length Polymorphism (RFLP), if available.

Additionally, CAP stopped providing proficiency testing for RFLP at the beginning of 2007 (**see CAP announcement attached**), thus making it impossible to comply with the request for proficiency testing accreditations for the current and three previous years from CAP. Therefore as stated, RFLP technology no longer has current updated AABB standards and no longer has CAP proficiency testing available.

RFLP is no longer in routine use in the United States in either paternity testing or crime laboratory testing. Complicated by the lack of updated AABB standards and proficiency testing for RFLP, there may be no laboratories that can independently confirm the testing done by another laboratory that does use RFLP. The lack of independent confirmation jeopardizes the validity of RFLP based tests presented to Louisiana courts as confirmation may not be available or difficult to find, thus delaying paternity establishment and increasing costs to the state of Louisiana and the families it serves while confirmation is attempted.

In 2009, the state of Michigan and its CSE offices issued a genetic paternity testing RFP with similar PCR/RFLP requirements to the ones listed in this RFP issued by Louisiana. After investigation during its respective Questions and Answers period in the Michigan genetic paternity testing RFP timeline, (see Q&A attached), Michigan confirmed that AABB's 9th edition of standards no longer covers RFLP and elected to remove all RFLP requirements in favor of PCR based testing, which is supported by current AABB standards and

CAP proficiency testing. To LabCorp's knowledge, no other state or county CSE agency requires RFLP in bid processes for paternity testing.

DCFS Response: The RFP states: "furnish College of American Pathologist (CAP) proficient testing accreditation for the current and the three (3) previous years for Restricted Fragment Length Polymorphism (RFLP), if available." Since this information is not available, nothing will be required.

Additionally, since AABB's 9th edition of standards no longer covers RFLP testing, all vendors are to use the last published AABB proficiency standards relative to RFLP testing.

Questions:

1. What is the price per person being charged by the current vendors?

   DCFS Response:
   Vendor: Paternity Testing Corporation
   (a) Price for complete draw per person: $49.00
   (b) Price per person for result when sample is taken/collected by DCFS employees: $39.00
   (c) Price for partial draw per person (no test is conducted): $15.00

   Vendor: Orchid Cellmark
   (a) Price for complete draw per person: $56.00
   (b) Price per person for result when sample is taken/collected by DCFS employees: $51.00
   (c) Price for partial draw per person (no test is conducted): $25.00

2. The RFP, under scope of services (page 28), states that a minimum fifteen (15) probe PCR test and minimum four (4) probes RFLP test shall be performed in those situations in which a full trio (mother, child, alleged father) is not tested. Can an extensive battery of STR testing substitute for RFLP? For example, utilization of 25 or more STR systems to reach a conclusive result.

   DCFS Response: No.

3. How many UIFSA requests are completed during a typical quarter or year?

   DCFS Response: Unknown, as those statistics are not tracked.

4. How many prison collections are done on a quarterly or yearly basis?

   DCFS Response: Unknown, as those statistics are not tracked.

5. How often has an expert witness been required under the current contract agreement?

   DCFS Response: Assuming that this question is asking about the number of times an expert witness has been called to testify at a trial under the current contract, none are known.

6. How many motherless cases are performed (only child and alleged father tested)?

   DCFS Response: Unknown, as those statistics are not tracked.

7. How many family study (genetic reconstruction) cases have been performed under the current contract agreement?

   DCFS Response: Unknown, as those statistics are not tracked.

8. Are specimen collectors considered sub-contractors for the laboratory performing the testing? If so, can the sub-contractor requirements be waived for this group since they are not performing the actual laboratory testing?

   DCFS Response: No, the collectors are not considered as sub-contractors under this contract.

9. In Attachment B - Cost Summary, it asks for the price of a complete draw and a partial draw. Can you define what a complete draw and a partial draw are? A complete draw could be with the mother, without the mother or involve multiple children. A partial draw could range from one person to more than a half a dozen.

   DCFS Response: A complete draw involves all of the people referred to the lab for testing. A partial draw occurs when all of the referred people fail to appear and their genetic tissues are not collected and a report is not provided.

10. In Attachment B – Cost Summary, it wants a price for result when CSE provides the sample collection. Can you define “price for result” since some results will involve child and alleged father, some will involve a full trio and others may be genetic reconstructions? Each would have a different price for result.

DCFS Response: Provide a price per individual when the DNA samples are collected by CSE staff and testing is conducted. The result would be the actual report that is issued to CSE.

11. How many genetic testing contractors are presently providing services to Louisiana?

    DCFS Response: At this time, the Department of Children and Family Services has contracts with two genetic testing laboratories.

12. Is the testing need really for the outmoded RFLP testing or is it a need for a high certainty of paternity establishment? If a lab has a very large number of STR tests available that can provide an equivalent level of assurance in the tests, would RFLP still be required?

    DCFS Response: It is the position of the Department that RFLP testing assures the courts and the families of the most accurate paternity results. RFLP testing provides added protection against false inclusions and false exclusions.

13. What kinds of tests, mentioned on page 33, are conducted for the Office of Community Services? How does the purpose of these tests differ from that of the CSE cases on page 32?

    DCFS Response: The same types of testing that is needed by the CSE office will be required by the Office of Community Services (now referred to as Child Welfare).

14. How many of the 22,924 "established paternities" in 2008 – 2009 required genetic testing?

    DCFS Response: Roughly, 4,100 of the paternities established required genetic testing.

15. "Proposal must be submitted under the prime Proposer's name." The AABB- accredited unit doing the testing is a subsidiary of a subsidiary. Which name is considered the primer Proposer?

    DCFS Response: The name of the laboratory completing the paternity testing should be considered the prime proposer although they may be identified as a subsidiary of the parent corporation.

16. Single page RFP says six copies and two CDs. Proposal itself says five copies only. Which is correct?

DCFS Response: Please follow the letter than accompanied the RFP and issued by the Division of Administrative Services, Department of Children and Family Services. **Proposals, including one (1) original and six (6) printed copies and two (2) copies on Compact Disc (CD),**

17. Does the "number of tests" tabulated on page 32 and mentioned in the table on page 33 refer to individuals tested or to cases (each comprised of a child and one or both adults)?

    DCFS Response: These are completed paternity testing results regardless of the number of people tested.

18. The highest level of required testing is requested for cases involving "mutations." Mutations can only be inferred (i.e., cannot be proven as "factual") from a one or two exclusion test result. Is that the intended meaning of mutation in this context?

    DCFS Response: Yes.

19. Page 28 refers to a 15 locus PCR test in 2(b)(ii) and 17 PCR markers in 2(b)(iv). Which number is correct?

    DCFS Response: The RFP states that each "genetic test shall consist of a **minimum** of fifteen (15) probe PCR test." (Emphasis added) The use of 17 PCR/SRT markers (and 6 RFLP makers), however, are to be used prior to requesting additional testing (e.g., HLA, Y Chromosome, etc.).

20. Should 2(g) on page 30 read "The archived sample shall not be used for subsequent testing without prior approval…"?

    DCFS Response: Yes.

21. Page 5 has the statement that CSE established 22,924 paternities during FY 08/09. However, the data tabulated on Page 32 indicate only 1881 for Orchid and 2215 for Paternity Testing Corporation for a total of 4096. Which is correct: that another laboratory was involved in the testing, or that only about 20% of the CSE's cases required genetic testing: Or is there another explanation?

    DCFS Response: Only 4,096 paternities were established using genetic testing. [These were completed paternity tests with inclusions that were submitted to the Department.] The other paternities were established by either by formal acknowledgements of paternity or court orders/judgments.

22. What is the cost per sample that is presently being paid to your current vendors?

    DCFS Response: See Response #1 above.

23. The term of the contract is three years. Is that a firm commitment or are there option years?

    DCFS Response: The three (3) years is a firm commitment and there are no option years.

24. On page 27 of the RFP the evaluation chart shows cost as 40% of the score. But, the formula below the chart appears to be based on 30%.

    DCFS Response: The example is just that. The cost will be worth 40% of the Total Score.

25. On page 11 and 34, CAP proficiency testing participation is referred to as "accreditations". CAP proficiency testing **Surveys** are not accreditation. Participation certificates are issued, not accreditation certificates. Participation in proficiency testing is a requirement of AABB accreditation, but the proficiency testing itself is not an accredited activity. We only point this out so that it does not become an issue if there should be a protest to the contract award. Even though everyone would know what is meant, it is not technically correct. CAP accreditation is a different process unrelated to CAP proficiency testing.

    DCFS Response:

    (a) Page 11, under 1.6(a), should read as follows:

    Furnish College of American Pathologists (CAP) proficiency testing participation certificates for the current year and the three (3) previous years for Polymerase Chain Reaction (PCR); also furnish College of American Pathologists (CAP) proficiency testing participation certificates for the current and the three (3) previous years for Restricted Fragment Length Polymorphism (RFLP), if available.

    (b) Page 34, line 5 (c) should read as follows:

    Furnish College of American Pathologists (CAP) proficiency testing participation certificates for the current year and the three (3) previous years for PCR; also furnish College of American Pathologists (CAP) proficiency testing participation certificates for the current and the three (3) previous years for RFLP, if available.

26. Page 11 1.6a Furnish College of American Pathologists (CAP) proficient testing **accreditations** for the current year and the three (3) previous years for Polymerase Chain Reaction (PCR); also furnish College of American Pathologist (CAP) proficient testing **accreditations** for the current and the three (3) previous years for Restricted Fragment Length Polymorphism (RFLP), if available;

    DCFS Response: Please refer to the Response to Question number 25 above.

27. Page 34 5.c Furnish College of American Pathologists (CAP) proficiency testing **accreditations** for the current year and the three (3) previous years for PCR also furnish College of American Pathologists (CAP) proficient testing **accreditations** for other current and the three (3) previous years for RFLP, if available.

    DCFS Response: Please refer to the Response to Question number 25 above.

28. Please clarify how many copies of the proposal are to be submitted: The cover letter of the RFP states that one (1) original and six (6) printed copies and two (2) copies on Compact Disc (cd) must be physically in the possession of the Department of Children and Family Services by 3:00 pm on September 17, 2010.
    However, in Section 1.7.1 Two-Part Submission on page 11 of the RFP it states that DCFS request that five (5) copies of the proposal be submitted to the RFP Coordinator at the address specified. At least one copy of the proposal shall contain original signatures; that copy should be clearly marked or differentiated from the other copies of the proposal.

    DCFS Response: Please refer to the Response to Question number 16 above.