



PPRB
PUBLIC PROCUREMENT
REVIEW BOARD
MEETING AGENDA

**Wednesday, February 6, 2019
9:00 a.m.**

- I. **Call to Order**
- II. **Approval of Minutes from January 9, 2019 Public Procurement Review Board Meeting**
- III. **Approval of per diem and expenses for the February 6, 2019 meeting and for any additional expenses incurred prior to the March 6, 2019 meeting**
- IV. **DFA Office of Purchasing, Travel and Fleet Management (OPTFM)**
 - A. **Petitions for Relief From Reverse Auction**
 1. **State Agencies**
 - i. **Requesting Agency:** Mississippi Department of Transportation (MDOT)
Supplier: Unknown
Contract #: 3180000648
Term: July 1, 2019 through June 30, 2020 with potential of two (2) 12-month extensions
Total Value: \$500,000.00 estimated
Summary of Request: MDOT is requesting an exemption from use of the reverse auction process for equipment rental contracts. Equipment needs vary throughout the State based on location, equipment required and availability. MDOT believes this request is the best option to serve the State both fiscally and efficiently. A multi award bid would be used allowing all vendors that submit and meet specifications a contract. The use of contracts will then be determined by the lowest cost at the time of equipment rental. Two (2) possible extensions will be available for twelve (12) months for each 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 provided, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.
 - ii. **Requesting Agency:** University of Mississippi Medical Center (UMMC)
Supplier: Unknown
Contract #: 3180000646
Term: Unknown
Total Value: \$215,000.00 estimated

Summary of Request: UMMC is requesting approval to forgo competitive sealed bidding or an Invitation for Bid (Institutes of Higher Learning are statutorily exempt from the use of Reverse Auction). They believe that a Request for Proposals (RFP) would be more advantageous and practicable for them in the purchase of necessary components for the development of an Aquatic Facility, which encompasses installation, service, training, and preventative maintenance. The selection of a vendor for the project is based on more than just price, as the training of staff and maintenance of the facility is crucial to zebrafish research at UMMC. UMMC intends to evaluate the proposals using the following weights: 35% cost/ price, 20% technical qualifications, 7.5% bidder qualifications and experience, 7.5% project work plan/implementation, 10% training, and 20% warranty/ maintenance.

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 a Request for Proposals for the procurement.

B. Consideration of Awards for Governing Authorities Receiving Exemptions

1. Requesting Governing Authority: Jones County

Supplier: Dunn Roadbuilders, L.L.C.

Term: February 6, 2019 through January 31, 2020

Total Value: \$200,000.00 estimated

Summary of Request: Jones County was granted an exemption from Reverse Auction at the December 5, 2018 PPRB meeting. They requested the exemption because of the increase in prices after a Reverse Auction was completed. They advertised for competitive sealed bids for bituminous materials and received one bid. They wish to award to Dunn Roadbuilders, L.L.C.

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 County, we ask that the Board approve this contract.

2. Requesting Governing Authority: Jones County

Supplier: Vance Brothers

Term: February 6, 2019 through January 31, 2020

Total Value: \$500,000.00 estimated

Summary of Request: Jones County was granted an exemption from Reverse Auction at the December 5, 2018 PPRB meeting. They requested the exemption because of the increase in prices after completing a Reverse Auction. They advertised for competitive sealed bids for slurry seal. They wish to award to Vance Brothers.

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 County, we ask that the Board approve this contract.

3. Requesting Governing Authority: Jones County

Supplier: McCraney's Striping & Seal Coating, LLC

Term: February 6, 2019 through January 31, 2020

Total Value: \$50,000.00 estimated

Summary of Request: Jones County was granted an exemption from Reverse Auction at the December 5, 2018 PPRB meeting. They requested the exemption because of the increase in prices after completing a Reverse Auction. They advertised for competitive sealed bids for striping. They wish to award to McCraney's Striping & Seal Coating, LLC.

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 County, we ask that the Board approve these contracts.

4. Requesting Governing Authority: Scott County

Supplier: W.E. Blain Sons, Dickerson & Bowen, Cold Mix Inc., Custom Paving Inc., Ergon Asphalt & Emulsions Inc., Blacklidge Emulsions Inc.

Term: February 6, 2019 through January 31, 2020

Total Value: \$500,000.00 estimated

Summary of Request: Scott County was granted an exemption from Reverse Auction at the November 6, 2018 PPRB meeting. They requested the exemption because they have limited vendors for the commodities and wish to award to multiple vendors. They advertised for competitive sealed bids for asphalt, liquid asphalt, hot mix and cold mix. They wish to award to hot mix asphalt to W.E. Blain and Sons as primary and the alternate to Dickerson & Bowen. For cold mix asphalt, they wish to award as primary to Cold Mix Inc., and alternates to W.E. Blain & Sons and Dickerson & Bowen. For re-seal, they wish to award as primary to Custom Paving Inc. and alternate to W.E. Blain & Sons. For liquid asphalt, they wish to award as primary to Ergon Asphalt & Emulsions Inc. and alternate to Blacklidge Emulsions 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 County, we ask that the Board approve these contracts.

5. Requesting Governing Authority: Scott County

Supplier: John E. Smith, Vulcan Materials, and Hammett Gravel Company Inc.

Term: February 6, 2019 through January 31, 2020

Total Value: \$500,000.00 estimated

Summary of Request: Scott County was granted an exemption from Reverse Auction at the November 6, 2018 PPRB meeting. They requested an exemption because they have limited vendors for the commodities in the area and wish to award to multiple vendors. They advertised for sand, gravel, rip rap, and limestone. For limestone, rip rap and crusher run, they wish to award to John E. Smith as primary and to Vulcan Materials as alternate. For sand and gravel, they wish to award to Hammett Gravel Company 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 County, we ask that the Board approve these contracts.

D. OPTFM Staff Approvals Reported to the Board

E. Emergency Purchases

F. Sole Source Purchases

G. OPTFM Director's Report

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

A. Consideration of Contracts for Board Action

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

Number: GS# 101-297

Project Title: Technology Classroom Building

General Contractor: Flagstar Construction Company, Inc., Brandon, Mississippi (lower of 2 bids received)

Construction Days from Notice to Proceed [Term]: 450 days

Total Value at Award: \$18,770,000.00

Project Scope: Construction of a new Technology Classroom Building on the campus of Alcorn State University in Lorman, Mississippi. The new facility shall consist of a two-story 38,565 square foot building. The facility will house advanced technology labs, classrooms, offices, and an auditorium.

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 IHL approval and executed contracts.

B. Consideration of Prime Professional Selected by RFQ

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

Number: GS# 105-358

Title: Preplan Kinesiology Building

Location: Starkville, Mississippi

Project Budget: \$750,000.00 preplanning (estimated fees of \$1,685,141.00)

Funding Sources: HB 1649, L'18

Professional Fee: C

Professional: EGH Architects/Dale Partners Architects, a Joint Venture – Jackson, Mississippi

Project Scope: Preplanning through Construction Document Phase of a 60,000 square foot facility located on the University's main campus as funds permit. This new facility will house classrooms, lab spaces, and administrative offices for the Kinesiology Department which currently resides in the McCarthy Gymnasium. MSU's intent is to demolish McCarthy, a 55,600 square foot 1950's era structure, after the construction of the new building has been completed. All applicable Codes, including ADA compliance, will need to be addressed during the design process. The selected professional will also assist with the procurement of furniture and equipment.

Commissioning: This project will involve total building commissioning, requiring the Professional to coordinate the work of this project with the Owner's Commissioning Authority Professional. Testing, Adjusting and Balancing (TAB) services will be retained by the Commissioning Agent. The commissioning process will begin at Schematic Design Phase.

Professional will coordinate work with Commissioning Agent and the Testing, Adjusting and Balancing (TAB) service provider.

Data/Communications: Professional will coordinate work with Mississippi Department of Information Technology Services (ITS). ITS involvement will begin at the Schematic Design Phase.

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 documentation and recommends PPRB approval, contingent upon the execution of completed contracts.

2. Using Agency: Mississippi State University – DAFVM

Number: GS# 113-149

Title: Preplan Forest & Wildlife Facilities

Location: Starkville, Mississippi

Project Budget: \$250,000.00 preplanning (estimated fees of \$600,000.00)

Funding Sources: HB 1649, L'18

Professional Fee: C

Professional: Shafer-Zahner-Zahner, PLLC – Starkville, Mississippi

Project Scope: Preplanning through Construction Document Phase of new facilities to sustain and increase research capacity in the Forestry and Wildlife departments. Component 1 will be a forest genetics greenhouse Complex that will allow computer-controlled regulation of the environment. The greenhouse complex will include 3 greenhouses (totaling 4,000 square feet), walk-in freezer/cooler storage, and additional space for media (storage and mixing).

Component 2 will be a Wildlife and Fisheries research complex. The research complex will include a Multi-Purpose Research Building (approximately 3,500 square feet) and an Avian Research Building (approximately 2,500 square feet). All applicable codes, including ADA compliance, will need to be addressed during the design process. The selected professional will also assist with the procurement of furniture and equipment.

Commissioning: This project will involve total building commissioning, requiring the Professional to coordinate the work of this project with the Owner's Commissioning Authority Professional. Testing, Adjusting and Balancing (TAB) services will be retained by the Commissioning Agent. The commissioning process will begin at Schematic Design Phase. Professional will coordinate work with Commissioning Agent and the Testing, adjusting and Balancing (TAB) service provider.

Data/Communications: Professional will coordinate work with Mississippi Department of Information Technology Services (ITS). ITS involvement will begin at Schematic Design Phase.

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 documentation and recommends PPRB approval, contingent upon the execution of completed contracts.

3. Using Agency: Mississippi Public Broadcasting

Number: GS# 529-004

Title: Tower Repack (Various)

Location: various throughout Mississippi

Project Budget: \$3,500,000.00

Funding Sources: Outside Funding

Professional Fee: D (estimated fees of \$211,750.00)

Professional: Kessler and Gehman Associates, Inc.

Project Scope: Mississippi Public Broadcasting ("MPB" aka "MAET") seeks qualifications from qualified Consulting Telecommunications Engineering firms with a current Certificate of Authority (Engineering) from the Mississippi Board of Licensure for Professional Engineers and Surveyors with experience in the field of Broadcast Telecommunications with knowledge of the latest trends in Broadcast (ATSC 3.0, DTV Repack, etc.) and Wireless Communication Technology, system evaluation / design, and project management services.

The project will predominantly involve the specification of, and procurement of, television broadcast related equipment in connection with the Federal Communication Commission's current DTV Repack. The ability and willingness to travel to, and be on-site, at remote broadcast site location(s) in the State of Mississippi is required.

Staff Recommendation: The 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 documentation and recommends PPRB approval, contingent upon the execution of completed contracts.

C. BOB Staff Approvals Reported to the Board

D. BOB Director's Report

E. RPM Non-Competitive Leases

1. Requesting Agency: Mississippi State Veterans Affairs Board

Lease #: 857-612-20B

Lessor: Storage Choice

Term: 03/01/2019 through 02/28/2020

Total Yearly Cost: \$1,080.00

Cost PSF: \$10.80

Previous Cost PSF: \$10.80

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 100

Previous Square Footage: 100

Address of Property: 177 Pruitt Lane, Pearl, MS

Purpose of Lease: Storage of administrative, accounting documents and personnel records. Contents of storage facility to be moved when new location has been finished.

Note: This is a one (1) year month to month storage contract 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 Emergency Leases

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

Lease #: 170-531-19A

Lessor: Jimmy Brown

Term: 02/01/2019 through 12/31/2019

Total Yearly Cost: \$26,181.00

Cost PSF: \$10.60 + Utilities & Janitorial

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 2,578

Address of Property: 110 N. Lafayette Street, Starkville, MS

Purpose of Lease: Oktibbeha County Probation & Parole Office

Note: This lease is an Emergency Lease as described in 300.9 (3) with a term of no more than eleven months with no renewals. The agency will be required to advertise within the eleven month period.

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 ratification of this lease.

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

Lease #: 170-751-20A

Lessor: Rose Carson

Term: 02/01/2019 through 01/31/2020

Total Yearly Cost: \$23,400.00

Cost PSF: \$12.33 + Utilities & Janitorial

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 1,898

Address of Property: 2709 Clay Street, Vicksburg, MS

Purpose of Lease: Warren County Probation & Parole Office

Note: This lease is an Emergency Lease as described in 300.9 (3) with a term of no more than twelve months with no renewals. The agency will be required to advertise within the twelve month period.

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 ratification of this lease.

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

Lease #: 170-511-20A

Lessor: Wayne Comans

Term: 02/01/2019 through 01/31/2020

Total Yearly Cost: \$6,800.00
Cost PSF: \$7.85 + Utilities & Janitorial
Total Space per Occupant: N/A
Federal Funds: 0%

Square Footage Proposed: 994

Address of Property: 89 B. Broad Street, Decatur, MS.

Purpose of Lease: Newton/Decatur County Probation & Parole Office

Note: This lease is an Emergency Lease as described in 300.9 (3) with a term of no more than twelve months with no renewals. The agency will be required to advertise within the twelve month period.

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 ratification of this lease.

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

Lease #: 170-181-20A

Lessor: Equity Alliance of Hattiesburg

Term: 02/01/2019 through 01/31/2020

Total Yearly Cost: \$38,499.96

Cost PSF: \$11.67 + Utilities & Janitorial

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 3,300

Address of Property: Clover Leaf Mall, 5916 Hwy. 49 Space B-6, Hattiesburg, MS

Purpose of Lease: Forest County Probation & Parole Office

Note: This lease is an Emergency Lease as described in 300.9 (3) with a term of no more than twelve months with no renewals. The agency will be required to advertise within the twelve month period.

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 ratification of this lease.

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

Lease #: 330-254-19A

Lessor: John Bell Williams Airport

Term: 08/01/2018 through 07/31/2019

Total Yearly Cost: \$1,200.00

Cost PSF: N/A

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: N/A

Address of Property: John Bell Williams Airport, Post Office Box 1100, Raymond, MS

Purpose of Lease: Store aircraft until repairs can be made to Madison hangar. This is an open covered hangar that protects the aircraft from the weather.

Note: This lease is an Emergency Lease as described in 300.9 (3) with a term of no more than twelve months 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 ratification of this lease.

6. Requesting Agency: Mississippi Forestry Commission

Lease #: 330-254-19B

Lessor: RLG Development Group

Term: 08/01/2018 through 07/31/2019

Total Yearly Cost: \$4,800.00

Cost PSF: N/A

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 600

Address of Property: John Bell Williams Airport, Post Office Box 1100, Raymond, MS.

Purpose of Lease: Store aircraft until repairs can be made to Madison hangar. This is an enclosed hangar suitable to perform maintenance to the aircraft.

Note: This lease is an Emergency Lease as described in 300.9 (3) with a term of no more than twelve months 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 ratification of this lease.

G. RPM Amended Lease

1. Requesting Agency: Mississippi Department of Human Services

Lease #: 865-251-31A

Lessor: Madated, LLC.

Term: 01/01/2008 thru 12/31/2031

Total Yearly Cost:

Period 1 January 1, 2019 thru December 31, 2023-\$2,074,188.00

Period 2 January 1, 2024 thru December 31, 2031-\$2,223,222.44

Cost PSF:

Period 1 \$11.83 + Utilities & Janitorial

Period 2 \$12.68 + Utilities & Janitorial

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 175,333

Address of Property: 750 North State Street, Jackson, MS

Purpose of Lease: DHS/CPS offices

Note: MDHS asks for a waiver on the Space Efficiency Allowance due to the fact that the original contract was signed prior to the policy taking effect. The original contract and Amendment 3 was approved by PPRB on 06-08-2016. This is a request for the approval of Amendment 4 which states the following:

Amendment Four

1. LESSOR and LESSEE hereby agree that the rental amount shall be adjusted for the demised premises pursuant to and based on the following schedule:

<u>Years</u>	<u>Monthly Amount</u>	<u>Yearly Amount</u>
January 1, 2019 - December 31, 2023	\$172,849.00	\$2,074,188.00
January 1, 2024 - December 31, 2031	\$185,268.54	\$2,223,222.44

2. LESSOR AND LESSEE hereby agree to delete SECTION 11 of the initial Lease Agreement and replace it with the following language:

SECTION 11: The LESSOR shall allow the Lessee to assign this lease or sub-let the lease in whole or any part of the demised premises, including parking spaces and any part thereof and shall not unreasonably withhold consent to do such so that the space may be utilized by others. The LESSEE shall remain liable for the performance of covenants and obligations on its part to be performed under this Lease during the primary or extended term thereof. In the event any part or whole of the premises is sub-leased to a non-State entity, the Sub-Lessee will be responsible to acquire any and all appropriate licenses, certifications, and any type of insurance coverage(s) for their business purposes, their employees, and patrons, such as, but not limited to Worker’s Compensation, property/premise liability, rental insurance, and any and all standard extended coverage perils for the full, fair insurable value thereof in a solvent and responsible manner as a company and/or organization authorizes to do business in the State of Mississippi would carry. The Sub-Lessee must also carry its own coverage for bodily injury and hold harmless and indemnify the LESSEE and LESSOR against any and all liability for injury or death to any person or damage to property in or upon the leased premises not caused directly by an act or omission of the LESSOR or LESSEE or by an employee or patron of the LESSOR or LESSEE.

Should the Sub-Lessee need or require any improvements or renovations to their specified portion of the premises, LESSEE shall not unreasonably withhold consent to allow such to be done at the cost of the Sub-Lessee.

IN WITNESS WHEREOF, this Lease Agreement has been duly executed in duplicate originals and is in full compliance with the Department of Finance & Administration/and Bureau of Building and Grounds & Real Property Management as required by the State of Mississippi and is signed on the date hereinabove set forth.

Staff Recommendation: With the waiver for the space efficiency allowance this request will have complied with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this amendment.

H. Parchman Farmland Assignments

1. Consider a request from Mississippi Department of Corrections to assign/sub-lease

approximately 1,145.8 acres of tracts 12, 13, 8, & 36 located in the Mississippi State Penitentiary Farmland in Sunflower County, Mississippi from Hal Swann to Corrona Farms for the 2019 crop year per paragraph 18 of the original lease regarding assignments. All terms and conditions, including the yearly rental amounts per acre will remain the same as in the original lease between the Lessee and the State of Mississippi. The Lessee and Assignee will both be responsible for the tract(s) until expiration of the lease term, which is January 14th, 2020. Should the PPRB decide not to approve the Assignment/Sub-Lease, the Lessee will retain the tract(s) completely. The total yearly amount of the assigned leases is \$105,554.91.

2. Consider a request from Mississippi Department of Corrections to assign/sub-lease approximately 711.17 acres of tracts 5 (parts of fields 2 & 3), 1, 7, 5 (parts 4,5,6,7,8, & 9) located in the Mississippi State Penitentiary Farmland in Sunflower County, Mississippi from William E. Livingston to Josh Chandler for the 2019 crop year per paragraph 18 of the original Lease regarding assignments. All terms and conditions, including the yearly rental amounts per acre will remain the same as in the original lease between the Lessee and the State of Mississippi. The Lessee and Assignee will both be responsible for the tract(s) until expiration of the lease term which is January 14th, 2020. Should the PPRB decide not to approve the Assignment/Sub-Lease, the Lessee will retain the tract(s) completely. The total yearly amount of the assigned leases is \$61,455.82.
3. Consider a request from Mississippi Department of Corrections to assign/sub-lease approximately 197 acres of tract 1 located in the Mississippi State Penitentiary Farmland in Quitman County, Mississippi from Kellin Corbin to C2 Farms for the 2019 crop year per paragraph 18 of the original Lease regarding assignments. All terms and conditions, including the yearly rental amounts per acre will remain the same as in the original lease between the Lessee and the State of Mississippi. The Lessee and Assignee will both be responsible for the tract(s) until expiration of the lease term, which is January 14th, 2020. Should the PPRB decide not to approve the Assignment/Sub-Lease, the Lessee will retain the tract(s) completely. The total yearly amount of the assigned lease is \$13,987.00.

I. RPM Director's Report

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

A. Petitions for Relief from Competitive Sealed Bidding

1. **Requesting Agency:** Mississippi Department of Rehabilitation Services
RFx Number: 3180000639
Procurement Request: Request for Proposals
Anticipated Term: One (1) year with four (4) optional one-year renewals
Anticipated Contract Amount: \$75,000.00 - \$500,000.00 per vendor
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 multiple vendors, to serve as Pre-Employment Transition (Pre-ETS) Counselors. The agency contends the use of an Invitation for Bids is neither practicable nor advantageous, as the service requires skilled Contractors with a certain degree of technical and professional experience in providing transition services to students

with disabilities. This procurement will aid the agency in meeting the requirements set forth in the Workforce Innovation and Opportunities Act (WIOA). Pre-ETS Counselors will provide MDRS with an additional mechanism to provide comprehensive and coordinated pre-employment transition services to assist students with disabilities with successful transitions from high school to post-secondary education and competitive integrated employment. The respondents will be evaluated based on technical, cost and management factors. Technical factors will be weighted at twenty percent (20%) or 20 points, cost factors will be weighted at fifty-five percent (55%) or 55 points (with price (relative cost) assigned an individual weight of thirty-five percent (35%) or 35 points), and management factors will be weighted at a combined twenty-five percent (25%) or 25 points.

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 multiple vendors to provide Pre-Employment Transition Services to students with disabilities for transition into the work force.

B. Consideration of Contracts for Board Action

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

Supplier: Healthcare Management Solutions, LLC

Contract #: 8200043691

Term: 02/15/2019 – 09/30/2019

Total Value: \$626,330.00

**New
\$626,330.00**

Summary of Request: The term of the contract is seven months and sixteen days with two optional one-year renewals. The Contractor will provide professional, turn-key, Long-Term Care (hereinafter "LTC") Survey Team services to conduct Centers for Medicare and Medicaid Services recertification, revisit, and complaint surveys at LTC facilities identified by the agency. The Contractor was selected through an IFB with three respondents and resulted in the award of two contracts. The unit price is paid according to the rates provided in Attachment C, Compensation. The agency requests an exception to Section 3-202.03.4 for failure to require acknowledgment of the receipt of amendments. After reviewing the amendment, 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 of exception to Section 3-202.03.4 will comply with the PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of exception to Section 3-202.03.4 and approval of the contract as requested.

Projected Budget for Life of the Contract: \$1,226,330.00

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

Supplier: Ascellon Corporation

Contract #: 8200043669

Term: 02/15/2019 – 09/30/2019

Total Value: \$527,070.00

**New
\$527,070.00**

Summary of Request: The term of the contract is seven months and sixteen days with two optional one-year renewals. The Contractor will provide professional, turn-key, Long-Term

Care (hereinafter "LTC") Survey Team services to conduct Centers for Medicare and Medicaid Services recertification, revisit, and complaint surveys at LTC facilities identified by the agency. The Contractor was selected through an IFB with three respondents and resulted in the award of two contracts. The unit price is paid according to the rates provided in Attachment C, Compensation. The agency requests an exception to Section 3-202.03.4 for failure to require acknowledgment of the receipt of amendments. After reviewing the amendment, 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 of exception to Section 3-202.03.4 will comply with the PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of exception to Section 3-202.03.4 and approval of the contract as requested.

Projected Budget for Life of the Contract: \$1,127,070.00

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

Supplier: Horne, LLP

Contract #: 8200023136

Term: 02/17/2016 – 02/16/2020

Total Value: \$2,288,218.00

**Renewal
\$355,000.00**

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Fifth Amendment has been submitted to exercise the third optional renewal allowed by the original contract. The Contractor provides accounting and oversight services for reimbursement as a result of Hurricane Katrina. These accounting, oversight, and compliance services are essential in enabling Mississippi to manage and audit its reconstruction efforts in an open and effective manner. The Contractor works with local municipalities, state agencies, and other states to facilitate fund tracking and sub-grantee internal controls; ensure state and local contracting compliance; and track and reconcile project financial performance. The Contractor works side by side with MEMA's Office of Mitigation and the Office of the State Auditor, assisting them in reconciling obligated funding for qualified and authorized projects. The Contractor was originally selected through an RFP. The original contract was approved at the February 2016 PSCR meeting; First Amendment was statutorily approved based on Miss. Code Ann. §25-9-120 (4) at the December 2016 PSCR meeting; Second Amendment was approved at the February 2017 PSCR meeting; Third Amendment was approved at the November 2017 PSCR meeting; and Fourth Amendment was approved at the January 2019 PPRB meeting. Fifth Amendment updates the Period of Performance and Priority 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 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: \$2,288,218.00

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

Supplier: Horne, LLP

Contract #: 8200023133

Term: 03/01/2016 – 02/29/2020

Renewal

Total Value: \$10,456,628.70

0.00

Summary of Request: The term of the original contract remains one year with four optional one-year renewals. Third Amendment has been submitted to exercise the third optional renewal allowed by the original contract. The Contractor provides accounting and oversight services for reimbursement as a result of Hurricane Katrina. These accounting, oversight, and compliance services are essential in enabling Mississippi to manage and audit its reconstruction efforts in an open and effective manner. The Contractor works with local municipalities, state agencies, and other states to facilitate fund tracking and sub-grantee internal controls; ensure state and local contracting compliance; and track and reconcile project financial performance. The Contractor works side by side with MEMA's Office of Public Assistance and the Office of the State Auditor, assisting them in reconciling obligated funding for qualified and authorized projects. The Contractor was originally selected through an RFP. The original contract was approved at the February 2016 PSCRB meeting; First Amendment was approved at the February 2017 PSCRB meeting; and Second Amendment was approved at the November 2017 PSCRB meeting. Third Amendment updates the Stop Work Order, E-Payment, Representation Regarding Gratuities, Procurement Regulations, Period of Performance, Approval, Priority and Termination for Default 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 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: \$10,456,628.70

5. **Requesting Agency:** Mississippi Department of Information Technology Services

Supplier: Johnson Controls, Inc.

Contract #: 8200043632

Term: 03/26/2019 – 03/25/2023

New

Total Value: \$509,485.34

\$509,485.34

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Contractor will provide maintenance services for the mechanical and controls equipment in the Eastwood Complex and the Robert E. Lee Building. The Contractor was selected through an IFB with one respondent. Proof of the vendor's required workers' compensation, comprehensive general liability or professional liability, and fidelity bond 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 required workers' compensation, comprehensive general liability or professional liability, and fidelity bond insurance certificates.

Projected Budget for Life of the Contract: \$642,616.62

6. **Requesting Agency:** Mississippi Soil and Water Conservation Commission

Supplier: HDN Engineering & Consulting, LLC

Contract #: 8200035941

Term: 10/02/2017 – 10/01/2019

Total Value: \$120,000.00

Renewal (N)/Modification

\$60,000.00

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Modification One has been submitted to exercise the first optional renewal allowed by the original contract. The Contractor provides assistance in coordinating water quality programs, projects, and activities for the MSWCC with Mississippi Department of Environmental Quality and the Natural Resources Conservation Service. The unit price remains \$65.00 per hour not to exceed \$60,000.00 annually. The Contractor was originally selected through an IFB with one respondent. Modification One, which was effective October 1, 2018, was submitted executed to OPSCR on January 9, 2019, as a result of the agency increasing the spending authority in MAGIC. This is the first time this contract was submitted to the PPRB as the original contract value did not exceed \$75,000.00 cumulatively and did not require PPRB approval. As the IFB was issued on August 30, 2017, the procurement must comply with PSCRB Rules and Regulations, while the contract must comply with PPRB OPSCR Rules and Regulations. The agency requests an exception to 3-202.05.1 of the PSCRB Rules and Regulations for failure to include a space for insertion of the bid price on the IFB bid form. The bid form submitted by the Contractor contained pricing. OPSCR does not have concerns regarding the competitiveness of this procurement. Modification One updated the period of performance and the total compensation of the contract; while Modification Two updates the Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, and E-Payment clauses and adds the Approval clause as well as previously omitted IFB contract management language and the IFB Professional Services Contract Discrepancy Report document. 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 upon granting the exception to 3-202.05.1, will comply with PSCRB and PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of the exception, retroactive approval of the contract renewal, and approval of the contract modification as requested grant.

Projected Budget for Life of the Contract: \$300,000.00

7. **Requesting Agency:** Mississippi Oil and Gas Board

Supplier: Oilfield Service & Supply Company, Inc.

Contract #: 8200043591

Term: 02/06/2019 – 06/30/2019

Total Value: \$465,635.00

New

\$465,635.00

Summary of Request: The term of the contract is one year with an optional 120-day extension. The Contractor will provide plugging and abandonment service for 10 orphaned oil and gas and/or salt water and disposal wells and wells drilled as dry holes located in Adams, Franklin, Hancock, Jones, Lamar, and Wilkinson counties. The Contractor was selected through an IFB with two respondents. One respondent was deemed non-responsive because it did not meet the acceptability requirements. Black Jack Oil Company, Inc. filed a protest to the contract award dated December 26, 2018. On December 27, 2018, Mississippi Oil and Gas Board Executive Director responded to the protest with the final decision that the protest

had no merit. Pursuant to PPRB OPSCR Rules and Regulations, Black Jack Oil Company, Inc. had until January 3, 2019 to file an appeal with PPRB. OPSCR did not receive an appeal.

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 as requested.

Projected Budget for Life of the Contract: \$465,635.00

8. **Requesting Agency:** Mississippi Department of Finance and Administration

Supplier: Elliot Aviation of the Quad Cities, Inc.

Contract #: 8200043638

Term: 02/22/2019 – 05/31/2019

Total Value: \$210,000.00

**New
\$210,000.00**

Summary of Request: The term of the contract is 99 days with no optional renewal. The Contractor will provide the Beechcraft King Air 350 general maintenance and inspection services and the G1000 NXi King Air TCAS II (safety) upgrade installation services. The agency requests \$210,000.00 in spending authority, which is comprised of \$54,900.00 for general maintenance and inspection services, \$108,600.00 for G1000 NXi King Air TCAS II (safety) upgrade services and \$46,500.00 for approved repairs not listed in the IFB but deemed necessary during the inspections and limited to the IFB scope of work. The Contractor was selected through an IFB with one respondent.

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 as requested.

Projected Budget for Life of the Contract: \$210,000.00

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

Supplier: Bode Cellmark Forensics, Inc.

Contract #: 8200028689

Term: 01/01/2017 – 12/31/2019

Total Value: \$626,557.80

**Modification
\$170,000.00**

Summary of Request: The term of the original contract remains three years with one optional one-year renewal. Amendment One has been submitted to increase the amount of the contract by \$170,000.00 as a result of the increased number of convicted offender samples collected and tested as well as passage of the DNA Arrestee Collection Law and establishment of the DNA Data Bank pursuant to Miss. Code Ann. § 45-47-1. The Contractor provides DNA sample analysis services on behalf of the State. The Contractor was originally selected through an RFP. Amendment One updates the Approval, Procurement Regulations, Representation Regarding Gratuities, Stop Work Order, Notices, Oral Statements, Priority of Documents, Record Retention and Access to Records, Anti-Assignment/Subcontracting, Contract Amendments, Independent Contract Status and Waiver clauses and adds the E-Payment, Contractor Personnel, Debarment and Suspension, Disclosure of Confidential Information, Headings, Infringement Indemnification, Ownership of Documents and Work Papers, Scope of Agreement and Severability clauses. All other terms and conditions of the original contract, including the rates per sample, 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 OPSCR recommends approval of the contract modification as requested.

Projected Budget for Life of the Contract: \$778,743.73

10. Requesting Agency: Mississippi Department of Public Safety

Supplier: Morris & McDaniel, Inc.

Contract #: 8200031017

Term: 04/18/2017 – 04/17/2020

Total Value: \$235,500.00

**Renewal
\$78,500.00**

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Renewal Two exercises the second optional renewal allowed by the original contract. The Contractor provides all components of testing services associated with the Mississippi Highway Safety Patrol Trooper School, including development, administration, and scoring. The Contractor was originally selected through an RFP. Renewal Two updates the Approval, Representation Regarding Gratuities, Period of Contract, Compensation, Procurement Regulations, and E-Payment clauses and adds the Priority of Documents, Anti-Assignment/Subcontracting and Acknowledgement of Amendments 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 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: \$392,500.00

11. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: American Well

Contract #: 8200029792

Term: 03/01/2017 – 02/29/2020

Total Value: \$414,000.00

**Modification
0.00**

Summary of Request: The term of the original contract remains three years with two optional one-year renewals. Amendment One has been submitted to add Mississippi-licensed nurse practitioners in the definition of medical providers within the Scope of Services to clarify that these professionals are eligible to provide medical care under this contract and to remove the specific CPT Codes from Exhibit A, Financial Exhibit, as these classifications are dated and/or no longer applicable to the services being provided under the contract. The Contractor provides Mississippi State and School Employees' Health Insurance Plan participants with access to qualified healthcare professionals providing HIPAA-compliant delivery of healthcare services such as diagnosis, consultation, or treatment through the use of interactive audio, video, or other electronic media to improve a person's health and well-being. The Contractor was originally selected through an RFP. The original contract was approved at the February 2017 PSCRB meeting. Amendment One also updates the Procurement Regulations, Representation Regarding Gratuities, 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 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: \$414,000.00

C. Department of Child Protection Services Contracts and Department of Human Services Contracts Useful in Establishing and Operating DCPS for Calendar 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 Calendar 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.

There are no Emergency Contracts to report at this time.

E. OPSCR Staff Approvals Reported to the Board

F. Quarterly Report to the House of Representatives and Senate Committees on Accountability, Efficiency, and Transparency on Sole-Source Contracts

Staff Recommendation: Authorization to file the report with the House of Representatives and Senate Committees on Accountability, Efficiency, and Transparency.

G. Quarterly Report to the House of Representatives and Senate Committees on Accountability, Efficiency, and Transparency on Emergency Contracts

Staff Recommendation: Authorization to file the report with the House of Representatives and Senate Committees on Accountability, Efficiency, and Transparency.

H. OPSCR Director's Report

VII. Other Business

A. Legislative Update

VIII. Adjournment