



**TELEPHONIC MEETING AGENDA**  
**Thursday July 23, 2020**  
**9:00 a.m.**

***\*This Meeting will be held telephonically. For public telephonic access to the meeting, please send a request to [PPRB@dfa.ms.gov](mailto:PPRB@dfa.ms.gov)\****

- I. Call to Order
- II. Approval of Minutes from June 25, 2020 Public Procurement Review Board Meeting
- III. Approval of per diem and expenses for the July 23, 2020 meeting and for any additional expenses incurred prior to the August 12, 2020 meeting
- IV. DFA Office of Purchasing, Travel and Fleet Management (OPTFM)

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

**1. Governing Authorities**

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

**Supplier:** Apple

**Term:** One-time purchase

**Commodities:** Apple products

**Total Value:** \$2,600,000.00 estimated

**Summary of Request:** Holmes County School District has requested an exemption from using the reverse auction process for the purchase of Apple products. They are requesting an 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 from Apple and not resellers. Because there will be only one qualified supplier, the District feels that the competitive sealed bidding process should be utilized.

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

**ii. Requesting Governing Authority:** Tupelo Public School District

**Supplier:** Apple

**Term:** Three (3) year term

**Commodities:** Apple products

**Total Value:** \$1,000,000.00 estimated

**Summary of Request:** Tupelo Public School District has requested an exemption from using the reverse auction process for the purchase of Apple products. They are requesting an 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 from Apple and not resellers. Because there will be only one qualified supplier, the District feels that the competitive sealed bidding process should be utilized.

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

iii. **Requesting Governing Authority:** Jackson Public School District

**Supplier:** Unknown

**Term:** One-time purchase

**Commodities:** Internet firewall

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

**Summary of Request:** Jackson Public School District has requested an exemption from using reverse auction process for the purchase of an internet firewall. They are requesting an exemption because they attempted a reverse auction and no vendors responded. The District feels that competitive sealed bidding process 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.

2. **State Agencies**

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

**Supplier:** Unknown

**RFx #:** 3180001122

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

**Total Value:** \$515,000.00 (estimated)

**Summary of Request:** MDOT has requested an exemption from using the reverse auction process for the purchase of rock salt. Because the commodity is used in various locations statewide, they wish to make multiple awards. In order to determine the lowest cost, location of work 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 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 bidding for the procurement.

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

### 1. Requesting Governing Authority: Harrison County

**Supplier:** Huey P. Stockstill, Land Shaper

**Term:** 8/10/2020 through 6/30/2021

**Total Value:** \$78,000.00 estimated

**Summary of Request:** Harrison County was granted an exemption from reverse auction on April 1, 2020 for the purchase of asphalt milling. They advertised for competitive sealed bids for the purchase and received two (2) bids. The County wishes to award to both vendors and the amount of milling to be done will determine which vendor will be used.

**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.

### 2. Requesting Governing Authority: Harrison County

**Supplier:** T. L. Wallace, Vance Brothers

**Term:** 8/10/2020 through 6/30/2021

**Total Value:** \$247,316.00 estimated

**Summary of Request:** Harrison County was granted an exemption from reverse auction on April 1, 2020 for the purchase of asphalt restoration. They advertised for competitive sealed bids for the purchase and received two (2) bids. The County wishes to award to T. L. Wallace as primary and Vance Brothers as alternate.

**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.

### 3. Requesting Governing Authority: Pike County

**Supplier:** Dial, G&O

**Term:** 7/23/20 through 8/31/2022

**Total Value:** \$133,000.00 estimated

**Summary of Request:** Pike County was granted an exemption from reverse auction on March 4, 2020 for the purchase of piping. They advertised for competitive sealed bids for the purchase and received two (2) bids. For metal piping, the County wishes to award to Dial as primary and G&O as alternate. For plastic piping, the County wishes to award to G&O as primary and Dial as alternate.

**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.

### 4. Requesting Governing Authority: Pike County

**Supplier:** Custom Products Corporation

**Term:** 7/23/20 through 8/31/2022

**Total Value:** \$25,000.00 estimated

**Summary of Request:** Pike County was granted an exemption from reverse auction on March 4, 2020 for the purchase of signs. They advertised for competitive sealed bids for the purchase and received one (1) bid. They wish to award to Custom Products Corporation.

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

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

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

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

**Contract #:** 8200040987, 8200040988

**Term:** 9/10/2018 through 9/9/2021

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

**Summary of Request:** MEMA is requesting a twelve (12) month extension of contracts for standby emergency food grade ice. This extension is with two (2) of the original three (3) vendors as one has declined renewal. The PPRB approved the exemption from the reverse auction process on March 7, 2018 and approved three (3) contracts, one to each bidder who met specifications, with no protests. This is the second of four (4) possible twelve (12) month extensions.

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

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

**Supplier:** Lipsey Mountain Spring Water

**Contract #:** 8200041078

**Term:** 9/10/2018 through 9/9/2021

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

**Summary of Request:** MEMA is requesting a twelve (12) month extension for standby emergency bottled water. This extension is with two (2) of the original three (3) vendors as one has declined renewal. The PPRB approved the exemption from the reverse auction process on March 7, 2018 and approved three (3) contracts, one to each bidder who met specifications, with no protests. This is the second of four (4) possible twelve (12) month extensions.

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

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

**Supplier:** Mead Johnson and Company LLC.

**Contract:** 8200052008

**Term:** 9/1/2020 through 8/31/2023 with two (2) potential twelve (12) month extensions

**Total Value:** \$136,000,000.00

**Summary of Request:** MSDH requested an exemption from reverse auction and was approved on December 5, 2018. Competitive sealed bidding was used to award to the vendor for the WIC Infant Formula Rebate Program. MSDH received two (2) protests prior to the bid opening and both protests were resolved. MSDH received three (3) bids and is wishing to award to Mead Johnson as the vendor with the best rebate. The Mississippi WIC program is 100% federally funded and must meet federal requirements of 2 CFR 200.318, and 7 CFR 246.16. These federal regulations require competitive sealed bids for the WIC program from infant formula manufactures to supply and provide a rebate for infant formulas.

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

**D. Master Lease Purchase Program**

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

**Master Lease Purchase:** \$88,614.00

**Term of Contract:** Next available Master Lease Purchase Series

**Purchase Method:** DFA State vehicle 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 Sole Source Purchases**

**G. OPTFM Emergency Purchases**

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

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

**B. RPM New Leases**

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

**Lease #:** 260-303-23A

**Lessor:** Trebig Properties, LLC.

**Term:** 10-1-2020 thru 09-30-2023

**Total Yearly Cost:** \$238,272.00

**Cost PSF:** \$14.92 + Utilities & Janitorial

**Previous Cost PSF:** N/A

**Total Space per Occupant:** 1,065 sq. ft.

**Federal Funds:** 100%

**Square Footage Proposed:** 15,975 sq. ft.

**Previous Square Footage:** N/A.

**Address of Property:** 1604 Denny Avenue, Pascagoula, MS.

**Purpose of Lease:** This location will operate as the WIN job center for the area serving between 75-100 applicants per day. Space leased includes classrooms, a computer access room and office space for MDES employees.

**Note:** This is a three (3) year lease with no renewals. An RLP was issued and only one response was received. All carpeted areas must be replaced with new carpet and all vinyl composition tile (VCT) will be replaced with new VCT. MDES asks for a waiver on the Space Efficiency allowance due to the required space needed for the above functions.

**Staff Recommendation:** This request has been reviewed for compliance by DFA staff, and upon the granting of the waiver for the Space Efficiency Allowance, MDES will have complied with all rules, regulations and legal requirements. RPM recommends the approval of this lease.

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

**Lease #:** 390-452-30A

**Lessor:** Litchfield Properties, LLC.

**Term:** 10-1-2020 thru 09-30-2030

**Total Yearly Cost:** \$381,089.64

**Cost PSF:** \$14.31 Inclusive

**Previous Cost PSF:** N/A

**Total Space per Occupant:** 375 sq. ft.

**Federal Funds:** 0%

**Square Footage Proposed:** 26,631 sq. ft.

**Previous Square Footage:** N/A

**Address of Property:** 222 Marketridge Dr., Ridgeland, MS.

**Purpose of Lease:** This facility stores all birth and death certificates in the State. This office also compiles health statistics that are shared with appropriate agencies and authorities.

**Note:** This lease was advertised and MSDH received two responses. One response was deemed conditional and therefore considered nonresponsive. The second lease was from the existing landlord and was accepted. This is a ten (10) year lease with two (2) five (5) year options to renew at the same lease rate as the primary lease. Due to the large amount of required storage for this facility, MSDH asks PPRB for a waiver on the Space Efficiency Allowance requirements.

**Staff Recommendations:** This request has been reviewed for compliance by DFA staff, and upon the granting the waiver for the Space Efficiency Allowance, MSDH will have complied with all rules, regulations and legal requirements. RPM recommends the approval of this lease.

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

**Lease #:** 515-242-30A

**Lessor:** Pelican Land Holdings, LLC.

**Term:** 12-01-2020 thru 11-30-2030

**Total Yearly Cost:** \$216,000.00

**Cost PSF:** \$18.00 + Utilities & Janitorial

**Previous Cost PSF:** N/A

**Total Space per Occupant:** 315 sq. ft.

**Federal Funds:** 50%

**Square Footage Proposed:** 12,000 sq. ft.

**Previous Square Footage:** N/A

**Address of Property:** 100 Corporate Drive, Gulfport, MS.

**Purpose of Lease:** The Gulfport Regional Office serves one of the highest number of Medicaid clients in the State.

**Note:** Mississippi Division of Medicaid (DOM) advertised and received two responses. One response was submitted after the require submission date and was considered non-responsive. This is a ten (10) year lease with two (2) five (5) year renewal options. The two (2) renewal options are at the same rental rate as the primary term (\$18.00 per sq. ft.). DOM asks for a waiver on the Space Efficiency requirement due to the need for client interviewing and client confidentiality. The Gulfport Regional Office is centrally located within Region VIII. This office is frequently utilized by Central Office staff to host training sessions/meetings that include all three regional offices (Gulfport, Pascagoula, and Picayune) in order to minimize travel expenses within the region.

**Staff Recommendation:** This request has been reviewed for compliance by DFA staff, and upon the granting of the waiver for the Space Efficiency Allowance, DOM will have complied with all rules, regulations and legal requirements. RPM recommends the approval of this lease.

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

**Lease #:** 395-061-21A

**Lessor:** Ron McNeer, dba McNeer Mini Storage

**Term:** 08-01-2020 thru 07-31-2021

**Total Year Cost:** \$12,000.00

**Cost PSF:** \$11.67 + Utilities & Janitorial

**Total Space per Occupant:** 342

**Federal Funds:** 0%

**Square Footage Proposed:** 1,028 sq. ft.

**Previous Square Footage:** N/A

**Address of Property:** 613 E. Sunflower Road, Cleveland, MS.

**Purpose of Lease:** This will serve as the local office for Commissioner Willie Simmons of the Central District Mississippi Department of Transportation.

**Note:** This is a one (1) year lease with four (4) one (1) year options to renew. The options to renew must be with mutual consent by both parties and the terms and conditions must remain the same for all renewals. MDOT asks PPRB for a waiver of section 300.8 (4) of the State Leasing Manual requiring public notice (advertisement for space) due to the time restraints and the immediate need for the space by the Commissioner to better serve this portion of the district. The cost per square foot is very competitive considering the lack of available office space in the area. MDOT also asks PPRB for a waiver on the Space per Occupant allowance per 300.4 (2) due to the lack of available space. This approval is contingent on the receipt of a properly signed and executed contract between the two parties.

**Staff Recommendation:** This request has been reviewed for compliance by DFA staff, and upon the granting of the waivers for advertisement under 300.8 (4) and the Space per Occupant

Allowance as noted in 300.4 (2) of the leasing manual, MDOT will have complied with all rules, regulations and legal requirements. RPM recommends the approval of this lease.

### C. RPM Succeeding Leases

#### 1. Requesting Agency: Boswell Regional Center

**Lease #** 533-641-25B

**Lessor:** Anthony Koen

**Term:** 10-01-2020 thru 09-30-2025

**Total Yearly Cost:** \$9,240.00

**Cost PSF:** \$4.22 + Utilities & Janitorial

**Previous Cost PSF:** \$4.22 + Utilities & Janitorial

**Total Space per Occupant:** 146

**Federal Funds:** 0%

**Square Footage Proposed:** 2,190 sq. ft.

**Previous Square Footage:** 2,190 sq. ft.

**Address of Property:** 614 2nd Ave. S.W., Magee, MS 39111

**Purpose of Lease:** This facility is a day activity center for Boswell Regional clients.

**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.

#### 2. Requesting Agency: Ellisville State School

**Lease #:** 534-331-25A

**Lessor:** Ten Buck Too, LLC.

**Term:** 01-01-2021 thru 12-31-2025

**Total Yearly Cost:** \$16,044.00

**Cost PSF:** 3.42 + Utilities & Janitorial

**Previous Cost PSF:** \$3.42 + Utilities & Janitorial

**Total Space per Occupant:** 937

**Federal Funds:** 0%

**Square Footage Proposed:** 4,685

**Previous Square Footage:** 4,685

**Address of Property:** 1822 Columbia Avenue, Prentiss, MS.

**Purpose of Lease:** This lease will house the activity center for clients with developmental disabilities.

**Note:** This is a five (5) year lease with no renewals. Ellisville State School asks for a waiver on the Space Efficiency Allowance due to the fact that the original contract was signed prior to the policy taking effect. There will be five (5) staff members and up to 20 clients at this facility at any one time.

**Staff Recommendation:** This request has been reviewed for compliance by DFA staff, and upon the granting of the waiver for the Space Efficiency Allowance, Ellisville State School will have complied with all rules, regulations and legal requirements. RPM recommends the approval of this lease.



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

**Lease #** 260-671-23C

**Lessor:** Sunflower Investment, LLC.

**Term:** 10-01-2020 thru 09-30-2023

**Total Yearly Cost:** \$22,848.00

**Cost PSF:** \$7.14+ Utilities & Janitorial

**Previous Cost PSF:** \$7.14+ Utilities & Janitorial

**Total Space per Occupant:** 213

**Federal Funds:** 100%

**Square Footage Proposed:** 3,200 sq. ft.

**Previous Square Footage:** 3,200 sq. ft.

**Address of Property:** 226 N. Martin Luther King, Indianola, MS.

**Purpose of Lease:** This location will serve as a WIN Job Center for the Indianola area.

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

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

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

**Lease #** 260-801-23A

**Lessor:** Allen B Enterprises, LLC.

**Term:** 10-01-2020 thru 09-30-2023

**Total Yearly Cost:** \$9,000.00

**Cost PSF:** \$3.28+ Utilities & Janitorial

**Previous Cost PSF:** \$3.28+ Utilities & Janitorial

**Total Space per Occupant:** 249

**Federal Funds:** 100%

**Square Footage Proposed:** 2741 sq. ft.

**Previous Square Footage:** 2741 sq. ft.

**Address of Property:** 600 N. Court Street, Louisville, MS.

**Purpose of Lease:** This location will serve as a WIN Job Center for the Louisville area.

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

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

**D. RPM Non-Competitive Leases**

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

**Lease #:** 865-171-24A

**Lessor:** Desoto County Board of Supervisors

**Term:** 10-01-2020 thru 07-31-2025

**Total Yearly Cost:** \$82,500.00

**Cost PSF:** \$10.00 + Utilities & Janitorial

**Previous Cost PSF:** N/A

**Total Space per Occupant:** 250 sq. ft.

**Federal Funds:** 50%

**Square Footage Proposed:** 8,250 sq. ft.

**Previous Square Footage:** N/A

**Address of Property:** 3210 Hwy 51 South, Hernando, MS.

**Purpose of Lease:** This will serve as the office for the Economic Assistance Division of Mississippi Department of Human Services

**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.

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

**Lease #:** 225-251-21A

**Lessor:** Douglas, Inc.

**Term:** 09-01-2020 thru 08-31-2021

**Total Yearly Cost:** \$18,000.00

**Cost PSF:** \$4.40 Environmentally Controlled

**Previous Cost PSF:** \$4.40 Environmentally Controlled

**Total Space per Occupant:** N/A

**Federal Funds:** 0%

**Square Footage Proposed:** 4,909 sq. ft.

**Previous Square Footage:** 4,909 sq. ft.

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

**Purpose of Lease:** This is a storage lease used to store promotional items used by MDA.

**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.

**E. RPM Amended Leases**

1. **Requesting Agency:** Mississippi Department of Finance & Administration

**Lease #:** 055-251-21G

**Lessor:** Mercury Air Center, LLC, dba Atlantic Aviation-Jackson

**Term:** 09-01-2020 thru 08-31-2021

**Total Yearly Cost:** \$46,468.80

**Cost PSF:** \$14.25 Inclusive

**Previous Cost PSF:** \$13.58 Inclusive

**Total Space per Occupant:** N/A.

**Federal Funds:** 0%

**Square Footage Proposed:** 3,260 sq. ft.

**Previous Square Footage:** 3,260 sq. ft.

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

**Purpose of Lease:** This is a hangar lease for the DFA Office of Air Transport to house the State aircraft, a 300 square foot office for the aircraft mechanic, and ensure the secure storage of tools at Jackson/Medgar Wiley Evers International Airport.

**Note:** This amendment extends the expiration date until 08-31-2021.

**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.

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

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

#### 1. **Requesting Agency:** Office of the State Treasurer

**RFx Number:** 3180001062

**Procurement Request:** Request for Proposals

**Anticipated Term:** Three (3) Years with Two (2) optional 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 a contractor to serve as a communications and marketing consultant for the Office of the State Treasurer, including the Executive Office, the Mississippi Prepaid Affordable College Tuition Program (MPACT), the Mississippi Affordable College Savings Program (MACS), Unclaimed Property, and all other operations of the Office. The consultant shall be responsible for public affairs, media relations, digital and social media communications and advertising, direct mail marketing, and telephone marketing. The Agency contends that utilizing the IFB process is not practicable and advantageous to the business of the Agency and could result in a contractor being selected that has limited knowledge of State Treasury programs and limited resources and technical skill to provide the type of strategic communications and marketing plan needed. Due to the nature of the contract, there are many factors that should be considered in addition to cost, with the pertinent being technical skill, appropriate organizational structure to handle the demands of marketing various programs, and creativity and design experience. The respondents will be evaluated based on technical, management, and cost factors. The technical factors will be weighted at thirty (30) points or 30%, management factors will be weighted at thirty-five (35) points or 35%, and cost factors (price) will be weighted at thirty-five (35) points or 35%.

**Staff Recommendation:** Granting of the Agency's Petition for Relief from competitive bidding requirements as allowed by Miss. Code Ann. § 31-7-403(4), and approval of the Agency's request to use a Request for Proposals as the procurement method to select one Contractor to provide communication and marketing consulting services.

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

**RFx Number:** 3180001092

**Procurement Request:** Request for Proposals

**Anticipated Term:** One (1) Year with Two (2) optional renewals

**Anticipated Contract Amount:** \$84,500.00

**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 contractor to provide occupational therapy services to students whose Individual Education Program committees have determined the service is needed for the student to have access to a Free Appropriate Public Education and to achieve an educational benefit. The Agency contends that utilizing the IFB process is not practicable and advantageous to the business of the Agency as the IFB method's selection criteria is too narrow in this case, as the most important characteristics of a candidate are their performance and expertise. Because the scope of work for these services is unique, specific, and requires expertise and technical specifications, a Request for Proposal (RFP) would allow a selection process that considers these requirements, rather than awarding the contract based on cost. The respondents will be evaluated based on technical, management, and cost factors. Pursuant to Miss. Code Ann. § 31-7-413(2)(b)(iii) the Agency requests approval to score "cost" factors openly as price is based on an objective determination. The technical factors will be weighted at twenty (20) points or 20%, management factors will be weighted at forty (40) points or 40%, and cost factors (price) will be weighted at forty (40) points or 40%.

**Staff Recommendation:** Granting of the Agency's Petition for Relief from competitive bidding requirements as allowed by Miss. Code Ann. § 31-7-403(4), approval of the Agency's request to use a Request for Proposals as the procurement method to select one Contractor to provide occupational therapy services, and as allowed by Miss. Code Ann. § 31-7-413(2)(b)(iii), approval to score "cost" factors openly as price.

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

### **1. Requesting Agency:** Mississippi Department of Public Safety

**Supplier:** CorVel Enterprise Comp. Inc. d/b/a CorVel Corporation, Inc.

**Contract #:** 8200025418/8200050213

**Term:** 08/01/2016 – 07/31/2021

**Total Value:** \$5,400,000.00

**Renewal**  
**\$1,080,000.00**

**Summary of Request:** The term of the original contract was four years with one optional one-year renewal. Modification One exercises the only optional renewal allowed by the original contract. The Contractor serves as the Third Party Administrator for the Agency's self-insurance program to handle claim administration, risk management, loss control, managed care, reporting requirements, and all other administration for the program. The Contractor was originally selected through an RFP with three respondents. The original contract was statutorily approved at the June 2016 PSCRB meeting. This is the first time OPSCR has reviewed the procurement and contract. As this RFP was issued on April 15, 2016, the procurement must comply with the PSCRB Rules and Regulations (4/15/2016). The Agency requests exceptions to PSCRB Rules and Regulations Sections 3-203.04.1(a) for failure to include "a statement that discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award, but that proposals may be accepted without such discussions;" 3-203.04.2(d) for failure to identify the type of contract to be used within the RFP; and 3-203.04.2(g) for failure to include "a statement that offerors may designate those portions of the proposals which contain trade secrets or other proprietary data which may remain confidential in accordance with Section 25-61-9 and 79-23-1 of the MS Code Ann." OPSCR staff does not have concerns regarding the competitiveness and fairness

of the procurement. Modification One adds the Approval clause and updates the Period of Performance, Compensation, Termination for Default, Availability of Funds, Compliance with Laws, Procurement Regulations, Representation Regarding Gratuities, E-Payment, E-Verification, Transparency, Notices, Modification, and Priority of Documents 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 upon granting of exception to Sections 3-203.04.1(a) and 3-203.04.2(d) and (g) will comply with the PSCRB Rules and Regulations, the PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of exceptions to Sections 3-203.04.1(a) and 3-203.04.2(d) and (g) and approval of the contract renewal as requested.

**Projected Budget for Life of the Contract:** \$5,400,000.00

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

**Supplier:** Warner, Inc. d/b/a ServiceMaster One Call

**Contract #:** 8200033089

**Term:** 08/01/2017 – 07/31/2021

**Total Value:** \$148,152.00

**Renewal  
\$41,988.00**

**Summary of Request:** The term of the original contract was one year with four optional one-year renewals. Renewal Three has been submitted to exercise the third optional renewal allowed by the original contract. The additional spending authority of \$41,988.00 consists of \$35,388.00 for regular annual services and \$6,600.00 for additional services (stripping and waxing floors), which were allowed by the original contract and IFB. The Contractor provides janitorial services at the Mississippi Highway Patrol Substation, Mississippi Forensic Laboratory, Mississippi Bureau of Investigations, and the Biloxi Mississippi Bureau of Narcotics location. The Contractor was originally selected through an IFB. Renewal Two was approved at the May 2019 PPRB meeting. Renewal Three updates the Period of Contract, Compensation, and Priority of Documents 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:** \$183,540.00

3. **Requesting Agency:** Mississippi Department of Marine Resources

**Supplier:** Eco-Restore, LLC

**Contract #:** 8200051523

**Term:** 07/27/2020 – 07/26/2022

**Total Value:** \$79,800.00

**New  
\$79,800.00**

**Summary of Request:** The term of the contract is two years. The Contractor will provide chemical treatment of non-native, invasive vegetation on 152 acres of Grand Bay National Estuarine Research Reserve (NERR) properties. The cost for Year One is \$350 per acre and \$175 per acre for Year Two. The Contractor was selected through an RFP with two respondents. One respondent was deemed nonresponsive for failure to submit the price form in a separate sealed envelope clearly labeled as "Price Form" and failure to submit a treatment

plan. The Agency was granted an exception from competitive sealed bidding at the March 2020 PPRB meeting when their Petition for Relief from Competitive Sealed Bidding was approved. Proof of the Contractor's required workers' compensation and general liability insurance certificates and payment bond 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 all legal requirements. OPSCR recommends approval of the contract as requested contingent upon receipt of the required workers' compensation and general liability insurance certificates and payment bond.

**Projected Budget for Life of the Contract:** \$79,800.00

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

**Supplier:** Molina Healthcare of Mississippi

**Contract #:** 8200041827

**Term:** 07/01/2017 – 06/30/2021

**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 Eight has been submitted to update Section 13.A.9, Capitation Rates, for State Fiscal Year 2021 (July 1, 2020 to June 30, 2021) based on May 26, 2020 preliminary actuarial report and move the delivery costs from the Delivery Kick Payment to the MA Adult and Pregnant Women rate cells (Section 13.C). The Agency requests no additional spending authority as the current spending authority is sufficient. The estimated cost of the MississippiCAN program is \$2,127,725,676.00 for all three contracts collectively. The MississippiCAN contracts are paid via a medical claims process through DOM's fiscal agent. Each month, DOM pays a "per member per month" (PMPM) capitation payment to cover the services provided. DOM calculates state-set rates by rate cell (Non-Newborn SSI/Disabled, Foster Care, Breast and Cervical Cancer, SSI/Disabled Newborn, MA Adults, Pregnant Women, Non-SSI Newborns, MA Children, Quasi-CHIP Children, and Mississippi Youth Programs Around the Clock) on a statewide basis with area adjustment based on an enrolled member's county of residence. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and certify to its capitation rate development. Additionally, capitation rates will be recertified after actual membership is known. The 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 effective date of the Amendment will be upon execution by both parties, therefore, OPSCR staff requests the authority to approve the fully executed contracts when received and report the effective date of the Amendment to the Board at the next regular meeting following the approval.

The Contractor provides services for statewide administration of the MississippiCAN program. The Contractor was originally selected through an RFQ, which resulted in the award of three contracts. Amendments Six and Seven were approved at the April 2020 PPRB meeting. Amendments Six and Seven were fully executed on June 12, 2020. Amendment Eight updates the Definitions and Construction clause. All other terms and conditions of the original contract remain the same.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends retroactive approval of the contract modification as requested and the granting of authority to OPSCR staff to approve the effective date upon receipt of the fully executed contract.

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

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

**Supplier:** UnitedHealthcare of Mississippi, Inc. d/b/a UnitedHealthcare Community Plan of Mississippi

**Contract #:** 8200041776

**Term:** 07/01/2017 – 06/30/2021

**Total Value:** \$718,870,179.00

**Modification**  
**\$0.00**

**Summary of Request:** The term of the original contract remains three years with two optional one-year renewals. Amendment Eight has been submitted to update Section 13.A.9, Capitation Rates, for State Fiscal Year 2021 (July 1, 2020 to June 30, 2021) based on May 26, 2020 preliminary actuarial report and move the delivery costs from the Delivery Kick Payment to the MA Adult and Pregnant Women rate cells (Section 13.C). The Agency requests no additional spending authority as the current spending authority is sufficient. The estimated cost of the MississippiCAN program is \$2,127,725,676.00 for all three contracts collectively. The MississippiCAN contracts are paid via a medical claims process through DOM's fiscal agent. Each month, DOM pays a "per member per month" (PMPM) capitation payment to cover the services provided. DOM calculates state-set rates by rate cell (Non-Newborn SSI/Disabled, Foster Care, Breast and Cervical Cancer, SSI/Disabled Newborn, MA Adults, Pregnant Women, Non-SSI Newborns, MA Children, Quasi-CHIP Children, and Mississippi Youth Programs Around the Clock) on a statewide basis with area adjustment based on an enrolled member's county of residence. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and certify to its capitation rate development. Additionally, capitation rates will be recertified after actual membership is known. The 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 effective date of the Amendment will be upon execution by both parties, therefore, OPSCR staff requests the authority to approve the fully executed contracts when received and report the effective date of the Amendment to the Board at the next regular meeting following the approval.

The Contractor provides services for statewide administration of the MississippiCAN program. The Contractor was originally selected through an RFQ, which resulted in the award of three contracts. Amendments Six and Seven were approved at the April 2020 PPRB meeting. Amendments Six and Seven were fully executed on June 12, 2020. Amendment Eight updates the Definitions and Construction clause. All other terms and conditions of the original contract remain the same.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR

recommends retroactive approval of the contract modification as requested and the granting of authority to OPSCR staff to approve the effective date upon receipt of the fully executed contract.

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

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

**Supplier:** Magnolia Health Plan, Inc.

**Contract #:** 8200041775

**Term:** 07/01/2017 – 06/30/2021

**Total Value:** \$718,870,179.00

**Modification**  
**\$0.00**

**Summary of Request:** The term of the original contract remains three years with two optional one-year renewals. Amendment Eight has been submitted to update Section 13.A.9, Capitation Rates, for State Fiscal Year 2021 (July 1, 2020 to June 30, 2021) based on May 26, 2020 preliminary actuarial report and move the delivery costs from the Delivery Kick Payment to the MA Adult and Pregnant Women rate cells (Section 13.C). The Agency requests no additional spending authority as the current spending authority is sufficient. The estimated cost of the MississippiCAN program is \$2,127,725,676.00 for all three contracts collectively. The MississippiCAN contracts are paid via a medical claims process through DOM's fiscal agent. Each month, DOM pays a "per member per month" (PMPM) capitation payment to cover the services provided. DOM calculates state-set rates by rate cell (Non-Newborn SSI/Disabled, Foster Care, Breast and Cervical Cancer, SSI/Disabled Newborn, MA Adults, Pregnant Women, Non-SSI Newborns, MA Children, Quasi-CHIP Children, and Mississippi Youth Programs Around the Clock) on a statewide basis with area adjustment based on an enrolled member's county of residence. DOM retained Milliman, an independent actuarial and consulting firm, to calculate, document, and certify to its capitation rate development. Additionally, capitation rates will be recertified after actual membership is known. The 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 effective date of the Amendment will be upon execution by both parties, therefore, OPSCR staff requests the authority to approve the fully executed contracts when received and report the effective date of the Amendment to the Board at the next regular meeting following the approval.

The Contractor provides services for statewide administration of the MississippiCAN program. The Contractor was originally selected through an RFQ, which resulted in the award of three contracts. Amendments Six and Seven were approved at the April 2020 PPRB meeting. Amendment Six was fully executed on June 18, 2020, and Amendment Seven was fully executed on June 29, 2020. Amendment Eight updates the Definitions and Construction clause. All other terms and conditions of the original contract remain the same.

**Staff Recommendation:** This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends retroactive approval of the contract modification as requested and the granting of authority to OPSCR staff to approve the effective date upon receipt of the fully executed contract.



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

7. **Requesting Agency:** Division of Medicaid  
**Supplier:** UnitedHealthcare of Mississippi, Inc. d/b/a UnitedHealthcare Community Plan of Mississippi

**Contract #:** 8200045140/8200047090

**Term:** 08/01/2019 – 07/31/2022

**Total Value:** \$67,139,902.00

**Modification**  
**\$0.00**

**Summary of Request:** The term of the original contract remains three years with two optional one-year renewals. Amendment Two has been submitted to update Section 12.A.9, Capitation Rates, which set the capitation rate per member per month rate at \$272.22 effective July 1, 2020 through June 30, 2021. The Agency requests no additional spending authority as the current spending authority is sufficient. All other terms and conditions of the original contract remain the same. The Contractor provides services for statewide administration of the Mississippi Children’s Health Insurance Program (hereinafter “CHIP), a coordinated care program for Mississippi children. The Contractor is paid via a medical claims process through DOM’s fiscal agent (Conduent) a per member per month (PMPM) capitation rate, which is calculated and certified annually by an independent actuarial and consulting firm (Milliman). The Contractor was originally selected through an RFQ, which resulted in the award of two contracts. Amendment One was approved at the September 2019 PPRB meeting and was fully executed on September 30, 2019. The Centers for Medicare and 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 effective date of the Amendment will be upon execution by both parties, therefore, OPSCR staff requests the authority to approve the fully executed contracts when received and report the effective date of the Amendment to the Board at the next regular meeting following the approval.

**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 retroactive approval of the contract modification as requested and the granting of authority to OPSCR staff to approve the effective date upon receipt of the fully executed contract.

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

8. **Requesting Agency:** Division of Medicaid  
**Supplier:** Molina Healthcare of Mississippi

**Contract #:** 8200045142

**Term:** 08/01/2019 – 07/31/2022

**Total Value:** \$67,139,902.00

**Modification**  
**\$0.00**

**Summary of Request:** The term of the original contract remains three years with two optional one-year renewals. Amendment Two has been submitted to update Section 12.A.9, Capitation Rates, which set the capitation rate per member per month rate at \$272.22 effective July 1, 2020 through June 30, 2021. The Agency requests no additional spending authority as the current spending authority is sufficient. All other terms and conditions of the original contract remain the same. The Contractor provides services for statewide administration of the Mississippi Children’s Health Insurance Program (hereinafter “CHIP), a coordinated care

program for Mississippi children. The Contractor is paid via a medical claims process through DOM's fiscal agent (Conduent) a per member per month (PMPM) capitation rate, which is calculated and certified annually by an independent actuarial and consulting firm (Milliman). The Contractor was originally selected through an RFQ, which resulted in the award of two contracts. Amendment One was approved at the September 2019 PPRB meeting and was fully executed on October 1, 2019. The Centers for Medicare and 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 effective date of the Amendment will be upon execution by both parties, therefore, OPSCR staff request the authority to approve the fully executed contracts when received and report the effective date of the Amendment to the Board at the next regular meeting following the approval.

**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 retroactive approval of the contract modification as requested and the granting of authority to OPSCR staff to approve the effective date upon receipt of the fully executed contract.

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

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

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

**Contract #:** 8200046600

**Term:** 08/07/2019 – 08/06/2021

**Renewal**

**Total Value:** \$2,982,000.00

**\$0.00**

**Summary of Request:** The term of the original contract was one year with three optional one-year renewals. Modification One has been submitted to exercise the first optional renewal allowed by the original contract. The Contractor assists MEMA with the management and administration of the Public Assistance program, which provides financial assistance to state and local governments or individuals who own or operate a private or nonprofit facility for the repair, restoration, reconstruction, or replacement of a facility damaged or destroyed by a major disaster and for associated expenses. The Contractor was originally selected through an IFB. The original contract was approved at the August 2019 PPRB meeting. Modification One updates the Period of Performance, Indemnification and Priority clauses. All other terms and conditions of the original contract remain the same.

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

**Projected Budget for Life of the Contract:** \$2,483,263.28

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

**Supplier:** 22<sup>nd</sup> Century Technologies, Inc.

**Contract #:** 8200045662

**Term:** 08/01/2019 – 07/31/2021

**Renewal**

**Total Value:** \$3,900,000.00

**\$0.00**

**Summary of Request:** The term of the original contract was one-year with three optional one-year renewals. Amendment One has been submitted to exercise the first optional renewal allowed by the original contract. The Contractor provides temporary staffing services at the Agency's Central Office in Clinton and the Alcoholic Beverage Control Liquor Distribution Center in Gluckstadt. The Contractor was originally selected through an IFB. The original contract was approved at the July 2019 PPRB meeting. Amendment One updates the Priority and Duration clauses. All other terms and conditions of the original contract remain the same. Proof of Contractor's required workers' compensation insurance certifications must be received from the Agency prior to processing the contract renewal.

**Staff Recommendation:** The 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 required Workers' Compensation insurance certifications.

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

## C. **Preapproved Vendor Lists**

### 1. **Temporary Staffing Services**

Pursuant to Miss. Code Ann. § 27-104-7(2)(i), the DFA OPSCR staff issued an Invitation for Bids for Temporary Staffing in order to establish a List of Preapproved Vendors for Temporary Staffing Services for the time period of July 23, 2020 to July 22, 2023 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 for temporary staffing services format/category ranked in relation to the lowest average bid costs. There were eleven respondents to the IFB, of which two were deemed non-responsive and were notified. There were no debriefings or protest. Nine bids were received for eight regions. Vendors on the PVL list will remain on the list until July 22, 2023, 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 23, 2023, that contract may be renewed at the same rates listed on the PVL until July 22, 2025. Prices submitted in response to the IFB will remain firm, valid, and renewable until July 22, 2025 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 Temporary Staffing Services as requested.

## D. **Emergency Contracts Reported to the Board for Calendar Year 2020**

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

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

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

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

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

**VII. Other Business**

**A. July 1, 2020 meeting rescheduled to July 23, 2020 at 9:00 a.m.**

**B. August 5, 2020 meeting rescheduled to August 12, 2020 at 9:00 a.m.**

*These meetings will be telephonically only.*

**VIII. Adjournment**