



**MEETING AGENDA**  
**Wednesday, May 2, 2018**  
**9:00 a.m.**

- I. **Call to Order**
- II. **Approval of Minutes from April 4, 2018 Public Procurement Review Board Meeting**
- III. **Approval of per diem and expenses for the May 2, 2018 meeting and for any additional expenses incurred prior to the June 6, 2018 meeting**
- IV. **DFA Office of Purchasing, Travel and Fleet Management (OPTFM)**
  - A. **Petitions for Relief from Reverse Auction**
    - 1. **Governing Authorities**
      - i. **Requesting Governing Authority:** Jackson County Utility Authority  
**Supplier:** Consolidated Pipe and Supply  
**Term:** One year with option to renew two additional one year periods  
**Total Value:** To Be Determined  
**Summary of Request:** Jackson County Utility Authority has requested an exemption from using the Reverse Auction process for the purchase of water meters. They are requesting the exemption because there is only one vendor that makes meters compatible with the software used. Neptune is the manufacturer of the meters. They do not sell direct and their distributors are set up by territory, so there will be only one vendor that can bid. The Authority feels the competitive sealed bid process should be utilized to procure the water meters.  
  
**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.
      - ii. **Requesting Governing Authority:** Rankin County School District  
**Supplier:** Unknown-N/A  
**Term:** One year  
**Total Value:** \$126,000.00  
**Summary of Request:** Rankin County School District is requesting an exemption from the Reverse Auction process for the purchase of snacks for their after school Frontiers

program. Bids have been advertised for the last six years and only one response has been submitted each year. Since only one bid has been submitted for the last six years, Rankin County School District feels it would be better to use competitive sealed bids for this procurement.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

iii. **Requesting Governing Authority:** City of Tupelo

**Supplier:** Unknown-N/A

**Term:** Twelve months

**Total Value:** \$55,000.00

**Summary of Request:** The City of Tupelo is requesting an exemption from the Reverse Auction process for the purchase of rip rap, surge, gabion stone, crusher run, manufactured sand and clay gravel. If the primary vendor cannot supply and deliver the product, the alternate vendor would be used. According to the Reverse Auction vendor contacted by the City, it would take a tremendous amount of time and effort to set up this type of auction and the vendor recommended using competitive sealed bidding for the procurements.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

iv. **Requesting Governing Authority:** Harrison County

**Supplier:** Unknown-N/A

**Term:** Twelve months

**Total Value:** \$ 62,000.00

**Summary of Request:** Harrison County is requesting an exemption from the Reverse Auction process for the purchase of ready mix concrete. The County has received two bids the last five annual bids, in which sealed bids and Reverse Auction has been used. The County feels it would be better to use competitive sealed bids for this procurement, as the County regularly uses Reverse Auctions and receives higher prices when the number of suppliers is limited.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

v. **Requesting Governing Authority:** Harrison County

**Supplier:** Unknown-N/A

**Term:** Twelve months

**Total Value:** \$422,000 for micro surface, \$59,000 for scrub seal

**Summary of Request:** Harrison County is requesting an exemption from the Reverse Auction process for the purchase of scrub seal, slurry seal and micro surface seal, which are used in pavement restoration. Two bidders have responded to the last three annual bids. The County feels it would be better to use competitive sealed bids for this procurement, as the County regularly uses Reverse Auctions and receives higher prices when the number of suppliers is limited.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

**vi. Requesting Governing Authority:** Harrison County

**Supplier:** Unknown-N/A

**Term:** Twelve months

**Total Value:** \$93,000.00

**Summary of Request:** Harrison County is requesting an exemption from the Reverse Auction process for the purchase of corrugated polyethylene culvert pipe. Reverse Auction was used in 2015 and 2016 with three bidders. Only two bidders responded in the last two annual bids. The County feels it would be better to use competitive sealed bids for this procurement, as the County regularly uses Reverse Auctions and receives higher prices when the number of suppliers is limited.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

**vii. Requesting Governing Authority:** Harrison County

**Supplier:** Unknown-N/A

**Term:** Twelve months

**Total Value:** \$103,000.00

**Summary of Request:** Harrison County is requesting an exemption from the Reverse Auction process for the purchase of pesticides and chemicals. Only two bidders have responded to the last three annual bids. The County feels it would be better to use competitive sealed bids for this procurement, as the County regularly uses Reverse Auctions and receives higher prices when the number of suppliers is limited.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

## 2. State Agencies

i. **Requesting State Agency:** Mississippi Forestry Commission

**Supplier:** Unknown-N/A

**Contract #:** 3180000312

**Term:** One time purchase

**Total Value:** \$ 450,000.00

**Summary of Request:** The Mississippi Forestry Commission (MFC) is requesting an exemption from the Reverse Auction process for the purchase of a used airplane. The year model should be between 1998 and 2007, single engine, fixed gear, high wing, all metal, no less than 300 HP, with no more than 1000 hours since major overhaul, IFR certified with certified GPS avionics package and equipped with a mode C transponder (ADSB upgrade preferred). MFC feels the aircraft market is small, with individual sellers that will not take the time to participate in a Reverse Auction, because they sell so quickly on the open market. Accordingly, MFC feels it would be better to use the competitive sealed bid process for this procurement.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

ii. **Requesting State Agency:** Mississippi Forestry Commission

**Supplier:** Unknown-N/A

**Contract #:** 3180000323

**Term:** One time purchase

**Total Value:** \$ 350,000.00

**Summary of Request:** The Mississippi Forestry Commission (MFC) is requesting an exemption from the Reverse Auction process for the purchase of a used airplane. The year model should be between 1998 and 2007, single engine fixed gear, high wing, all metal, no less than 230 HP, no more than 1000 hours since major overhaul, IFR certified with certified GPS avionics package and equipped with a mode C transponder (ADSB upgrade preferred). MFC feels the aircraft market is small, with individual sellers that will not take the time to participate in a Reverse Auction, because they sell so quickly on the open market. MFC feels it would be better to use competitive sealed bid process for these procurements.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

**iii. Requesting State Agency:** Mississippi Department of Transportation

**Supplier:** Unknown-N/A

**Contract #:** 3180000304

**Term:** Three (3) years

**Total Value:** \$10,000,000.00

**Summary of Request:** The Mississippi Department of Transportation (MDOT) is requesting an exemption from the Reverse Auction process for the purchase of hot and cold mix asphalt. Hot and cold asphalt mix are used by MDOT road maintenance crews at various locations throughout the state. The location of the work, type of asphalt mix needed, and plants producing at the time of work must be known to determine lowest cost. Additionally, since hot mix must be used within a short time period, only plants within a certain geographical range of the work location can be considered when determining lowest cost. For these reasons, MDOT needs all locations and all vendors to bid, even if their price is higher than another vendor because MDOT awards to all vendors and makes determination at time of purchase. Since the commodity procurements are not awarded based on a single award to the lowest bid for the line item, it is not a good candidate for the Reverse Auction process. MDOT requests to utilize a competitive sealed bid procurement process to promote open competition.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

**iv. Requesting State Agency:** Mississippi Department of Transportation

**Supplier:** Unknown-N/A

**Contract #:** 3180000341

**Term:** Three (3) years

**Total Value:** \$2,250,000.00

**Summary of Request:** The Mississippi Department of Transportation (MDOT) has requested an exemption from using the Reverse Auction process for the purchase of crushed aggregates (limestone). Crushed aggregates are used by MDOT road maintenance crews at various locations throughout the state along with certified bituminous to chip seal and for shoulder repairs. Large (rip rap) is used for erosion control at drainage structures and bridge sites. Because of seasonal use, there can be an availability issue since MDOT competes for product with cities, counties, and asphalt plants. Availability and location of work must be known to determine the lowest cost. Due to availability and location, MDOT needs to award to all vendors even if their price is higher than another vendor because availability and transportation cost at the time of the purchase is a factor. Since the commodity procurements are not awarded based on a single award to the lowest bid for the line item, it is not a good candidate for the Reverse Auction process. MDOT requests to utilize a competitive sealed bid procurement process to promote open competition.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

v. **Requesting State Agency:** Mississippi Department of Transportation

**Supplier:** Unknown-N/A

**Contract #:** 3180000306

**Term:** Three (3) years

**Total Value:** \$3,000,000.00

**Summary of Request:** The Mississippi Department of Transportation (MDOT) has requested an exemption from using the Reverse Auction process for the purchase of certified bituminous (liquid asphalt). Certified bituminous is used by MDOT road maintenance crews at various locations throughout the state prior to asphalt, along with aggregates to chip seal and to patch pot holes. The location of the work, type of mix needed, and availability at the time of work must be known to determine lowest cost. The pricing includes transportation and is awarded to the lowest three vendors by line item (mix) per county. Due to availability, MDOT needs to award to more than one vendor per county even if the price is higher than another vendor. Since the commodity procurements are not awarded based on a single award to the lowest bid for the line item, it is not a good candidate for the Reverse Auction process. MDOT requests to utilize a competitive sealed bid procurement process to promote open competition.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

vi. **Requesting State Agency:** Mississippi Department of Marine Resources

**Supplier:** Unknown-N/A

**Contract #:** 3180000353

**Term:** One Time Purchase

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

**Summary of Request:** The Mississippi Department of Marine Resources (MDMR) has requested an exemption from using the Reverse Auction process for the purchase of 32-37 foot fiberglass stepped hull vessel. MDMR has bid the vessel two times and received one bid both times. They have advertised for Reverse Auction and received no responses. The federal funding for this vessel will expire June 30, 2018. MDMR requests to utilize a competitive sealed bid procurement process to procure the vessel before funding expires.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

**B. Consideration of Awards for Governing Authorities Receiving Exemptions**

i. **Requesting Governing Authority:** Madison County School District

**Supplier:** BCI Communications, Inc.

**Term:** One time purchase

**Total Value:** \$151,482.36

**Summary of Request:** Madison County School District was granted an exemption from Reverse Auction in February 2018. They advertised for competitive sealed bids for firewall equipment, installation and support. One bid was received from BCI Communications, Inc. The total includes \$137,082.36 for the firewall and an additional \$14,400.00 for possible training. They are requesting to award to BCI Communications, Inc.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the school district, we ask that the Board approve this contract.

ii. **Requesting Agency:** Madison County School District

**Supplier:** Blossman Gas

**Term:** 7/1/2018 - 6/30/2019

**Total Value:** \$ 53,000 estimated

**Summary of Request:** Madison County School District was granted an exemption from using the Reverse Auction process in February 2018. They advertised for competitive sealed bids for the purchase of propane. Two bids were received and Blossman Gas was the low bid. No protests were received and the school district wishes to award to the lowest responsible bidder.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the school district, we ask that the Board approve this contract.

iii. **Requesting Agency:** Tupelo Public School District

**Supplier:** Apple, Inc.

**Term:** One time purchase

**Total Value:** \$978,000.00

**Summary of Request:** Tupelo Public School District received an exemption in February, from using the Reverse Auction process, to procure 600 Macbook Pros. They advertised for competitive sealed bids and received three responses. No protests were received and the school district is requesting to award to the lowest responsible bidder which is Apple, Inc.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the school district, we ask that the Board approve this contract.

## C. Consideration of State Agency Contracts for Board Action

i. **Requesting Agency:** Mississippi Department of Transportation (MDOT)

**Supplier:** Striping Service and Supply, Inc.

**Contract #:** 8200036605

**Term:** One Year Extension (07/01/2018 – 06/30/2019)

**Total Value:** \$2,758,500.00

**Summary of Request:** MDOT has submitted a request to extend agency contract number 8200036605 for a period of one (1) year to allow the Agency to purchase up to One hundred Forty six (146) Attenuators. The original contract was approved by PPRB on 12/6/2017 with expiration of 6/30/2018 and is now awaiting extension approval with no change in price. Four (4) responses were received. No protests were received. The original bid does allow for the extension.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

ii. **Requesting Agency:** Mississippi Department of Transportation (MDOT)

**Supplier:** Chemical Containers, Inc.

**Contract #:** 8200036585

**Term:** One Year Extension (07/01/2018 – 06/30/2019)

**Total Value:** \$3,584,175.00

**Summary of Request:** MDOT has submitted a request to extend agency contract number 8200036585 for a period of one (1) year to allow the Agency to purchase up to Forty (40) chemical sprayers. The original contract was approved by PPRB on 12/7/2017 with expiration of 6/30/2018 and is now awaiting extension approval with no change in price. Three (3) responses were received. No protests were received. The original bid does allow for the extension.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

iii. **Requesting Agency:** Mississippi Department of Transportation (MDOT)

**Supplier:** Warren, Inc.

**Contract #:** 8200029846

**Term:** One Year Extension (07/01/2018 – 06/30/2019)

**Total Value:** \$790,000.00

**Summary of Request:** MDOT has submitted a request to extend agency contract number 8200029846 for a period of one (1) year to allow the Agency to purchase up to Fifty (50) dump bodies. The original contract was approved by PPRB on 07/05/2017 with expiration of 6/30/2018 and is now awaiting extension approval with no change in price. One (1) response was received. No protests were received. The original bid does allow for the extension.



**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

iv. **Requesting Agency:** Mississippi Department of Transportation (MDOT)

**Supplier:** Hall Manufacturing, Inc.

**Contract #:** 8200032415

**Term:** One Year Extension (07/01/2018 – 06/30/2019)

**Total Value:** \$600,000.00

**Summary of Request:** MDOT has submitted a request to extend agency contract number 8200032415 for a period of one (1) year to allow the Agency to purchase mower parts. The original contract was approved by PPRB on 05/22/2017 with expiration of 6/30/2018 and is now awaiting extension approval with no change in price. One (1) response was received. No protests were received. The original bid does allow for the extension.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

v. **Requesting Agency:** Alcorn State University (ASU)

**Supplier:** Enterprise Fleet Management, Inc.

**Contract #:** 8200038285

**Term:** Five (5) Year Contract (07/01/2018 – 06/30/2023)

**Total Value:** \$1,382,135.80

**Summary of Request:** ASU has submitted a request to award an Invitation for Bid to lease up to fifty-eight (58) fleet vehicles over the next five (5) years. ASU received two (2) responses from the solicitation and requests to award on specifications and lowest bid. ASU is requesting to award to Enterprise Fleet Management, Inc. for the term and amount above.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

vi. **Requesting Agency:** Mississippi Department of Public Safety

**Supplier:** Landers Dodge

**PO #:** 4000294814 for 5 Dodge Ram 1500 SSV Crew Cab Trucks

**Total Value:** \$131,415.00

**PO #:** 4000294685 for 5 Dodge Durango SSV

**Total Value:** \$131,585.00

**PO #:** 4000294503 for 13 Dodge Charger PPV

**Total Value:** \$300,690.00

**PO #:** 4000294513 for 7 Dodge Charger PPV

**Total Value:** \$161,910.00

**PO #:** 4000294534 for 15 Dodge Charger PPV

**Total Value:** \$346,950.00

**PO #:** 4000294509 for 1 Dodge Charger PPV

**Total Value:** \$22,992.00

**Supplier:** Gray-Daniels Ford

**PO #:** 4000294642 for 9 Ford SUV PPV

**Total Value:** \$283,662.00

**PO #:** 4000294548 for 5 ford SUV PPV

**Total Value:** \$157,590.00

**PO #:** 4000294564 for 4 Ford SUV PPV

**Total Value:** \$126,072.00

**Grand Total:** \$1,662,866.00

**Term:** One-Time Purchase

**Summary of Request:** The Mississippi Department of Public Safety is seeking approval to purchase sixty-four 64 law enforcement vehicles using OPTFM's competitively bid Police Vehicle contract. Law Enforcement Vehicles are exempt from the current vehicle moratorium. In compliance with House Bill 938 (Regular Session 2017), these vehicles have been certified by Commissioner Fisher to be the lowest cost option available.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, OPTFM recommends approval of these purchase orders.

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

**Supplier:** Sanofi Pasteur, Incorporated

**Contract #:** 8900000751

**Term:** Eleven (11) Months (05/03/2018 – 03/31/2019)

**Total Value:** \$1,347,054.00

**Summary of Request:** MSDH is requesting approval of a statutory exemption from advertising pursuant to the provision set forth in Mississippi Code Annotated Section 31-7-13 (m) (i) to purchase vaccines from the Centers for Disease Control and Prevention (CDC) vaccine contract price list for the Vaccines for Children Program (VFC). These vaccines are currently available on the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) state contract; however, these specific vaccines are priced lower on the CDC Contract.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

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

**Supplier:** Pfizer, Incorporated

**Contract #:** 8900000760

**Term:** Eleven (11) Months (05/03/2018 – 03/31/2019)

**Total Value:** \$1,006,222.00

**Summary of Request:** MSDH is requesting approval of a statutory exemption from advertising pursuant to the provision set forth in Mississippi Code Annotated Section 31-7-13 (m) (i) to purchase vaccines from the Centers for Disease Control and

Prevention (CDC) vaccine contract price list for the Vaccines for Children Program (VFC). These vaccines are currently available on the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) state contract; however, these specific vaccines are priced lower on the CDC Contract.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

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

**Supplier:** Merck Sharp & Dohme Corporation

**Contract #:** 8900000761

**Term:** Eleven (11) Months (05/03/2018 – 03/31/2019)

**Total Value:** \$3,487,105.00

**Summary of Request:** MSDH is requesting approval of a statutory exemption from advertising pursuant to the provision set forth in Mississippi Code Annotated Section 31-7-13 (m) (i) to purchase vaccines from the Centers for Disease Control and Prevention (CDC) vaccine contract price list for the Vaccines for Children Program (VFC). These vaccines are currently available on the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) state contract; however, these specific vaccines are priced lower on the CDC Contract.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

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

**Supplier:** GlaxoSmithKline, LLC

**Contract #:** 8900000762

**Term:** Eleven (11) Months (05/03/2018 – 03/31/2019)

**Total Value:** \$1,296,475.00

**Summary of Request:** MSDH is requesting approval of a statutory exemption from advertising pursuant to the provision set forth in Mississippi Code Annotated Section 31-7-13 (m) (i) to purchase vaccines from the Centers for Disease Control and Prevention (CDC) vaccine contract price list for the Vaccines for Children Program (VFC). These vaccines are currently available on the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) state contract; however, these specific vaccines are priced lower on the CDC Contract.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information submitted by the Agency, we ask that the Board approve this contract.

**D. Master Lease Purchase Proposed Equipment Acquisitions**

- i. **Requesting Agency:** Mississippi Department of Revenue  
**Master Lease Purchase:** \$319,190.00  
**Term of Contract:** Master Lease Purchase Series 2018A  
**Purchase Method:** Written quotes and ITS EPL  
**Comments:** Pursuant to Miss. Code Ann. § 31-7-10, as amended, Mississippi Department of Revenue is requesting authority to utilize the Master Lease Purchase Program to finance IT equipment (schedule of equipment is attached). Two items on the list will be purchased using written quotes and the Mississippi Department of Information Technology Services (ITS) Express Products List (EPL) will be used for the other two procurements.

**Staff Recommendation:** Granting of authority to the agency to proceed with participation in the next Master Lease Purchase Series to finance the proposed equipment.

**E. OPTFM Staff Approvals reported to the Board**

**F. OPTFM Director's Report**

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

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

**B. Consideration of Contracts for Board Action**

- i. **Using Agency:** Mississippi State University - Division of Agriculture, Forestry & Vet Medicine  
**Project Number:** GS# 113-141  
**Project Title:** ADS & Poultry Complex (Phase II - Poultry Science)  
**General Contractor:** Amason & Associates, Inc.  
**Construction Days from Notice to Proceed [Term]:** 400 days  
**Total Value at Award:** \$11,054,000  
**Project Scope:** Phase II is construction of a new building on the Mississippi State University (MSU) campus housing the Poultry Science Department. The building will be located adjacent to the Animal and Dairy Science Building on the South side of the main campus. The new facility will be a 26,000 square foot two-story building with brick exterior and steel frame in keeping with the MSU standards and campus Master Planning. The facility will contain Classrooms, Offices, Administration Areas, Laboratories, Biological Safety Level II, and Ancillary spaces on the MSU campus in Starkville, MS  
**Note:** Lowest bidder. Award is contingent upon Institutions of Higher Learning (IHL) Board approval.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff.

BOB has reviewed the documentation and recommends PPRB approval, contingent upon executed contracts and IHL Board approval.

**C. BOB Director's Report**

**D. RPM Leases with No Increase in Cost or Space**

**i. Requesting Agency:** Mississippi Department of Corrections

**Lease #:** 170-361-21A

**Lessor:** Whitney Dawn Crest, Inc. 07466

**Term:** 05/02/2018 through 04/30/2023

**Total Yearly Cost:** \$13,000

**Cost PSF:** 13.00 + Utilities and Janitorial

**Federal Funds:** 0%

**Square Footage Proposed:** 1,000

**Previous Square Footage:** 1,000

**Address of Property:** 2627 Oxford, MS.

**Purpose of Lease:** Parole Office

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

**ii. Requesting Agency:** Mississippi Department of Health

**Lease #:** 390-372-20A

**Lessor:** Martin Mississippi Investment, LLC 07515

**Term:** 02/01/2019 through 09/30/2020

**Total Yearly Cost:** \$22,200

**Cost PSF:** \$9.65 + Utilities and Janitorial

**Federal Funds:** 100%

**Square Footage Proposed:** 2,300

**Previous Square Footage:** 2,300

**Address of Property:** 47 Deep South Lane, Purvis, MS.

**Purpose of Lease:** WIC Center

**Note: Addendum:** The Mississippi Department of Health (MSDH) requests for extensions through September 30, 2020, that date is the anticipated date that the WIC Warehouse System will terminate in the State of Mississippi. MSDH 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. MSDH asks PPRB to approve this lease extension as an amendment to the existing lease and to waive the requirement to advertise because of the imminent cessation of the WIC program as it is presently delivered.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease and its requested addendum.

iii. **Requesting Agency:** Mississippi Department of Health

**Lease #:** 390-461-20A

**Lessor:** Martin Mississippi Investment, LLC 07515

**Term:** 06/01/2018 through 09/30/2020

**Total Yearly Cost:** \$43,700

**Cost PSF:** \$9.50 + Utilities and Janitorial

**Federal Funds:** 100%

**Square Footage Proposed:** 4,600

**Previous Square Footage:** 4,600

**Address of Property:** 1711 Hwy 13 N. Columbia, MS.

**Purpose of Lease:** WIC Center

**Note: Addendum:** The Mississippi Department of Health (MSDH) requests for extensions through September 30, 2020, that date is the anticipated date that the WIC Warehouse System will terminate in the State of Mississippi. MSDH 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. MSDH asks PPRB to approve this lease extension as an amendment to the existing lease and to waive the requirement to advertise because of the imminent cessation of the WIC program as it is presently delivered.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease and its requested addendum.

iv. **Requesting Agency:** Mississippi Department of Health

**Lease #:** 390-541-20C

**Lessor:** Loden Development 07390

**Term:** 06/01/2018 through 09/30/2020

**Total Yearly Cost:** \$52,523

**Cost PSF:** \$10.50 + Utilities and Janitorial

**Federal Funds:** 100%

**Square Footage Proposed:** 5,000

**Previous Square Footage:** 5,000

**Address of Property:** 554 Hwy. 51 S.

**Purpose of Lease:** WIC Center

**Note: Addendum:** The Mississippi Department of Health (MSDH) requests for extensions through September 30, 2020, that date is the anticipated date that the WIC Warehouse System will terminate in the State of Mississippi. MSDH 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. MSDH asks PPRB to approve this lease extension as an amendment to the existing lease and to waive the requirement to advertise because of the imminent cessation of the WIC program as it is presently delivered.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease and its requested addendum.

v. **Requesting Agency:** Mississippi Department of Health

**Lease #:** 390-561-20A

**Lessor:** Martin Mississippi Investment, LLC 07515

**Term:** 10/01/2018 through 09/30/2020

**Total Yearly Cost:** \$19,425

**Cost PSF:** \$9.25 + Utilities and Janitorial

**Federal Funds:** 100%

**Square Footage Proposed:** 2,100

**Previous Square Footage:** 2,100

**Address of Property:** 503 3<sup>rd</sup> Ave, New Augusta, MS.

**Purpose of Lease:** WIC Center

**Note: Addendum:** The Mississippi Department of Health (MSDH) requests for extensions through September 30, 2020, that date 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. MSDH asks PPRB to approve this lease extension as an amendment to the existing lease and to waive the requirement to advertise because of the imminent cessation of the WIC program as it is presently delivered.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease and its requested addendum.

vi. **Requesting Agency:** Mississippi Department of Public Safety

**Lease #:** 670-254-19A

**Lessor:** John Bell Williams Airport/Hinds Comm. College 01231

**Term:** 07/01/2018 through 06/30/2019

**Total Yearly Cost:** \$45,000

**Cost PSF:** 3.75+ Utilities and Janitorial

**Federal Funds:** 0%

**Square Footage Proposed:** 12,000

**Previous Square Footage:** 12,000

**Address of Property:** 4100 Airport Road, Bolton, MS.

**Purpose of Lease:** Office/Sleeping quarters for crew and hangar for aircraft.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

**vii. Requesting Agency:** MS. Department of Public Safety/MS. Office of Homeland Security  
**Lease #:** 670-251-19B  
**Lessor:** Mississippi E-Center 01773  
**Term:** 07/01/2018 through 06/30/2019  
**Total Yearly Cost:** \$57,869  
**Cost PSF:** 14.50 + Utilities and Janitorial  
**Federal Funds:** 0%  
**Square Footage Proposed:** 3,991  
**Previous Square Footage:** 3,990  
**Address of Property:** 1230 Raymond Road, Jackson, MS.  
**Purpose of Lease:** Homeland Security offices

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

**viii. Requesting Agency:** Mississippi Department of Rehabilitation Services  
**Lease #:** 725-781-23A  
**Lessor:** Early Grove Properties 07198  
**Term:** 09/01/2018 through 08/31/2023  
**Total Yearly Cost:** \$11,400  
**Cost PSF:** \$5.56 + Janitorial and Utilities are included.  
**Federal Funds:** 80%  
**Square Footage Proposed:** 2,050  
**Previous Square Footage:** 2,050  
**Address of Property:** 45 Early Grove Ave., Eupora, MS.  
**Purpose of Lease:** The counselors utilizing this office see clients who are either physically handicapped, mentally handicapped, visually impaired or hearing impaired and who require specialized services to re-enter the competitive job market. These services include evaluation, guidance and counseling, physical restoration, training, and job placement services.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

## **E. RPM New Leases**

**i. Requesting Agency:** Ellisville State School  
**Lease #:** 534-374-23A  
**Lessor:** Joel Hembra 07528  
**Term:** 07/01/2018 through 06/30/2023  
**Total Yearly Cost:** \$19,200  
**Cost PSF:** \$3.84 + Utilities & Janitorial.



**Federal Funds:** 0%

**Square Footage Proposed:** 5,000

**Address of Property:** 309 Main Street, Lumberton, MS.

**Purpose of Lease:** Workshop and training center.

**Staff Recommendation:** The agency advertised for new space and only one response was received. RPM and the agency considers this offer to be in the best interest of the agency and the State. This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

## F. Assignments

i. **Requesting Agency:** Ellisville State School

**Lease #:** 534-441-22A

**Summary of Request:** Ellisville State School request the assignment of lease number 534-441-22A located at 118 South McCrary Road, Suites 144, 141, & 137, Columbus, Mississippi to North Mississippi Regional Center. The Lessor, Fairlane Properties, LLC has no objection to the assignment. The terms and condition will remain the same as agreed to in the original lease previously approved by PPRB on May 01, 2017. This assignment, if approved, will go into effect at midnight on June 30, 2018. A letter with signatures from all parties agreeing to the assignment has been recorded in Bricks. The new lease number will be 535-441-22A.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this assignment.

ii. **Requesting Agency:** Hudspeth Regional Center

**Lease #:** 540-493-19A

**Summary of Request:** Hudspeth Regional Center request the assignment of lease number 540-493-19A located at 702 South Rutherford Drive, Kilmichael, MS to North Mississippi Regional Center. The Lessor, R S Michau, LLC, has no objection to the assignment. The terms and condition will remain the same as agreed to in the original lease previously approved by PPRB on March 5, 2014. This assignment, if approved, will go into effect at midnight on June 30, 2018. A letter with signatures from all parties agreeing to the assignment has been recorded in Bricks. The new lease number will be 535-493-19A.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this assignment.

iii. **Requesting Agency:** Mississippi Department of Rehabilitation Services (MDRS)

**Lease #:** 725-541-22A

**Summary of Request:** MDRS request approval of the assignment of lease number 725-541-22A located at 103 Bates Street, Batesville, MS. The assignor, Montgomery & Montgomery, LLC hereby request assignment to Sarah D. and Willie E. Gray Rental

Property, LLC. . The terms and condition will remain the same as agreed to in the original lease previously approved by PPRB on December 12, 2016. This assignment, if approved, will go into effect May 3<sup>rd</sup>, 2018. A letter with signatures from all parties agreeing to the assignment has been recorded in Bricks.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. RPM recommends the approval of this assignment.

## G. RPM Director's Report

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

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

There are no Petitions for Relief from the use of Competitive Sealed Bidding as a procurement method.

#### B. Consideration of Contracts for Board Action

1. **Requesting Agency:** Mississippi Department of Education (MDE)

**Supplier:** North Mississippi Education Consortium

**Contract #:** 8200038345

**Term:** 07/01/2018 – 06/30/2019

**Total Value:** \$4,897,811.67

**New**

**\$4,897,811.67**

**Summary of Request:** The contractor will provide various professional development and technical assistance training services for regional training opportunities to include 396 sessions planned for approximately 36,227 participants during the 2018-2019 school year. The contractor will subcontract with five other Regional Educational Service Agencies (hereinafter "RESAs") and the University of Mississippi for coordinating and facilitating training sessions, procuring speakers and/or trainers, developing training materials, and offering focused professional assistance to schools and school districts. The term of the contract is one year with no optional renewal. The contractor was selected pursuant to Miss. Code Ann. § 37-7-345, which grants MDE statutory authority to contract with and provide funds to RESAs for any education-related service.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested.

2. **Requesting Agency:** Mississippi Department of Education (MDE)

**Supplier:** Voyager Sopris Learning, Inc.

**Contract #:** 8200025430

**Term:** 07/01/2016 – 06/30/2019

**Total Value:** \$4,250,000.00

**Renewal**

**\$1,250,000.00**

**Summary of Request:** Modification Two has been submitted to renew the contract for one year. This is the second of four optional one-year renewals allowed by the original contract.

Modification Two updates the Approval, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Price Adjustment, Priority, Compensation and Financial Reports, and Budget Narrative clauses. All other terms and conditions of the original contract, including the price per participant, remain the same. The contractor operates the Mississippi K-3 Literacy Professional Development Training System to build content knowledge and pedagogical knowledge of the essential elements of literacy and provides kindergarten through third grade teachers, principals, MDE literacy coaches, district/school literacy coaches, pre-service teachers, and higher education faculty with strategies for supporting implementation of effective reading instruction. The contractor was originally selected through an RFP.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested.

**3. Requesting Agency:** Mississippi Department of Education

**Supplier:** Michael Kent

**Contract #:** 103677

**Term:** 07/01/2017 – 06/30/2019

**Total Value:** \$222,432.12

**Renewal**

**\$111,216.06**

**Summary of Request:** Modification One has been submitted to renew the contract for one year. This is the first of three optional one-year renewals allowed by the original contract. Modification One updates the Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Anti-Assignment/Subcontracting, Compensation and Financial Reports, Effective Date of Contract, and Authority to Contract clauses and adds the Priority and Approval clauses. All other terms and conditions of the original contract remains the same. Mr. Kent is a contract worker. He performs administrative duties for the Office of Academic Education. He is a PERS retiree. He is paid \$76.92 per hour not to exceed 20 hours per week. The total requested FY 2019 spending authority is \$111,216.06, which is comprised of \$79,996.80 for personal services, \$6,119.76 for FICA, \$12,599.50 for PERS, and \$12,500.00 for travel. The contract total is consistent with previous years. The contractor was selected through an RFQ.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested.

**4. Requesting Agency:** Mississippi Department of Education

**Supplier:** The Riverside Publishing Company d/b/a HM Receivables

**Contract #:** 70432/8200005583

**Term:** 09/15/2011 – 06/30/2019

**Total Value:** \$672,325.22

**Renewal**

**\$98,249.03**

**Summary of Request:** Modification Seven has been submitted to renew the contract for one year. This is the seventh of nine optional one-year renewals allowed by the original contract. Section 25-9-120(3)(g) of the Mississippi Code Annotated allows the State Board of Education to enter into contractual agreements for student assessments for a period up to ten years. Modification Seven updates the Priority, Liquidated Damages, Compensation and Financial Reports, Budget Narrative, Procurement Regulations, Representation Regarding

Gratuities, Price Adjustment, Approval, Stop Work Order, Paymode, Notices and E-Payment clause. All other terms and conditions of the original contract remain the same. The contractor provides an assessment system that yields valid results for preschool students with learning disabilities, ages three to five, in comparison to their peers. The contractor was originally selected through an RFP.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested.

**5. Requesting Agency:** Mississippi Department of Revenue

**Supplier:** Mississippi State University

**Contract #:** 8200017641

**Term:** 07/01/2015 – 06/30/2019

**Total Value:** \$1,520,750.00

**Renewal  
\$385,000.00**

**Summary of Request:** Renewal Three has been submitted to renew the contract for one year. This is the last of three optional one-year renewals allowed by the original contract. Renewal Three also updates the Period of Performance, Method of Payment, Representation Regarding Gratuities, Paymode, Procurement Regulations, and Approval clauses. All other terms and conditions of the original contract remain the same. The contractor assists the agency in performing the annual agricultural use-value determination for agricultural real property located throughout the State of Mississippi. The contractor was originally selected through an IFB.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested.

**6. Requesting Agency:** Mississippi Forestry Commission

**Supplier:** Davey Resource Group, Inc.

**Contract #:** 8200036123

**Term:** 06/01/2018 – 05/31/2019

**Total Value:** \$175,500.00

**New  
\$175,500.00**

**Summary of Request:** This contract was approved at the November 14, 2017 Personal Service Contract Review Board meeting and has been resubmitted due to the executed contract containing revisions made from the vendor that were not presented and approved previously. The agency was notified that only the approved version of the contract may be processed. The contract changes included updates to the Period of Performance, Method of Payment, Insurance, Requirements Contract, and Information Designated by Contractor as Confidential clauses and the addition of Paymode, Approval, Claims Based on Chief Procurement Officer's Actions or Omissions, Price Adjustment, and Variation in Estimated Quantities clauses. All other terms and conditions of the original contract remain the same. The contractor will provide planning, implementation, team coordination, and public education for the Hyperspectral Imagery for Urban Forestry Applications and Emerald Ash Border Preparedness and Response Planning Scenarios in North Mississippi and North Alabama Urban and Community Forests project. This project is funded through a federal grant in which Davey Resource Group, Inc. is listed as a partnering agency and/or organization. Pursuant to Section 1-104, Application of the Regulations, of the Public

Procurement Review Board Office of Personal Service Contract Rules and Regulations, in the event of a conflict, the guidelines of a grant, a gift, or self-generated funds shall prevail. As such, the contract between the Mississippi Forestry Commission and Davey Resource Group, Inc. was not subject to competitive bidding. The term of the contract is for one year with optional renewals not to extend past September 30, 2020. Proof of the vendor's required employee dishonesty or fidelity bond insurance certification must be received from the agency prior to processing the contract. This request has been reviewed for compliance and has been determined to comply with the Public Procurement Review Board Office of Personal Service Contract Review Rules and Regulations and all legal requirements by the Office of Personal Service Contract Review staff.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested contingent upon receipt of the vendor's required employee dishonesty fidelity bond.

**7. Requesting Agency:** Mississippi Department of Revenue

**Supplier:** Mississippi State University

**Contract #:** 8200032471

**Term:** 07/01/2017 – 06/30/2019

**Renewal**

**Total Value:** \$180,816.00

**\$90,408.00**

**Summary of Request:** Renewal One has been submitted to renew the contract for one year. This is the first of three optional one-year renewals allowed by the original contract. Renewal One also updates the Period of Performance, Method of Payment, Representation Regarding Gratuities, Paymode, Procurement Regulations, and Approval clauses. All other terms and conditions of the original contract remain the same. Pursuant to Miss. Code Ann. § 27-1-55, the Mississippi State University Extension Service shall conduct the continuing education sessions for tax collectors, assessor-tax collectors, and their deputies on an annual basis. Additionally, pursuant to Miss. Code Ann. § 27-1-55, this contract is exempt from competitive bidding.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested.

**8. Requesting Agency:** Mississippi Emergency Management Agency

**Supplier:** Atkins North America, Inc.

**Contract #:** 86950/8200007450

**Term:** 01/15/2014 – 12/31/2018

**Modification**

**Total Value:** \$6,884,151.98

**\$767,540.00**

**Summary of Request:** Sixth Amendment has been submitted to increase the amount of the contract by \$767,540.00 due to an increase workload associated with the Biloxi infrastructure for Hurricane Katrina and to ensure work is done to FEMA and the Office of Inspector General compliance standards. Sixth Amendment updates the Representation Regarding Gratuities, Procurement Regulations, E-payment, Stop Work Order, Price Adjustment, and Priority

clauses and adds the Approval clause. All other terms and conditions of the original contract remain the same. The contractor assists MEMA with the management and administration of the Public Assistance program, which provides financial assistance to state and local governments or individuals who own or operate a private or nonprofit facility for the repair, restoration, reconstruction, or replacement of a facility damaged or destroyed by a major disaster and for associated expenses. These services are required to meet statutory and regulatory mandates as well as provide assistance with interpreting and implementing project worksheets. The contractor was originally selected through an RFP.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested contingent upon receipt of the vendor's updated required insurance certifications.

**9. Requesting Agency:** Mississippi Emergency Management Agency

**Supplier:** Landstar Express America, Inc.

**Contract #:** 8200038454

**Term:** 06/21/2018 – 06/20/2019

**Total Value:** \$189,490.00

**New**

**\$189,490.00**

**Summary of Request:** The contractor will serve as the primary provider of functional transportation services on an emergency standby basis to support commodity distribution within the state during a natural and man-made disaster. Services include delivering commodities to the State Staging Areas at Camp Shelby in Hattiesburg, MS; Grenada, MS, and Lee County Agri Center in Tupelo, MS. The term of the contract is one year with four optional one-year renewals. The contractor was selected through an RFP with two respondents, which resulted in the award of two contracts. As this RFP was issued on December 28, 2017, the procurement must comply with PSCRB Rules and Regulations (effective 7/1/2016), while the contract must comply with OPSCR Rules and Regulations. The agency requests the following exceptions to the identified sections of the PSCRB Rules and Regulations: 3-202.06.2 for failure of advertisement for proposals published once each week for two consecutive weeks in the county or municipality in which the agency is located and 3-203.04.2(d) for failure of identifying the type of contract to be used within the RFP. The agency contends the publication was an error on the newspaper company. Although the advertisement was published only once in the county or municipality in which the agency is located, the advertisement was correctly published in two other newspapers within the state and the agency researched and forwarded the RFP to a list of known vendors; therefore, OPSCR staff and the Special Assistant Attorney General do not have concerns regarding the competitiveness of this procurement.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and, upon granting of the exceptions to Section 3-202.03.4 and Appendix D of the OPSCR Rules and Regulations, will comply with OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of exceptions and approval of the contract as requested.

**10. Requesting Agency:** Mississippi Emergency Management Agency

**Supplier:** Total Transportation of Mississippi, LLC

**Contract #:** 8200038453

**Term:** 06/21/2018 – 06/20/2019

**Total Value:** \$120,000.00

**New**

**\$120,000.00**

**Summary of Request:** The contractor will serve as the primary provider of functional transportation services on an emergency standby basis to support commodity distribution within the state during a natural and man-made disaster. Services include delivering commodities to the State Staging Areas at Camp Shelby in Hattiesburg, MS; Grenada, MS, and Lee County Agri Center in Tupelo, MS. The term of the contract is one year with four optional one-year renewals. The contractor was selected through an RFP with two respondents, which resulted in the award of two contracts. As this RFP was issued on December 28, 2017, the procurement must comply with PSCRB Rules and Regulations (effective 7/1/2016), while the contract must comply with OPSCR Rules and Regulations. The agency requests the following exceptions to the identified sections of the PSCRB Rules and Regulations: 3-202.06.2 for failure of advertisement for proposals published once each week for two consecutive weeks in the county or municipality in which the agency is located and 3-203.04.2(d) for failure of identifying the type of contract to be used within the RFP. The agency contends the publication was an error on the newspaper company. Although the advertisement was published only once in the county or municipality in which the agency is located, the advertisement was correctly published in two other newspapers within the state and the agency researched and forwarded the RFP to a list of known vendors. Therefore, OPSCR staff and the Special Assistant Attorney General do not have concerns regarding the competitiveness of this procurement.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and, upon granting of the exceptions to Section 3-202.03.4 and Appendix D of the OPSCR Rules and Regulations, will comply with OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of exceptions and approval of the contract as requested.

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

**Supplier:** Medical Review of North Carolina, Inc. d/b/a The Carolinas Center for Medical Excellence

**Contract #:** 8200017802

**Term:** 06/01/2015 – 05/31/2019

**Total Value:** \$1,721,441.00

**Renewal**  
**\$404,249.00**

**Summary of Request:** Amendment Two has been submitted to renew the contract for one year. This is the first of two optional one-year renewals allowed by the original contract. Sections 4.2, Liquidated Damages, 4.14, Risk Management, and Insurance from the RFP, and all required clauses pursuant to Appendix C of the OPSCR Rules and Regulations have been added via Amendment Two. Amendment Two updates the Period of Performance, Cost of Services, and Entire Agreement clauses. All other terms and conditions of the original contract remain the same. The contractor provides external quality review (hereinafter “EQR”) services. These EQR services are consistent with federal regulations for the Mississippi Coordinated Access Network and Mississippi Children’s Health Insurance Program (hereinafter “CHIP”). The contract provides analysis and evaluation of information on the Coordinated Care Organization’s quality, timeliness, and access to certain Medicaid covered health care services and Mississippi CHIP covered health services. The contractor was originally selected through an RFP. This contract is subject to a protective order entered into by the Hinds County Chancery Court on April 4, 2016 to protect from release trade secrets or confidential commercial or financial information.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested.

**12. Requesting Agency:** Mississippi Department of Wildlife, Fisheries and Parks

**Supplier:** Wiregrass Ecological Associates, LLC

**Contract #:** 8200038408

**Term:** 05/10/2018 – 05/09/2019

**Total Value:** \$149,780.00

**New**  
**\$149,780.00**

**Summary of Request:** The contractor will provide field data collection services and inventory 12,952 acres on the Ward Bayou Wildlife Management Area in Jackson County, Mississippi. The contractor will develop an invasive species management plan based on the data collected. The term of the contract is one year with three optional one-year renewals. The contractor was selected through an IFB with two respondents. The agency requests exceptions to Section 3-202.03.4, Acknowledgment of Amendments, and Appendix D of the OPSCR Rules and Regulations for not including the required Acknowledgment of Amendments clause in the IFB. One amendment was issued that required bidders to sign the amendment and submit with their bids. Both bidders submitted the signed amendment; therefore, OPSCR staff do not have concerns regarding the competitiveness of this procurement.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and, upon granting of the exceptions to Section 3-202.03.4 and Appendix D of the OPSCR



Rules and Regulations, will comply with OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested.

**13. Requesting Agency:** DMH-Mississippi State Hospital

**Supplier:** Phoenix Technical Services, Inc.

**Contract #:** 8200038409

**Term:** 05/21/2018 – 05/20/2021

**New**

**Total Value:** \$114,060.24

**\$114,060.24**

**Summary of Request:** The contractor will provide preventative maintenance and repair services for medical inventory at the Hospital. The term of the contract is three years with no optional renewal. The contractor was selected through an IFB with two respondents.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested.

**14. Requesting Agency:** Mississippi Department of Corrections

**Supplier:** Texas Prisoner Transportation Services (Global Prisoner Services, LLC)

**Contract #:** 8200038438

**Term:** 06/01/2018 – 05/31/2020

**New**

**Total Value:** \$497,500.00

**\$497,500.00**

**Summary of Request:** The contractor will provide interstate transportation for the return of MDOC prisoners, parole and/or release violators, and prison escapees from the continental United States to designated MDOC institutions in the State of Mississippi at the rate of \$0.90 per mile. The contractor will make arrangements for air travel and will provide qualified medical personnel to ride along when transporting inmates with unsound medical conditions. Both the air travel and the usage of qualified medical personnel must be pre-approved by and reimbursed by MDOC. The term of the contract is two years with two optional one-year renewals. The contractor was selected through an IFB with two respondents. The agency requests the following exceptions to the identified sections of the PPRB OPSCR Rules and Regulations: 3-202.08.2 for failure to obtain acknowledgement of procurement amendments and 3-202.06.3 as a result of the date fixed for receiving bids was on a Monday. The agency issued one amendment to the IFB, which added the protest of award deadline to the protest section. Based on submissions from the two respondents, it is clear the two respondents received the amendment. As a result of the limited number of companies providing this service and because no late bids were received, the agency contends these IFB flaws did not limit or hinder competition. Therefore, OPSCR staff and the Special Assistant Attorney General do not have concerns regarding the competitiveness of this procurement. There was one protest filed regarding the procurement: U.S. Corrections, LLC filed a protest to the contract awards on March 28, 2018. On April 17, 2018, MDOC responded to the protest with the final decision that the protest had no merit. Pursuant to PPRB OPSCR Rules and Regulations, U.S. Corrections, LLC, had until April 24, 2018 to file an appeal with PPRB if they were unsatisfied with the MDOC protest decision.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and the Special Assistant Attorney General and, upon granting of the exceptions to Sections 3-202.08.2 and 3-202.06.3 of the PPRB OPSCR Rules and Regulations, will comply with PPRB OPSCR proposed Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested.

**C. Department of Child Protection Services Contracts and 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 Department of Child Protection Services (DCPS) contracts or 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.*

**1. Requesting Agency:** DMH-Boswell Regional Center

**Supplier:** Valley Services, Inc.

**Contract #:** 8400000781

**Term:** 11/20/2017 – 04/30/2018

**Total Value:** \$143,125.00

**New  
\$143,125.00**

**Summary of Request:** The contractor supplies meals to the individuals served at the agency while the kitchen at the agency is being renovated. The term of the contract is five months and eleven days. The contractor was originally selected through small purchase procedures pursuant to Section 3-205 of the PSCRB Rules and Regulations, as the agency regularly provides these services in-house and calculated the need for contracting the services would cease no later than the end of February 2018 based on the timeline for the kitchen renovation project. However, the kitchen renovation project exceeded the initial timeline and the agency required the services by the contractor to continue through the end of April 2018. Therefore, the agency retroactively declared an emergency pursuant to Section 3-207 of the PSCRB

Rules and Regulations, which states “[i]f the Agency Head... determines... that the delay incident to undertaking a competitive procurement would threaten the health or safety of any person, or the preservation or protection of property, then the Agency Head... may make an emergency procurement.” The agency determined the emergency contract was necessary in order to continue to prepare and provide meals for the patients at the agency while the kitchen at the agency is being renovated.

**2. Requesting Agency:** Mississippi Department of Education

**Supplier:** James Johnson-Waldington

**Contract #:** 8400000810

**Term:** 07/01/2018 – 12/31/2018

**Total Value:** \$97,750.00

**New  
\$97,750.00**

**Summary of Request:** The contractor will serve as the conservator (interim superintendent), responsible for the administration, management, and operation of the Leflore County School District. The agency requests \$99,750.00 in spending authority, which is comprised of \$85,000.00 for personal services or \$850.00 a day for 100 days and \$14,750.00 for travel. The term of the contract is six months. The contractor was selected through emergency procurement procedures pursuant to Section 3-207 of the Public Procurement Review Board Office of Personal Service Contract Review Rules and Regulations, which states “[i]f the Agency Head...determines...that the delay incident to undertaking a competitive procurement would threaten the health or safety of any person, or the preservation or protection of property, then the Agency Head...may make an emergency procurement.” The agency contends the extreme emergency situation jeopardizes the safety, security, and educational interest of the children enrolled in the schools in this district and without intervention by the State, it could result in the continuation of an inadequate and unstable educational environment, thereby denying the students of this district the opportunity to learn, to excel, and to obtain a free and appropriate public education. The Governor declared a state of emergency for Leflore County School District on September 16, 2013.

**3. Requesting Agency:** Mississippi Department of Education

**Supplier:** Margie B. Pulley

**Contract #:** 8400000811

**Term:** 07/01/2018 – 12/31/2018

**Total Value:** \$99,750.00

**New  
\$99,750.00**

**Summary of Request:** The contractor will serve as the conservator (interim superintendent) responsible for the administration, management, and operation of the Tunica County School District. This independent contractor is a Mississippi Public Employees Retirement System retiree. The agency requests \$99,750.00 in spending authority, which is comprised of \$85,000.00 for personal services or \$850.00 a day for 100 days and \$14,750.00 for travel. The term of this contract is six months. The contractor was selected through emergency procurement procedures pursuant to Section 3-207 of the Public Procurement Review Board Office of Personal Service Contract Review Rules and Regulations, which states “[i]f the Agency Head...determines...that the delay incident to undertaking a competitive procurement would threaten the health or safety of any person, or the preservation or protection of property, then the Agency Head...may make an emergency procurement.” The agency contends the extreme emergency situation jeopardizes the safety, security, and educational interest of the

children enrolled in the schools in this district and without intervention by the State, it could result in the continuation of an inadequate and unstable educational environment, thereby denying the students of this district the opportunity to learn, to excel, and to obtain a free and appropriate public education. The Governor declared a state of emergency for Tunica County School District on July 9, 2015.

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

**F. OPSCR Director's Report**

**VII. Adjournment**