



TELEPHONIC MEETING AGENDA
Wednesday, May 5, 2021
9:00 a.m.

****This Meeting will be held via teleconference. Public access to the meeting will be provided telephonically. For access to the call, please send a request to PPRB@dfa.ms.gov****

- I. Call to Order
- II. Approval of Minutes from the April 7, 2021 Public Procurement Review Board Meeting
- III. Approval of per diem and expenses for the May 5, 2021 meeting and for any additional expenses incurred prior to June 2, 2021 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: Clarke County

Supplier: Unknown

Term: One Year

Commodities: Micro-surfacing and slurry seal

Total Value: \$500,000.00 estimated

Summary of Request: Clarke County has requested an exemption from using the reverse auction process for the purchase of micro-surfacing and slurry seal. They are requesting an exemption because vendors would not participate in a reverse auction. The County feels that competitive sealed bidding 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: Desoto County

Supplier: Unknown

Term: One Year

Commodities: Culverts

Total Value: \$150,000.00 estimated

Summary of Request: Desoto County has requested an exemption from using the reverse auction process for the purchase of culverts. They are requesting an exemption because they wish to award to multiple vendors. The County feels that competitive sealed bidding 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:** Rankin County School District

Supplier: Unknown

Term: One Year

Commodities: Snacks for Frontiers Program

Total Value: \$126,000.00 estimated

Summary of Request: Rankin County School District has requested an exemption from using the reverse auction process for the purchase of snacks for their after school Frontiers program. Bids have been advertised for the last eight (8) years and only one (1) response has been submitted each year. Since only one bid has been submitted for the last eight (8) years, the School District feels that the competitive sealed bid process should be utilized for this procurement.

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. The following school districts are requesting exemption from reverse auction 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 Districts feel that the competitive sealed bidding process should be utilized.

Requesting Governing Authority: Natchez-Adams School District

Supplier: Apple Inc.

Term: Unknown

Commodities: Apple products

Total Value: \$2,000,000.00 estimated

Requesting Governing Authority: Union County School District

Supplier: Apple Inc.

Term: Unknown

Commodities: Apple iPads

Total Value: \$122,385.00 estimated

Requesting Governing Authority: Yazoo County School District

Supplier: Apple Inc.

Term: Unknown

Commodities: Apple products

Total Value: \$650,000.00 estimated

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 procurements.

v. **Requesting Governing Authority:** Natchez-Adams School District

Supplier: Unknown

Term: Unknown

Commodities: E-Rate Category 2 Project

Total Value: \$750,000.00 estimated

Summary of Request: Natchez-Adams 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:** Amite County

Supplier: Ergon Asphalt and Emulsions

Term: 5/5/2021 through 12/31/2021

Total Value: \$150,000.00 estimated

Summary of Request: Amite County was granted an exemption from reverse auction on November 4, 2020. They advertised for competitive sealed bids for the purchase of asphalt emulsions and received two (2) bids. They wish to award to Ergon Asphalt and Emulsions as the lowest and best bidder.

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

2. Harrison County received exemptions from reverse auction on January 6, 2021 and solicited competitive sealed bids for the following term bids.

- i. **Requesting Governing Authority:** Harrison County
Supplier: Huey P. Stockstill, Land Shaper
Term: 7/1/2021 through 6/30/2022
Commodities: Asphalt milling
Total Value: \$51,060.00 estimated
- ii. **Requesting Governing Authority:** Harrison County
Supplier: T. L. Wallace
Term: 7/1/2021 through 6/30/2022
Commodities: Asphalt restoration
Total Value: \$206,977.00 estimated
- iii. **Requesting Governing Authority:** Harrison County
Supplier: Evans and Company, Inc., Coburns Supply, G & O Supply Co., Inc.
Term: 7/1/2021 through 6/30/2022
Commodities: Polyethylene pipe
Total Value: \$70,000.00 estimated
- iv. **Requesting Governing Authority:** Harrison County
Supplier: Bayou Concrete, Coast Concrete
Term: 7/1/2021 through 6/30/2022
Commodities: Ready mix concrete
Total Value: \$60,000.00 estimated
- v. **Requesting Governing Authority:** Harrison County
Supplier: Target Specialty Products, Vesperis, Clarke Mosquito Control Products, ADAPCO LLC
Term: 7/1/2021 through 6/30/2022
Commodities: Pesticide
Total Value: \$50,397.00 estimated

Staff Recommendation: These requests have been reviewed for compliance and have 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 these contracts.

3. The following school districts have received exemptions from reverse auction and solicited competitive sealed bids for the procurement of their E-Rate Category 2 projects.

- i. **Requesting Governing Authority:** Alcorn County School District
Supplier: Synergetics
Term: 7/1/2021 through 6/30/2026
Commodities: E-Rate Category 2 Project
Total Value: \$958,831.50 estimated

- ii. **Requesting Governing Authority:** Coahoma County School District
Supplier: Synergetics
Term: 7/1/2021 through 6/30/2022
Commodities: E-Rate Category 2 Project
Total Value: \$562,732.00 estimated

- iii. **Requesting Governing Authority:** Greenwood Leflore Consolidated School District
Supplier: ConvergeOne
Term: 7/1/2021 through 6/30/2022
Commodities: E-Rate Category 2 Project
Total Value: \$104,953.00 estimated

- iv. **Requesting Governing Authority:** Harrison County School District
Supplier: CSpire
Term: One-time purchase
Commodities: E-Rate Category 2 Project
Total Value: \$950,076.54 estimated

- v. **Requesting Governing Authority:** Jackson Hinds Library System
Supplier: ConvergeOne (highest scoring for cabling), NextStep (highest scoring for equipment/Managed Internal Broadband Services)
Term: 7/1/2021 through 6/30/2026
Commodities: E-Rate Category 2 Project
Total Value: \$575,000.00 estimated

- vi. **Requesting Governing Authority:** Leland School District
Supplier: Synergetics
Term: 7/1/2021 through 6/30/2024
Commodities: E-Rate Category 2 Project
Total Value: \$225,714.00 estimated

- vii. **Requesting Governing Authority:** Western Line School District
Supplier: Synergetics
Term: One-time purchase
Commodities: E-Rate Category 2 Project
Total Value: \$323,669.00 estimated

Staff Recommendation: These requests have been reviewed for compliance and have 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 contracts.

C. Consideration of State Agency Contracts for Board Action

- 1. **Requesting Agency:** Mississippi Department of Public Safety (DPS)
Supplier: Canon U.S.A. Inc.
Contract #: 8200032680
Term: 7/1/2017 through 6/30/2021
Total Value: \$771,162.56

Summary of Request: DPS requested and was approved a four (4) year copier contract by the prior PPRB. DPS is requesting an increase of \$50,000.00 to cover copy overages over the original estimated number of copies.

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

2. Requesting Agency: Mississippi Department of Public Safety (DPS)

Supplier: Canon U.S.A. Inc.

Contract #: 8200056453

Term: 7/1/2021 through 6/30/2025

Total Value: \$760,000.00

Summary of Request: DPS is requesting approval to enter into a four (4) year copier rental agreement for one hundred forty (140) copiers and fifty (50) Adobe PDF Licenses to be used in multiple locations. DPS has received the required approval from the Mississippi Department of Information Technology Services. The current OPTFM State Copier Contract is being used for the agreement.

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.

3. Requesting Agency: Mississippi Department of Rehabilitation Services (MDRS)

Supplier: J's Mobility Unlimited, Inc., Mobility Systems, Inc., Handicapable Vans & Products, United Access, LLC., Team Adaptive, Inc.

Contract #: 8900000781, 8900000782, 8900000783, 8900000784, 8900000785, 8900000795

Term: 7/1/2018 through 6/30/2022

Total Value: \$10,050,000.00 (\$2,000,000.00, \$2,000,000.00, \$2,000,000.00, \$1,350,000.00, \$1,350,000.00, \$1,350,000.00)

Summary of Request: MDRS is requesting an extension to contracts approved at the June 6, 2018 PPRB meeting. These contracts were awarded on a line item basis to all vendors that responded for the purchase and installation of minivan conversions, van lifts and/or electronic mobility controls (EMC). This is the first of two (2) possible twelve (12) month extensions for each contract.

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

4 Requesting Agency: Mississippi Department of Transportation (MDOT)

Supplier: Cintas Corporation No 2

Contract #: 8200056473

Term: 6/1/2021 through 5/31/2024

Total Value: \$760,000.00

Summary of Request: MDOT is requesting approval to lease uniforms using the current DFA

OPTFM Uniform Rental contract. The requested total amount of this contract will be \$760,000.00 and is based on the approximate total amount of one thousand one hundred twenty five (1,125) MDOT employees in Districts III, V, VI and VII for the weekly rental of uniforms and the replacement costs of uniforms that become damaged due to job assignments.

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

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

Supplier: Hall Manufacturing LLC.

Contract #: 8200032415

Term: 7/1/2017 through 6/31/2022

Total Value: \$600,000.00

Summary of Request: MDOT has submitted a request to extend this contract for a period of one (1) year to allow the purchase of mower parts with no increase in value. The original contract was approved by the prior PPRB on 5/22/2017. The first extension was approved at the 5/2/2018 PPRB meeting, the second on 3/6/2019, and third on 6/25/2020. This request is the fourth and final contract extension.

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 extension.

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

Supplier: Potters Industries LLC.

Contract #: 8200046831

Term: 7/23/2019 through 6/30/2022

Total Value: \$535,000.00

Summary of Request: MDOT conducted a reverse auction and awarded this contract for glass beads that add a reflective property to traffic paint. Two (2) responses were received with no protests. The original award was not presented to PPRB as the contract value was below the threshold requiring PPRB approval. An increase was approved at the 3/3/2021 PPRB meeting. MDOT is requesting the final available extension with no increase.

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 extension.

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

Supplier: Sanofi Pasteur Inc., Pfizer Inc., Glaxo Smith Kline LLC, Merck Sharp & Dohme Corp.

Contract #: 8900001572, 8900001573, 8900001570, 8900001571

Term: 5/5/2021 through 3/31/2022

Total Value: \$12,770,534.00 (\$2,609,350.00, \$1,477,400.00, \$2,491,674.00, \$6,192,110.00)

Summary of Request: MSDH is requesting approval to use the Centers for Disease Control and Prevention (CDC) vaccine contract pursuant to the provision set forth in Mississippi Code

Annotated Section 31-7-13(m)(i) which provides an exemption from bidding procedures for purchasing agreements approved by DFA. MSDH wishes to purchase vaccines from the CDC contract price list for the Vaccines for Children Program (VFC). These vaccines are currently available on the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) state contract; however, these specific vaccines are priced lower on the CDC Contract.

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

8. Requesting Agency: University of Mississippi (UM)

Supplier: 3-D Pine Straw

Contract #: 8200056472

Term: 6/1/2021 through 5/31/2026

Total Value: \$2,467,420.89

Summary of Request: UM solicited competitive sealed bids (institutions of higher learning are statutorily exempt from the use of reverse auction) for a five (5) year pricing agreement with a vendor for the purchase, delivery and unloading of pine straw bales for University Landscaping Services. UM received two (2) responses from the solicitation and requests to award to 3-D Pine Straw based on specifications and lowest bid.

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

9. Requesting Agency: Jackson State University (JSU)

Supplier: Xerox Corporation

Contract #: 8200056031

Term: 3/5/2021 through 3/30/2026

Total Value: \$1,426,560.00

Summary of Request: JSU is requesting approval to enter into a five (5) year copier rental agreement for one hundred and fifty two (152) copiers to be used in multiple locations. JSU has received the required approval from Mississippi Department of Information Technology Services. The agreement is from a current OPTFM State Copier Contract.

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

D. OPTFM Staff Approvals Reported to the Board

E. OPTFM Sole Source Purchases Reported to the Board

F. OPTFM Emergency Purchases Reported to the Board

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

A. Consideration of BOB Contracts for Project Professionals

NOTE: Standard Operating Procedures established by the BOB in April 2004, require PPRB approval of fees in excess of \$250,000.00. The following Professionals were selected by interview by the Using Agency and Bureau of Building, et al, procedures. (Fees may or may not be anticipated to be beyond \$250,000.00; however, the Bureau of Building, et al, has established an interoffice procedure to bring RFP/RFQ selections to PPRB for approval or ratification.)

- Using Agency:** University of Southern Mississippi – Gulf Park Campus
Project Number: GS# 114-027
Title: Preplan Exec. Education & Conf. Center
Location: Long Beach, Mississippi
Budget: \$200,000.00 preplanning
Funding Sources: House Bill 1730, Laws of 2020
Professional Fee: C (estimated fees \$486,738.55)
Professional: unabridged Architecture, PLLC Allison and John Anderson Architects, Bay St. Louis, Mississippi

Scope: Preplanning through design development phase of a new Executive Education Center to provide space for corporate training, conferences, seminars, receptions, and other types of meeting space to serve the campus and community. This space will include food preparation and serving areas along with state-of-the-art technology and presentation capabilities. All applicable codes, including compliance with the Americans with Disabilities Act, will need to be addressed during the development process.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. BOB has reviewed the documentation and recommends PPRB approval, contingent upon IHL approval and the execution of completed contracts.

- Using Agency:** Mississippi Department of Finance and Administration
Number: GS# 350-035
Title: HVAC & Energy Upgrades – PH II
Location: Jackson, Mississippi
Budget: \$6,000,000.00
Funding Sources: Senate Bill 2948, Laws of 2021
Professional Fee: C+ (estimated fees \$427,550.21)
Professional: Engineering Resource Group, Inc., Jackson, Mississippi

Scope: Phase II of planning, repair, renovation, and improvements to heating, ventilation and air conditioning systems as well as lighting and other energy efficiency measures at buildings and facilities under the operation and control of the DFA Office of Capitol Facilities.

Note: As a continuation of a previous appointment for a directly related project, this contract is exempt from procurement by a competitive qualification-based selection process pursuant to

Section 31-11-3(7) of the Mississippi Code Annotated. The new contract is for the same fee percentage, terms and conditions as that of the previous 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. BOB has reviewed the documentation and recommends PPRB approval, contingent upon the execution of completed contracts.

3. **Using Agency:** Mississippi Department of Finance and Administration
Number: GS# 358-059
Title: Site Improvements PH II
Location: Jackson, Mississippi
Preplanning Budget: \$4,000,000.00
Funding Sources: 2020 Capitol Site Bonds, 2018 Capitol Bonds, Senate Bill 2948, Laws of 2021
Professional Fee: C+ (estimated fees \$292,635.94)
Professional: WFT Architects, P.A., Jackson, Mississippi
Scope: Phase II of planning, repair, renovation and improvements to parking, paving, landscaping, irrigation, drainage, lighting, security, and other site upgrades at the site of the Mississippi State Capitol.
Note: As a continuation of a previous appointment for a directly related project, this contract is exempt from procurement by a competitive qualification-based selection process pursuant to Section 31-11-3(7) of the Mississippi Code Annotated. The new contract is for the same fee percentage, terms and conditions as that of the previous 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. BOB has reviewed the documentation and recommends PPRB approval, contingent upon the execution of completed contracts.

4. **Using Agency:** Mississippi Department of Finance and Administration
Number: GS# 383-002
Title: Facility Improvements – PH 2
Location: Jackson, Mississippi
Preplanning Budget: \$5,450,000.00
Funding Sources: 2018 Capitol Complex Bonds
Professional Fee: C+ (estimated fees \$390,765.30)
Professional: WFT Architects, P.A., Jackson, Mississippi
Scope: Phase II of planning, repair, renovation and improvements to the former Wright & Ferguson Funeral Home facility for the housing of offices and support space for multiple state agencies.
Note: As a continuation of a previous appointment for a directly related project, this contract is exempt from procurement by a competitive qualification-based selection process pursuant to Section 31-11-3(7) of the Mississippi Code Annotated. The new contract is for the same fee percentage, terms and conditions as that of the previous 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. BOB has reviewed the documentation and recommends PPRB approval, contingent upon the execution of completed contracts.

B. Consideration of Agency Contracts for Project Professionals

- Using Agency:** Mississippi Department of Archives and History
Title: Historic Jefferson College Restoration Project
Location: Washington, Mississippi
Budget: \$10,000,000.00
Funding Sources: not fully funded yet
Professional Fee: D+ (estimated fees \$722,857.14)
Professional: Shafer Zahner Zahner, PLLC, Starkville, Mississippi
Scope: Planning and renovation of eight (8) buildings and site at the Historic Jefferson College. Project will begin with an initial assessment study of existing buildings for a fee of \$60,000.00 as additional services to this percentage contract. The project will be phased as funds are available over several years.
Note: This professional was determined to be second most highly qualified in a Request for Qualifications issued by MDAH. Following initial selection of the first most highly qualified Professional, MDAH was unable to agree to terms of contract in regards to schedule and the initial study, terminated negotiations and proceeded with appointment of the next most highly qualified Professional.

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 MDAH Board approval on May 18, 2021, and the execution of completed contracts.

- Using Agency:** Mississippi Department of Finance and Administration
Title: Mechanical & Energy Consulting
Location: Jackson, Ridgeland, Meridian, Hattiesburg, Stennis Space Center and Biloxi, Mississippi
Budget: \$118,000.00 increase for this first one-year renewal
Funding Sources: Agency Funds
Professional: Engineering Resource Group, Inc., Jackson, Mississippi
Scope: Provide services at DFA buildings statewide consisting of energy management system monitoring (\$18,000.00 per year), utility consumption, monitoring, analysis & reporting (\$30,000.00 per year), system inspection & reporting (\$35,000.00 per year) plus general mechanical and energy consulting on an as-needed hourly basis (not to exceed \$35,000.00 per year).
NOTE: This is the first of two optional one-year renewals, subject to PPRB approval. The original PPRB approval was June 6, 2018, for three (3) years for a not to exceed \$354,000.00.

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 the execution of a contract amendment.

C. Consideration of BOB Change Orders for Board Action

Using Agency: Mississippi Department of Rehabilitation Services

Project Number: GS# 525-023

Project Title: Elevator Repairs

General Contractor: Robertson Construction Contractors, LLC

Original Contract Sum: \$120,000.00

Net Change by Previous Change Orders: \$.00 (only days in CO1)

Total Value of Award before this Change Order: \$120,000.00

Total Value of this Change Order: \$109,815.96

Construction Days to Date [Term]: 267 (including 165 for this CO)

Change Order Scope: Additional cost and time to re-drill and case the existing jack hole to receive new elevator cylinder. During construction, it was discovered that the existing jack hole casing terminated just 13 feet below the existing elevator pit elevation. The un-cased portion of the jack hole collapsed during removal of the old elevator cylinder scheduled to be removed. In order to re-establish a hole for the over 50 foot replacement elevator cylinder, a drill rig will be setup inside of the existing building to drill and case an additional 40 plus feet in depth to accommodate the new installation. The Professional has reviewed the proposed cost and has determined the pricing to be fair and reasonable. The current work cannot be completed without this change. Canceling the current contract, as this would be due to no fault of the Contractor, would result in lost overhead and profit payment to the current Contractor as well as additional mobilization costs if re-bid.

Note: Board Action is required when cumulative Change Orders exceeds 25% of original bid.

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 an executable Change Order.

D. BOB Staff Approvals Reported to the Board

E. RPM New Leases

- 1. Requesting Agency:** Mississippi Secretary of State
Lease #: 775-172-22A
Lessor: Chuck Roberts d/b/a Command Realty Group
Term: 05-06-2021 thru 05-05-2022
Total Yearly Cost: \$6,000
Cost PSF: \$7.06 + Utilities & Janitorial
Previous Cost PSF: N/A

Total Space per Occupant: 213 Sq. Ft.

Federal Funds: 0%

Square Footage Proposed: 850

Previous Square Footage: N/A

Address of Property: 5779 Getwell Road, Building D2, Southaven, MS.

Purpose of Lease: North Mississippi Office of the Secretary of State

Note: This is a one (1) year lease with three (3) one (1) year options to renew at the same rental rate as the primary year. This lease was advertised and one response was received. The single response was an acceptable offer to both RPM and the SOS.

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 Succeeding Leases

1. **Requesting Agency:** Ellisville State School

Lease #: 534-771-26A

Lessor: KBH Realty, Inc.

Term: 09-01-2021 thru 08-31-2026

Total Yearly Cost: \$24,000.00

Cost PSF: \$4.00 + Utilities & Janitorial

Previous Cost PSF: \$4.00 + Utilities & Janitorial

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 6,000

Previous Square Footage: 6,000

Address of Property: 909 Robinson Street, Waynesboro, MS.

Purpose of Lease: This location houses the Special Touch/Employment Center for the area. It is a thrift store that sells donated goods and utilizes individuals involved with the ESS program.

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 Division of Medicaid

Lease #: 515-691-26A

Lessor: JC Properties, LLC.

Term: 09-01-2021 thru 08-31-2026

Total Yearly Cost: \$107,460.00

Cost PSF: \$9.95 + Utilities & Janitorial

Previous Cost PSF: \$9.95 + Utilities & Janitorial

Total Space per Occupant: 415

Federal Funds: 50%

Square Footage Proposed: 10,800

Previous Square Footage: 10,800

Address of Property: 2776 Hwy 51 South, Senatobia, MS.

Purpose of Lease: This is the regional office for the Senatobia area.

Note: This is a five (5) year lease with no renewals. Medicaid asks PPRB 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 Medicaid will have complied with all rules, regulations and legal requirements. RPM recommends the approval of this lease.

G. RPM Emergency Leases

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

Lease #: 390-172-22E

Lessor: Desoto Lander Center

Term: 01-22-2021 thru 01-21-2022

Total Cost: \$126,000.00

Cost PSF: .77

Previous Cost PSF: N/A

Total Space per Occupant: N/A

Federal Funds: 100 %

Square Footage Proposed: 162,777

Previous Square Footage: N/A

Address of Property: Desoto Lander Center, 4560 Venture Drive, Southaven, MS.

Purpose of Lease: MSDH site for Covid-19 testing and vaccinations.

Note: A Certificate of Emergency was issued by the State Fiscal Officer of the State of Mississippi on 01-08-2021 for the purpose of providing space for the listed activity. This is a one year lease per 300.9 (3) of the State Leasing Manual.

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

H. RPM Amended Leases

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

Lease #: 800-253-34A

Lessor: Clinton MS 1 SGF, LLC.

Term: 07-01-2014 thru 06-03-2034

Original PPRB Approval Date: 04-03-2013

New Payment Term Start Date: 07-01-2021

Previous Yearly Cost: \$2,800,000.00

Amended Yearly Cost: \$2,381,597.88

Cost PSF: \$14.93 Inclusive

Previous Cost PSF: \$14.93 Inclusive

Total Space per Occupant: 335 sq. ft.

Federal Funds: 0 %

Square Footage Proposed: 159,491

Previous Square Footage: 187,511

Address of Property: 500 Clinton Center Drive, Clinton, MS.

Purpose of Amendment: Reduction of square footage in rented space as allowed in 500.1(1) of the State Leasing Manual. The Agency stated that the decrease in space is needed due to attrition and overall cost savings efforts.

Note: This is the third amendment to this lease. This is a reduction of 28,020 sq. ft. MDOR asks PPRB 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 MDOR will have complied with all rules, regulations and legal requirements. RPM recommends the approval of this lease amendment.

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

A. Petitions for Relief from Competitive Sealed Bidding

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

RFx Number: 3180001358

Procurement Request: Request for Proposals

Anticipated Term: Three Years with Two Optional One Year Renewals

Anticipated Contract Amount: \$15,500,000.00

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 assist DOM in administering a pharmacy program through development and management of the Universal Preferred Drug List, administration of the Supplemental Drug Rebate program, management of the Rate Setting of Covered Outpatient Drugs, and performing programmatic review and assessment of core components of the pharmacy program to ensure Medicaid beneficiaries receive clinically sound treatment with covered outpatient drugs while ensuring fiscal responsibility. The Agency contends the use of an IFB is neither practicable nor advantageous when procuring pharmacy providers. The Agency is asking to use an RFP as the method of procurement to conduct reviews of offerors' ability to provide the appropriate level of professional experience and expertise. The respondents will be evaluated based on technical factors, management factors, cost, and price as an individual factor. The technical factors will be weighted at forty (40) points or 40%, management factors will be weighted at twenty-four (24) points or 24%, cost factors will be weighted at one (1) point or 1%, and 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 vendor to assist DOM in administering a pharmacy program.

2. Requesting Agency: Mississippi Division of Medicaid

RFX Number: 3180001359

Procurement Request: Request for Proposals

Anticipated Term: Three Years with Two Optional One Year Renewals

Anticipated Contract Amount: \$7,800,000.00

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 Payment Methodology services which DOM plans to use in developing new payment methodologies and rates and refining existing methodologies and rates to provide the best care for the beneficiary at the best price for the provider in the best setting. The Agency contends the use of an IFB is neither practicable nor advantageous when procuring Payment Methodology services. The Agency is asking to use an RFP as the method of procurement to evaluate the offerors' ability to demonstrate high quality administrative and clinical leadership in payment methodology services which must comply with Federal and State laws and regulations and DOM policies and formal memorandums. The respondents will be evaluated based on technical factors, management factors, cost, and price as an individual factor. The technical factors will be weighted at forty (40) points or 40%, management factors will be weighted at twenty-four (24) points or 24%, cost factors will be weighted at one (1) point or 1%, and 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 vendor to provide Payment Methodology services.

3. Requesting Agency: Mississippi Department of Human Services

RFX Number: 3180001360

Procurement Request: Request for Proposals

Anticipated Term: Six Months

Anticipated Contract Amount: \$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 develop the 2022 Mississippi Needs Assessment for the MDHS Division of Aging and Adult Services. The services will include surveying of Mississippi's aging population to gather data for MDHS to adequately address the needs of the aging population. The Agency contends the use of an IFB is neither practicable nor advantageous because the relative abilities of respondents to perform the services needs to be evaluated based on respondent's degree of technical or professional experience and expertise in providing similar services. The Agency is requesting to use an RFP as the method of procurement to conduct written or oral discussions with respondents concerning technical and price aspects of their proposals. The respondents will be evaluated based on technical factors, management factors, cost, and price as an individual factor. The technical factors will be weighted at twenty (20) points or 20%, management factors will be weighted at twenty-five (25) points or 25%, cost factors will be weighted at twenty (20) points or 20%, and 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 vendor to provide Needs Assessment services.

B. Consideration of Contracts for Board Action

1. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: Keystone Peer Review Organization

Contract #: 8200056474

Term: 07/01/2021- 06/30/2025

Total Value: \$9,441,000.00

New

\$9,441,000.00

Summary of Request: The term of the contract is four years with one optional six month renewal. The Mississippi Department of Finance and Administration on behalf of the Mississippi State and School Employees' Health Insurance Management Board is seeking to contract with one contractor to provide utilization management services to the State and School Employees' Health Insurance Plan. The Contractor will provide services including but not limited to, hospital admission/utilization management services, continued stay management, discharge planning, retrospective review, pre-admission and post-discharge outreach, and case management. The Contractor was selected through a Request for Proposals with three respondents. The Agency did not submit a Petition for Relief from competitive bidding as it is statutorily required to issue a Request for Proposals for these services pursuant to MS Code Ann. § 25-15-301. This contract was approved by the State and School Employees' Life and Health Insurance Management Board on February 24, 2021. The Agency must provide proof of the required certificate of insurance before the contract can be processed.

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 certificate of insurance.

Projected Budget for Life of the Contract: \$10,665,960.00

2. Requesting Agency: Mississippi Department of Education

Supplier: Questar Assessment, Inc.

Contract #: 8200018500

Term: 07/01/2015-06/30/2022

Total Value: \$67,830,541.60

Renewal

\$8,262,518.00

Summary of Request: The term of the original contract was one-year with nine optional one-year renewals. Modification Seven has been submitted to exercise the sixth optional renewal allowed by the original contract. Section 27-104-7(2)(l) of the Miss. Code Ann. allows the State Board of Education to enter into contractual agreements for student assessment for a period up to ten years. The Contractor provides programmatic, technical, and psychometric activities for the English Language Arts (ELA) and Mathematics Grades 3 through 8 Assessments, End of Course Assessments in Algebra I and English II, and cost options for the Geometry and Algebra II Assessments, which are aligned with the 2016 Mississippi College and Career Readiness Standards for ELA and Mathematics. The services provided include the design and management of assessment programs, development of new items (questions) and forms (tests). The

Contractor is responsible for providing the test online as well as the processing, scoring, and reporting of tests. The Contractor also offers re-testing opportunities for students who do not receive a passing score. The Contractor was originally selected through a Request for Proposals. Modification Seven modifies the scope of services to meet the upcoming 2021-2022 school year needs; incorporates into the contract the Mississippi Academic Assessment Program 2021-2022 Contract Modification letter dated January 27, 2021 (Attachment 33); the 2021-2022 Budget Summary Form dated February 1, 2021 (Attachment 34); 2021-2022 Statement of Work (Attachment 35); Annually Renewable Performance Bond (Attachment 36); and Memorandum of Understanding (MOU) (Attachment 37) which governs the sharing of student level data; and updates the Priority, Liquidated Damages, Compensation and Financial Reports, and Budget Narrative clauses. All other terms and conditions of the original contract remain the same. Proof of the regulatory board's approval (State Board of Education), the updated performance bond, and an executed MOU must be received from the Agency prior to processing the contract renewal. The board will meet May 20, 2021.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent upon the Agency providing the updated bond, executed MOU, and proof of the regulatory board's approval.

Projected Budget for Life of the Contract: \$133,717,267.00

3. Requesting Agency: Mississippi Department of Education

Supplier: Data Recognition Corporation

Contract #: 8200039469

Term: 8/6/2018 - 06/30/2022

Total Value: \$11,600,680.00

Renewal

\$2,783,138.00

Summary of Request: The term of the original contract was approximately ten months, twenty-five 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 creates and administers a custom Mississippi Academic Assessment Program (hereinafter "MAAP") for Science, Grades 5 and 8, and High School End of Course Assessments in Biology I and U.S. History. The services provided include all associated technical services and professional development for these assessments. The Contractor was originally selected through a Request for Proposals. Modification Three modifies the scope of services to meet the upcoming 2021-2022 school year needs; incorporates into the contract the MAAP 2021-2022 Contract Modification letter dated February 2, 2021 (Attachment 14); the 2021-2022 Budget Summary Form dated January 19, 2021 (Attachment 15); 2021-2022 Statement of Work (Attachment 16); Annually Renewable Performance Bond (Attachment 17); and Memorandum of Understanding (MOU) (Attachment 18) regarding protection of student level data; and updates the Priority and Liquidated Damages clauses. All other terms and conditions of the original contract remain the same. Proof of the regulatory board's approval (State Board of Education), updated performance bond, and an executed MOU must be received from the Agency prior to processing the contract renewal. The board will meet May 20, 2021.

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

recommends approval of the contract renewal as requested contingent upon the Agency providing the updated bond, executed MOU, and proof of the regulatory board's approval.

Projected Budget for Life of the Contract: \$14,963,864.00

4. Requesting Agency: Mississippi Department of Education

Supplier: Questar Assessment, Inc.

Contract #: 8200019248

Term: 07/01/2015 – 06/30/2022

Total Value: \$15,902,450.00

Renewal
\$2,137,246.00

Summary of Request: The term of the original contract was one year with nine optional one-year renewals. Modification Seven has been submitted to exercise the sixth optional renewal allowed by the original contract and to correct a scrivener's error in the total value in Modification Six. Section 27-104-7(2)(l) of the Miss. Code Ann. allows the State Board of Education to enter into contractual agreements for student assessment for a period up to ten years. The Contractor administers alternate assessments for students with Significant Cognitive Disabilities (hereinafter "SCD"), which is known as the Mississippi Academic Assessment Program–Alternate (MAAP-A) for English Language Arts and Mathematics, Grades 3 through 8; Science, Grades 5 and 8; and High School Algebra I, English II, and Biology I. The Agency is required to provide a custom alternate assessment based on alternative academic achievement standards for students with SCD, who by nature of their disability cannot access the general education standards pursuant to the Individuals with Disabilities Education Act, Section 300.160 (c)(1), and the Elementary and Secondary Education Act (ESEA). The Contractor was originally selected through a Request for Proposals. Modification Seven modifies the scope of services to meet the upcoming 2021-2022 school year needs; incorporates into the contract the Mississippi Academic Assessment Program-Alternative 2021-2022 Contract Modification letter dated January 27, 2021 (Attachment 30); the 2021-2022 Budget Summary Form dated February 1, 2021 (Attachment 31); 2021-2022 Statement of Work (Attachment 32); Annually Renewable Performance Bond (Attachment 33); and a Memorandum of Understanding (MOU) governing disclosure of student data; and updates the Priority, Liquidated Damages, Compensation and Financial Reports, and Budget Narrative clauses. All other terms and conditions of the original contract remain the same. Proof of the regulatory board's approval (State Board of Education), the updated performance bond, and the executed MOU must be received from the Agency prior to processing the contract renewal. The board will meet May 21, 2021.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent upon the Agency providing the updated bond, executed MOU, and proof of the regulatory board's approval.

Projected Budget for Life of the Contract: \$13,765,204.00

5. Requesting Agency: Mississippi Department of Education

Supplier: Renaissance Learning, Inc.

Contract #: 8200007507

Term: 02/19/2014 – 06/30/2022

Total Value: \$10,468,254.65

Renewal
\$490,350.00

Summary of Request: The term of the original contract was approximately one year, five months with eight optional one-year renewals. Modification Nine has been submitted to exercise

the seventh optional renewal allowed by the original contract. Section 27-104-7(2)(l) of the Miss. Code Ann. allows the State Board of Education to enter into contractual agreements for student assessment for a period up to ten years. The Contractor provides the Kindergarten Readiness Assessment tool using Renaissance Data Integration (RDI) services. The Contractor was originally selected through a Request for Proposals. Modification Nine increases funds and services as allowed by the original contract for the upcoming 2021-2022 school year needs; incorporates into the contract the FY 2022 Statement of Work dated December 17, 2020 (Attachment 18); and FY 2022 Budget Summary Form (Attachment 19); and Annually Renewable Performance Bond (Attachment 20); and updates the Priority, Liquidated Damages, Compensation and Financial Reports, and Budget Narrative clauses. All other terms and conditions of the original contract remain the same. Proof of the regulatory board's approval (State Board of Education), and annually renewable performance bond must be received from the Agency prior to processing the Contract renewal. The board will meet May 20, 2021.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent on the Agency providing the updated bond and proof of the regulatory board's approval.

Projected Budget for Life of the Contract: \$10,971,504.65

6. Requesting Agency: Mississippi Department of Education

Supplier: Curriculum Associates, LLC

Contract #: 8200048332

Term: 01/09/2020 - 06/30/2022

Total Value: \$172,378.76

**Renewal
\$37,406.80**

Summary of Request: The term of the original contract was approximately six months with four optional one-year renewals. Modification Two has been submitted to exercise the second optional renewal allowed by the original contract. The Contractor provides a Comprehensive Early Learning Assessment/Screening (CELA/S) tool on an annual basis that is used throughout school districts to evaluate and assess the effectiveness of pre-kindergarten (pre-k) classrooms. The Contractor was originally selected through a Request for Proposals. Modification Two updates the Priority, Compensation and Financial Reports, and Budget Narrative clauses. All other terms and conditions of the original Contract remain the same. Proof of the regulatory board's approval (State Board of Education) and annually updated performance bond must be received from the Agency prior to processing the Contract renewal. The board will meet May 20, 2021.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent upon the Agency providing an updated performance bond and proof of the regulatory board's approval.

Projected Budget for Life of the Contract: \$247,192.36

7. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: ActiveHealth Management, Inc.

Contract #: 8200056475

Term: 07/01/2021-06/30/2025

Total Value: \$16,990,400.00

New

\$16,990,400.00

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Mississippi Department of Finance and Administration on behalf of the Mississippi State and School Employees' Health Insurance Management Board issued a Request for Proposals to secure a vendor to provide comprehensive health and wellness management services for the State and School Employees' Health Insurance Plan. Such services include health and wellness promotion, wellness coaching, a health and wellness app/website, health risk analysis, an incentive program, and programs for tobacco cessation, weight management, disease management, and maternity management. The Contractor was selected through a Request for Proposals with eight responses, two of which were deemed nonresponsive and/or nonresponsible. The Agency did not submit a Petition for Relief from competitive bidding as it is statutory required to issue a Request for Proposals for these services pursuant to MS Code Ann. § 25-15-301. This contract was approved by the State and School Employees Health Insurance Management Board on February 24, 2021.

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 staff recommends approval of the contract as requested.

Projected Budget for Life of the Contract: \$21,238,000.00

8. Requesting Agency: Mississippi Department of Revenue

Supplier: M & J Transport, Inc.

Contract #: 8200056266

Term: 07/01/2021-06/30/2024

Total Value: \$3,000,000.00 (estimated)

New

\$3,000,000.00

Summary of Request: The term of the contract is three years with no optional renewals. The contractor will provide for the transportation of alcoholic beverages in the Jackson, MS metropolitan area. DOR issued an Invitation for Bids and received four responses. One bidder did not meet the minimum requirements to be deemed responsible. Of the three responsive and responsible bidders, M&J Transport, Inc. bid the lowest price at \$1.20 per case. The contract is for an indefinite quantity, and the total value is only an estimate; therefore, OPSCR staff requests the Board's permission to approve any subsequent increase in total value at the agreed upon unit cost. DOR requests an exception to the PPRB OPSCR Rules and Regulations, Section 3-202.06.03 for failing to include the RFX number in the newspaper advertisement. OPSCR staff does not have any concerns regarding competition, fairness or transparency as the RFX number was available on the Agency website and the Mississippi Contract/Procurement Opportunity Search Portal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and, upon granting of the requested exception to PPRB OPSCR Rules & Regulations Section 3-202.06.03, complies with PPRB OPSCR Rules and Regulations and all legal requirements.

OPSCR recommends approval of the contract as requested and granting to OPSCR staff the authority to approve any subsequent increase in total value at the agreed upon unit cost.

Projected Budget for Life of the Contract: \$3,000,000.00 (estimated)

9. Requesting Agency: Mississippi Department of Education

Supplier: Reading & Language Arts Center, Inc. d/b/a Brainspring

Contract #: 8200054855

Term: 07/19/2017-06/30/2022

Total Value: \$5,971,900.00

Renewal
\$1,300,000.00

Summary of Request: The term of the original contract was eleven months, thirteen days with four optional one-year renewals. Amendment Seven has been submitted to exercise the fourth and final optional renewal allowed by the original contract. The Contractor provides a professional development training system based on the Orton Gillingham reading methodology to a minimum of 500 new Teachers who teach students with disabilities annually including follow up trainings, an annual survey of all participants trained as it relates to program processes, practices, and other concerns as identified by the Agency. The Contractor was originally selected through a Request for Proposals. Amendment Seven updates the Priority clause and increases the contract in an amount not to exceed \$1,300,000.00 for FY 2022 services. All other terms and conditions of the original contract remain the same. Proof of regulatory board's approval (Mississippi State Board of Education) must be received from the Agency prior to processing the contract renewal. The Mississippi State Board of Education is scheduled to meet on May 20, 2021.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested contingent upon receipt of the required regulatory board's approval.

Projected Budget for Life of the Contract: \$5,971,900.00

10. Requesting Agency: Mississippi Department of Mental Health – Ellisville State School

Supplier: Precision Healthcare Staffing, LLC.

Contract #: 8200031603

Term: 07/19/2017 – 06/30/2022

Total Value: \$2,125,000.00

Renewal
\$425,000.00

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Amendment Four has been submitted to exercise the fourth and final renewal allowed by the original contract. The Contractor provides professional sitter services as needed by the Agency. The rate per hour remains \$14.50. The Contractor was originally selected through an IFB. All other terms and conditions of the original contract remain the same. Proof of the Regulatory Board's approval (Mississippi Board of Mental Health) must be received from the Agency prior to processing the contract renewal. The Mississippi Board of Mental Health met on March 18, 2021 and approved this contract renewal.

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

recommends approval of the contract renewal as requested contingent upon receipt of the regulatory board's approval.

Projected Budget for Life of the Contract: \$2,125,000.00

11. Requesting Agency: Mississippi Department of Mental Health – Boswell Regional Center

Supplier: Dr. Jo Luresa Harbour

Contract #: 114373

Term: 07/01/2018-06/30/2022

Total Value: \$672,000.00

**Renewal
\$168,000.00**

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Amendment Three has been submitted to exercise the third optional renewal allowed by the original contract. Dr. Harbour is a contract worker. She provides general and emergency medical care to psychiatric patients residing at the Hudspeth Regional Center, which is a satellite program of Boswell Regional Center. She is paid \$150.00 per hour up to an average of 20 hours per week and \$100.00 per night for on-call services. The Contract Worker was originally selected through a Request for Applications. Amendment Three updates the Contract Term, Consideration, Contract Worker, Entire Agreement, and Approval Clauses. All other terms and conditions of the original contract remain the same. Proof of regulatory board's approval (Mississippi Board of Mental Health) must be received from the Agency prior to processing the contract. The Mississippi Board of Mental Health met on March 18, 2021 and approved this 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 renewal as requested contingent upon receipt of the required regulatory board's approval.

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

12. Requesting Agency: Mississippi Department of Education

Supplier: Hanover Research Council, LLC.

Contract #: 8800007513

Term: 11/9/2020-06/30/2022

Total Value: \$91,650.00

**Renewal
\$46,500.00**

Summary of Request: The term of the original contract was eight months with two optional one-year renewals. Modification One has been submitted to exercise the first optional one-year renewal. The Contractor provides proprietary research information to the Mississippi Department of Education to include labor market analysis, best practices, and peer benchmarking for industry standards, as well as research and analysis services on education related initiatives. The Contractor was declared a sole source provider by the Agency, based upon the research services to be conducted which may include but is not limited to custom research reports, survey design, administration and analysis, interviews with industry/issue experts, secondary research data analysis and benchmarking. This is the first time this contract was submitted to OPSCR staff because the previous contract value did not exceed \$75,000.00 and did not require OPSCR 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 approval of the contract renewal as requested.

Projected Budget for Life of the Contract: \$139,650.00

13. Requesting Agency: Mississippi Department of Public Safety

Supplier: Cannon Cochran Management Services, Inc.

Contract #: 8200056468

Term: 08/01/2021 - 07/31/2025

Total Value: \$4,320,000.00

New

\$4,320,000.00

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Contractor will provide adjudication of workers' compensation claims filed by the employees of DPS. Contractor's services will include claims investigations, compensability determinations, claim and expense payments, litigation management, medical case management and overall management of claim files to include completion and timely filing of reports required by the Mississippi Workers' Compensation Commission. The Contractor will be paid \$1,080,000.00 per year for services performed. The Contractor was selected through an Invitation for Bids with two respondents.

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: \$5,400,000.00

14. Requesting Agency: Mississippi Development Authority

Supplier: South American Connection, Orlando Diaz

Contract #: 8200056469

Term: 05/05/2021 – 05/04/2023

Total Value: \$138,000.00

New

\$138,000.00

Summary of Request: The term of the contract is two years with twenty-four months of combined renewals at the discretion of the Agency. The Contractor will serve as an advisor to MDA on private sector trade opportunities as well as on investment recruitment and port promotion in South America. The Contractor will develop marketing programs to facilitate the export of Mississippi products and to recruit investment from South America. The Contractor was selected through a Request for Proposals (RFP) with three respondents. The Agency's Petition for Relief was approved at the February 3, 2021 PPRB meeting. The Agency requests an exception to Sections 3-202.06.3 for failure to include the RFX number for the solicitation in the newspaper advertisement. OPSCR does not have concerns regarding competition or fairness of the procurement as the RFP was posted on the Agency's website and on the Mississippi Contract/Procurement Opportunity Search Portal.

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

Projected Budget for Life of the Contract: \$276,000.00

15. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: Plantscape, Inc. d/b/a US Lawns of Jackson

Contract #: 8200056405

Term: 07/01/2021 – 06/30/2025

Total Value: \$411,633.00

**New
\$411,633.00**

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Contractor will provide landscaping services at certain properties under the general supervision and care of the Agency. These properties include the William F. Winter Building/Museums Grounds, Old Capitol Green Grounds, GM&O Depot/Naval Reserve Record Center Grounds, Central High School Grounds, and Joseph Properties Sillers/Gartin Block. The Contractor was selected through an Invitation for Bids (IFB) with five (5) respondents. Of the five (5) bids received, one (1) was declared non-responsive and one (1) was declared non-responsive.

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: \$521,052.00

16. Requesting Agency: Mississippi Department of Public Safety

Supplier: AB Sciex, LLC.

Contract #: 8800007710

Term: 05/05/2021 – 05/04/2025

Total Value: \$213,686.88

**New
\$213,686.88**

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Contractor provides preventative equipment maintenance services and a software plan from AB Sciex for two 3200 Q trap instruments. This service agreement provides critical fixes to the SCIEX propriety operation and application software used on instruments that are already in place at the MS Forensics Laboratory. The Contractor is the manufacturer of the equipment. Only AB Sciex service engineers are current on the latest technology and techniques for AB Sciex products. The Contractor was declared to be a sole source provider by the Agency based on Mississippi Code Annotated § 27-104-7(2)(o)(iii). An updated contract with the correct term will need to be submitted by the Agency before processing this contract. The Mississippi Department of Information Technology Services (ITS) has confirmed this service is considered equipment maintenance, not under the purview of ITS.

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 updated contract.

Projected Budget for Life of the Contract: \$213,686.88

17. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: Alok Dixit

Contract #: 119824

Term: 07/01/2020 – 06/30/2021

Total Value: \$130,256.50

Modification

\$7,104.50

Summary of Request: The term of the original contract was one year with three (3) optional one-year renewals. The Contract Worker is paid \$55.00 per hour plus a 7.65% fringe rate, and was originally contracted to work 2080 hours per year. Amendment One adds 120 hours through June 30, 2021 due to additional support requirements of the Agency. Mr. Dixit provides support to the DFA Office of Mississippi Management and Reporting Systems (MMRS). He provides advanced technical support of the Statewide Payroll and Human Resource System as assigned, support of the MMRS cross-application initiatives, and works on tasks as specifically scheduled by the MMRS Legacy applications. Amendment One updates the Compensation and Termination 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 as requested.

Projected Budget for Life of the Contract: \$492,606.40

18. Requesting Agency: Mississippi Division of Medicaid

Supplier: Medical Review of North Carolina, Inc. d/b/a The Carolinas Center for Medical Excellence

Contract #: 8200051510

Term: 06/01/2020 – 05/31/2022

Total Value: \$734,353.34

Renewal

\$367,176.66

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Amendment One has been submitted to exercise the first optional renewal allowed by the original contract. The Contractor will conduct annual reviews for Coordinated Care Organization (CCOs), assure the quality of data collected from CCOs for MississippiCAN and MississippiCHIP programs achieve measurable improvements in the health status of MississippiCAN and MississippiCHIP beneficiaries, and assure that enrollees and beneficiaries have access to and the availability of an adequate provider network. Amendment One updates the Period of Performance, Cost for Services, Applicable Law and Paymode 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 as requested.

Projected Budget for Life of the Contract: \$1,867,000.00

19. Requesting Agency: Mississippi Department of Rehabilitation Services

Supplier: Mississippi State University/T.K. Martin Center for Technology and Disability

Contract #: 8200045216

Term: 07/01/2019 – 06/30/2022

Total Value: \$450,000.00

Renewal
\$150,000.00

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Modification Two has been submitted to exercise the second optional renewal allowed by the original contract. The Contractor will provide individualized pre-employment transition services throughout the State of Mississippi for students with disabilities who are served by MDRS. The Contractor was originally selected through a Request for Proposals, which resulted in the award of twelve contracts. Modification Two updates the Period of Performance and Consideration clauses. All other terms and conditions of the original contract remain the same. Proof of the Contractor's workers' compensation insurance certification must be received from the Agency prior to processing the contract renewal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested, pending proof of required Contractor's workers' compensation insurance certification.

Projected Budget for Life of the Contract: \$750,000.00

20. Requesting Agency: Mississippi Department of Rehabilitation Services

Supplier: Mississippi State University

Contract #: 8200045215

Term: 07/01/2019 – 06/30/2022

Total Value: \$450,000.00

Renewal
\$150,000.00

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Modification Two has been submitted to exercise the second optional renewal allowed by the original contract. The Contractor will provide individualized pre-employment transition services throughout the State of Mississippi for students with disabilities who are served by MDRS. The Contractor was originally selected through a Request for Proposals, which resulted in the award of twelve contracts. Modification Two updates the Period of Performance and Consideration clauses. All other terms and conditions of the original contract remain the same. Proof of the Contractor's workers' compensation insurance certification must be received from the Agency prior to processing the contract renewal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested, pending proof of required Contractor's workers' compensation insurance certification.

Projected Budget for Life of the Contract: \$750,000.00

21. Requesting Agency: Mississippi Department of Rehabilitation Services

Supplier: Career Development and Training, LLC.

Contract #: 8200045188

Term: 07/01/2019 – 06/30/2022

Renewal

Total Value: \$450,000.00

\$150,000.00

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Modification Two has been submitted to exercise the second optional renewal allowed by the original contract. The Contractor will provide individualized pre-employment transition services through the State of Mississippi for students with disabilities who are served by MDRS. The Contractor was originally selected through a Request for Proposals, which resulted in the award of twelve contracts. Modification Two updates the Period of Performance and Consideration clauses. All other terms and conditions of the original contract remain the same. Proof of the Contractor's workers' compensation insurance certification must be received from the Agency prior to processing the contract renewal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested, pending proof of required Contractor's workers' compensation insurance certification.

Projected Budget for Life of the Contract: \$750,000.00

22. Requesting Agency: Mississippi Department of Rehabilitation Services

Supplier: Transition Workforce, Inc.

Contract #: 8200045164

Term: 07/01/2019 – 06/30/2022

Total Value: \$450,000.00

**Renewal
\$150,000.00**

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Modification Two has been submitted to exercise the second optional renewal allowed by the original contract. The Contractor will provide individualized pre-employment transition services throughout the state of Mississippi for students with disabilities who are served by MDRS. The Contractor was originally selected through a Request for Proposals, which resulted in the award of twelve contracts. Modification Two updates the Period of Performance and Consideration clauses. All other terms and conditions of the original contract remain the same. Proof of the Contractor's workers' compensation insurance certification must be received from the Agency prior to processing of contract renewal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested, pending proof of required Contractor's workers' compensation insurance certification.

Projected Budget for Life of the Contract: \$750,000.00

23. Requesting Agency: Mississippi Department of Rehabilitation Services

Supplier: The Arc of Mississippi

Contract #: 8200045157

Term: 07/01/2019 – 06/30/2022

Total Value: \$450,000.00

**Renewal
\$150,000.00**

Summary of Request: The term of the original contract was one year with four optional one year renewals. Modification Two has been submitted to exercise the second optional renewal allowed by the original contract. The Contractor will provide individualized pre-employment

transition services throughout the State of Mississippi for students with disabilities who are served by MDRS. The Contractor was originally selected through a Request for Proposals, which resulted in the award of twelve contracts. Modification Two updates the Period of Performance and Consideration clauses. All other terms and conditions of the original contract remain the same. Proof of the Contractor's workers' compensation insurance certification must be received from the Agency prior to processing the contract renewal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested, pending proof of required Contractor's workers' compensation insurance certification.

Projected Budget for Life of the Contract: \$750,000.00

24. Requesting Agency: Mississippi Department of Rehabilitation Services

Supplier: Vocational and Rehabilitation Consultants, LLC

Contract #: 8200045162

Term: 07/01/2019 – 06/30/2022

Total Value: \$450,000.00

**Renewal
\$150,000.00**

Summary of Request: The term of the original contract was one year with four optional one year renewals. Modification Two has been submitted to exercise the second optional renewal allowed by the original contract. The Contractor will provide individualized pre-employment transition services throughout the State of Mississippi for students with disabilities who are served by MDRS. The Contractor was originally selected through a Request for Proposals, which resulted in the award of twelve contracts. Modification Two updates the Period of Performance and Consideration clauses. All other terms and conditions of the original contract remain the same. Proof of the Contractor's workers' compensation insurance certification must be received from the Agency prior to processing the contract renewal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested, pending proof of required Contractor's workers' compensation insurance certification.

Projected Budget for Life of the Contract: \$750,000.00

25. Requesting Agency: Mississippi Department of Rehabilitation Services

Supplier: National Federation of the Blind

Contract #: 8200045185

Term: 07/01/2019 – 06/30/2022

Total Value: \$450,000.00

**Renewal
\$150,000.00**

Summary of Request: The term of the original contract was one year with four optional one year renewals. Modification Two has been submitted to exercise the second optional renewal allowed by the original contract. The Contractor will provide individualized pre-employment transition services throughout the State of Mississippi for students with disabilities who are served by MDRS. The Contractor was originally selected through a Request for Proposals, which resulted in the award of twelve contracts. Modification Two updates the Period of Performance and Consideration clauses. All other terms and conditions of the original contract remain the

same. Proof of the Contractor’s workers’ compensation insurance certification must be received from the Agency prior to processing the contract renewal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and complies with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewal as requested, pending proof of required Contractor’s workers’ compensation insurance certification.

Projected Budget for Life of the Contract: \$750,000.00

26. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: FC&E Engineering, LLC

Contract #: 8200056439

Term: 05/05/2021 - 11/30/2022

Total Value: \$405,889.00

**New
\$405,889.00**

Summary of Request: The term of the contract is eighteen months with optional extensions, not to exceed a total contract period of five years. The Contractor will provide benthic habitat mapping services in the Western Mississippi sound on an as needed basis, related to natural resource restoration projects implemented as a result of the 2010 *Deepwater Horizon* Oil Spill. The Contractor will collect physical characterization data for potential and existing oyster reef locations in the project area. The Contractor was selected through a Request for Proposals with nine respondents. Proof of the Contractor’s valid certificate of insurance must be received from the Agency prior to processing the contract.

This request has been reviewed for compliance and has been determined to not comply with PPRB OPSCR Rules and Regulations and all legal requirements by OPSCR staff and the Special Assistant Attorney General. Reasons for disapproval are as follows:

- Miss. Code Ann. § 31-7-413(2)(a) states, “The request for proposals or request for qualifications shall state all of the approved evaluation factors, including price, and their relative importance. When the chief procurement officer is determining the weights and importance of each evaluation factor, **price as an evaluation factor shall be given the highest criteria weighting and at least thirty-five percent (35%) out of the one hundred percent (100%) total weight of all the other evaluation factors.**
- PPRB OPSCR Rules and Regulations Section 3-204.01.3.1 states that **the thirty-five percent (35%) assigned to price is mandatory and should be objectively scored.**

Points were distributed by the Evaluation Committee as follows:

Vendor	1-GEO Jobe	2-T. Baker Smith	3-FC&E	4-EMS	5-NOARC	6-Delta Coast	7-Bio-West	8-Cypress	9-David Evans
Price bid	\$920,350	\$213,699	\$405,899	\$351,106	\$199,650	\$175,157	\$124,314.50	\$424,844	\$883,817
Points assigned	15	25	30	25	35	20	20	27	25

(3) Price. Price will be evaluated based on overall budget to provide the services described in the proposal.

- The Evaluation Committee subjectively assigned points for price. When asked how the points were distributed, the Agency responded that the Evaluation Committee took into consideration factors outside of the price proposal.
- Accordingly, the evaluation of price was not objective and the lowest priced proposal was not awarded thirty-five percent (35%) of the available percentage of points.

Scoring of price in an RFP is “generally conducted by the procurement professional, and involves calculation of scores for price using the predetermined method or formula, which must be listed in the RFP.” See National Institute of Governmental Purchasing (NIGP): *Principles and Practices of Public Procurement, Request for Proposals*. The PPRB OPSCR Rules and Regulations do not dictate the type of formula to be used. However, because the distribution of points to price is an objective determination, most often done by a predetermined formula, it is best practice that the scoring of price be done by the procurement office staff, and then given to the Evaluation Committee. “Once the evaluation of technical proposals has been completed, the procurement professional shares the price proposals with the evaluation committee. The procurement professional is responsible for calculating the scoring for price for each proposal.” *Id.* (Emphasis added).

Additionally, because price was scored subjectively by the Evaluation Committee instead of by the procurement staff, with consideration of additional factors informing the evaluators’ application of points, the purpose of scoring in separate phases was not met. Finally, proposers were not made aware of this technique of point distribution. They were not informed that a subjective assessment would be made, taking into consideration other factors besides the price bid.

For these reasons, OPSCR has concerns regarding the competition, fairness, and transparency of the procurement.

Staff Recommendation: This request has been reviewed for compliance and has been determined to not comply with PPRB OPSCR Rules and Regulations and all legal requirements by OPSCR staff and the Special Assistant Attorney General. OPSCR recommends disapproval of the contract.

Projected Budget for Life of the Contract: \$1,352,936.33

C. OPSCR Emergency Contracts Reported to the Board

D. OPSCR Sole Source Contracts Reported to the Board

E. OPSCR Staff Approvals Reported to the Board

VII. Other Business

VIII. Adjournment