



TELEPHONIC MEETING AGENDA
Wednesday, September 2, 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****

- I. Call to Order
- II. Approval of Minutes from the August 12, 2020 Public Procurement Review Board Meeting
- III. Approval of per diem and expenses for the September 2, 2020 meeting and for any additional expenses incurred prior to the October 7, 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: Houston School District

Supplier: Apple

Term: One-time purchase

Commodities: Apple products

Total Value: \$116,420.00 estimated

Summary of Request: Houston 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:** Leake County

Supplier: Unknown

Term: 12 months

Commodities: Road materials, rock, aggregate

Total Value: \$150,000.00 estimated

Summary of Request: Leake County has requested an exemption from using the reverse auction process for the purchase of road materials and rock. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

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

Supplier: Unknown

Term: 12 months

Commodities: Asphalt emulsions

Total Value: \$125,000.00 estimated

Summary of Request: Leake County has requested an exemption from using the reverse auction process for the purchase of asphalt emulsions. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

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

Supplier: Unknown

Term: 12 months

Commodities: Hot and cold mix asphalt

Total Value: \$100,000.00 estimated

Summary of Request: Leake County has requested an exemption from using the reverse auction process for the purchase of hot and cold mix asphalt. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

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

Supplier: Unknown

Term: 12 months

Commodities: Polyethylene pipe

Total Value: \$90,000.00 estimated

Summary of Request: Leake County has requested an exemption from using the reverse auction process for the purchase of polyethylene pipe. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

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

Supplier: Unknown

Term: 1/1/2021 through 12/31/2022

Commodities: Crushed aggregates

Total Value: \$1,155,000.00 estimated

Summary of Request: Rankin County has requested an exemption from using the reverse auction process for the purchase of crushed aggregates. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

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

Supplier: Unknown

Term: 1/1/2021 through 12/31/2022

Commodities: Polypropylene culverts

Total Value: \$95,000.00 estimated

Summary of Request: Rankin County has requested an exemption from using the reverse auction process for the purchase of polypropylene culverts. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

viii. Requesting Governing Authority: Rankin County

Supplier: Unknown

Term: 1/1/2021 through 12/31/2022

Commodities: Metal culverts

Total Value: \$400,000.00 estimated

Summary of Request: Rankin County has requested an exemption from using the reverse auction process for the purchase of metal culverts. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

ix. Requesting Governing Authority: Rankin County

Supplier: Unknown

Term: 1/1/2021 through 12/31/2022

Commodities: Gravel

Total Value: \$285,000.00 estimated

Summary of Request: Rankin County has requested an exemption from using the reverse auction process for the purchase of gravel. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

x. Requesting Governing Authority: Rankin County

Supplier: Unknown

Term: 1/1/2021 through 12/31/2022

Commodities: Scrub seal, slurry seal and micro-surfacing

Total Value: \$1,838,000.00 estimated

Summary of Request: Rankin County has requested an exemption from using the reverse auction process for the purchase of scrub seal, slurry seal and micro-surfacing. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

xi. Requesting Governing Authority: Rankin County

Supplier: Unknown

Term: 1/1/2021 through 12/31/2022

Commodities: Asphalt

Total Value: \$6,550,000.00 estimated

Summary of Request: Rankin County has requested an exemption from using the reverse auction process for the purchase of asphalt. They are requesting an exemption because the County wishes to award to multiple vendors. The County feels that the 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.

xii. Requesting Governing Authority: Lauderdale County School District

Supplier: Unknown

Term: Three (3) year term

Commodities: E-Rate Category 2 Project

Total Value: \$1,200,000.00 estimated

Summary of Request: Lauderdale County School District has requested an exemption from using the reverse auction process for the purchase of an E-Rate Category 2 project. E-Rate is the commonly used name for the Schools and Libraries Program of the Universal Service Fund, which is administered by the Universal Service Administrative Company (USAC) under the direction of the Federal Communications Commission (FCC). They are requesting an exemption because of the overall complexity of the project, which will include commodities and services. Vendors may make a primary bid and are able to send in an alternate equivalent bid. Vendors can bid on one or more items of the project or they may bid on the complete project. Because of the complexity of these projects, the District feels other evaluation factors may need to be considered, other than cost. The District feels that competitive sealed bidding should be utilized to procure the project.

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.

xiii. Requesting Governing Authority: Jefferson Davis County School District

Supplier: Unknown

Term: Three (3) year term

Commodities: E-Rate Category 2 Project

Total Value: \$300,000.00 estimated

Summary of Request: Jefferson Davis County School District has requested an exemption from using the reverse auction process for the purchase of an E-Rate Category 2 project. E-Rate is the commonly used name for the Schools and Libraries Program of the Universal Service Fund, which is administered by the Universal Service Administrative Company (USAC) under the direction of the Federal Communications Commission (FCC). They are requesting an exemption because of the overall complexity of the project, which will include commodities

and services. Vendors may make a primary bid and are able to send in an alternate equivalent bid. Vendors can bid on one or more items of the project or they may bid on the complete project. Because of the complexity of these projects, the District feels other evaluation factors may need to be considered, other than cost. The District feels that competitive sealed bidding should be utilized to procure the project.

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: Clinton Public School District

Supplier: Apple Inc.

Term: One-time purchase

Commodities: Apple products

Total Value: \$2,906,530.00 estimated

Summary of Request: Clinton Public School District was granted an exemption from reverse auction on January 8, 2020. They advertised for competitive sealed bids for the purchase of Apple products and 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 provided, OPTFM recommends approval of the contract.

C. Consideration of State Agency Contracts for Board Action

1. Requesting Agency: University of Mississippi

Suppliers: Thermo Electron North America

Contract #:8800007421

Total Value: \$594,454.88

Term: One time purchase (9/2/2020 through 8/4/2021)

Summary of Request: UM is requesting approval of a sole source purchase of an Orbitrap Exploris 240 mass spectrometer that is manufactured by Thermo Electron North America. UM advertised in the Clarion Ledger and Procurement Portal on 7/22/20 & 7/29/20 in accordance with section 3.109.02 of State of Mississippi Procurement Manual and received no objections. UM states this piece of equipment is designed to offer high resolution mass measurements to determine elemental composition of small molecules and analyze complex samples. The spectrometer is intended to serve a wide variety of research roles in their centralized Research Core Facility and is key to the integration of their existing instrumentation in the Sharp research lab at the UM School of Pharmacy. UM is requesting approval from PPRB to proceed with this sole source 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 submitted by the Agency, we ask that the Board approve this sole source purchase.

2. Requesting Agency: Mississippi State Fire Academy

Supplier: Oshkosh Corporation

Contract #: 8200050140

Total Value: \$845,000.00

Term: One time purchase

Summary of Request: The State Fire Academy completed a reverse auction on January, 23, 2020 for the purchase of one (1) Aircraft Rescue and Fire Fighting (ARFF) Vehicle. Proposals were sent to nine (9) vendors and two (2) vendors submitted qualifying quotes. Two (2) vendors participated in the reverse auction. The State Fire Academy has determined that the low bid meets the specifications and is wishes to award the contract to Oshkosh Corporation. 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 submitted by the Agency, we ask that the Board approve this contract.

3. Requesting Agency: Mississippi Department of Transportation (MDOT)

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

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

Term: 10/9/2018 through 9/30/2021

Summary of Request: MDOT successfully completed a reverse auction on 9/19/2018 for reflective sheeting. The contracts were originally approved at the 7/10/2019 PPRB meeting. This is the first of a possible four (4) twelve (12) month extensions. All other terms and conditions remain the same.

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.

4. Requesting Agency: Mississippi Department of Transportation (MDOT)

Supplier: Williams Equipment & Supply Co. Inc.

Contract #: 8200048363

Term: 11/6/2019 through 9/30/2021

Summary of Request: MDOT completed a reverse auction for an agency contract to provide up to twenty-five (25) compact track loaders. Twenty-one (21) vendors were invited, two (2) responses were received, and one (1) qualified. The contract was approved at the 11/6/2019 PPRB meeting. This will be the first of a possible four (4) 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 this extension.

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

Supplier: Geveko Materials, Ennis-Flint, Ozark Materials

Contract #: 8900000990, 8900000993, 8900001000

Total Value: \$550,000.00 (\$150,000.00, \$250,000.00, \$150,000.00)

Term: 2/6/2019 through 9/30/2021

Summary of Request: MDOT successfully completed a reverse auction on 1/10/2019 and awarded by line item for pavement marking materials. Seven (7) vendors were invited, five (5) responded and qualified, three (3) participated. The contracts were not presented to PPRB, as the total value was under the PPRB threshold. The contracts now require PPRB approval as they will exceed the value threshold. This will be the final (12) month extension for these contracts.

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 by the Agency, OPTFM recommends approval of these contract extensions.

6. **Requesting Agency:** Mississippi Department of Revenue (MDOR)

Supplier: American Bank Note Company

Contract #: 8200032889

Term: 8/1/2017 through 10/1/2020

Total Value: \$1,797,232.58

Summary of Request: MDOR has submitted a request to increase funding to pay invoices for printing and mailing of vehicle titles through the remainder of the contract period. Information Technology Services (ITS) originally procured this contract on behalf of MDOR through a request for proposal (RFP) process because ITS believed this procurement was under its purview. The oversight changed from ITS to DFA/OPTFM when it was discovered that the procurement should be under DFA's purview. The original contract was presented to and approved by the prior PPRB at a special meeting on 6/22/2017, for an amount of \$1,735,766.40, with an expiration date of 10/8/19. MDOR submitted a second request for a twelve (12) month extension of the contract with no increase in the award amount. The current PPRB approved this extension on 8/7/2019. This third request is for an increase in the award amount of \$61,466.18 (from the previously approved amount of \$1,735,766.40) to a new total of \$1,797,232.58. MDOR is requesting approval of an increase in the award amount.

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

7. **Requesting Agency:** Mississippi Department of Revenue (MDOR)

Supplier: American Bank Note Company

Contract #: 8200053064

Term: 10/1/2020 through 10/1/2023

Total Value: \$1,552,950.00

Summary of Request: MDOR requested and was granted an exemption from the reverse auction process at the 6/25/2020 PPRB meeting, for vehicle title printing and mailing services. The Agency determined that the request for proposal (RFP) process would allow

more flexibility that could not be achieved through the reverse auction process, where cost is the only factor. MDOR solicited for these commodities and services utilizing a request for proposals (RFP) and one (1) proposal was received. There were no protests. The Agency is requesting approval to enter into a contract with American Bank Note Company, for vehicle title printing and mailing services.

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

D. Request to Temporarily Suspend OPTFM regulation

1. In accordance with the Governor's declaration of a State of Emergency on March 14, 2020 due to the COVID-19 worldwide pandemic, OPTFM canceled the remaining Certified Mississippi Purchasing Agent (CMPA) classes for 2020. Pursuant to Sections 2.104 and 2.105.01 of the Mississippi Procurement Manual, all purchasing agents in an agency purchasing office are required to be CMPAs in order for an agency to be an approved Certified Purchasing Office (CPO). CPOs have unique authority pursuant to Section 31-7-13(d)(ii) of the Miss. Code Ann. to issue Requests for Proposals for commodities as well authority to utilize cooperative contracts pursuant to Section 31-7-13(m)(xxix). Because CMPA certifications expire after five (5) years, requiring purchasing agents to be recertified to maintain status as an approved CPO, OPTFM is requesting authority to temporarily waive the need for recertification for the currently approved CPOs until such time as OPTFM is able to offer classes again.

Staff Recommendation: Granting of authority to OPTFM to temporarily suspend Sections 2.104 and 2.105.01 of the Mississippi Procurement Manual and grant currently approved CPOs the authority to continue operation until such time as OPTFM is able to offer classes again for recertification of purchasing agents.

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. Consideration of Agency Contracts for Board Action

1. Using Agency: Mississippi Military Department

Project Title: Multi-Purpose Machine Gun Range (MMG) PN: 280408

Square Feet: 5,596 in 7 buildings / approximately 205 acres developed

General Contractor: Chris Albritton Construction Co., Inc. (lowest of three bids received)

Construction Days from Notice to Proceed [Term]: 581 days

Total Value at Award: \$5,845,000.00 (Base Bid plus alternates 1 through 3)

Scope: Construct Machine Gun Range with support buildings, targets, shooting positions, and other appurtenances.

Note: Board Action required when Construction exceeds \$5,000,000.00.

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 contingent upon executed Contract.

B. BOB Staff Approvals Reported to the Board

C. RPM Succeeding Leases

1. Requesting Agency: Mississippi Bureau of Narcotics

Lease #: 580-083-23A

Lessor: Ferguson Farms, LLC.

Term: 11-01-2020 thru 10-31-2023

Total Yearly Cost: \$32,400.00

Cost PSF: \$8.42 + Utilities & Janitorial

Previous Cost PSF: \$8.42 + Utilities & Janitorial

Total Space per Occupant: 240 sq. ft.

Federal Funds: 0%

Square Footage Proposed: 3,850 sq. ft.

Previous Square Footage: 3,850 sq. ft.

Address of Property: 23102 Hwy 82, McCarley, MS

Purpose of Lease: This will be the District office for MBN.

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

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

2. Requesting Agency: Mississippi Forestry Commission

Lease #: 330-151-25A

Lessor: Larry Hood

Term: 11-1-2020 thru 10-31-2025

Total Yearly Cost: \$6,600.00

Cost PSF: \$5.08 + Utilities & Janitorial

Previous Cost PSF: \$5.08 + Utilities & Janitorial

Total Space per Occupant: 216

Federal Funds: 0%

Square Footage Proposed: 1,300 sq. ft.

Previous Square Footage: 1,300 sq. ft.

Address of Property: 245 Caldwell Drive, Hazlehurst, MS

Purpose of Lease: This is the District Office for the Copiah County area.

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.

3. Requesting Agency: North Mississippi Regional Center

Lease #: 535-413-25A

Lessor: Jason Jordon

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

Total Yearly Cost: \$51,056.04

Cost PSF: \$3.89 + Utilities & Janitorial

Previous Cost PSF: \$3.89 + Utilities & Janitorial

Total Space per Occupant: 875 sq. ft.

Federal Funds: 0%

Square Footage Proposed: 13,125 sq. ft.

Previous Square Footage: 13,125 sq. ft.

Address of Property: 142 Wilson Circle, Tupelo, MS

Purpose of Lease: This facility is part of a community enrichment program that serves over 53 individuals with intellectual and developmental disabilities.

Note: This is a five (5) year lease with no renewals. North Mississippi Regional Centers 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.

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

E. RPM Non-Competitive Leases

1. Requesting Agency: Mississippi Forestry Commission

Lease #: 330-412-21A

Lessor: Tupelo Aviation Unlimited

Term: 10-01-2020 thru 09-30-2021

Total Yearly Cost: \$1,560.00

Cost PSF: \$1.49 Inclusive

Previous Cost PSF: \$1.49 Inclusive

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 1,050

Previous Square Footage: 1,050

Address of Property: 105 Lemon Drive, Tupelo, MS

Purpose of Lease: Hangar for aircraft.

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 Department of Marine Resources

Lease #: 505-244-21A

Lessor: City of Pass Christian

Term: 10-01-2020 thru 09-30-2021

Total Yearly Cost: \$12.00

Cost PSF: N/A

Previous Cost PSF: N/A

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 65 foot boat slip

Previous Square Footage: 65 foot boat slip

Address of Property: 1141 Bay View Ave., Biloxi, MS

Purpose of Lease: Storage of the MDMR boat.

Note: This is a one (1) year lease with no renewals. A \$30.00 per month flat utility rate is charged per month.

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 Rehabilitative Services

Lease #: 725-512-23A

Lessor: Mississippi Housing Authority District V

Term: 09-03-2020 thru 08-31-2023

Total Yearly Cost: \$18,000.00

Cost PSF: \$7.50 + Utilities & Janitorial

Previous Cost PSF: N/A

Total Space per Occupant: 240

Federal Funds: 80%

Square Footage Proposed: 2,400 sq. ft.

Previous Square Footage: N/A

Address of Property: 304 Northside Drive, Newton, MS

Purpose of Lease: This will be the district office for MDRS serving between 375-450 clients per year with vocational rehabilitation as required by the Rehabilitation Act of 1973.

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 State Department of Health

Lease #: 390-441-21B

Lessor: Rhett Real Estate, Inc.

Term: 10-01-2020 thru 09-30-2021

Total Yearly Cost: \$36,000.00

Cost PSF: \$4.80 + Utilities & Janitorial

Previous Cost PSF: N/A

Total Space per Occupant: 1,250 sq. ft.

Federal Funds: 100%

Square Footage Proposed: 7,500 sq. ft.

Previous Square Footage: N/A

Address of Property: 930 Tuscaloosa Road, Columbus, MS

Purpose of Lease: This will be the WIC location for the Columbus area.

Note: This lease meets the criteria set forth in Section 300.9(7) of the RPM Leasing Procedure Manual for a non-competitive month to month lease. As a part of that criteria a letter from the Director of MSDH WIC program to RPM explaining the need for this location is required. A copy of the letter is linked to the contract. MSDH asks for a waiver on the Space Efficiency allowance due to the limited amount of available space in the area.

Staff Recommendation: This request has been reviewed for compliance by DFA staff, and upon the granting of 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.

5. Requesting Agency: Mississippi Forestry Commission

Lease #: 330-252-21A

Lessor: Hinds Community College/John Bell Williams Airport

Term: 10-01-2020 thru 09-30-2021

Total Yearly Cost: \$2,700.00

Cost PSF: \$2.70 Inclusive

Previous Cost PSF: N/A

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 1,000

Previous Square Footage: N/A

Address of Property: 4100 Airport Road, Raymond, MS

Purpose of Lease: Hangar for aircraft.

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

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

F. RPM Amended Leases

1. Requesting Entity: Mississippi Prison Industries Corporation

Lease #: Tenth Amendment to Lease

Lessor: Mississippi Department of Corrections

Term: 01-04-2021 thru 01-03-2027

Total Yearly Cost: \$10.00

Federal Funds: 0%

Address of Properties:

Parchman

MPIC Garment Division & MPIC Metal Fabrication

590 Parchman Road #2

Highway 49 W.

Parchman, MS 38738-3099

CMCF

MPIC Print/Clean Room/Metal Fabrication

3794 Highway 4687

Pearl, MS 39208

SMCI

MPIC Garment Division
22689 Highway 63 N.
Leaksville, MS 39451

Purpose of Lease: Per Section 47-5-541 thru 47-5-575 Mississippi Code of 972 establishes a lease of buildings, land, equipment, personal property furnishings, chattels or facilities used in the operation of Prison Industries.

Note: This is a 6 year lease with all renewals hereafter not to exceed 6 years in length. This is the tenth (10th) amendment to the original lease. The term of the lease will be extended six additional years and will now expire on 01-03-2027.

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 Public Safety

Lease #: 670-573-21A

Lessor: K. Paige Howell

Term: 10-01-2020 thru 09-31-2021

Total Yearly Cost: \$18,000

Cost PSF: \$8.86 + Utilities & Janitorial

Previous Cost PSF: \$8.86 + Utilities & Janitorial

Total Space per Occupant: 210 sq. ft.

Federal Funds: 0%

Square Footage Proposed: 2,100

Previous Square Footage: 2,100

Address of Property: 708 Laurel Street, Summit, MS

Purpose of Lease: This location serves as a driver's license testing and renewal center for Pike County the surrounding area.

Note: This is a month to month lease to expire no later than September 30, 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.

G. Proposed RPM Regulation Change

Real Property Management is proposing a regulation change related to the Space Efficiency Allowance/Total Space per Occupant restriction. These restrictions were set in place in order to ensure the least amount of space is consumed to house state government consistent with maintaining the mission of the agency or department. Office space standards were adopted to accomplish that goal under Section 300.13 of the RPM Leasing Procedure Manual. RPM is proposing to exempt certain leased space, where the primary use is not office space. Proposed exemptions to this regulation will be driver's license testing locations, WIC distribution locations, WIN employment locations, day activity centers, community enrichment centers, and resident home locations.

Staff Recommendation: Granting of authority to RPM to revise Section 300.13 of the RPM Leasing Procedure Manual to exempt the referenced lease categories from the Space Efficiency Allowance policy and to submit the revised regulation to the Mississippi Secretary of State's Office for notice, comment, and final adoption in accordance with the Administrative Procedures Act.

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

A. Petitions for Relief from Competitive Sealed Bidding

1. **Requesting Agency:** Mississippi Department of Archives and History

RFx Number: 3180001180

Procurement Request: Request for Proposals

Anticipated Term: Five (5) Months

Anticipated Contract Amount: \$50,000.00 - \$100,000.00

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 vendor to provide a feasibility study for the Historic Jefferson College in Washington, Mississippi. This study will evaluate the area, visitor demographics, potential visitation, and comparable sites. This study will also project the attendance, revenue, staffing, and operating expenses. The Agency contends the use of an IFB is neither practicable nor advantageous as the Agency needs flexibility to evaluate employee, technical, and managerial experiences as the primary evaluation factor instead of price. Because museums and the quality of museum firms vary greatly, there is a need to evaluate and compare relevant experience along with the vendor's prior studies and staff experience. The respondents will be evaluated based on technical, cost and management factors. The technical factors will be weighted at (35%) or 35 points, management factors will be weighted at (30%) or 30 points, and cost factors will be weighted at (35%) or 35 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 conduct a feasibility study for the Historic Jefferson College.

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

RFx Number: 3180001141

Procurement Request: Request for Proposals

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

Anticipated Contract Amount: Up to \$375,000.00

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 vendor to provide technical assistance and training on federal rules and requirements in the administration of federal program and grants management, along with aiding in audit resolutions, preparation for monitoring, and constructing appropriate corrective actions. The Agency contends the use of an IFB is neither practicable nor advantageous due to the complex nature of the project and the evaluation criteria requiring a more comparative evaluation. Adherence to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards requires that the

Agency award the contract to the most responsible firm whose proposal is most advantageous to the program, with price and other factors considered. The respondents will be evaluated based on technical, management and cost factors. The technical factors will be weighted at thirty-three (33) points or 33%, management factors will be weighted at thirty-two (32) points or 32%, and cost factors will be weighted at thirty-five (35) points or 35%. The Agency will use the evaluation factors to establish the vendor's ability to perform the scope of work based on the degree of professional experience and expertise in administering the programs under the Every Student Succeeds Act (ESSA), Individual with Disabilities Education Act (IDEA); Carl D. Perkins Act; Richard B. Russell National School Lunch Act; and the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

Staff Recommendation: Granting of the Agency's Petition for Relief from competitive bidding requirements as allowed by Miss. Code Ann. § 31-7-403(4), and approval of the Agency's request to use a Request for Proposals as the procurement method to select one vendor to provide technical and training assistance to the Mississippi Department of Education.

3. Requesting Agency: Mississippi Department of Environmental Quality

RFx Number: 3180001190

Procurement Request: Request for Qualifications

Anticipated Term: Two (2) Years with One (1) optional one-year renewal

Anticipated Contract Amount: Up to \$1,100,000.00

Summary of Request: The Agency has submitted a Petition for Relief from the use of an Invitation for Bids (IFB) as the procurement method as allowed by Miss. Code Ann. § 31-7-403(4) for the competitive procurement of one vendor to provide scientific support for toxicology, response management, information technology, industrial hygiene, training, engineering support, legal support as necessary, risk assessment and contaminated site solutions for Mississippi Department of Environmental Quality (MDEQ). The Agency contends the use of an IFB is neither practicable nor advantageous because the services must be provided by those who are qualified and certified to handle these situations at a moment's notice. It is in the best interest of the State to safeguard the environment, health, and welfare of the citizens of our State, by having an experienced vendor to handle emergency incidents which cannot be predicted. MDEQ does not have adequate staff to handle these services. 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 (30) points or 30%, and cost 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), and approval of the Agency's request to use a Request for Qualifications as the procurement method to select one vendor to provide technical and training assistance to MDEQ.

B. Consideration of Contracts for Board Action

1. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: CaremarkPCS Health, L.L.C. ("CVS Health")

Contract #: 8200052819

Term: 01/01/2021 – 12/31/2024

Total Value: \$15,250,000.00

New

\$15,250,000.00

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Contractor provides pharmacy benefit management services to assist the State and School Employees Health Insurance Management Board (Board) in its management of the State and School Employees' Health Insurance Plan (Plan). The Contractor will provide network pharmaceutical pricing through financial arrangements with pharmacies. The pharmacy network provided by the Contractor must contain a sufficient number of pharmacies to provide to all participants adequate access, in-state as well as out-of-state, as determined cooperatively by the Contractor and the Board. The pharmacy network will provide the Plan with a cost-effective network of pharmacies contracted at rates that are commensurate with the size of the Plan and its associated purchasing power. The Contractor will provide clinical programs cost containment such as prior authorization, step therapy and specialty drug management, and a mail order distribution channel. The Contractor was selected through a Request for Proposals (RFP) with six respondents. The Contractor will be paid according to Exhibit A, Fee Schedule for Pharmacy Benefit Management Services, of 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.

Projected Budget for Life of the Contract: \$15,250,000.00

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

Supplier: US Corrections, LLC

Contract #: 8200051465

Term: 09/02/2020 – 09/01/2024

Total Value: \$2,000,000.00

New

\$2,000,000.00

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Contractor provides interstate and intrastate prisoner transport services for the Mississippi Department of Corrections (MDOC). Prisoner transport services will be provided for persons held by out-of-state jurisdictions who are escapees, have violated the terms of their parole or probation, or for some other reason must be returned to MDOC. The Contractor was selected through an Invitation for Bids (IFB) with one respondent. The Contractor will be paid according to Exhibit B of the contract and in an amount not to exceed \$2,000,000.00.

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: \$2,000,000.00

3. **Requesting Agency:** Mississippi Department of Child Protective Services

Supplier: Midtown Personnel, Inc.

Contract #: 8200052990

Term: 09/12/2020 – 06/30/2024

Total Value: \$9,264,187.80

New

\$9,264,187.80

Summary of Request: The term of the contract is approximately three years and eleven months with one optional one-year renewal. The Contractor provides 24 hour staffing services for the Mississippi Centralized Intake. Services include a 24 hour hotline for reports of child

and vulnerable adult abuse and neglect, referral service, and disaster response plan. This contract is part of the Olivia Y. v. Bryant 2nd Modified Mississippi Settlement Agreement and Reform Plan. The Contractor is paid according to the rates set by the Olivia Y. v. Bryant 2nd Modified Mississippi Settlement Agreement and Reform Plan and provided in Exhibit C, Budget. The Contractor was selected through an Invitation for Bids (IFB) with three respondents. The Agency requests an exception to PPRB OPSCR Rules and Regulations Section 3-202.06.4 Advertising Time for failure to advertise the solicitation on the Mississippi Contract/Procurement Opportunity Search Portal and the Agency's website concurrently for 30 days. As the solicitation was sent to 111 bidders, OPSCR does not have concerns regarding the competition, fairness, or transparency of this procurement.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and upon granting of the exception to Section 3-202.06.4 complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of the exception to Section 3-202.06.4 and approval of the contract as requested.

Projected Budget for Life of the Contract: \$11,580,234.75

4. **Requesting Agency:** Mississippi Veterans Affairs

Supplier: Betty Ruth Hawkins

Contract #: 8200053188

Term: 09/08/2020 – 09/07/2021

Total Value: \$90,000.00

**New
\$90,000.00**

Summary of Request: The term of the contract is one year with one optional one-year renewal. Ms. Hawkins is an Independent Contractor who will perform services as the Director of the Mississippi Statewide Incarcerated Veterans Program, HUM-V. Ms. Hawkins will be paid \$7,500.00 a month for a total of \$90,000.00 annually. The Contractor was selected through an Invitation for Bids (IFB) with one bidder. The Agency requests an exception to PPRB OPSCR Rules and Regulations Section 3-202.06.4 Advertising Time for failure to advertise the solicitation on the Mississippi Contract/Procurement Opportunity Search Portal and the Agency's website concurrently for 30 days. As the solicitation was sent to all bidders listed in MAGIC under the product category code, OPSCR does not have concerns regarding the competition, fairness, or transparency of this procurement.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and upon granting of the exception to Section 3-202.06.4 complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of the exception to Section 3-202.06.4 and approval of the contract as requested.

Projected Budget for Life of the Contract: \$90,000.00

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

Supplier: eQHealth Solutions, LLC

Contract #: 8200053059

Term: 12/01/2020 – 11/30/2021

Total Value: \$350,625.00

**New
\$350,625.00**

Summary of Request: The term of the contract is one year with four optional one-year renewals. The Contractor will provide Utilization Management and Quality Improvement for

Imaging Services. The Contractor will conduct prior authorization and repayment review of all claims for non-emergency, outpatient advanced imaging studies including, but not limited to, hospital outpatient, freestanding clinics, and private physician offices covered under the Division of Medicaid (DOM) program. The Contractor was selected through an Invitation for Bids (IFB) with four respondents, of which one was deemed nonresponsive for failure to meet the minimum qualifications to be deemed responsible of the IFB, i.e., failure to be certified as a Utilization Review Resource for the State of Mississippi as required by Miss. Code Ann. § 41-83-1 et seq. and failure to have experience conducting quality claims review for a least three states. The Contractor will be paid according to Attachment B of the contract, Bid Form for Utilization Management Program for Imaging Services. The Agency requests exceptions to PPRB OPSCR Rules and Regulations Section 3-202.06.1 for failure to mail or otherwise furnish to a minimum of three bidders or to all bidders registered in MAGIC under the product category code for the services to promote competition and Section 3-202.06.3 for failure to include the RFX number for the solicitation into the IFB newspaper advertisement. As the IFB was posted onto the Agency's website and onto the Mississippi Contract/Procurement Opportunity Search Portal as required and four bids were received, OPSCR does not have concerns regarding competition, fairness, and transparency of this procurement.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and upon granting of exceptions to Sections 3-202.06.1 and 3-202.06.3 will comply with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of the exceptions to Sections 3-202.06.1 and 3-202.06.3 and approval of the contract as requested.

Projected Budget for Life of the Contract: \$1,861,516.00

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

Supplier: The University of Southern Mississippi

Contract #: 8200037400

Term: 10/01/2020 – 09/30/2021

Total Value: \$1,012,195.01

Renewal
\$269,918.67

Summary of Request: The original term of the contract was seven months and seventeen days with four optional one-year renewals. Modification Three has been submitted to exercise the third optional renewal allowed by the original contract. The Contractor provides pre-employment transition services which includes work-based learning experience, job exploration counseling, and workplace readiness training. Additionally, the Contractor may provide self-advocacy/mentoring instruction and counseling on enrollment in the post-secondary education or other comprehensive transition training programs. The Contractor was originally selected through a Request for Proposals (RFP), which resulted in the award of two contracts. Modification Two was approved at the September 2019 PPRB meeting. Modification Three updates the Period of Performance and Compensation 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: \$1,079,674.68

7. **Requesting Agency:** Mississippi Department of Rehabilitation Services
Supplier: LIFE, Inc. of Mississippi (a/k/a Living Independent for Everyone of Mississippi)
Contract #: 8200037401
Term: 10/01/2020 – 09/30/2021
Total Value: \$446,000.00
Renewal
\$111,500.00
Summary of Request: The original term of the contract was seven months and seventeen days with four optional one-year renewals. Modification Three has been submitted to exercise the third optional renewal allowed by the original contract. The Contractor provides pre-employment transition services which includes work-based learning experience, job exploration counseling, and workplace readiness training. Additionally, the Contractor may provide self-advocacy/mentoring instruction and counseling on enrollment in the post-secondary education or other comprehensive transition training programs. The Contractor was originally selected through a Request for Proposals (RFP) which resulted in the award of two contracts. Modification Two was approved at the September 2019 PPRB meeting. Modification Three updates the Period of Performance, Indemnification and Compensation 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: \$557,500.00

8. **Requesting Agency:** Mississippi Department of Public Safety
Supplier: Industrial/Organizational Solutions, Inc.
Contract #: 8200036130
Term: 11/15/2017-11/14/2021
Total Value: \$825,040.00
Renewal
\$206,260.00
Summary of Request: The term of the original contract was one year with four optional one-year renewals. Modification Three exercises the third of four optional renewals. The Contractor provides components of testing services to be used in the promotion process for the Mississippi Department of Public Safety. The Contractor was originally selected through a Request for Proposals (RFP). Modification Two was approved at the September 2019 PPRB meeting. Modification Three updates the Contract Term and Considerations 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 the PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested.

Projected Budget for Life of the Contract: \$1,031,300.00

9. **Requesting Agency:** Mississippi Department of Finance and Administration
Supplier: Charles Michael Lanford
Contract #: 121980
Term: 10/01/2020 – 09/31/2021
Total Value: \$91,036.40
New
\$91,036.40

Summary of Request: The term of the contract is one year with four optional one-year renewals. Mike Lanford is a Contract Worker and a PERS retiree. He will assist the Department of Finance and Administration Leadership in the improvement of core business processes at the Agency through the evaluation of performance, management, and structural components of DFA. Mr. Lanford will monitor state and federal legislation, advise, interpret, and draft public policies and procedures, and assist the DFA Leadership with other special projects as required. He will be paid \$70.00 per hour not to exceed 1,040 hours annually. The total requested spending authority is \$91,036.40, which includes \$72,800.00 for personal servicers, \$5,569.20 for FICA, and \$12,667.20 for PERS contribution. The Contract Worker was selected through a Request for Applications (RFA) with five respondents. The Agency requests an exception to Section 3-202.06.1 of the PPRB OPSCR Rules and Regulation for failure to mail or otherwise furnish to a minimum of three bidders or to all bidders registered in MAGIC under the product category code for the services to promote competition. As five respondents submitted applications, OPSCR staff does not have concerns regarding the competitiveness and fairness of the procurement.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and upon granting the exception to Section 3-202.06.1, complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends granting of the exception to Section 3-202.06.1 and approval of the contract as requested.

Projected Budget for Life of the Contract: \$455,182.00

10. Requesting Agency: Mississippi Division of Medicaid

Supplier: The University of Southern Mississippi, School of Social Work

Contract #: 8200047835

Term: 10/03/2019 – 12/02/2020

Total Value: \$452,642.00

Modification
\$0.00

Summary of Request: The term of the original contract was one-year with no optional renewal. Amendment One has been submitted to extend the contract period of performance by two months to allow additional time to perform these training services, which were interrupted as a result of the COVID-19 public health emergency, travel, restrictions, and public health guidelines. The Contractor provides a Person Centered Training Program within the Mississippi Training Institute (MTI) for the purpose of implementing, sustaining, and supporting the Person Centered Planning Process. The MTI serves as a statewide Person Centered Planning Institute for Mississippi based on standardized methods as approved by Division of Medicaid (DOM); and performs wraparound training, coaching, and technical assistance through the MTI for the purpose of sustaining wraparound facilitation as a service for DOM beneficiaries. The spending authority remains \$452,642.00 which includes reimbursement of travel expenses not to exceed \$85,062.00, which will be reimbursed at the same reimbursement rate as provided by state statute for the employees of DOM. The Contractor was originally 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 DOM determined that the services met the Agency's requirements and the price represents a fair market value for the services based on a cost comparison with a known private sector vendor. The original contract was approved at the

October 2019 PPRB meeting. Amendment One updates the Period of Performance clause. All other terms and conditions of the original contract remain the same.

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

Projected Budget for Life of the Contract: \$452,642.00

- C. **OPSCR Staff Approvals Reported to the Board**
- D. **OPSCR Sole Source Contracts Reported to the Board**
- E. **OPSCR Emergency Contracts Reported to the Board**

VII. Other Business

VIII. Adjournment