



**MEETING AGENDA**  
**Wednesday, February 7, 2018**  
**9:00 a.m.**

- I. Call to Order**
- II. Oath of Office**
- III. Approval of Minutes from January 3, 2018 Public Procurement Review Board Meeting**
- IV. Approval of per diem and expenses for the February 7, 2018 meeting and for any additional expenses incurred prior to the March 7, 2018 meeting**
- V. DFA Office of Purchasing, Travel and Fleet Management (OPTFM)**
  - A. Petitions for Relief from Reverse Auction**
    - 1. Governing Authorities**

On January 3, 2018, OPTFM requested that this Board grant an exemption to all governing authorities impacted by the requirement that reverse auctions be performed for all commodity and equipment purchases above \$50,000.00. OPTFM made this request in consideration of impending legislation designed to address the conflict between prior Attorney General Opinions and the business models of reverse auction service providers regarding who pays the fee for the auction. As previously mentioned to the Board, the DFA/ITS state contract award for reverse auction services is on hold at this time, in anticipation of the legislation which has been introduced but has not been passed yet. Since the last Board meeting, the Special Assistant Attorney General has advised the OPTFM that each entity requesting an exemption should submit a request in writing. Accordingly, OPTFM requests that this Board authorize the staff of OPTFM to apply an exemption, on a case by case basis, to procurements begun after February 7, 2018, where the purchasing entity determines a reverse auction is not in the best interest of the State and submits a written request for exemption. OPTFM requests that this approval authority specifically includes requests made on the grounds that there remains doubt as to the legality of the method of payment by suppliers when utilizing reverse auctions and that it is not in the best interest of the State to pay the fee. Upon granting of the authority, OPTFM will disseminate instructions through email to all governing authorities.

**Staff Recommendation:** Granting of authority to approve requested exemptions on a case by case basis.

## 2. State Agencies

i. **Requesting Agency:** Mississippi State Department of Health (MSDH)

**Supplier:** Unknown-N/A

**Contract #:** 3180000251

**Term:** One (1) Year (02/07/2018 – 02/06/2019)

**Total Value:** \$250,000.00

**Summary of Request:** MSDH has requested an exemption from using the Reverse Auction process for the purchase of a Matrix Assisted Laser Description Ionization Time Flight Mass Spectrometer Instrument. MSDH is requesting the exemption because there are only two (2) vendors known to distribute the mass spectrometer instrument and the reverse auction process is not in the best interest of the State. MSDH believes the competitive sealed bid process should be utilized to procure the mass spectrometer instrument.

**Staff Recommendation:** Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bid for the procurement.

ii. **Requesting Agency:** Mississippi State Department of Health (MSDH)

**Supplier:** Unknown-N/A

**Contract #:** 3180000252

**Term:** One (1) Year (02/07/2018 – 02/06/2019)

**Total Value:** \$100,000.00

**Summary of Request:** MSDH has requested an exemption from using the Reverse Auction process for an automated Enzyme Linked Immunosorbent Assay Processing System. MSDH is requesting the exemption because there are only two (2) to three (3) vendors that are known to distribute the processing system and the reverse auction process is not in the best interest of the State. MSDH believes the competitive sealed bid process should be utilized to procure the processing system.

**Staff Recommendation:** Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bid for the procurement.

iii. **Requesting Agency:** Mississippi State Department of Health (MSDH)

**Supplier:** Unknown-N/A

**Contract #:** 3180000260

**Term:** One (1) Year (02/07/2018 – 02/06/2019)

**Total Value:** \$30,000,000.00-\$35,000,000.00

**Summary of Request:** MSDH has requested an exemption from using the Reverse Auction process to purchase food and nutritional items for the Women, Infants and Children Supplemental Food Program, (WIC). Approximately 65 items are bid for a cycle and furnished through a statewide warehousing system, consisting of approximately 90 locations with weekly deliveries. This is a unique delivery system, that requires a vendor capable of servicing a statewide program. MSDH is

requesting the exemption because only two vendors will participate due to the complexity of the program and the reverse auction process will not result in any additional savings or vendors. Since the competitive sealed bid process has been used in the past for obtaining and distributing these items, MSDH thinks the competitive sealed bid process should be utilized to procure and distribute these items.

**Staff Recommendation:** Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bid for the procurement.

## **B. Staff Approvals Reported to the Board**

## **C. Consideration of Contracts for Board Action**

### **1. Requesting Agency:** University of Southern Mississippi (USM)

**Supplier:** ASV Global

**Contract #:** 8200037145

**Term:** 12/20/2017 – 12/19/2018

**Total Value:** \$919,000.00

**Summary of Request:** USM solicited a bid for the purchase of one (1) autonomous surface vessel to be used to conduct survey operations and various levels of autonomous and hydrographic survey operations. The USM Mapping Center has received funding from NOAA to procure a USV suitable for extended hydrographic survey operations, the integration of the survey suite onboard to conduct those surveys, the development of the Concept of Operations for the conduct of the surveys, the development of a training module covering the operations and maintenance of the vehicle, and the initial training of a team of NOAA operators. USM notified four (4) vendors via e-mail of bid solicitation and received one (1) response from ASV Global. USM is requesting to award ASV Global for the term and amount above.

**Staff Recommendation:** Based on the information submitted by the Agency, OPTFM recommends approval of the contract.

### **2. Requesting Agency:** Mississippi Department of Wildlife, Fisheries and Parks (MDWFP)

**Supplier:** Silver Ships

**Contract #:** 8200037324

**Term:** One (1) year 01/08/2018 - 01/07/2019

**Total Value:** \$776,012.00 (\$388,006.00 per boat)

**Summary of Request:** MDWFP solicited a bid for the purchase of two (2) 27' full cabin outboard powered aluminum foam stabilized watercrafts to be used as a response/patrol interdiction boat for use on the waters in and around Mississippi. MDWFP received two (2) responses from the solicitation and requests to award to Silver Ships based on specifications and lowest bid.

**Staff Recommendation:** Based on the information submitted by the Agency, OPTFM recommends approval of the contract.

## VI. DFA Bureau of Building, Grounds, and Real Property Management (BOB/RPM)

### A. BOB Staff Approvals Reported to the Board

### B. RPM Leases with no Increase in Cost or Space

1. **Requesting Agency:** Mississippi State Department of Health

**Lessor:** Dick Marchbanks 01561

**Lease #:** 390-812-20A

**Term:** 03/01/2018 through 09/30/2020

**Total Yearly Cost:** \$14,568

**Cost PSF:** \$4.50 + Utilities and Janitorial

**Federal Funds:** 100%

**Square Footage Proposed:** 3,237 (450sf office & 2,698sf warehouse)

**Previous Square Footage:** 3,237

**Address of Property:** 220 Blackmur Dr. Water Valley, MS

**Purpose of Lease:** WIC warehouse and office

**Note: Addendum-**The Department of Health requests for extensions through September 30, 2020, which is the anticipated date that the WIC Warehouse System will terminate in the State of Mississippi. The Mississippi Department of Health is requesting to amend Section 20 of the standard Lease to include an Addendum addressing the ability to terminate the lease sooner, should the WIC funding be terminated prior to September 30, 2020. (All Health WIC requests herein are in accordance with recent leases submitted by Health.)

**Staff Recommendation:** RPM recommends the approval of this lease. Agency has complied with all RPM requirements.

2. **Requesting Agency:** Mississippi Department of Rehabilitation Services

**Lease #:** 725-242-33A

**Lessor:** John Fayard Moving & Warehouse 01832

**Term:** 04/01/2018 through 03/31/2033

**Total Yearly Cost:** \$180,000

**Cost PSF:** \$15.43+ Utilities and Janitorial

**Federal Funds:** 85%

**Square Footage Proposed:** 11,667 (9,167sf office & 1,500sf storage & warehouse)

**Previous Square Footage:** 11,667

**Address of Property:** 13486 Fastway Lane, Gulfport, MS

**Purpose of Lease:** Offices & Warehouse

**Note:** Although the cost per square foot seems to be high, this cost is in keeping with the average cost in this area.

**Staff Recommendation:** RPM recommends the approval of this lease. Agency has complied with all RPM requirements.

## VII. DFA Office of Personal Service Contract Review (OPSCR)

### A. Petitions for Relief from Competitive Sealed Bidding

- 1. Requesting Agency:** Mississippi Department of Education  
**Procurement Request:** Request for Proposals  
**Anticipated Term:** 07/01/2018 – 06/30/2019  
**Anticipated Contract Amount:** \$5,000,000.00 per year  
**Summary of Request:** The agency has submitted a petition for relief from the use of an IFB as the procurement method as allowed by Miss. Code Ann. § 31-7-403(4) for the competitive procurement of a contractor to develop the Mississippi Academic Assessment Program, Science (MAAP-SCI) Grade 5 and Grade 8 and Mississippi Academic Assessment Program, End of Course (MAAP-EOC) Biology and U.S. History. The agency contends the use of an IFB is neither practicable nor advantageous as the nature of the work is highly technical and demands extraordinary attention to detail in the area of psychometrics, test design, delivery, scoring, and reporting. The quality of the assessments is non-negotiable, as these statewide assessments must valid, reliable, and consistent with relevant, nationally recognized professional and technical standards that objectively measure academic achievement, knowledge, and skills. The assessments must be legally defensible if the scores are ever challenged in a court proceeding. The technical factors will be weighted at forty-five (45) points, the management factors will be weighed at twenty (20) points, and the cost factors will be weighted at thirty-five (35) points.

**Staff Recommendation:** Granting of the agency's petition for relief from competitive bidding requirements as a procurement method as allowed by Miss. Code Ann. § 31-7-403(4) and approval of the agency's request to use a Request for Proposals as the procurement method to select one contractor to develop the Mississippi Academic Assessment Program, Science (MAAP-SCI) Grade 5 and Grade 8 and Mississippi Academic Assessment Program, End of Course (MAAP-EOC) Biology and U.S. History.

### B. Consideration of Contracts for Board Action

- 1. Requesting Agency:** Mississippi Department of Rehabilitation Services  
**Supplier:** Living Independence for Everyone, Inc.  
**Contract #:** 8200037401  
**Term:** 02/12/2018 – 09/30/2018  
**Total Value:** \$111,500.00  
**Summary of Request:** The contractor will provide pre-employment transition services to include work-based learning experience, job exploration counseling, and workplace readiness training. Additionally, the contractor may provide self-advocacy/mentoring instruction and counseling on enrollment in post-secondary education or other comprehensive transition training programs. The term of the contract is seven months and seventeen days with four optional one-year renewals. The contractor was selected through an RFP with three respondents, which resulted in the award of two contracts. This RFP was advertised prior to January 1, 2018; therefore, the use of an Invitation for Bids was not required. The Agency requests an exception to Section 3-202.06.3, Content of

**New**  
**\$111,500.00**

Advertisement, of the PSCRB Rules and Regulations for setting the date for receiving proposals for a Monday.

**Staff Recommendation:** Granting of the exception to Section 3-202.06.3 of the PSCRB Rules and Regulations and approval of the contract as requested.

2. **Requesting Agency:** Mississippi Department of Rehabilitation Services

**Supplier:** The University of Southern Mississippi

**Contract #:** 8200037400

**Term:** 02/12/2018 – 09/30/2018

**Total Value:** \$202,439.00

**New**  
**\$202,439.00**

**Summary of Request:** The contractor will provide pre-employment transition services to include work-based learning experience, job exploration counseling, and workplace readiness training. Additionally, the contractor may provide self-advocacy/mentoring instruction and counseling on enrollment in post-secondary education or other comprehensive transition training programs. The term of the contract is seven months and seventeen days with four optional one-year renewals. The contractor was selected through an RFP with three respondents, which resulted in the award of two contracts. This RFP was advertised prior to January 1, 2018; therefore, the use of an Invitation for Bids was not required. The agency requests an exception to Section 3-202.06.3, Content of Advertisement, of the PSCRB Rules and Regulations for setting the date for receiving proposals for a Monday.

**Staff Recommendation:** Granting of the exception to Section 3-202.06.3 of the PSCRB Rules and Regulations and approval of the contract as requested.

3. **Requesting Agency:** Mississippi Department of Archives and History

**Supplier:** The Godwin Advertising Agency, Inc. d/b/a GodwinGroup

**Contract #:** 8200036453

**Term:** 11/15/2017 – 06/30/2018

**Total Value:** \$2,813,844.00

**Modification**  
**\$215,000.00**

**Summary of Request:** Addendum One has been submitted to increase the amount of the contract by \$215,000.00 due to an increase in marketing services for the Mississippi Civil Rights Museum and the Museum of Mississippi History. All other terms and conditions of the original contract remain the same, including the fixed fees and blended hourly rate. The contractor implements a cohesive and fully integrated marketing plan that targets best markets, platforms, and outlets to reach potential visitors to Mississippi and promote Mississippi attractions to outside markets. The contractor was originally selected through an RFP.

**Staff Recommendation:** Approval of the contract modification as requested.

4. **Requesting Agency:** Division of Medicaid

**Supplier:** Medical Transportation Management, Inc.

**Contract #:** 86846/8200007429

**Term:** 03/01/2014 – 06/30/2018

**Total Value:** [REDACTED]

**Renewal**  
[REDACTED]

**Summary of Request:** Amendment Two has been submitted to renew the contract for four months. This is the first of two optional renewals allowed by the original contract. All other terms and conditions of the original contract, including the price per beneficiary per month, remain the same. Based on an estimated participant population of 65, the price per beneficiary per month associated with Amendment Two will remain [REDACTED]. The contractor develops and operates a non-emergency transportation (hereinafter "NET") brokerage program for End-Stage Renal Disease patients as mandated by the Mississippi Legislature. This NET service includes, but is not limited to, authorization, coordination, scheduling, management, and reimbursement. This contract is subject to a protective order entered into by the Hinds County Chancery Court on December 27, 2013 to protect from release confidential commercial and financial information and/or trade secrets with regard to any contract and amendment resulting from RFP #20130802 and RFP #20130802-1. Items are redacted based on the advice of the Special Assistant Attorney General. Further, the PSCRB approved DOM's exception request for not adding the Trade Secrets, Commercial and Financial Information clause to the contract as was required in PSCRB Rules and Regulations Appendix C, due to the protective order.

**Staff Recommendation:** Approval of the contract renewal as requested.

5. **Requesting Agency:** Division of Medicaid  
**Supplier:** Medical Transportation Management, Inc.  
**Contract #:** 86845/8200007428  
**Term:** 03/01/2014 – 12/31/2018  
**Total Value:** [REDACTED]

**Renewal**

**Summary of Request:** Amendment Three has been submitted to renew the contract for ten months. This is the second of two optional renewals allowed by the original contract. Based on an estimated participant population of 121,549, the price per beneficiary per month associated with Amendment Three will increase to [REDACTED] effective March 1, 2018. All other terms and conditions of the original contract remain the same. The contractor develops and operates a non-emergency transportation (hereinafter "NET") brokerage program. This NET service includes, but is not limited to, authorization, coordination, scheduling, management, and reimbursement. This contract is subject to a protective order entered into by the Hinds County Chancery Court on December 27, 2013 to protect from release confidential commercial and financial information and/or trade secrets with regard to any contract and amendment resulting from RFP #20130802 and RFP #20130802-1. Items are redacted based on the advice of the Special Assistant Attorney General. Further, the PSCRB approved DOM's exception request for not adding the Trade Secrets, Commercial and Financial Information clause to the contract as was required in PSCRB Rules and Regulations Appendix C, due to the protective order.

**Staff Recommendation:** Approval of the contract renewal as requested.

6. **Requesting Agency:** Mississippi Department of Finance and Administration  
**Supplier:** Cannon Cochran Management Services, Inc.  
**Contract #:** 8200037110  
**Term:** 07/01/2018 – 06/30/2022  
**Total Value:** \$4,069,838.00

**New**

**\$4,069,838.00**

**Summary of Request:** The contractor will provide third party claims administration services to the Mississippi State Agencies Self-Insured Workers' Compensation Trust to manage all claims-related services, including but not limited to, claims investigations, compensability determinations, claim and expense payments, litigation management, medical case management, subrogation, excess insurance reimbursement coordination, internal and external reporting, and safety/risk control services to help minimize and control losses. The Agency requests exceptions to Section 3-203.13.2(d), Evaluation, for not using "a record of past performance of similar work" as an evaluation factor for all respondents and Section 3-203.13.2.1, Evaluation Scoring, of the PSCRB Rules and Regulations for not using a standard, 100-point scoring scale. The contractor was selected through an RFP with four respondents. Two post-award vendor debriefings were requested and held. This RFP was advertised prior to January 1, 2018; therefore, the use of an Invitation for Bids was not required. Proof of the vendor's required professional liability, blanket fidelity bond, and performance bond insurance certifications must be received from the Agency prior to processing the contract.

**Staff Recommendation:** Approval of the contract as requested contingent upon receipt of the vendor's required liability, fidelity bond, and performance bond insurance certifications.

**C. Mississippi Department of Child Protection Services Contracts and Mississippi Department of Human Services Contracts Useful in Establishing and Operating DCPS for Fiscal Year 2018**

*Neither the Public Procurement Review Board nor OPSCR staff approves Mississippi Department of Child Protection Services (DCPS) contracts or Mississippi Department of Human Services (DHS) contracts useful in establishing and operating DCPS. These contracts are reported to the Board for consideration of recommendations, but are not subject to OPSCR Rules and Regulations. The implementation of any Board recommendations is at the discretion of DHS and/or DCPS. Pursuant to Miss. Code Ann. § 27-104-7(f), the Board is not authorized to disapprove any proposed personal service contracts for DCPS or DHS contracts that are useful in establishing and operating DCPS*

**D. Emergency Contracts Reported to the Board for Fiscal Year 2018**

*Emergency contracts are reviewed by OPSCR staff for technical compliance upon the written request of the submitting Agency. The OPSCR staff will process the contract in MAGIC upon receipt of the contract, and then conduct the requested review and notify the Agency of any problems found during the requested review; however, it is the responsibility of the Agency to correct any errors. If no written request for review is made by the submitting Agency, OPSCR staff will process the contract in MAGIC upon receipt of same, and then conduct a review of the contract for internal auditing purposes. Emergency contracts are presented to the PPRB at its regular meeting and are included in the minutes of said meeting, but no action is required by the PPRB as to these contracts. Any approval in MAGIC or any other state system does not constitute approval of the emergency procurement by the PPRB and is done solely for processing purposes. This provision is not intended to prevent the PPRB from making a report under the statutory authority to audit or to take other action as deemed appropriate.*

**E. Staff Approvals Reported to the Board**



**F. Director's Report**

**1. Rules and Regulations**

**a. Proposed Rules and Regulations**

**VIII. Adjournment**