

STATE OF TEXAS                   §  
  §  
COUNTY OF FORT BEND       §

**SECOND AMENDMENT TO  
AGREEMENT FOR EMPLOYEE ALCOHOL AND DRUG TESTING RFP 19-001**

This SECOND AMENDMENT OF THE AGREEMENT FOR EMPLOYEE ALCOHOL AND DRUG TESTING RFP 19-001 made and entered into by and between FORT BEND COUNTY, TEXAS, a body politic, acting herein by and through its Commissioners Court and DISA Global Solutions, Inc. (fka Houston Medical Testing Services, Inc. and hereinafter "Contractor"), a company authorized to conduct business in the State of Texas.

RECITALS

WHEREAS, on or about August 14, 2018, the Parties entered in an AGREEMENT FOR EMPLOYEE ALCOHOL AND DRUG TESTING RFP 19-001 which was amended on or about September 24, 2019 collectively referred to as "Agreement" and hereby incorporated by reference.

WHEREAS, the Parties now desire to amend a certain portion of the Agreement; and

NOW THEREFORE, for and in consideration of the mutual benefits to be derived by the parties hereto, County, and Contractor agree as follows:

- I. Effective January 1, 2020, the cost per test for FMCSA drug tests is increased by \$2.50 per test, in accordance with the attached and incorporated Exhibit C.
  
- II. **Certain State Law Requirements for Contracts: The contents of this Section are required by Texas Law and are included by County regardless of content.**
  - A. Agreement to Not Boycott Israel Chapter 2271 Texas Government Code: By signature below, Contractor verifies that if Contractor employs ten (10) or more full-time employees and this Agreement has a value of \$100,000 or more, Contractor does not boycott Israel and will not boycott Israel during the term of this Agreement."
  
  - B. Texas Government Code Section 2251.152 Acknowledgment: By signature below, Contractor represents pursuant to Section 2252.152 of the Texas Government Code, that Contractor is not listed on the website of the Comptroller of the State of Texas concerning the listing of companies that are identified under Section 806.051, Section 807.051 or Section 2253.153

- III. **Human Trafficking.** BY ACCEPTANCE OF CONTRACT, CONTRACTOR ACKNOWLEDGES THAT FORT BEND COUNTY IS OPPOSED TO HUMAN TRAFFICKING AND THAT NO COUNTY FUNDS WILL BE USED IN SUPPORT OF SERVICES OR ACTIVITIES THAT VIOLATE HUMAN TRAFFICKING LAWS.
- IV. Except as modified herein, any prior executed document remain in full force and effect and has not been modified or amended. In the event of conflict, the contents of the most recently executed document shall prevail.
- V. Execution

IN TESTIMONY OF WHICH, THIS AMENDMENT shall be effective upon execution of all parties.

"County"  
FORT BEND COUNTY

By: \_\_\_\_\_  
KP George, County Judge

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Laura Richard, County Clerk

"Contractor"  
DISA Global Solutions, Inc.

By:  \_\_\_\_\_

Name: Brendon Brown

Title: VP, Client Relations

Date: 1/20/20

ATTEST:

\_\_\_\_\_  
Name

Date: \_\_\_\_\_

Exhibit C: Upcoming Changes to FMCSA Policies (Clearinghouse) with tests listed

AUDITOR'S CERTIFICATE

I hereby certify that funds are available in the amount of \$ \_\_\_\_\_ to accomplish and pay the obligation of Fort Bend County under this contract.

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Robert Ed Sturdivant, County Auditor

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## Exhibit C:

# Upcoming Changes to FMCSA Policies (Clearinghouse) with tests listed



**DISA Global Solutions**  
10900 Corporate Centre Dr., Ste. 250  
Houston, Texas 77041  
Phone: (800) 752-6432

**Subject:** Upcoming Changes to FMCSA Policies (Clearinghouse)

**Date:** November 26, 2019

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Dear valued customer,

The new FMCSA Clearinghouse is currently on track to launch January 6, 2020. This newly mandated DOT program will require several process changes from customers, third party administrators, and drivers to meet the new government mandated requirements.

In preparation for the newly mandated DOT program, DISA has been developing DISAWorks modifications. We have also been working diligently to outline roles and responsibilities for our customers, staff, and vendor partners to ensure they meet these new requirements.

**DISA's ongoing responsibilities for the FMCSA Clearinghouse include but are not limited to:**

- Interacting with the Clearinghouse to make a report
- Verifying/correcting reportable information and contacting clients about reportable events
- Ensuring tests are credited to the correct program based on CDL license format on CCF
  - E.g. Duplicate employee records, mis-marked tests, etc.
- Loading rosters with new driver info not previously captured by the Clearinghouse
- Identifying customer info not previously captured
  - E.g. DOT number, Owner/Operator status, etc.
- Communicating with FMCSA to establish a compliant program
- Communicating with customers for ongoing support regarding query bundle purchases
- Ongoing monitoring of driver consent status in the Clearinghouse

In an effort to cover the new and ongoing costs created by the ongoing system development and substantial new time commitments for FMCSA programs, we are increasing the per test cost for FMCSA drug tests by \$2.50 on January 1, 2020.

**Have questions about the FMCSA Clearinghouse?**

Information on registering with the Clearinghouse is available from the FMCSA. For questions related to the FMCSA Clearinghouse rules, guidelines, and implementation, visit: <https://clearinghouse.fmcsa.dot.gov/>

For questions related to DISA services (E.g. How to order backgrounds, how to add driver information to DISAWorks), please contact [client.support@disa.com](mailto:client.support@disa.com).

For specific questions related to DISA's efforts to support your compliance with the FMCSA Clearinghouse or other regulatory questions, please contact [compliance@disa.com](mailto:compliance@disa.com).

**Important Takeaways:**

- FMCSA Clearinghouse is on track to launch January 6, 2020.
- DISA and its customers all have new mandatory reporting responsibilities in the FMCSA Clearinghouse
- To cover new and ongoing costs, per test pricing is increasing \$2.50 for FMCSA tests on Jan. 1, 2020

Tests for which an additional \$2.50 will be charged:

**DOT or Non-DOT Urine Drug Screen**  
*( Alere Toxicology Services )*

**\*\*DOT or Non-DOT Urine Drug Screen**  
*( FBC Employee Health & Wellness Center)*

**DOT or Non-DOT Urine Drug Screen**  
*(On-Site during regular hours)*

**DOT or Non-DOT Urine Drug Screen**  
*(On-Site during other than regular  
business hours --SCHEDULED)*

**DOT or Non-DOT Urine Drug Screen**  
**EMERGENCY SERVICE FOR POST-**  
**ACCIDENT & REASONABLE CAUSE**  
**NEEDS--UNSCHEDULED-- After hour**  
**TO BE HANDLED BY HMTS**  
**"ON-CALL PERSONNEL"**

**DOT or Non-DOT Breath Alcohol Test**

**DOT or Non DOT Breath Alcohol Test**

**\*\*DOT or Non DOT Breath Alcohol Test**