



**MEETING AGENDA**  
**Tuesday, September 11, 2018**  
**9:00 a.m.**

- I. **Call to Order**
- II. **Motion to Amend Minutes from May 2, 2018, July 11, 2018, and August 1, 2018 Public Procurement Review Board Meetings**

*May 2, 2018 – Replace Attachment E to correct Number 3, Contract # 94930, Request and Service Type from PVL Security to WIN Other (Miscellaneous) and the Total Contract Action Amount from \$108,149.80 to \$28,233.00*

*July 11, 2018 – Replace Attachment K to correct Number 8, Contract number from 8200082679 to 8200032679 and Number 51, the name of the contract worker from Diane Coleman to Diane Carlisle.*

*August 1, 2018 – Correct amount of contract on item IV.B.iii from \$3,545,000.00 to \$3,795,000.00*

- III. **Approval of Amended Minutes from May 2, 2018, July 11, 2018, and August 1, 2018 Public Procurement Review Board Meeting**
- IV. **Approval of Minutes from August 23, 2018 Meeting**
- V. **Approval of per diem and expenses for the September 11, 2018 meeting and for any additional expenses incurred prior to the October 3, 2018 meeting**
- VI. **DFA Office of Purchasing, Travel and Fleet Management (OPTFM)**

- A. **Petitions for Relief from Reverse Auction**

- 1. **Governing Authorities**

- i. **Requesting Governing Authority: Amite County Board of Supervisors**

**Supplier:** Liquid Asphalt & Emulsions

**Term:** 12 months

**Total Value:** \$197,069.00 (estimated)

**Summary of Request:** Amite County Board of Supervisors has requested an exemption from using the Reverse Auction process for the purchase of liquid asphalt and emulsions. They are requesting the exemption because they award to multiple vendors. The County feels the competitive sealed bid process should be utilized to procure the liquid asphalt and emulsions.

**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:** Warren County Board of Supervisors

**Supplier:** Gravel Products, Clay and Wash Gravel

**Term:** 12 months

**Total Value:** \$155,000.00

**Summary of Request:** Warren County Board of Supervisors has requested an exemption from using the Reverse Auction process for the purchase of gravel products, clay and wash gravel. They are requesting the exemption because they wish to make multiple awards. The County feels the competitive sealed bidding should be utilized to the procure the gravel products, clay and wash gravel.

**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 Brandon

**Supplier:** Sewer Pipe

**Term:** Fiscal year 2019

**Total Value:** \$50,000.00 per fiscal year (estimated)

**Summary of Request:** City of Brandon has requested an exemption from using the Reverse Auction process for the sewer pipe. They are requesting an exemption because they only have a few companies that offer the specialized product and it would be beneficial to award to a primary vendor and an alternate, in case the primary cannot supply the product. The City feels that competitive bidding should be utilized to procure sewer pipe.

**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:** City of Brandon

**Supplier:** Polypropylene Resin Pipe

**Term:** Fiscal year 2019

**Total Value:** \$50,000.00 per fiscal year (estimated)

**Summary of Request:** City of Brandon has requested an exemption from using the Reverse Auction process for the purchase of polypropylene resin pipe. They are requesting an exemption because they only have a few companies that offer the specialized product and it would be beneficial to award to a primary vendor and an alternate, in case the primary cannot supply the product. The City feels that competitive bidding should be utilized to procure the polypropylene resin pipe.

**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:** City of Brandon

**Supplier:** Concrete Pipe

**Term:** Fiscal year 2019

**Total Value:** \$50,000.00 per fiscal year (estimated)

**Summary of Request:** City of Brandon has requested an exemption from using the Reverse Auction process for the purchase of concrete pipe. They are requesting exemption because they have only a few companies that offer the specialized product and it would be beneficial to award to a primary vendor and an alternate, in case the primary cannot supply the product. The City feels that competitive bidding should be utilized to procure concrete pipe.

**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:** City of Brandon

**Supplier:** Chlorine/Fluoride

**Term:** Fiscal year 2019

**Total Value:** \$50,000.00 per fiscal year (estimated)

**Summary of Request:** City of Brandon has requested an exemption from using the Reverse Auction process for the purchase of chlorine/fluoride. They are requesting an exemption because they have only a few companies that offer the specialized product and it would be beneficial to award to a primary vendor and an alternate, in case the primary cannot supply the product. The City feels that competitive bidding should be utilized to procure chlorine/fluoride.

**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:** City of Brandon

**Supplier:** C900 Water Pipe

**Term:** Fiscal year 2019

**Total Value:** \$50,000.00 per fiscal year (estimated)

**Summary of Request:** City of Brandon has requested an exemption from using the Reverse Auction process for the purchase of water pipe. They are requesting an exemption because they have only a few companies that offer the specialized product and it would be beneficial to award to a primary vendor and an alternate, in case the primary cannot supply the product. The City feels that competitive sealed bidding should be utilized to procure water pipe.

**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.

viii. **Requesting Governing Authority:** Harrison County Board of Supervisors

**Supplier:** Asphalt Milling

**Term:** Unknown

**Total Value:** Unknown

**Summary of Request:** Harrison County Board of Supervisors has requested an exemption from using the Reverse Auction process for the purchase of asphalt milling. The County attempted to purchase the product in June 2018 using Reverse Auction. Only two bidders participated resulting in inflated prices. The County feels that competitive bidding should be utilized to procure asphalt milling.

**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.

ix. **Requesting Governing Authority:** Harrison County Board of Supervisors

**Supplier:** Asphalt Tack

**Term:** Unknown

**Total Value:** Unknown

**Summary of Request:** Harrison County Board of Supervisors has requested an exemption from using the Reverse Auction process for the purchase of asphalt tack. The County attempted to purchase the product in June 2018 using Reverse Auction. Only one bidder participated resulting in inflated prices. The County feels that competitive bidding should be utilized to procure asphalt tack.

**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 Department of Transportation (MDOT)

**Supplier:** N/A

**Contract #:** 3180000472

**Term:** Twelve (12) Months, July 01, 2018 through June 30, 2019

**Total Value:** \$85,000

**Summary of Request:** MDOT has requested an exemption from using the Reverse Auction process for the purchase of Wireless Magnetometer Detection traffic parts. Information requests were sent to (25) twenty-five vendors for various traffic signal parts. Twelve vendors responded, however; only one vendor is able to supply these specific parts. MDOT is requesting the exemption as only one supplier can provide these parts. They believe the Reverse Auction process is not in the best interest of the State. MDOT requests approval to use the competitive sealed bid process to procure the Wireless Magnetometer Detection traffic parts.

**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**

### **1. Requesting State Agency: Jackson County Utility Authority**

**Supplier:** Consolidate Pipe and Supply

**Term:** One year with 2 optional one year periods

**Total Value:** Unknown-purchase on demand

**Summary of Request:** Jackson County Utility Authority requested and received an exemption from using Reverse Auction at the May 2, 2018 Board meeting because only one vendor can sell to this territory. The Authority advertised for competitive sealed bids and received one bid. They wish to award to Consolidated Pipe and Supply.

**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.

## **C. Consideration of Awards for State Agency Contracts Receiving Exemptions**

### **1. Requesting Agency: Mississippi Emergency Management Agency (MEMA)**

**Supplier:** The Freezer, LLC., Lipsey Mountain Spring Water

**Contract #:** 8200041076, 8200041078

**Term:** Twelve (12) Months September 10, 2018 – September 09, 2019

**Total Value:** \$500,000.00 (\$250,000.00 individually)

**Summary of Request:** MEMA requested an exemption from using the Reverse Auction process for bottled water for emergency standby contracts and it was approved at the March 7, 2018 PPRB meeting due to the need to award to multiple suppliers. MEMA advertised for competitive sealed bids, which resulted in two bidders with awards and no protests. MEMA is requesting the Board's approval to award a contract to both vendors based on both bidders meeting specifications.

**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.

### **2. Requesting Agency: Mississippi Emergency Management Agency (MEMA)**

**Supplier:** 4 D Solutions, Inc., Lipsey Mountain Spring Water, The Freezer, LLC.

**Contract #:** 8200040987, 8200040988, 8200040989

**Term:** Twelve (12) Months September 10, 2018 – September 09, 2019

**Total Value:** \$750,000.00 (\$250,000.00 individually)

**Summary of Request:** MEMA requested an exemption from using the Reverse Auction process for food grade ice, as emergency standby contracts and it was approved at the March 7, 2018 PPRB meeting due to the need to award to multiple suppliers. MEMA advertised for

competitive sealed bids, which resulted in three bidders with awards and no protests. MEMA is requesting the Board's approval to award a contract to all three vendors, based on all bidders meeting specifications.

**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.

3. **Requesting State Agency:** Mississippi Department of Marine Resources (DMR)

**Supplier:** Maverick Boat Group, Inc.

**Contract #:** 8200041042

**Term:** Twelve (12) Months September 06, 2018 – September 05, 2019

**Total Value:** \$138,006.73

**Summary of Request:** On March 28, 2018 DMR attempted to purchase a boat using Reverse Auction. No responses were received. At the May 2, 2018 meeting, PPRB approved a request for exemption from the Reverse Auction process for the purchase of (1) 32-37-foot fiberglass stepped hull vessel. DMR's sealed competitive bid resulted in two bids received for the boat, with no protests. DMR wishes to award to the low bidder meeting specifications.

**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.

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

**Supplier:** Priority Healthcare Distribution, Inc.

**Contract #:** 82000040467

**Term:** One (1) Month and Twelve (12) days (09/06/2018 - 10/18/2018)

**Total Value:** \$239,400.00

**Summary of Request:** MSDH requested an exemption from using the Reverse Auction process for the purchase of Nexplanon and it was approved at the June 6, 2018 PPRB meeting due to limited suppliers with pricing determined by the manufacturer. MSDH advertised for competitive sealed bids and received one response. MSDH wishes to enter into a contract with Priority Healthcare Distribution, Inc., to purchase 600 units of single non-latex contraceptive implants for the Family Planning Program.

**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 this contract.

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

**Supplier:** Adidas Group

**Contract #:** 8200040757

**Term:** Five (5) Years (07/31/2018 – 07/30/2023)

**Total Value:** \$1,075,000.00

**Summary of Request:** ASU requested and received approval to utilize a Request for Proposals (RFP) for sponsorship from athletic apparel manufactures for all of the University's sports programs by PPRB on June 6, 2018. ASU received three (3) responses from their RFP

solicitation and requests to award to the Adidas Group based on RFP criteria and the company receiving the highest overall committee ratings score. There were four (4) rating factors and these were qualifications & experience (30 points possible), ability to perform (25 points possible), cost structure (35 points possible) and review of references (10 points possible). ASU followed the new regulations for RFPs as listed in the Procurement Manual Section 3.107.09 Receipt and Registration of Proposals or Qualifications, with two exceptions. The complete names of two of the respondents were not redacted and the University did not advertise for 30 days on their website. The website was under construction during this period and a letter attesting to this fact is attached. OPTFM believes the incomplete redaction did not have an effect on the evaluation scoring and that the shorter website advertising period did not affect competition. The total rating points that any one (1) company could receive was one hundred (100) points. After ASU's RFP committee scored the three (3) responses, Adidas Group scored the highest with a score of ninety-nine (99) points. ASU is requesting to award to the Adidas Group.

**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. Consideration of State Agency Contracts for Board Action**

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

**Supplier:** Creative Bus Sales, Inc.

**Total Value:** \$3,620,000.00

**Term:** 09/05/2018 – 06/30/2019

**Summary of Request:** MDOT used the Reverse Auction process for the establishment of an agency contract to purchase up to one hundred (100) Six Passenger ADA-Mini Vans. This agency contract is to be effective until June 30, 2019. The original bid does allow for the option to extend the agency contract for up to four (4) additional one (1) year periods upon written acceptance of both parties. Two (2) responses were received, with no protests. The award will be made based on the lowest price submitted from vendors participating in the Reverse Auction. Other state agencies and governing authorities may purchase from this contract. MDOT is requesting the Board's approval to award a contract to the vendor that meets the specifications and bid requirements.

**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 this contract.

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

**Supplier:** Landers Dodge (137 Trucks)

**Total Value:** \$3,124,062.00

**Supplier:** Gray-Daniels Ford (8 PPV SUV)

**Total Value:** \$227,752.00

**Supplier:** Cannon CDJR (7 trucks, 1 van)

**Total Value:** \$217,550.00

**Grand Total:** \$3,569,364.00

**Term:** One-Time Purchase

**Summary of Request:** MDOT is seeking approval to purchase 8 Law Enforcement vehicles using the competitively bid Police Vehicle contract and 145 trucks and vans using the competitively bid Vehicle contract. In compliance with House Bill 938 (2017), these vehicles have been certified by Executive Director Melinda McGrath to be the lowest cost option available. Additionally, MDOT fleet data is up to date in the MAGIC system.

**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.

**3. Requesting Agency:** Department of Public Safety (DPS)

**Supplier:** Landers Dodge (87 Dodge Chargers PPV)

**Total Value:** \$2,012,310.00

**Supplier:** Gray-Daniels Ford (20 Ford SUV PPV)

**Total Value:** \$630,360.00

**Grand Total:** \$2,642,670.00

**Term:** One-Time Purchase

**Summary of Request:** DPS is seeking approval to purchase one-hundred seven (107) Law Enforcement vehicles using the competitively bid Police Vehicle contract. In compliance with House Bill 938 (2017), these vehicles have been certified by Commissioner Fisher to be the lowest cost option available. Additionally, DPS fleet data is up to date in the MAGIC system.

**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.

**4. Requesting Agency:** University of Mississippi (UM)

**Supplier:** Bruker Biospin Corporation

**Contract #:** 8800006351

**Term:** One (1) Year (07/19/2018 – 07/18/2019)

**Total Value:** \$625,000.00

**Summary of Request:** The University of Mississippi (UM) has submitted a sole source request for the purchase of an AVANCE digital spectrometer system and Bruker AVANCE digital spectrometer that is produced by Bruker Biospin Corporation. UM advertised in the Clarion Ledger and on the Procurement Portal as required by law. UM states that these instruments are the only spectrometers that are compatible with their existing NMR equipment. This gives them the ability to exchange parts between the instruments as needed for various research applications in their Department of Chemistry, Biochemistry and their School of Pharmacy. No objections were received by the University and (UM) is requesting approval with this sole source purchase from Bruker Biospin Corporation.



**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 sole source request.

#### **E. Master Lease Purchase Proposed Equipment Acquisitions**

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

**Master Lease Purchase:** \$2,840,000.00

**Term of Contract:** Master Lease Purchase Series 2018B

**Purchase Method:** Presently seeking the funding only

**Comments:** Pursuant to Miss. Code Ann. § 31-7-10, as amended, Mississippi Department of Transportation is requesting authority to utilize the Master Lease Purchase Program to finance numerous pieces of equipment (schedule of equipment is attached). These items will be financed over a 5-year period. Normal purchasing procedures will be followed for the procurement of the items.

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

#### **F. Regulation Deviation Request**

1. **Requesting Agency:** Mississippi State University (MSU)

**Summary of Request:** MSU is requesting to deviate from disposal procedures as referenced in Chapter 8 of the Procurement Manual. Section 8.101.04.1 authorizes the sale of a group of items to a private entity if the value is less than \$1,000.00. MSU wishes to sell surplus athletic soft goods inventory, which consists of old uniforms, shoes, shorts, t-shirts, etc., which are no longer needed, in a yard sale that is open to the public. It is possible in that case that the total could exceed \$1,000.00, which is why an exemption is needed. If MSU estimates the value of any individual items to be over \$1,000.00, the items would be sold in a separate auction, which would most likely be an online auction.

**Staff Recommendation:** Based on the information submitted by the Agency, we ask that the Board approve this deviation from Section 8.101.04.1.

#### **G. OPTFM Staff Approvals reported to the Board**

1. **Emergency Purchases**

2. **Sole Source Purchases**

#### **H. OPTFM Director's Report**

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

### A. Consideration of Contracts for Board Action

1. **Using Agency:** Mississippi State University

**Number:** GS# 105-355

**Project Title:** Engineering and Science Complex

**General Contractor:** West Brothers Construction, Inc.

**Construction Days from Notice to Proceed [Term]:** 540 days

**Total Value at Award:** \$25,999,000.00

**Project Scope:** Construction of a new Engineering Building on the campus of Mississippi State University in Starkville, Mississippi. The new facility shall consist of a three-story 53,255 square foot building. The facility will house classrooms, offices, teaching labs, research labs, support space and high bay areas. Furthermore, the award includes bid alternates of a pre-fabricated chemical storage unit, a materials storage building, miscellaneous site signage, retaining wall and screen walls, a 15-ton crane hoist, and a solar panel array.

**Note:** Lowest of 4 bids received. Award is contingent upon Institutions of Higher Learning (IHL) 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 approval.

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

### C. BOB Director's Report

### D. RPM Leases Exempt from Competition

1. **Requesting Agency:** Office of Capitol Facilities

**Lease #:** 625-612-19B

**Lessor:** Cube Smart

**Term:** 10/01/2018 - 09/30/2019

**Total Yearly Cost:** \$2,316.00

**Cost PSF:** \$7.88 Inclusive

**Federal Funds:** 0%

**Square Footage Proposed:** 294

**Address of Property:** 4235 Highway 80 Pearl, MS.

**Purpose of Lease:** This request is for storage space used by Capitol Facilities to store items from the Governor's Mansion.

**Note:** This is a one (1) year lease with no renewals. This lease is exempt from advertising under 300.9 (6).

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

2. **Requesting Agency:** Office of Capitol Facilities  
**Lease #:** 625-612-19C  
**Lessor:** Cube Smart  
**Term:** 10/01/2018 - 09/30/2019  
**Total Yearly Cost:** \$1,512.00  
**Cost PSF:** \$12.60 Inclusive  
**Federal Funds:** 0%  
**Square Footage Proposed:** 120  
**Address of Property:** 4235 Highway 80 Pearl, MS.  
**Purpose of Lease:** This request is for storage space used by Capitol Facilities to store items from the Governor's Mansion.  
**Note:** This is a one (1) year lease with no renewals. This lease is exempt from advertising under 300.9 (6).

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

3. **Requesting Agency:** Mississippi Department of Marine Resources  
**Lease #:** 505-244-19A  
**Lessor:** City of Pass Christian  
**Term:** 10/01/2018 - 09/30/2019  
**Total Yearly Cost:** \$12.00  
**Cost PSF:** \$1.00+ utilities  
**Federal Funds:** 0%  
**Square Footage Proposed:** 300  
**Address of Property:** Pass Christian Harbor, Pass Christian, MS.  
**Purpose of Lease:** This request is for a Boat Slip.  
**Note:** This is a one (1) year lease with no renewals. This lease is exempt from advertising under 300.9 (6).

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

4. **Requesting Agency:** Mississippi Development Authority  
**Lease #:** 225-251-19A  
**Lessor:** Douglas, Inc.  
**Term:** 09/01/2018 - 08/31/2019  
**Total Yearly Cost:** \$21,600  
**Cost PSF:** \$4.40 Inclusive  
**Federal Funds:** 0%  
**Square Footage Proposed:** 4,909  
**Previous Square Footage:** 4,909  
**Address of Property:** 4225 Industrial Drive, Jackson, MS.

**Purpose of Lease:** This request is for storage and delivery of materials for MS. Tourism Division.

**Note:** This is a one (1) year lease with no renewals. This lease is exempt from advertising under 300.9 (6).

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

#### **E. RPM Succeeding Leases**

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

**Lease #:** 725-551-22A

**Lessor:** Boyd R. Scott

**Term:** 01/01/2019 - 12/31/2022

**Total Yearly Cost:** \$17,062.50

**Cost PSF:** \$9.75 + Utilities and Janitorial

**Federal Funds:** 80%

**Square Footage Proposed:** 1,750

**Previous Square Footage:** 1,750

**Address of Property:** 215 A Williams Avenue, Picayune, MS.

**Purpose of Lease:** This office will serve to take applications from 300-400 clients per year, who suffer from a wide range of handicapped conditions including, but not limited to, orthopedic, heart conditions, amputations, chronically mentally ill, and many other abnormalities. This office will allow clients access to professional counselors who can initiate rehabilitation programs for the individual applicant.

**Note:** This is a three (3) year lease with no renewals.

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

2. **Requesting Agency:** Mississippi Department of Employment Security

**Lease #:** 260-431-19B

**Lessor:** Tom L. Moak

**Term:** 10/01/2018 - 09/30/2019

**Total Yearly Cost:** \$29,950.48

**Cost PSF:** \$5.50 + Utilities and Janitorial

**Federal Funds:** 100%

**Square Footage Proposed:** 4,900

**Previous Square Footage:** 4,900

**Address of Property:** 545 Brookway Boulevard, Brookhaven, MS.

**Purpose of Lease:** This request is for office space.

**Note:** This is a one (1) year lease with no renewals.

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

## F. RPM Acknowledgement

### 1. Requesting Agency: Mississippi Department of Human Services

**Lease #:** 865-251-31A

**Purpose of Request:** Mississippi Department of Human Services requests that PPRB acknowledge an agreement that extends the time for the cure of defaults under their existing lease agreement.

**Staff Recommendation:** This request has been reviewed for compliance and has been determined to comply with all rules, regulations and legal requirements by DFA. RPM requests asks PPRB for their acknowledgement of this agreement.

## G. RPM Other

### 1. Requesting Agency: Mississippi Department of Corrections

**Purpose of Request:** Mississippi Department of Corrections and Bureau of Building, Grounds /Real Management ask PPRB to acknowledge the extension of the test period for the Wind Farm Project/Parchman constructed and operated by National Entergy Solutions, Inc. This is the second of a possible two (2), one (1) year extensions of the test period. The original test period of three (3) years expired on September 30, 2017. The applicability of this extension is contained within the original contract that was approved by the prior PPRB on December 4<sup>th</sup>, 2014. This extension is by mutual consent and will extend the test period until September 30, 2019 for the same consideration as the first three years.

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

## H. RPM Director's Report

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

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

#### 1. Requesting Agency: Mississippi Department of Revenue

**RFx Number:** 3180000450

**Procurement Request:** Request for Proposals

**Anticipated Term:** Three years with one optional two-year renewal

**Anticipated Contract Amount:** \$5,325,000.00

**Summary of Request:** The agency has submitted a Petition for Relief from the use of an Invitation for Bids (IFB) as the procurement method as allowed by Miss. Code Ann. § 31-7-403(4) for the competitive procurement of one vendor to provide Forms Processing Services which include mail processing, remittance processing, deposit, data capture, imaging, data tracking, storing and destruction, transmitting of data and images, accounting and reporting. The agency contends the use of an Invitation for Bids is neither practicable nor advantageous as the service requires expertise in the areas of timely deposit of revenue and timely recording

of tax liabilities. The vendor must be able to process an estimated 3.9 million envelopes per year. The agency deposits over \$7 billion every year which includes 96% of the State's General Fund. Because of the potential risk to the State, the agency contends it is imperative that they be able to evaluate the vendor's ability to perform critical duties accurately and timely. The respondents will be evaluated based on technical, cost and management factors. The technical factors will be weighed at twenty percent (20%) or 20 points, cost factors will be weighed at twenty percent (20%) or 20 points and management factors will be weighed at twenty-five percent (25%) or 25 points. Price will be weighed at thirty-nine percent (39%) or 39 points, which includes an additional four percent (4%) from "relative cost" in cost factors.

**Staff Recommendation:** Granting of the agency's Petition for Relief from competitive bidding requirements 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 vendor to provide Forms Processing Services.

2. **Requesting Agency:** Mississippi Veterans Affairs Board  
**Rfx Number:** 3180000481

**Procurement Request:** Request for Proposals

**Anticipated Term:** Four years with one optional one-year renewal

**Anticipated Contract Amount:** \$14,000,000.00 or less

**Summary of Request:** The agency has submitted a Petition for Relief from the use of an Invitation for Bids (IFB) as the procurement method as allowed by Miss. Code Ann. § 31-7-403(4) for the competitive procurement of one vendor to provide food services for all Mississippi State Veterans Nursing Homes. The agency contends the use of an Invitation for Bids is neither practicable nor advantageous as this particular food service requires expertise in food quality, preparation and management based on the special needs of the population being served including dietary restrictions. According to the agency, food services is one of the most important services provided to Veterans and it is the main complaint the SVAB receives on a monthly basis by residents and their families. In the past, due to poor food quality and performance, the agency has had to terminate the contract. The respondents will be evaluated based on technical, cost and management factors. The technical factors will be weighed at twenty percent (20%) or 20 points, cost factors will be weighed at twenty percent (20%) or 20 points and management factors will be weighed at twenty-five percent (25%) or 25 points. Price will be weighed at thirty-nine percent (39%) or 39 points, which includes an additional four percent (4%) from "relative cost" in cost factors.

**Staff Recommendation:** Granting of the agency's Petition for Relief from competitive bidding requirements 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 vendor to provide food services.

## B. Consideration of Contracts for Board Action

1. **Requesting Agency:** Mississippi Division of Medicaid  
**Supplier:** Magnolia Health  
**Contract #:** TBD  
**Term:** 07/01/2017 – 06/30/2020  
**Total Value:** \$2,144,273,540.00

**Modification**  
**\$2,144,273,540.00**

**Summary of Request:** Amendment Two has been submitted to include the capitation rates per member per month (hereinafter “PMPM”) varying by region and rate cell. The Mississippi Coordinated Access Network (hereinafter “MississippiCAN”) contract is paid via a medical claims process through DOM’s fiscal agent. DOM will pay the contracts PMPM capitation payment to cover the services provided. This Amendment adds a table to Section 13.A.9, Capitation Rates, which establishes the Coordinated Care Organization (hereinafter “CCO”) capitation rates PMPM for MississippiCAN. The estimated cost of MississippiCAN is \$2,144,273,540.00, which consists of \$1,665,331,599.00 federal funds or 77.20%. The rate cells and capitation rates are in accordance with the capitation rates (excluding risk scores) table in Section 13.A.9, Capitation Rates. The rates also include a flat transitional payment pool add-on of \$72.92, excluding delivery kick payment. The MississippiCAN Q4 (Quarter 4) 2018 to Q2 (Quarter 2) 2019 (October 1, 2018 – June 30, 2019) capitation rates are developed using Mississippi fee-for-service Medicaid data, CCO encounter data, and CCO financial reporting data for a comparable population to that enrolled in CCOs. The state fiscal year 2019 capitation rates will be paid using two separate sets of rates. The rates are seasonally adjusted due to Q3 (Quarter 3) having a higher than average cost for non-newborn and lower than average costs for newborn after adjusting experience to reflect the impact of unit cost trends throughout the year. This analysis was performed at a rate cell and category of service level by region. Due to variance in seasonality factors year to year by category of service, the Q4 (Quarter 4) 2018 to Q2 (Quarter 2) 2019 seasonality factors vary. DOM calculates state-set rates by rate category on a statewide basis with area adjustment based on an enrolled member’s county of residence. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and certify its capitation rate development. Additionally, capitation rates will be recertified after actual membership and enrollment is known. The agency contends CMS will not review or approve any contracts or modifications from DOM unless they are submitted fully executed. Therefore, DOM must receive PPRB approval prior to submitting the executed contracts or modifications to CMS.

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

**Projected Budget for Life of the Contract: \$10,721,367,700.00**

**2. Requesting Agency:** Mississippi Division of Medicaid

**Supplier:** Molina Healthcare

**Contract #:** TBD

**Term:** 07/01/2017 – 06/30/2020

**Total Value:** \$2,144,273,540.00

**Modification**

**2,144,273,540.00**

**Summary of Request:** Amendment Two has been submitted to include the capitation rates per member per month (hereinafter “PMPM”) varying by region and rate cell. The Mississippi Coordinated Access Network (hereinafter “MississippiCAN”) contract is paid via a medical claims process through DOM’s fiscal agent. DOM will pay the contracts PMPM capitation payment to cover the services provided. This Amendment adds a table to Section 13.A.9, Capitation Rates, which establishes the Coordinated Care Organization (hereinafter “CCO”) capitation rates PMPM for MississippiCAN. The estimated cost of MississippiCAN is

\$2,144,273,540.00, which consists of \$1,665,331,599.00 federal funds or 77.20%. The rate cells and capitation rates are in accordance with the capitation rates (excluding risk scores) table in Section 13.A.9, Capitation Rates. The rates also include a flat transitional payment pool add-on of \$72.92, excluding delivery kick payment. The MississippiCAN Q4 (Quarter 4) 2018 to Q2 (Quarter 2) 2019 (October 1, 2018 – June 30, 2019) capitation rates are developed using Mississippi fee-for-service Medicaid data, CCO encounter data, and CCO financial reporting data for a comparable population to that enrolled in CCOs. The state fiscal year 2019 capitation rates will be paid using two separate sets of rates. The rates are seasonally adjusted due to Q3 (Quarter 3) having a higher than average cost for non-newborn and lower than average costs for newborn after adjusting experience to reflect the impact of unit cost trends throughout the year. This analysis was performed at a rate cell and category of service level by region. Due to variance in seasonality factors year to year by category of service, the Q4 (Quarter 4) 2018 to Q2 (Quarter 2) 2019 seasonality factors vary. DOM calculates state-set rates by rate category on a statewide basis with area adjustment based on an enrolled member's county of residence. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and certify its capitation rate development. Additionally, capitation rates will be recertified after actual membership and enrollment is known. The agency contends CMS will not review or approve any contracts or modifications from DOM unless they are submitted fully executed. Therefore, DOM must receive PPRB approval prior to submitting the executed contracts or modifications to CMS.

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

**Projected Budget for Life of the Contract: \$10,721,367,700.00**

3. **Requesting Agency:** Mississippi Division of Medicaid

**Supplier:** United Healthcare

**Contract #:** TBD

**Term:** 07/01/2017 – 06/30/2020

**Total Value:** 2,144,273,540.00

**Modification**  
**2,144,273,540.00**

**Summary of Request:** Amendment Two has been submitted to include the capitation rates per member per month (hereinafter "PMPM") varying by region and rate cell. The Mississippi Coordinated Access Network (hereinafter "MississippiCAN") contract is paid via a medical claims process through DOM's fiscal agent. DOM will pay the contracts PMPM capitation payment to cover the services provided. This Amendment adds a table to Section 13.A.9, Capitation Rates, which establishes the Coordinated Care Organization (hereinafter "CCO") capitation rates PMPM for MississippiCAN. The estimated cost of MississippiCAN is \$2,144,273,540.00, which consists of \$1,665,331,599.00 federal funds or 77.20%. The rate cells and capitation rates are in accordance with the capitation rates (excluding risk scores) table in Section 13.A.9, Capitation Rates. The rates also include a flat transitional payment pool add-on of \$72.92, excluding delivery kick payment. The MississippiCAN Q4 (Quarter 4) 2018 to Q2 (Quarter 2) 2019 (October 1, 2018 – June 30, 2019) capitation rates are developed using Mississippi fee-for-service Medicaid data, CCO encounter data, and CCO financial reporting data for a comparable population to that enrolled in CCOs. The state fiscal year 2019



capitation rates will be paid using two separate sets of rates. The rates are seasonally adjusted due to Q3 (Quarter 3) having a higher than average cost for non-newborn and lower than average costs for newborn after adjusting experience to reflect the impact of unit cost trends throughout the year. This analysis was performed at a rate cell and category of service level by region. Due to variance in seasonality factors year to year by category of service, the Q4 (Quarter 4) 2018 to Q2 (Quarter 2) 2019 seasonality factors vary. DOM calculates state-set rates by rate category on a statewide basis with area adjustment based on an enrolled member's county of residence. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and certify its capitation rate development. Additionally, capitation rates will be recertified after actual membership and enrollment is known. The agency contends CMS will not review or approve any contracts or modifications from DOM unless they are submitted fully executed. Therefore, DOM must receive PPRB approval prior to submitting the executed contracts or modifications to CMS.

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

**Projected Budget for Life of the Contract: \$10,721,367,700.00**

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

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

**Contract #:** 8200041083

**Term:** 10/01/2018 – 09/30/2021

**Total Value:** \$96,776,053.76

**New**

**\$96,776,053.76**

**Summary of Request:** The term of the contract is three years with two optional one-year renewals. The contractor will administer and operate a non-emergency transportation (hereinafter "NET") brokerage program, which includes, but is not limited to the authorization, coordination, scheduling, management, and reimbursement of NET services. The contractor was selected through an IFB with three respondents. One post award vendor debriefing was requested and held. The Implementation Phase begins October 1, 2018, but because this is the incumbent vendor, there are no costs associated with this phase. The Operational Phase begins February 1, 2019 with firm and fixed rates that may fluctuate based on the number of actual beneficiaries served per month. The ambulatory trip price per beneficiary per month will be \$45.28; the advanced (non-emergency ambulance) trip price per beneficiary per month will be \$115.69; the air trip price will be set at \$39,373.89 (if needed); and the monthly non-utilizers trip price per beneficiary per month will be \$25.00. The price is based on a total monthly eligible beneficiary count of 105,617. Updated proof of the vendor's required professional and general liability, fire and property damage, and workers' compensation insurance certificates must be received from the agency prior to processing the contract.

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

**Projected Budget for Life of the Contract: \$169,358,094.08**

5. **Requesting Agency:** Mississippi Division of Medicaid  
**Supplier:** Health Management Services, Inc.  
**Contract #:** 8200041049  
**Term:** 10/01/2018 - 09/30/2021  
**Total Value:** \$8,363,359.00 **New**  
**\$8,363,359.00**

**Summary of Request:** The term of the contract is three years with two optional one-year renewals. The contractor will provide liability data matching and recovery services. Pursuant to Section 1902(a)(25) of the Social Security Act, the State must take all reasonable measures to ascertain the legal liability of third parties to pay for medical services furnished to Medicaid recipients. DOM is the payer of last resort and all other health care coverage must be exhausted before Medicaid is billed. The contractor will search for data matches in commercial and governmental carriers and other databases for possible coverage of Medicaid beneficiaries before the DOM issues a payment for services. The contractor will also assist with the recovery of funds paid in error by the DOM for claims. The contractor was selected through an IFB with one respondent. Based on estimated matches of 192,655 (number of new third-party policies found and matched), the price per new policy delivered and accepted is \$23.00; while based on estimated matches of 28,732 (additional coverage found and matched); the price per update to existing policy (term) is \$17.00.

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

**Projected Budget for Life of the Contract:** \$13,638,905.00

6. **Requesting Agency:** Mississippi Division of Medicaid  
**Supplier:** Aleeta Massey  
**Contract #:** 111769  
**Term:** 10/01/2017 - 09/30/2019  
**Total Value:** \$298,400.00 **Renewal**  
**\$149,200.00**

**Summary of Request:** The original term of the contract was one year with four optional one-year renewals. Amendment One exercises the first optional renewal. Ms. Massey is a contract worker who provides project management and budget coordination services to the Office of Information Technology of the Mississippi Division of Medicaid. She is paid \$80.00 per hour not to exceed thirty-five (35) hours per week. The total requested FY 2019 spending authority is \$149,200.00, which includes \$147,200.00 for personal services and \$2,000.00 for travel. Amendment One updates the Period of Performance, Cost of Services, Representation Regarding Gratuities, Procurement Regulations and E-Payment clauses and adds the Priority and Approval clauses. All other terms and conditions of the original contract remain the same.

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

**Projected Budget for Life of the Contract:** \$746,000.00

7. **Requesting Agency:** Mississippi State Hospital

**Supplier:** Valley Services, Inc.

**Contract #:** 8200021281

**Term:** 11/01/2015 - 10/31/2019

**Total Value:** \$13,440,000.00

**Renewal**

**\$3,400,000.00**

**Summary of Request:** The original term of the contract was one year with four optional one-year renewals. Fourth Addendum exercises the third of four optional renewals. The contractor provides food management services for Mississippi State Hospital. The contractor was originally selected through an RFP. The contract allows for a price increase in years two through five which shall be equal to the percentage of change in the Consumer Price Index (CPI), not to exceed three percent (3%). The percentage change in the CPI for June 2018 was 2.9%, which increases the price-per-meal for Mississippi State Hospital for this renewal period from \$3.4171 to \$3.5162. Fourth Addendum also updates the Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, and Price Adjustment clauses and adds the Approval clause. All other terms and conditions of the original contract remain the same. Proof of the regulatory board's approval (Mississippi Board of Mental Health) must be received from the agency prior to processing the contract renewal.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent upon the agency providing proof of the Mississippi Board of Mental Health's approval and proof of worker's compensation, liability insurances and bond certification.

**Projected Budget for Life of the Contract:** \$16,840,000.00

8. **Requesting Agency:** East Mississippi State Hospital

**Supplier:** Valley Services, Inc.

**Contract #:** 8200021240

**Term:** 11/01/2015 – 10/31/2019

**Total Value:** \$12,236,545.22

**Renewal**

**\$3,324,000.00**

**Summary of Request:** The original term of the contract was one year with four optional one-year renewals. Fifth Addendum exercises the third of four optional renewals. The contractor provides food management services for East Mississippi State Hospital, South Mississippi State Hospital, and North Mississippi State Hospital. The contractor was originally selected through an RFP. The contract allows for a price increase in years two through five which shall be equal to the percentage of change in the Consumer Price Index (CPI), not to exceed three percent (3%). The percentage change in the CPI for June 2018 was 2.9%, which increases the price-per-meal for East Mississippi State Hospital for this renewal period from \$5.8799 to \$6.0504; and North Mississippi State Hospital and South Mississippi State Hospital from \$7.1729 to \$7.3809. Fifth Addendum updates the Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, Price-Adjustment, and E-Payment clauses and

adds the Approval clause. All other terms and conditions of the original contract remain the same.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent upon the agency providing proof of Mississippi Board of Mental Health's approval and worker's compensation, liability insurances and bond certification.

**Projected Budget for Life of the Contract:** \$15,561,545.33

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

**Supplier:** University of Southern Mississippi

**Contract #:** 8200037400

**Term:** 02/12/2018 – 09/30/2019

**Total Value:** \$472,357.67

**Renewal  
\$269,918.67**

**Summary of Request:** The original term of the contract was seven months and seventeen days with four optional one-year renewals. Modification One exercises the first of four optional renewals. The contractor provides pre-employment transition services which includes 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 contractor was originally selected through an RFP which resulted in the award of two contracts. The original contract was approved at the February 7, 2018 PPRB meeting. Modification One updates the Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, and E-Payment clauses and adds the Approval clause. All other terms and conditions of the original contract remain the same.

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

**Projected Budget for Life of the Contract:** \$1,079,674.68

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

**Supplier:** LIFE, Inc.

**Contract #:** 8200037401

**Term:** 02/12/2018 – 09/30/2019

**Total Value:** \$223,000.00

**Renewal  
\$111,500.00**

**Summary of Request:** The original term of the contract was seven months and seventeen days with four optional one-year renewals. Modification One exercises the first of four optional renewals. The contractor provides pre-employment transition services which includes 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 contractor was originally selected through an RFP which resulted in the award of two contracts. The original contract was approved at the February 7, 2018 PPRB meeting. Modification One updates the Representation Regarding Gratuities, Procurement Regulations,

Stop Work Order, and E-Payment clauses and adds the Approval clause. All other terms and conditions of the original contract remain the same.

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

**Projected Budget for Life of the Contract:** \$557,500.00

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

**Supplier:** Southern Research Group, Inc.

**Contract #:** 8200035868

**Term:** 01/01/2018 – 12/31/2018

**Total Value:** \$495,000.00

**Renewal**  
**\$211,200.00**

**Summary of Request:** The original term of the contract was one year with two optional one-year renewals. Modification One exercises the first of two optional renewals. The contractor collects random sample telephone survey data related to health risk factors and disease conditions for the adult population in Mississippi via the Behavioral Risk Factor Surveillance System Survey and the Zika Virus Call-Back Survey. The rates remain the same per completed survey; \$47.30 for Behavior Risk Factor Surveillance System and \$41.15 for Zika Virus Call-Back. The contractor was originally selected through an RFP. The original contract was approved at the November 14, 2017 PSCR meeting. Modification One updates the Representation Regarding Gratuities, Procurement Regulations, E-Payment, and Stop Work Order clauses and adds the Approval clause. All other terms and conditions of the original contract remain the same.

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

**Projected Budget for Life of the Contract:** \$706,200.00

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

**Supplier:** ACT, Inc.

**Contract #:** 8800006380

**Term:** 09/11/2018 - 06/30/2019

**Total Value:** \$1,368,000.00

**New**  
**\$1,368,000.00**

**Summary of Request:** The term of the contract is one year with four optional one year renewals. The contractor administers The ACT assessment (college and career readiness) once to all eleventh grade students enrolled in Mississippi public schools. The Mississippi Legislature (HB 1592) appropriated funds for ACT testing and directs the agency to use the funds to provide the service as part of the Mississippi Statewide and School District Accountability Models. The per-unit cost for the 2018–2019 school year is \$38.00; while the per-unit cost for a student tested outside of this agreement is \$50.50. The contractor was declared to be a sole-source provider by the agency based on the Mississippi Legislature specifically appropriating funds to administer the ACT. In addition, in accordance with Miss. Code Ann. 27-104-7(2)(o)(iii), the agency published sufficient notice to the public that this was

a sole source contract. ACT, Inc. is the sole owner of the ACT assessment, test materials, scoring algorithms, reporting, and research services.

**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.

**Projected Budget for Life of the Contract:** \$6,840,000.00

**13. Requesting Agency:** Department of Finance and Administration

**Supplier:** Cannon Cochran Management Services, Inc.

**Contract #:** 8200041088

**Term:** 10/01/2018 – 09/30/2022

**Total Value:** \$1,300,000.00

**New**

**\$1,300,000.00**

**Summary of Request:** The term of the contract is four years with an optional one-year renewal. The contractor will serve as the third party administrator (TPA) for the Tort Claims Board by fully investigating liability claims as assigned by the board to include obtaining recorded statements, medical reports and bills and taking necessary photos. The TPA is also responsible for providing a printout of all claims assigned showing the number of bodily injury and property damage claims per fiscal year. The Tort Claims Board is authorized by statute to enter into a third party administrator contract. The contractor was selected through an RFP with six respondents. Four respondents were deemed non-responsive and/or non-responsible. One post-award vendor debriefing was requested but not held as the vendor failed to respond to the agency's requests regarding the meeting. The agency requests an exception to Section 3-202.03.4 for failure to require acknowledgment of the receipt of amendments issued. After reviewing the amendment issued, OPSCR staff does not have concerns regarding the competitiveness and fairness of the procurement.

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

**Projected Budget for Life of the Contract:** \$1,650,000.00

**14. Requesting Agency:** Department of Finance and Administration

**Supplier:** International Business Machines (IBM)

**Contract #:** 8200041061 (8200015618)

**Term:** 10/01/2018 – 12/31/2019 (

**Total Value:** \$666,573.00

**Renewal**

**\$666,573.00**

**Summary of Request:** The contractor provides decision support services and related health care analysis consulting services to assist the Mississippi State and School Employees' Health Insurance Management Board in its management of its Health Insurance Plan. The original term of the contract was four years with one optional one-year renewal allowed by the original contract. The contractor was originally selected through an RFP. The original contract and Amendment One were approved by the PSCRB. Amendment Two has been submitted to transfer contract number 8200015618, including the remaining unexpended authorized spending authority of \$266,573.00 and the remaining three months of the original term, to

contract number 8200041061 as a result of the acquisition of Truven Health Analytics, LLC by International Business Machines (hereinafter "IBM"). The original contract entry (8200015618) was reduced from \$1,700,000.00 to \$1,433,427.00, the expended amount. Amendment Two changes the name of the service platform/solution from NetEffect to Dynamic Health Insights and renews the contract for the only optional renewal allowed. It also increases the amount of the contract by \$400,000.00 for the renewal period. In addition, Amendment Two updates the E-Payment, Paymode, Transparency, E-Verification, Procurement Regulations, Representation Regarding Gratuities, Incorporation of Documents, and Approval clauses and adds the Trade Secrets, Commercial and Financial Information and Termination Upon Bankruptcy clauses. All other terms and conditions of the original contract, including the fees identified in Exhibit A (Fee Schedule), remain the same.

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

**Projected Budget for Life of the Contract:** \$2,100,000.00

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

**Supplier:** Barber & Mann, Inc.

**Contract #:** 8200031458

**Term:** 01/09/2017 – 01/08/2021

**Total Value:** \$132,400.00

**Renewal (N)**

**\$66,200.00**

**Summary of Request:** The original term of the contract was two years with one optional two-year renewal. This renewal/modification exercises the first and only optional renewal. The contractor provides contractual assistance to MFC to promote the Mississippi Forest Legacy Program (FLP) and coordinate the Pascagoula River Conservation Lands Project and other similar projects. The contractor also aids MFC in the development and distribution of public information, in organizing, promoting and facilitating communications with land trusts, conservancies and other interested parties, and in compliance with USDA requirements. The contractor was originally selected through an RFP with one respondent. Although the agency is over-budget for the second year of the contract, it anticipates ending this contract prior to the end date. The renewal/modification adds and/or updates Exhibit C (Compensation) to remove the reference to SAAS and replace it with MAGIC, and the Approval, E-Payment, Notice, Representation Regarding Gratuities, Procurement Regulations, Priority and Stop Work Order and Paymode clauses. This is the first time OPSCR has reviewed this contract because the previous contract value did not exceed \$75,000.00 and did not require PSCRB or PPRB approval. As this RFP was issued on November 30, 2016, the procurement must comply with PSCRB Rules and Regulations (7/01/2016) while the resulting contract must comply with PPRB OPSCR Rules and Regulations. All other terms and conditions of the original contract remain the same.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PSCRB Rules and Regulations (7/1/2016) and PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract Modification as requested.

**Projected Budget for Life of the Contract:** \$132,400.00

**C. Department of Child Protection Services Contracts and Department of Human Services Contracts Useful in Establishing and Operating DCPS for Fiscal Year 2019**

*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 2019**

*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: Department of Human Services**

**Supplier:** Pendleton Security, Inc.

**Contract #:** 8400000851

**Term:** 07/16/2018 – 07/15/2019

**Total Value:** \$147,980.70

**New**

**\$147,980.70**

**Summary of Request:** The term of the contract is for nine months and sixteen days. The contractor will provide professional interior security guard services at 750 North State Street and 200 South Lamar Street, and exterior security guard services at City Center Garage located at 231 South West Street. The rate is \$12.45 per hour per armed security guard. 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 “if 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 states the emergency contract is necessary to address the space necessary to house the agency due to relocation.



2. **Requesting Agency:** Department of Human Services  
**Supplier:** Terry's Installation & Delivery Services, Inc.  
**Contract #:** 8400000860  
**Term:** 06/15/2018 – 10/31/2018  
**Total Value:** \$135,000.00 **New \$135,000.00**  
**Summary of Request:** The term of the contract is four months and sixteen days. The contractor will provide professional moving services to relocate MDHS from 750 North State Street to 200 South Lamar Street, both in Jackson. 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 "if 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 states the emergency contract is necessary to relocate its offices and employees.

3. **Requesting Agency:** Mississippi Department of Education  
**Supplier:** George Gilreath  
**Contract #:** 8400000861  
**Term:** 07/25/2018 – 12/31/2018  
**Total Value:** \$99,750.00 **New \$99,750.00**  
**Summary of Request:** The term of this contract is five (5) months and six (6) days. The contractor will serve as the conservator (interim superintendent) of the Noxubee County School District, responsible for administration, management, and operation. This contractor is a Mississippi Public Employees Retirement System (PERS) retiree. The agency anticipates spending \$99,750.00, which is comprised of \$85,000.00 (\$850.00/day x 100 days) for personnel services and \$14,750.00 for travel. 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, excel, and obtain a free and appropriate public education. The Governor declared a state of emergency for Noxubee County School District on July 25, 2018.

4. **Requesting Agency:** Mississippi Division of Medicaid  
**Supplier:** eQHealth Solutions, Inc.  
**Contract #:** 8400000892  
**Term:** 09/01/2018 - 08/31/2019  
**Total Value:** \$3,900,000.00 **New \$3,900,000.00**  
**Summary of Request:** The term of this contract is one year. The contractor provides utilization management and quality improvement organization services. The contractor administers the following programs: Acute and Ancillary Care Utilization Management, Behavioral Health Utilization Management, and Dental Services Utilization Management. The

contractor conducts prior authorization and repayment review of all claims for regular Medicaid beneficiaries. 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." Utilization management ensures that only medically necessary services are rendered. The agency contends without these services, the health, safety, and quality of care provided to the State's most vulnerable population would be threatened. The agency issued a new procurement September 11, 2017, two protests were filed and they have not yet been resolved.

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

**F. OPSCR Director's Report**

**IX. Adjournment**