



MEETING AGENDA
Wednesday, July 10, 2019
9:00 a.m.

- I. **Call to Order**
- II. **Oath of Office**
- III. **Motion to Amend Minutes from May 1, 2019 Public Procurement Review Board Meeting**

Correct reference to PPRB OPSCR Rules and Regulations of requested exception on item VI.B.48 from Section 3-202.14.4.1 to 3-202.12.4.
- IV. **Approval of Minutes from June 5, 2019 Public Procurement Review Board Meeting**
- V. **Approval of per diem and expenses for the July 10, 2019 meeting and for any additional expenses incurred prior to the August 7, 2019 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:** Alcorn County School District
Supplier: Apple, Inc.
Term: One time purchase
Commodities: Apple iPads and other Apple equipment
Total Estimated Value: \$280,000.00
Summary of Request: The Alcorn County School District is requesting an exemption from using reverse auction for the purchase of Apple iPads and other Apple equipment. They are requesting exemption because Apple does not participate in reverse auctions for school districts. OPTFM sought clarification from Apple and was informed that school districts may only purchase directly from Apple and not resellers. Because there will only be one qualified supplier, the School District feels that competitive sealed bidding should be utilized to procure the items.
 - 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.

1. State Agencies

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

Supplier: Multiple Unknown

Contract: 3180000802 (RFX)

Term: Twelve (12) months with two (2) potential extensions

Total Estimated Value: \$500,000.00

Summary of Request: MDOT is requesting an exemption from the reverse auction process for the purchase of rock salt. The commodity is used in various locations statewide for ice removal on bridge deck surfaces and roadways. In order to determine the lowest cost, the work location and availability of the commodity must be known. Due to the unpredictable nature of storms and high demand during these times MDOT wishes to award to all vendors who meet specifications and make a determination at the time of purchase.

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 bids for the procurement.

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

Supplier: Unknown

Contract: 3180000793 (RFX)

Term: 12 months with extensions

Total Estimated Value: \$2,400,000.00 (\$600,000.00 per truck)

Summary of Request: MDOT has requested an exemption from using the reverse auction process for the purchase of one (1) Under Bridge Inspection Platform Truck and the establishment of an agency contract for the purchase of up to three (3) additional trucks. This is a highly specialized piece of equipment with a very limited vendor pool and is vital to MDOT's daily inspection of bridges. The Under Bridge Inspection Platform Truck is the only way the agency can inspect high rise bridges on interstates and other high traffic volume roads. Based on Section 3.106.22 of the Mississippi Procurement Manual, MDOT believes the competitive sealed bid is the best method to procure the Under Bridge Inspection Platform Truck.

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 bids for the procurement.

B. Consideration of Awards for Governing Authorities Receiving Exemptions

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

Supplier: Coomes Distributors Inc.

Term: 8/1/2019 through 6/30/2020

Total Estimated Value: \$126,000.00

Summary of Request: Rankin County School District was granted an exemption from reverse auction on April 3, 2019. They advertised for competitive sealed bids for the purchase of snacks for the Frontiers program. They received one (1) bid. The District wishes to award to Coomes Distributors 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, we ask that the Board approve this contract.

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

Supplier: Huey P. Stockstill, LLC.

Term: 7/10/2019 through 6/30/2020 with a possible one (1) year extension

Total Estimated Value: \$50,000.00

Summary of Request: Harrison County was granted an exemption from reverse auction on March 6, 2019. They advertised for competitive sealed bids for the purchase of asphalt milling. They received one (1) bid. The District wishes to award to Huey P. Stockstill, 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, we ask that the Board approve this contract.

iv. **Requesting Governing Authority:** Oxford School District

Supplier: Apple, Inc.

Term: One time purchase

Total Estimated Value: \$809,510.00

Summary of Request: Oxford School District was granted an exemption from reverse auction on April 3, 2019. They advertised for competitive sealed bids for the purchase of Apple products. They received one (1) bid. The District wishes to award to Apple, Inc.

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

v. **Requesting Governing Authority:** Union County School District

Supplier: Apple, Inc.

Term: One time purchase

Total Estimated Value: \$88,600.00

Summary of Request: Union County School District was granted an exemption from reverse auction on May 1, 2019. They advertised for competitive sealed bids for the purchase of Apple iPads and Apple TV's. They received one (1) bid. The District wishes to award to Apple, Inc.

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

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

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

Suppliers: Carroll Graves, Dickerson & Bowen Inc., Evans Sand & Gravel Inc., Holliday Construction LLC., Houston Branch Sand & Gravel, LLC., Huey P Stockstill, LLC., John E. Smith & Company, Martin Kelly's, Tony Thames, Hammett Gravel Co. Inc., Blain Sand & Gravel Inc.

Contract#: 8900000872, 8900000873, 8900000874, 8900000875, 8900000876, 8900000877, 8900000878, 8900000879, 8900000890, 8900000910, 8900000911

Term: 10/3/2018 through 9/30/2020

Total Value: \$625,000.00 (\$75,000.00, \$30,000.00, \$75,000.00, \$220,000.00, \$50,000.00, \$10,000.00, \$10,000.00, \$45,000.00, \$50,000.00, \$15,000.00, \$45,000.00)

Summary of Request: MDOT is requesting a twelve (12) month extension, the first of a possible two (2), for sand and gravel. At the July 11, 2018 PPRB meeting MDOT requested and was approved an exemption from reverse auction for sand and gravel. At the October 3, 2018 PPRB meeting the multi-award bid contracts were approved. This was due to the need to award to all suppliers in order to determine the lowest price as needed in various locations at the time of performance. These materials are used by MDOT, other state agencies and governing authorities.

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 these contract extensions.

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

Suppliers: Synergy Partners, Nutrien AG Solutions, Asplundh Tree Expert

Contract #: 8900000901, 8900000902, 8900000903

Term: 10/03/2018 through 8/31/2020

Total Value: \$980,000.00 (\$80,000.00, \$600,000.00, \$300,000.00)

Summary of Request: MDOT is requesting a twelve (12) month extension, the first of a possible two (2) for herbicides. The reverse auction was held on August 22, 2018 for different types of herbicides and the contracts were approved at the October 3, 2018 PPRB meeting. This is a multi-award bid with award to the lowest price per item. These materials will be used by MDOT, other state agencies and governing authorities.

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 these contract extensions.

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

Suppliers: 3M Company, ORAFOL Americas Inc., Avery Dennison

Contract #: 8900000922, 8900000925, 8900001061 (8900001061 replaces 8900000923)

Term: 10/9/2018 through 9/30/2020

Total Value: \$710,000.00 (75,000.00, 75,000.00, 560,000.00)

Summary of Request: MDOT successfully completed a reverse auction on September 19, 2018 for reflective sheeting. The contract was not originally presented to PPRB, as the total value was under the threshold. Contract 8900001061 (original 8900000923) is being increased and the total value now requires PPRB approval. MDOT has changed to a new type of sheeting for larger and overhead signs. This sheeting has better results in the long run and is more cost effective.

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 these contracts.

iv. **Requesting Agency:** Mississippi Department of Marine Resources (MDMR)

Supplier: J&W Marine Enterprises, Inc.

Contract #: 8200044535

Term: 5/2/2019 through 5/1/2020

Total Value: \$600,000.00

Summary of Request: MDMR is requesting approval of an amendment to the scope of work in subsection 1.14 of the contract with J&W Marine Enterprises, Inc., to furnish and deploy cultch material for the enhancement of oyster beds in the Mississippi Sound. This amendment would revise the period of performance to postpone deployment until early fall as cultch should be planted when oyster spat is present. The influx of freshwater caused by the extended opening of the Bonnet Carré Spillway has decreased salinity levels at the deployment sites below ideal conditions for oyster spawning. The original contract was approved at the May 2019 PPRB meeting.

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 this contract amendment.

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

Supplier: Sunrise Fresh Produce

Contract #: 8200045731

Term: 8/1/2019 through 6/30/2020 with a potential extension up to twelve (12) months

Total Value: \$4,317,070.00

Summary of Request: MSDH conducted a reverse auction on May 7, 2019 and is requesting approval to enter into a contract with Sunrise Fresh Produce to purchase food (fresh fruit and vegetables) and services (storage, supply distribution of the fresh fruit and vegetables) for the Women, Infants and Children Special Supplemental Nutrition Program (WIC). The reverse auction was an "all item/all location" bid. Only one bidder participated in the reverse auction.

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 this contract.

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

Supplier: Aerolab, LLC

Contract #: 8200045846

Term: One Time Purchase (7/10/2019 through 6/2/2020)

Total Value: \$637,885.00

Summary of Request: MSU solicited a bid (institutes of higher learning are statutorily exempt from the use of reverse auction) for the purchase of one (1) subsonic wind tunnel to be used by their School of Aerospace Sciences. MSU received two (2) responses to the solicitation, but Edibon USA, LLC was deemed nonresponsive because it did not meet specifications. MSU requests to award to Aerolab LLC based on the fact that they met the required specifications and that no protests were received.

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 this contract.

- vii. **Requesting Agency:** Mississippi State University (MSU)
Supplier: Delta Western
Contract #: 8200045765
Term: 7/10/2019 through 5/28/2020
Total Value: \$936,000.00
Summary of Request: MSU solicited bids (institutes of higher learning are statutorily exempt from the use of Reverse Auction) for the purchase of 3,000 tons, more or less, of 28% regular floating fish feed. MSU received one (1) response to the solicitation.

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 this contract.

- viii. **Requesting Agency:** University of Mississippi Medical Center (UMMC)
Supplier: Tecniplast USA, Inc.
Contract #: 8200045776
Term: 7/10/2019 through 5/31/2024
Total Value: \$223,967.58
Summary of Request: UMMC requested and received approval to forgo the competitive sealed bid process and issue an RFP for the acquisition of an aquatic facility for Zebrafish by PPRB at the February 6, 2019 meeting. UMMC received two (2) responses to their RFP solicitation and requests to award to Tecniplast USA, Inc., based on RFP criteria. There were six (6) weighted rating factors with each factor having the possibility of ten (10) total points multiplied by the actual weight of the factor. These were qualifications & experience (7.5% or .75 points possible), technical qualifications (20% or 2 points possible), cost structure (35% or 3.5 points possible), project work plan/ implementation (7.5% or .75 points possible), training (10% or 1 point possible) and warranty/ maintenance (20% or 2 points possible). UMMC followed the new regulations for RFPs as listed in the Procurement Manual Section 3.107.09 Receipt and Registration of Proposals or Qualifications. The total rating percentage that any one (1) company could receive was 100% or ten (10) total points. After UMMC's RFP committee started to blindly score the two (2) submittals it was discovered that one of the two submittals would have to be deemed nonresponsive because the submittal from Aquaneering, Inc. had either their company name or other identifying forms of information in seven (7) separate areas of the RFP response. The RFP committee scored the Tecniplast USA, Inc. proposal and they scored 9.86 points out of a possible ten (10) total points.

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 this contract.

- ix. **Requesting Agency:** Mississippi Department of Transportation (MDOT)
Supplier: Aspen Aerials
Contract #: 8200045908
Term: One Time Purchase (7/10/2019 through 12/31/2019)
Total Value: \$583,179.00
Summary of Request: MDOT was granted an exemption from the reverse auction process for the purchase of an Under Bridge Inspection Platform Truck at the May 1, 2019 PPRB

meeting. MDOT solicited competitive sealed bids for the truck. They received two (2) bids and are awarding to the low bidder.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. Based on the information provided, OPTFM recommends approval of this contract.

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

Supplier: Transportation South, Inc.

Contract #: 8200046009

Term: 7/10/2019 through 5/31/2020 with up to four (4) twelve (12) month extensions

Total Value: \$8,008,700.00

Summary of Request: MDOT completed a reverse auction to establish an agency contract for the purchase of up to one hundred (100) 32/36A **non-ADA** buses. Two (2) vendors submitted qualification information and both met specifications. Those two (2) vendors participated in the reverse auction and MDOT is requesting to award to the low bidder. This contract is available to quasi state agencies or other political subdivisions of the State of Mississippi, agencies of the United States Government, Public Procurement Units, and FTA recipients.

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 this contract.

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

Supplier: Transportation South, Inc.

Contract #: 82000046006

Term: 7/10/2019 through 5/31/2020 with up to four (4) twelve (12) month extensions

Total Value: \$8,679,200.00

Summary of Request: MDOT completed a reverse auction to establish an agency contract for the purchase of up to one hundred (100) 32/36A **ADA** buses. Two (2) vendors submitted qualification information and both met specifications. Those two (2) vendors participated in the reverse auction and MDOT is requesting to award to the low bidder. This contract is available to quasi state agencies or other political subdivisions of the State of Mississippi, agencies of the United States Government, Public Procurement Units, and FTA recipients.

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 this contract.

D. Master Lease Purchase

i. **Requesting Agency:** Mississippi Board of Animal Health

Master Lease Purchase: \$168,425.00

Term of Contract: Master Lease Purchase Series 2019A

Purchase Method: State Contract

Comments: Pursuant to Miss. Code Ann. § 31-7-10, as amended, Mississippi Board of Animal Health is requesting authority to utilize the Master Lease Purchase Program to

finance vehicles. These vehicles will be purchased using the state contract established by OPTFM. The schedule of vehicles is attached.

Staff Recommendation: Granting of authority to the agency to proceed with procuring and financing the equipment listed using the Master Lease Purchase Program.

E. OPTFM Staff Approvals reported to the Board

F. OPTFM Director's Report

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

A. BoB Staff Approvals Reported to the Board

B. Consideration of Prime Professional

1. **Using Agency:** Hinds Community College
Number: GS# 205-074
Title: ATC HVAC Program-PH II
Location: Jackson, Mississippi
Project Budget: \$5,175,386.86
Funding Sources: HB787 L'14; SB2906 L'15; HB1729 L'16; HB1649, L'18
Professional Fee: C+ (estimated fees \$339,828.21 for both phases)
Professional: Edmonds Engineering Inc

Scope: Original scope was for the replacement of the failing cooling tower between the Alexander Building and the Bivens Building on the Jackson Campus of Hinds Community College. Planning of the first building revealed problems with this approach and the Using Agency requested to change the scope to roof top mechanical units with other component modifications for efficiency of units, ability to control units, and cost savings for both buildings; and, to continue with the same Professional.

Note: Board Action required when fees exceed \$250,000.00.

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.

C. Consideration of Change Order for Board Action

Using Agency: Jackson State University
Project Number: GS# 103-283
Project Title: Campus Mechanical Improvements
General Contractor: McLain Plumbing & Electrical Service, Inc.
Original Contract Sum: \$2,434,000.00
Net Change by Previous Change Orders: \$602,186.62
Total Value of Award before this Change Order: \$3,036,186.62

Total Value of this Change Order: \$117,143.93

Construction Days to Date [Term]: 515 (including 80 for this CO)

Change Order Scope: Recharge AAC Chiller #1; overhaul motor/shaft on Library Chiller #1 and replace purge; recharge Peoples Chiller. (original award scope: replace miscellaneous mechanical equipment at AAC, John A. Peoples, Library and T.B. Ellis to provide for immediate needed repairs and redundancy to the campus mechanical loops.)

Note: Board Action required when Change Order exceeds 25%.

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 Change Order

D. BOB Director's Report

E. RPM New Leases

1. Requesting Agency: Mississippi Department of Revenue

Lease #: 800-421-24A

Lessor: W.R. Lott, III

Term: 10-01-2019 thru 09-30-2024

Total Yearly Cost: \$22,200.00

Cost PSF: \$12.00 + Janitorial

Previous Cost PSF: N/A

Total Space per Occupant: 205

Federal Funds: 0%

Square Footage Proposed: 1,850

Previous Square Footage: N/A

Address of Property: 117 B Grand Blvd., Greenwood, MS.

Purpose of Lease: This will be the Greenwood District Office.

Note: Mississippi Department of Revenue advertised and received five (5) responses. Two of the submissions were deemed non-responsive. The three other submissions were considered and the lowest cost of the remaining three was awarded the lease. This is a five (5) year lease with two (2) two (2) year options to renew. No protests were received.

First optional renewal rate: \$22,200.00 yearly.

Second optional renewal rate: \$22,200.00 yearly.

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 Revenue

Lease #: 800-412-25A

Lessor: OK Realty, Inc.

Term: 10-01-2019 thru 09-30-2025

Total Yearly Cost: \$29,250.00

Cost PSF: \$15.00 + Utilities & Janitorial

Previous Cost PSF: N/A
Total Space per Occupant: 216
Federal Funds: 0%
Square Footage Proposed: 1,950
Previous Square Footage: N/A
Address of Property: 3466A McCollough Blvd., Tupelo, MS.
Purpose of Lease: This will be the Tupelo District Office.

Note: Mississippi Department of Revenue advertised and received four (4) responses. Two of the submissions were deemed non-responsive. The two other submissions were considered and the lowest cost of the remaining two was awarded the lease. This is a six (6) year lease with two (2) two (2) year options to renew. No protests were received.

First optional renewal rate: \$31,200.00 yearly
Second optional renewal rate: \$33,150.00 yearly.

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: Boswell Regional Center

Lease #: 533-642-24A

Lessor: Anthony Koen, LLC.

Term: 10-01-2019 thru 09-30-2024

Total Yearly Cost: \$18,000

Cost PSF: \$12.00 + Utilities and Janitorial

Previous Cost PSF: \$12.00 + Utilities and Janitorial

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 1,500

Previous Square Footage: 1,500

Address of Property: 136 Smith Crossing Road, Mendenhall, MS.

Purpose of Lease: This is a group home for male participants.

Note: Boswell Regional Center advertised and only one (1) submission was received. This is a five (5) year lease with no renewal.

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: Boswell Regional Center

Lease #: 533-642-24B

Lessor: Anthony Koen, LLC.

Term: 10-01-2019 thru 09-30-2024

Total Yearly Cost: \$18,000

Cost PSF: \$12.00 + Utilities and Janitorial

Previous Cost PSF: \$12.00 + Utilities and Janitorial

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 1,500

Previous Square Footage: 1,500

Address of Property: 140 Smith Crossing Road, Mendenhall, MS.

Purpose of Lease: This is a group home for female participants.

Note: Boswell Regional Center advertised and only one (1) submission was received. This is a five (5) 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.

5. Requesting Agency: Mississippi Department of Public Safety

Lease #: 670-412-20B

Lessor: Cleveland Properties, LLC.

Term: 08-01-2019 thru 07-31-2020

Total Yearly Cost: \$32,400

Cost PSF: \$9.92 + Janitorial

Previous Cost PSF: N/A

Total Space per Occupant: 544

Federal Funds: 0%

Square Footage Proposed: 3,267

Previous Square Footage: N/A

Address of Property: 589 N. Corley Road Suite B1, Tupelo, MS.

Purpose of Lease: This will be the driver's license issuance office for the Tupelo area. There are a large number of walk-in applicants. Therefore, a large waiting room and testing area is needed for this location.

Note: Mississippi Department of Public Safety advertised and received only one submission. The lease was awarded to the current landlord. This is a one (1) year lease with five (5) one (1) year options for renewal. Mississippi Department of Public Safety requests a waiver on the Space Efficiency Requirement because of the required space needed for testing applicants.

Option year 1 thru 5 renewal rate: \$32,400.00 yearly

Staff Recommendation: Upon the granting of the waiver for the Space Efficiency Allowance by PPRB this lease request will have complied with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease

F. RPM Succeeding Leases

1. Requesting Agency: Ellisville State School

Lease #: 534-562-24A

Lessor: HMS Properties, LLC.

Term: 11-01-2019 thru 10-31-2024

Total Yearly Cost: 20,148.00

Cost PSF: \$3.73 + Utilities & Janitorial

Previous Cost PSF: \$ 3.73 + Utilities & Janitorial

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 5,400

Previous Square Footage: 5,400

Address of Property: #1 Front Street, Richton, MS.

Purpose of Lease: This location will provide therapeutic active treatment services for approximately 20 individuals with intellectual and developmental disabilities.

Note: This is a five (5) 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 Non-Competitive Lease (Exempt from Competition)

1. Requesting Agency: Mississippi Department of Rehabilitation Services

Lease #: 725-454-20A

Lessor: Titan Development Company, LLC.

Term: 09-01-2019 thru 08/31/2020

Total Yearly Cost: \$15,300.00

Cost PSF: \$8.50 Inclusive

Previous Cost PSF: \$ 8.50 Inclusive

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 1,800

Previous Square Footage: 1,800

Address of Property: 644 Church Road, Unit 18, Madison, MS.

Purpose of Lease: This location will provide storage of wheelchairs, scooters, and other large durable medical equipment that Project Start loans to people with disabilities.

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.

2. Requesting Agency: Mississippi Development Authority

Lease #: 225-251-20A

Lessor: Douglas, Inc.

Term: 09-01-2019 thru 08-31-2020

Total Yearly Cost: \$21,600.00

Cost PSF: \$4.40

Previous Cost PSF: \$4.40

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 4,909

Previous Square Footage: 4,909

Address of Property: 4225 Industrial Blvd., Jackson, MS.

Purpose of Lease: This storage lease is a part of a material delivery contract that delivers brochures and other needed items to selected locations throughout Mississippi for MDA's Mississippi Tourism Division. The products are received and stored at the Industrial Drive location prior to delivery.

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.

3. Requesting Agency: Mississippi Department of Environmental Quality

Lease #: 595-244-22A

Lessor: City of Pass Christian

Term: 09-01-2019 thru 08-31-2022

Total Yearly Cost for boat slip: \$0

Monthly Cost for Utilities: \$30.00

Federal Funds: 0%

Proposed Boat Slip Size: 40 feet

Previous Boat Slip Size: 40 feet

Address of Property: 100 Hiern Ave., Pass Christian, MS.

Purpose of Lease: This will be used for the storage of a 40 foot boat owned and operated by Mississippi Department of Environmental Quality.

Note: Mississippi Department of Environmental Quality ask for a waiver of Section 300.9 (5) of the leasing manual to extend this non-competitive lease for three (3) years with no renewals. Normal leasing period would be one (1) year.

Staff Recommendation: Upon granting of the waiver to Section 300.9 (5), Mississippi Department of Environmental Quality will have complied with all rules, regulations and legal requirements by DFA staff. RPM recommends the approval of this lease.

4. Requesting Agency: Department of Finance & Administration/Office of Air Transport

Lease #: 055-251-20G

Lessor: Mercury Air Center d/b/a Atlantic Aviation/Jackson

Term: 09-01-2019 thru 08-31-2020

Total Yearly Cost: \$44,256.00

Cost PSF: \$12.90 Inclusive

Previous Cost PSF: \$12.90 Inclusive

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 3,432

Previous Square Footage: 3,432

Address of Property: 110 S. Hangar Drive, Hangar C, Jackson, MS.

Purpose of Lease: This is a hangar lease for the State aircraft at Jackson/Medgar Wiley Evers International Airport.

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.

5 Requesting Agency: Department of Finance & Administration/Capitol Facilities

Lease #: 899-251-21C

Lessor: 455 North Lamar, LLC.

Term: 09/15/2019 thru 01/14/2021
Total Yearly Cost: 55,080.00
Annual Cost per parking space: \$540.00
Previous Annual Cost per parking space: \$540.00
Federal Funds: 0%
Total number of Spaces: 104
Previous number of Spaces: 104
Address of Property: 455 North Lamar Street, Jackson, MS.
Purpose of Lease: Parking for State Employees.
Note: This is an eighteen (18) month 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.

G. RPM Land

1. **Requesting Agency:** Mississippi Department of Wildlife, Fisheries & Parks
Lease #: 899-561-24A
Lessor: Perry County School District
Term: 07-01-2019 thru 06/30/2024
Total Yearly Cost: \$8,000
Cost per Acre: \$45.71 per year
Previous Cost per Acre: \$ 34.29 per year
Total Space per Occupant: N/A
Federal Funds: 0%
Total Acres Proposed: 175
Previous Acres: 175
Address of Property: Section 16 – Township 2 North – Range 9 West, New Augusta, MS.
Purpose of Lease: This is a recreational lease for 16th section public school trust land.
Note: This is a five (5) year lease with no renewals. Mississippi Department of Wildlife, Fisheries & Parks ask PPRB for retro-active approval of this lease.

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 retro-active approval of this lease.

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: 3180000801
Procurement Request: Request for Proposals
Anticipated Term: One (1) year with three (3) optional one-year renewals
Anticipated Contract Amount: \$3,900,000.00

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 Temporary Staffing Services, to provide clerical services to the Clinton Office and warehouse staffing to the Alcohol and Beverage Control Distribution Center in Gluckstadt, MS. The Agency contends that the proposal process is more advantageous in that it will allow vendors the opportunity to submit individualized plans and any exceptions to the RFP that they may have, which will allow the agency more flexibility in discussions while evaluating vendors. The agency further believes that the RFP process is more advantageous in determining whether there is a true cost benefit in splitting the two types of staffing from what has normally been a combined contract. MDOR will award two separate contracts, one for clerical staffing and one for warehouse staffing. Awarding of contracts to separate vendors shall be dependent upon evaluation results. MDOR would like to see if separating the two types of service contracts could result in lowering the percentage markup for the clerical positions without a corresponding increase in the warehouse markup. If the results from the RFP vendor responses does not show a net reduction in markup percentages resulting in lower cost, MDOR plans to stay with the current vendor. The respondents will be evaluated based on technical, cost and management factors. Technical factors will be weighted at twenty percent (20%) or 20 points, personnel, equipment facilities and financial resources will be weighted at twenty percent (20%) or 20 points, price will be weighted at thirty-five percent (35%) or 35 points, and management factors which include past performance will be weighted at 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 a vendor to provide Temporary Staffing Services.

2. **Requesting Agency:** Mississippi Development Authority

RFx Number: 3180000792

Procurement Request: Request for Proposals

Anticipated Term: Three (3) years with two (2) optional one-year renewals

Anticipated Contract Amount: 600,000.00

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 Recruitment of Investment Services, expansion of existing firms in Mississippi and new investment opportunities from Europe. The agency will award one contractor to be responsible for representing the State of Mississippi to foreign companies and governments. The Agency contends that the use of an RFP will provide the greatest amount of flexibility in evaluating the proposals received, in that the agency will need to be able to evaluate past experiences, capabilities, staffing, technical proficiencies, and other factors that would not be considered using the IFB process. The respondents will be evaluated based on technical, cost and management factors. Technical factors, which include the overall quality of the proposed plan, will be weighted at twenty percent (20%) or 20 points, cost factors will be weighted at thirty-five percent (35%) or 35 points, and management factors which include past performance, personnel, equipment and facilities will be weighted at a combined forty-five percent (45%) or 45 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 a vendor to provide the Recruitment of Investment Services.

3. **Requesting Agency:** DMH – Mississippi State Hospital

RFx Number: 3180000803

Procurement Request: Request for Qualifications

Anticipated Term: Four (4) years with one (1) optional one-year renewal

Anticipated Contract Amount: \$436,800.00

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 a psychiatrist to serve as the Utilization Review Physician Advisor to the agency. The agency contends the use of an Invitation for Bids will not provide the flexibility needed to be able to interview applicants and enter into in-depth conversations to better evaluate knowledge of The Centers for Medicare and Medicaid (CMS) standards regarding state and federal reimbursement and familiarity of the utilization review process. Particular knowledge and experience in an inpatient psychiatric hospital is necessary due to the chronic nature of the mentally ill not traditionally found in hospital settings. The respondents will be evaluated based on technical, cost and management factors. The technical factors will be weighted at (33%) or 33 points, management factors will be weighted at (32%) or 32 points, and cost factors will be weighted at (35%) or 35 points. Whether the vendor accepts the agency's price is the only factor to be considered under 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 Qualifications as the procurement method to select one vendor to serve as the Utilization Review Physician Advisor.

B. Consideration of Contracts for Board Action

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

Supplier: 22nd Century Technologies, Inc.

Contract #: 8200045662

Term: 08/01/2019 – 07/31/2020

Total Value: \$3,900,000.00

New

\$3,900,000.00

Summary of Request: The term of the contract is one year with three optional one-year renewals. The Contractor will provide temporary staffing services at the agency's Central Office in Clinton and the Alcoholic Beverage Control Liquor Distribution Center in Gluckstadt. The Contractor was selected through an IFB with eleven respondents. The Agency requests an exemption to PPRB OPSCR Rules and Regulations section 3-202.13.2 for not deeming Global Solutions Group, Inc. and Tempstaff, Inc. non-responsive as their bids failed to conform to all material respects of the IFB and 3-202.08.1 for failure to treat the question and answer document as an amendment, not obtaining acknowledgements of said document, and not posting said document on the Mississippi Opportunity Search Portal. As the question and answer document was posted on the agency's website as indicated within the IFB, OPSCR staff does not have concerns regarding competition, fairness, and transparency as all bidders were considered. Proof of vendor's required workers' compensation and comprehensive

general liability 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 PPRB OPSCR Rules and Regulations and upon granting the exceptions to PPRB OPSCR Rules and Regulations 3-202.13.2 and 3-202.08.1 will comply with all legal requirements. OPSCR recommends granting of the exceptions and approval of the contract as requested contingent upon receipt of the vendor's workers' compensation and comprehensive general liability insurance certificates.

Projected Budget for Life of the Contract: \$11,170,000.00

2. **Requesting Agency:** Mississippi Development Authority

Supplier: The University of Southern Mississippi, Trent Lott National Center

Contract #: 8200045900

Term: 07/11/2019 – 01/10/2021

Total Value: \$250,000.00

New

\$250,000.00

Summary of Request: The term of the contract is for six months with no optional renewal. The Contractor will prioritize and implement elements of the Mississippi Defense Initiative Strategic Plan 2019-2023 in coordination with the Mississippi Development Authority. The Contractor was selected pursuant to Section 3-102.04 Procuring Services Offered by Governmental Entities Not Under Purview of PPRB, of the PPRB OPSCR Rules and Regulations, which allows agencies to contract directly with state entities without soliciting the private sector. MDA determined that the services meet the agency's requirements and the price represents a fair market value for the service, based on the comparison of other similar contracts.

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: \$250,000.00

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

Supplier: Douglas, Inc. d/b/a Douglas Express Delivery

Contract #: 8200033120

Term: 08/01/2017 – 07/31/2020

Total Value: \$2,146,184.00

Renewal

\$744,977.98

Summary of Request: The term of the original contract was two years with one optional one-year renewal. Modification One has been submitted to exercise the only optional renewal allowed by the original contract. The Contractor provides courier services to Regional Offices, County Health Departments, and specified Public Health Clinics throughout the state from field locations back to the Mississippi State Department of Health Central Office in Jackson. The Contractor was originally selected through an IFB. The original contract was approved at the July 2017 PSCR meeting. Modification One updates the Period of Performance, Procurement Regulations, Approval, Representation Regarding Gratuities, E-Payment, and Stop Work Order clauses and adds an Insurance clause consistent with that contained in the IFB. All other terms and conditions of the original contract remains the same.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and will comply 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: \$2,142,184.00

4. **Requesting Agency:** DMH – Central Office

Supplier: Fahrenheit Creative Group, LLC

Contract #: 8200045827

Term: 07/11/2019 – 09/29/2020

Total Value: \$249,718.75

**New
\$249,718.75**

Summary of Request: The term of the contract is approximately fifteen months with no renewals. The Contractor will provide a statewide comprehensive communications campaign for opioid awareness. The Contractor was selected through an IFB with eight respondents. One post-award vendor debriefing was requested and held. The agency request exceptions to Section 3-102.09.2(b) for not deeming Runyon Saltzman, Incorporated non-responsible as they failed to attain a satisfactory record of performance and 3-202.12.4.1 for failure to obtain corrected documents from Maris, West, & Baker, Incorporated. As documents submitted contained minor informalities or insignificant mistakes with little or no effect on price, quantity, delivery, or contractual conditions, OPSCR does not have concerns regarding competition, fairness, and transparency as all respondents were considered. Proof of the regulatory board's approval (Mississippi Board of Mental Health) and workers' compensation and comprehensive or professional liability 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 upon granting the exception to Sections 3-102.09.2(b) and 3-202.12.4.1, will comply with OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract as requested contingent upon proof of regulatory board approval, receipt of the vendor's required workers' compensation and comprehensive general or professional liability insurance certificates.

Projected Budget for Life of the Contract: \$249,718.75

5. **Requesting Agency:** Mississippi Department of Environmental Quality

Supplier: W.G. Yates & Sons Construction Company

Contract #: 8200020130

Term: 09/01/2015 – 08/31/2020

Total Value: \$1,500,000.00

**Renewal
\$0.00**

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Modification Four has been submitted to exercise the last optional renewal allowed by the original contract. The Agency requests no additional spending authority because only \$325,743.75 has been expended. Under Plan B of the contract, the Contractor assists with constructability reviews as design progresses, budgeting and cost estimating, integration of comprehensive construction project controls, construction inspection, and construction project close-out. The Contractor was originally selected through an RFQ. The Contractor is paid according to the hourly rates provided in Attachment A, W. G. Yates & Sons

Construction Company Rate Schedule, federal mileage rate, and state travel expenses. Modification Three was approved at the August 2018 PPRB meeting. Modification Four updates the Period of Performance clause.

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.

Projected Budget for Life of the Contract: \$1,500,000.00

6. **Requesting Agency:** Mississippi Department of Environmental Quality

Supplier: Global Valuation Services, Inc.

Contract #: 8200035108

Term: 10/01/2017 – 09/30/2022

Total Value: \$400,000.00

Renewal

\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because only \$8,500.00 has been expended. The Contractor provides appraiser services as needed by the agency. These services include preparing and providing real property appraisals to establish fair market value for land acquisitions, preparing and delivering preliminary appraisal reports, consulting with DEQ and its legal counsel regarding services to be performed by the appraiser, and performing other tasks as identified by DEQ related to land acquisitions. The Contractor was originally selected through an RFQ, which resulted in the award of four contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule. The original contract was approved at the September 2017 PSCR meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

7. **Requesting Agency:** Mississippi Department of Environmental Quality

Supplier: Real Estate Appraisers, Inc.

Contract #: 8200035105

Term: 10/01/2017 – 09/30/2022

Total Value: \$400,000.00

Renewal

\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because no funds were expended in the first two years of the contract. The Contractor provides appraiser services as needed by the agency. These services include preparing and providing real property appraisals to establish fair market value for land acquisitions, preparing and delivering preliminary appraisal reports, consulting with DEQ and its legal counsel regarding services to be performed by the appraiser, and performing other tasks as identified by DEQ related to land acquisitions. The Contractor was originally selected through an RFQ, which resulted in the award of four contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule. The original contract was approved at the September 2017 PSCRB meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

8. **Requesting Agency:** Mississippi Department of Environmental Quality

Supplier: Barber & Mann, Inc.

Contract #: 8200035111

Term: 10/01/2017 – 09/30/2022

Total Value: \$400,000.00

Renewal

\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because no funds were expended in the first two years of the contract. The Contractor provides appraiser services as needed by the agency. These services include preparing and providing real property appraisals to establish fair market value for land acquisitions, preparing and delivering preliminary appraisal reports, consulting with DEQ and its legal counsel regarding services to be performed by the appraiser, and performing other tasks as identified by DEQ related to land acquisitions. The Contractor was originally selected through an RFQ, which resulted in the award of four contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule. The original contract was approved at the September 2017 PSCRB meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability,

comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

9. **Requesting Agency:** Mississippi Department of Environmental Quality

Supplier: Barber & Mann, Inc.

Contract #: 8200035106

Term: 10/01/2017 – 09/30/2022

Total Value: \$400,000.00

**Renewal
\$0.00**

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because only \$7,500.00 has been expended. The Contractor provides review appraiser services as needed by the agency. These services include reviewing real property appraisals establishing fair market value for land acquisitions, preparing and delivering written narrative reviews of each appraisal, examining all appraisal reports to assure they meet applicable appraisal requirements and standards, and performing other appraisal review tasks as identified by DEQ related to land acquisitions. The Contractor was originally selected through an RFQ, which resulted in the award of two contracts. The Contractor is paid \$7,500.00 per review appraisal. The original contract was approved at the September 2017 PSCR meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

10. **Requesting Agency:** Mississippi Department of Environmental Quality

Supplier: Forest Managers & Consultants, Inc.

Contract #: 8200035109

Term: 10/01/2017 – 09/30/2022

Renewal

Total Value: \$400,000.00

\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because only \$5,000.00 has been expended. The Contractor provides review appraiser services as needed by the agency. These services include reviewing real property appraisals establishing fair market value for land acquisitions, preparing and delivering written narrative reviews of each appraisal, examining all appraisal reports to assure they meet applicable appraisal requirements and standards, and performing other appraisal review tasks as identified by DEQ related to land acquisitions. The Contractor was originally selected through an RFQ, which resulted in the award of two contracts. The Contractor is paid \$5,000.00 per review appraisal. The original contract was approved at the September 2017 PSCRB meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

11. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: Environmental Management Services, Inc.

Contract #: 8200035016

Term: 10/01/2017 – 09/30/2022

Renewal

Total Value: \$400,000.00

\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because no funds were expended in the first two years of the contract. The Contractor provides land surveyor services as needed by the agency. These services include conducting property and boundary surveys and preparing various types of surveys and related work. The Contractor was originally selected through an RFQ, which resulted in the award of nine contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule, federal mileage rate, and state travel expenses. The original contract was approved at the September 2017 PSCRB meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and

errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

12. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: Michael Baker, Jr. Consulting Engineers, Inc.

Contract #: 8200034904

Term: 10/01/2017 – 09/30/2022

Renewal

Total Value: \$400,000.00

\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because no funds were expended in the first two years of the contract. The Contractor provides land surveyor services as needed by the agency. These services include conducting property and boundary surveys and preparing various types of surveys and related work. The Contractor was originally selected through an RFQ, which resulted in the award of nine contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule, federal mileage rate, and state travel expenses. The original contract was approved at the September 2017 PSCR meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

13. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: Maptech, Inc.

Contract #: 8200035009

Term: 10/01/2017 – 09/30/2022

Renewal

Total Value: \$400,000.00

\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because no funds were expended in the first two years of the contract. The Contractor provides land surveyor services as needed by the agency. These services include conducting property and boundary surveys and preparing various types of surveys and related work. The Contractor was originally selected through an RFQ, which resulted in the award of nine contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule, federal mileage rate, and state travel expenses. The original contract was approved at the September 2017 PSCR meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

14. **Requesting Agency:** Mississippi Department of Environmental Quality

Supplier: Linfield, Hunter, & Junius, Inc.

Contract #: 8200035104

Term: 10/01/2017 – 09/30/2022

Total Value: \$400,000.00

Renewal
\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because only \$9,067.00 has been expended. The Contractor provides land surveyor services as needed by the agency. These services include conducting property and boundary surveys and preparing various types of surveys and related work. The Contractor was originally selected through an RFQ, which resulted in the award of nine contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule, federal mileage rate, and state travel expenses. The original contract was approved at the September 2017 PSCR meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation and employer's liability insurance certifications 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 receipt of the vendor's updated required workers' compensation and employer's liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

15. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: EMC, Inc.

Contract #: 8200034883

Term: 10/01/2017 – 09/30/2022

Total Value: \$400,000.00

**Renewal
\$0.00**

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because no funds were expended in the first two years of the contract. The Contractor provides land surveyor services as needed by the agency. These services include conducting property and boundary surveys and preparing various types of surveys and related work. The Contractor was originally selected through an RFQ, which resulted in the award of nine contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule, federal mileage rate, and state travel expenses. The original contract was approved at the September 2017 PSCRB meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses.

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: \$400,000.00

16. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: Digital Information & Mapping Company d/b/a DIMCO, Inc.

Contract #: 8200035027

Term: 10/01/2017 – 09/30/2022

Total Value: \$400,000.00

**Renewal
\$0.00**

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because only \$6,080.00 has been expended. The Contractor provides land surveyor services as needed by the agency. These services include conducting property and boundary surveys and preparing various types of surveys and related work. The Contractor was originally selected through an RFQ, which resulted in the award of nine contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule, federal mileage rate, and state travel expenses. The original contract was approved at the September 2017 PSCRB meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses.

Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

17. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: WGK, Inc.

Contract #: 8200035015

Term: 10/01/2017 – 09/30/2022

Total Value: \$400,000.00

Renewal
\$0.00

Summary of Request: The term of the original contract was two years with three optional one-year renewals. Modification One has been submitted to renew the contract for three years as allowed by the original contract. The Agency requests no additional spending authority because no funds were expended in the first two years of the contract. The Contractor provides land surveyor services as needed by the agency. These services include conducting property and boundary surveys and preparing various types of surveys and related work. The Contractor was originally selected through an RFQ, which resulted in the award of nine contracts. The Contractor is paid according to the hourly rates provided in Exhibit C, Contractor's Rate Schedule, federal mileage rate, and state travel expenses. The original contract was approved at the September 2017 PSCRB meeting. Modification One updates the Period of Performance, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Procurement Officer's Actions or Omissions, and Price Adjustment clauses. Proof of the vendor's required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications 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 receipt of the vendor's updated required workers' compensation, employer's liability, comprehensive general liability, automobile liability, and errors and omissions/professional liability insurance certifications.

Projected Budget for Life of the Contract: \$400,000.00

18. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: The University of Southern Mississippi

Contract #: 8200032048

Term: 05/15/2017 – 04/30/2020

Renewal

Total Value: \$568,022.00

\$0.00

Summary of Request: The term of the original contract was approximately two years, four months, and seventeen days with the option to renew for approximately two years, seven months, and fourteen days. Modification One has been submitted to exercise a seven-month renewal. The Agency requests no additional funds because only \$345,836.15 has been expended. The Contractor provides monitoring of oyster-reef-associated invertebrates through USM's Gulf Coast Research Laboratory. The Contractor prepares an event report within thirty days of completion of each field work monitoring activity, an annual report if at least one monitoring activity occurs during a calendar year, and a final report within sixty days of completion of all monitoring activities. The Contractor was selected pursuant to Section 3-102.04, Procuring Services Offered by Governmental Entities Not Under Purview of the PPRB, of the PPRB OPSCR Rules and Regulations, which allows agencies to contract directly with state entities without soliciting the private sector. The Executive Director of MDEQ determined that the services met the agency's requirements and the price represents a fair market value for the service based on a comparison of other like projects. Modification One updates the Period of Performance, Notices, Representation Regarding Gratuities, Procurement Regulations, Stop Work Order, E-Payment, Approval, Claims Based on a Chief Procurement Officer's Actions or Omissions, Price Adjustment, 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 renewal as requested.

Projected Budget for Life of the Contract: \$568,022.00

19. Requesting Agency: Mississippi Division of Medicaid

Supplier: Molina Healthcare of Mississippi, Inc.

Contract #: 8200041827

Term: 07/01/2017 – 06/30/2020

Modification

Total Value: \$718,870,179.00

\$0.00

Summary of Request: The term of the original contract remains three years with two optional one-year renewals. Amendment Four has been submitted to modify the contract to correct grammatical, format, and reference citation issues as well as to modify the scope of services to meet the Care Coordination Organization Program and policy needs for the upcoming Fiscal Year. The Agency requests no additional spending authority as the current spending authority is sufficient.

The Contractor provides services for statewide administration of the MississippiCAN. The MississippiCAN contracts are paid via a medical claims process through DOM's fiscal agent. DOM will pay the contracts PMPM capitation payment to cover the services provided. DOM calculates state-set rates by rate category on a statewide basis with area adjustment based on an enrolled member's county of residence. The estimated cost of MississippiCAN is \$2,127,725,676.00, which consists of \$1,642,604,221.87 federal funds or 77.20%, for all three contracts collectively. The rate cells and capitation rates are in accordance to the capitation rates (excluding risk scores) table of Section 13.A.9, Capitation Rates. The rates also include a flat transitional payment pool add-on of \$72.92, excluding delivery kick payment. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and

certify to its capitation rate development. Additionally, capitation rates will be recertified after actual membership is known. The agency contends Centers for Medicare & Medicaid Services (hereinafter "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. The Contractor was originally selected through an RFQ, which resulted in the award of three contracts. Amendment Three was approved at the June 2018 PPRB meeting.

Amendment Four updates: the Priority clause of the Definition and Construction subsection and the Applicable Law, Ownership and Financial Disclosure, and Data Exchange Requirements subsections of Section 1, General Provisions; the Claims Denial Reconsideration and Complaint definitions of Section 2, Definitions; the Disenrollment and Disenrollment of Nursing Home Residents subsections of Section 4, Mississippi Enrollment and Disenrollment; the General Requirements, Pharmacy Services, and Medical, Surgical, and Behavioral Health Services portions of the Prior Authorizations subsections as well as the Covered Services, Emergency Services, Post-Stabilization Care Services, and Prescription Drugs, Physician-Administered Drugs and Implantable Drug System Devices subsections of Section 5, Covered Services and Benefits; the Additional Requirements for Communication with Contractor's Members subsection of Section 6, Member Services; Provider Education and Training portion of the Provider Services subsection, Payments from Members portion of the Reimbursement subsection, and the Provider Credentialing and Qualifications, Provider Agreements, and Provider Complaint, Grievance, Appeal and State Administrative Hearing Process subsections of Section 7, Provider Network; General Requirements portion of the Transitional Care Management subsection of Section 9, Care Management; the Pharmacy Lock-In Program, Medical Records, Third Party Liability Audit, Third Party Liability Reporting, Member Encounter Data, and Fraud and Abuse Reporting subsections of Section 11, Reporting Requirements; the Third Party Resources and Capitation Rates portion of the Capitation Payments subsection and the Maternity Kick Payment and Responsibility for Inpatient Services subsections of Section 13, Financial Requirements; the Liquidated Damages and Stop Work Order subsections of Section 16, Default and Termination; the Offer of Gratuities subsection of Section 17, Federal, State, and General Requirements; the Claims Payment subsection of Section 18, Claims Management; the Recalculation of Medical Loss Ratio (hereinafter "MLR") portion of Reporting Requirements, Expenses Not Allowable as Non-Claims Costs of Non-Claims Costs, and Formula for Calculating Medical Loss Ratio of Exhibit C, MLR Requirements; Exhibit D, Member Complaint, Grievance, Appeal, and State Fair Hearing Process; Standards I and II of Exhibit G, Quality Management; and Exhibit H, Reporting Requirements. 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 modification as requested.

Projected Budget for Life of the Contract: \$1,198,116,965.00

20. **Requesting Agency:** Mississippi Division of Medicaid
Supplier: UnitedHealthcare of Mississippi, Inc.
Contract #: 8200041776

Term: 07/01/2017 – 06/30/2020

Modification

Total Value: \$718,870,179.00

\$0.00

Summary of Request: The term of the original contract remains three years with two optional one-year renewals. Amendment Four has been submitted to modify the contract to correct grammatical, format, and reference citation issues as well as to modify the scope of services to meet the Care Coordination Organization Program and policy needs for the upcoming Fiscal Year. The Agency requests no additional spending authority as the current spending authority is sufficient.

The Contractor provides services for statewide administration of the MississippiCAN. The MississippiCAN contracts are paid via a medical claims process through DOM's fiscal agent. DOM will pay the contracts PMPM capitation payment to cover the services provided. DOM calculates state-set rates by rate category on a statewide basis with area adjustment based on an enrolled member's county of residence. The estimated cost of MississippiCAN is \$2,127,725,676.00, which consists of \$1,642,604,221.87 federal funds or 77.20%, for all three contracts collectively. The rate cells and capitation rates are in accordance to the capitation rates (excluding risk scores) table of Section 13.A.9, Capitation Rates. The rates also include a flat transitional payment pool add-on of \$72.92, excluding delivery kick payment. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and certify to its capitation rate development. Additionally, capitation rates will be recertified after actual membership is known. The agency contends Centers for Medicare & Medicaid Services (hereinafter "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. The Contractor was originally selected through an RFQ, which resulted in the award of three contracts. Amendment Three was approved at the June 2018 PPRB meeting.

Amendment Four updates: the Priority clause of the Definition and Construction subsection and the Applicable Law, Ownership and Financial Disclosure, and Data Exchange Requirements subsections of Section 1, General Provisions; the Claims Denial Reconsideration and Complaint definitions of Section 2, Definitions; the Disenrollment and Disenrollment of Nursing Home Residents subsections of Section 4, Mississippi Enrollment and Disenrollment; the General Requirements, Pharmacy Services, and Medical, Surgical, and Behavioral Health Services portions of the Prior Authorizations subsections as well as the Covered Services, Emergency Services, Post-Stabilization Care Services, and Prescription Drugs, Physician-Administered Drugs and Implantable Drug System Devices subsections of Section 5, Covered Services and Benefits; the Additional Requirements for Communication with Contractor's Members subsection of Section 6, Member Services; Provider Education and Training portion of the Provider Services subsection, Payments from Members portion of the Reimbursement subsection, and the Provider Credentialing and Qualifications, Provider Agreements, and Provider Complaint, Grievance, Appeal and State Administrative Hearing Process subsections of Section 7, Provider Network; General Requirements portion of the Transitional Care Management subsection of Section 9, Care Management; the Pharmacy Lock-In Program, Medical Records, Third Party Liability Audit, Third Party Liability Reporting, Member Encounter Data, and Fraud and Abuse Reporting subsections of Section 11, Reporting Requirements; the Third Party Resources and Capitation Rates portion of the Capitation Payments subsection and the Maternity Kick Payment and Responsibility for Inpatient Services subsections of Section 13, Financial Requirements; the Liquidated

Damages and Stop Work Order subsections of Section 16, Default and Termination; the Offer of Gratuities subsection of Section 17, Federal, State, and General Requirements; the Claims Payment subsection of Section 18, Claims Management; the Recalculation of Medical Loss Ratio (hereinafter "MLR") portion of Reporting Requirements, Expenses Not Allowable as Non-Claims Costs of Non-Claims Costs, and Formula for Calculating Medical Loss Ratio of Exhibit C, MLR Requirements; Exhibit D, Member Complaint, Grievance, Appeal, and State Fair Hearing Process; Standards I and II of Exhibit G, Quality Management; and Exhibit H, Reporting Requirements. 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 modification as requested.

Projected Budget for Life of the Contract: \$1,198,116,965.00

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

Supplier: Magnolia Health Plan, Inc.

Contract #: 8200041775

Term: 07/01/2017 – 06/30/2020

Modification

Total Value: \$718,870,179.00

\$0.00

Summary of Request: The term of the original contract remains three years with two optional one-year renewals. Amendment Four has been submitted to modify the contract to correct grammatical, format, and reference citation issues as well as to modify the scope of services to meet the Care Coordination Organization Program and policy needs for the upcoming Fiscal Year. The Agency requests no additional spending authority as the current spending authority is sufficient.

The Contractor provides services for statewide administration of the MississippiCAN. The MississippiCAN contracts are paid via a medical claims process through DOM's fiscal agent. DOM will pay the contracts PMPM capitation payment to cover the services provided. DOM calculates state-set rates by rate category on a statewide basis with area adjustment based on an enrolled member's county of residence. The estimated cost of MississippiCAN is \$2,127,725,676.00, which consists of \$1,642,604,221.87 federal funds or 77.20%, for all three contracts collectively. The rate cells and capitation rates are in accordance to the capitation rates (excluding risk scores) table of Section 13.A.9, Capitation Rates. The rates also include a flat transitional payment pool add-on of \$72.92, excluding delivery kick payment. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and certify to its capitation rate development. Additionally, capitation rates will be recertified after actual membership is known. The agency contends Centers for Medicare & Medicaid Services (hereinafter "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. The Contractor was originally selected through an RFQ, which resulted in the award of three contracts. Amendment Three was approved at the June 2018 PPRB meeting.

Amendment Four updates: the Priority clause of the Definition and Construction subsection and the Applicable Law, Ownership and Financial Disclosure, and Data Exchange

Requirements subsections of Section 1, General Provisions; the Claims Denial Reconsideration and Complaint definitions of Section 2, Definitions; the Disenrollment and Disenrollment of Nursing Home Residents subsections of Section 4, Mississippi Enrollment and Disenrollment; the General Requirements, Pharmacy Services, and Medical, Surgical, and Behavioral Health Services portions of the Prior Authorizations subsections as well as the Covered Services, Emergency Services, Post-Stabilization Care Services, and Prescription Drugs, Physician-Administered Drugs and Implantable Drug System Devices subsections of Section 5, Covered Services and Benefits; the Additional Requirements for Communication with Contractor's Members subsection of Section 6, Member Services; Provider Education and Training portion of the Provider Services subsection, Payments from Members portion of the Reimbursement subsection, and the Provider Credentialing and Qualifications, Provider Agreements, and Provider Complaint, Grievance, Appeal and State Administrative Hearing Process subsections of Section 7, Provider Network; General Requirements portion of the Transitional Care Management subsection of Section 9, Care Management; the Pharmacy Lock-In Program, Medical Records, Third Party Liability Audit, Third Party Liability Reporting, Member Encounter Data, and Fraud and Abuse Reporting subsections of Section 11, Reporting Requirements; the Third Party Resources and Capitation Rates portion of the Capitation Payments subsection and the Maternity Kick Payment and Responsibility for Inpatient Services subsections of Section 13, Financial Requirements; the Liquidated Damages and Stop Work Order subsections of Section 16, Default and Termination; the Offer of Gratuities subsection of Section 17, Federal, State, and General Requirements; the Claims Payment subsection of Section 18, Claims Management; the Recalculation of Medical Loss Ratio (hereinafter "MLR") portion of Reporting Requirements, Expenses Not Allowable as Non-Claims Costs of Non-Claims Costs, and Formula for Calculating Medical Loss Ratio of Exhibit C, MLR Requirements; Exhibit D, Member Complaint, Grievance, Appeal, and State Fair Hearing Process; Standards I and II of Exhibit G, Quality Management; and Exhibit H, Reporting Requirements. All other terms and conditions of the original contract remain the same. Proof of the vendor's updated required workers' compensation, professional liability, general liability against bodily injury or death, and property damage and fire insurance certifications must be received from the agency prior to processing the contract modification.

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 contingent upon receipt of the vendor's updated required workers' compensation, professional liability, general liability against bodily injury or death, and property damage and fire insurance certifications.

Projected Budget for Life of the Contract: \$1,198,116,965.00

22. Requesting Agency: Mississippi Division of Medicaid

Supplier: Molina Healthcare of Mississippi, Inc.

Contract #: 8200045142

Term: 08/01/2019 – 07/31/2022

Total Value: \$67,139,902.00

New

\$67,139,902.00

Summary of Request: The term of the contract is three years with two optional one-year renewals. The Contractor will provide services for statewide administration of the Mississippi Children's Health Insurance Program (hereinafter "CHIP"), a coordinated care program for Mississippi children. The Contractor will be paid a per member per month capitation rate, which

is calculated and certified annually by an independent actuarial and consulting firm (Milliman) and is expected to be finalized in July 2019. The Contractor was selected through an RFQ with three respondents and resulted in the award of two contracts. The Agency was granted an exemption from competitive sealed bidding at the April 2018 PPRB meeting. The agency requests exceptions to PPRB OPSCR Rules and Regulations Appendix D for not including the Certification of Independent Price Determination, E-Payment, and Paymode clauses in the RFQ and allowing non-substantive modifications to the Paymode clause in the contract. As payment for the CHIP contracts are based on capitation rates developed by Milliman and because the CHIP contractors are paid via a medical claims process through DOM's fiscal agent (Conduent), OPSCR does not have concerns regarding competition, fairness, and transparency of this procurement.

Two post-award vendor debriefings were requested and held. There was one protest filed regarding the procurement: Magnolia Health Plan, Inc. filed a protest to the contract awards on December 3, 2018. On March 25, 2019, the Executive Director of DOM responded to the protest with the final decision that the protest had no merit. The protest issue surrounded the definition of "identifying information" contained in 31-7-413(2)(b)(ii). OPSCR deferred to the definition in the agency's RFQ which stated "name, logos, watermarks, company colors, etc," would be deemed identifying information.

The Agency contends Centers for Medicare & Medicaid Services (hereinafter "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 upon granting the exception to Appendix D, will comply with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of exceptions and approval of the contract as requested.

Projected Budget for Life of the Contract: \$111,899,836.67

23. Requesting Agency: Mississippi Division of Medicaid

Supplier: UnitedHealthcare of Mississippi, Inc.

Contract #: 8200045140

Term: 08/01/2019 – 07/31/2022

Total Value: \$67,139,902.00

New

\$67,139,902.00

Summary of Request: The term of the contract is three years with two optional one-year renewals. The Contractor will provide services for statewide administration of the Mississippi Children's Health Insurance Program (hereinafter "CHIP"), a coordinated care program for Mississippi children. The Contractor will be paid a per member per month capitation rate, which is calculated and certified annually by an independent actuarial and consulting firm (Milliman) and is expected to be finalized in July 2019. The Contractor was selected through an RFQ with three respondents and resulted in the award of two contracts. The Agency was granted an exemption from competitive sealed bidding at the April 2018 PPRB meeting when their Petition for Relief from Competitive Sealed Bidding was approved. The agency requests exceptions to PPRB OPSCR Rules and Regulations Appendix D for not including the Certification of Independent Price Determination, E-Payment, and Paymode clauses in the RFQ and allows

non-substantive modifications to the Paymode clause in the contract. As payment for the CHIP contracts are based on capitation rates developed by Milliman and because the CHIP contractors are paid via a medical claims process through DOM's fiscal agent (Conduent), OPSCR does not have concerns regarding competition, fairness, and transparency of this procurement.

Two post-award vendor debriefings were requested and held. There was one protest filed regarding the procurement: Magnolia Health Plan, Inc. filed a protest to the contract awards on December 3, 2018. On March 25, 2019, the Executive Director of DOM responded to the protest with the final decision that the protest had no merit. The protest issue surrounded the definition of "identifying information" contained in 31-7-413(2)(b)(ii). OPSCR deferred to the definition in the agency's RFQ which stated "name, logos, watermarks, company colors, etc," would be deemed identifying information.

The Agency contends Centers for Medicare & Medicaid Services (hereinafter "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. Proof of the vendor's required workers' compensation insurance certificate must be received from the Agency prior to processing the contract.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and upon granting the exception to Appendix D, will comply with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of exceptions and approval of the contract as requested contingent upon receipt of vendor's workers' compensation insurance certificate.

Projected Budget for Life of the Contract: \$111,899,836.67

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.

E. Preapproved Vendor Lists

1. Lawn and Landscaping Services

Pursuant to *Miss. Code Ann. § 27-104-7(2)(i)*, the DFA OPSCR staff issued an Invitation for Bids for Lawn and Landscaping in order to establish a List of Preapproved Vendors for Lawn and Landscaping Services for the time period of July 10, 2019 to July 9, 2022 for use by state agencies under the purview of the PPRB. The IFB divided the State into eight regions. The IFB provided that awards would be made to all responsive and responsible bidders per region per lawn and landscaping services format/category ranked in relation to the lowest costs. There were nine respondents to the IFB, of which one was deemed non-responsive and was notified. Eight bids were received for eight regions. Vendors on the PVL list will remain on the list until July 9, 2022, at which time that list will expire. However, if a Contracting Agency enters into a contract with a preapproved Vendor prior to the expiration date of July 9, 2022, that contract may be renewed at the same rates listed on the PVL until June 30, 2024. Prices submitted in response to the IFB will remain firm, valid, and renewable until June 30, 2024 except that a bidder may raise prices to reflect a rise in the federal minimum wage, but only to the extent of the actual minimum wage increase.

Staff Recommendation: Approval of the Preapproved Vendor List for Lawn and Landscaping Services as requested.

2. Background Screening Services

Pursuant to *Miss. Code Ann. § 27-104-7(2)(i)*, the DFA OPSCR staff issued an Invitation for Bids for Background Screening in order to establish a List of Preapproved Vendors for Background Screening Services for the time period of July 10, 2019 to July 9, 2022 for use by state agencies under the purview of the PPRB. The IFB divided the State into eight regions. The IFB provided that awards would be made to all responsive and responsible bidders per region per background screening services format/category ranked in relation to the lowest costs. There were seven respondents to the IFB, none were deemed non-responsive or non-responsible. Seven bids were received for eight regions. Vendors on the PVL list will remain on the list until July 9, 2022, at which time that list will expire. However, if a Contracting Agency enters into a contract with a preapproved Vendor prior to the expiration date of July 9, 2022, that contract may be renewed at the same rates listed on the PVL until June 30, 2024. Prices submitted in response to the IFB will remain firm, valid, and renewable until June 30, 2024 except that a bidder may raise prices to reflect a rise in the federal minimum wage, but only to the extent of the actual minimum wage increase.

Staff Recommendation: Approval of the Preapproved Vendor List for Background Screening Services as requested.

F. OPSCR Staff Approvals Reported to the Board

G. 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.

H. 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.

I. OPSCR Director's Report

IX. Adjournment