



**PUBLIC PROCUREMENT
REVIEW BOARD**

MEETING AGENDA

Wednesday, November 2, 2022

9:00 a.m.

Woolfolk Office Building, Room 145

- I. **Call to Order**
- II. **Approval of Minutes from the September 21, 2022 Public Procurement Review Board Special Meeting**
- III. **Approval of Minutes from the October 5, 2022 Public Procurement Review Board Meeting**
- IV. **Approval of per diem and expenses for the November 2, 2022 meeting and for any additional expenses incurred prior to the December 7, 2022 meeting**
- V. **Reports**
 - A. **OPTFM Emergency Purchases Reported to the Board**
 - B. **OPTFM Sole Source Purchases Reported to the Board**
 - C. **OPTFM Staff Approvals Reported to the Board**
 - D. **BOB Staff Approvals Reported to the Board**
 - E. **OPSCR Emergency Contracts Reported to the Board**
 - F. **OPSCR Sole Source Contracts Reported to the Board**
 - G. **OPSCR Staff Approvals Reported to the Board**
 - H. **OPSCR and OPTFM Quarterly Reports to the Committees on Accountability, Efficiency, and Transparency of the Mississippi State Senate and House of Representatives**
 1. **Emergency Contracts Report**
 2. **Sole Source Contracts Report**

Staff Recommendation: OPSCR has prepared the reports as required by Miss. Code Ann. § 27-104-7(2)(o)(vi) and Sections 3-206.07, 3-207, and 7-111 of the PPRB OPSCR Rules and

Regulations. OPSCR recommends approval of the reports to be sent to the Committees on Accountability, Efficiency, and Transparency of the Mississippi State Senate and House of Representatives.

VI. DFA Office of Purchasing, Travel and Fleet Management (OPTFM)

A. Petitions for Relief from Reverse Auction

1. Governing Authorities

i. **Requesting Governing Authority:** Amory School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$277,888.00 estimated

ii. **Requesting Governing Authority:** Columbia School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$275,049.00 estimated

iii. **Requesting Governing Authority:** Laurel School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$133,000.00 estimated

iv. **Requesting Governing Authority:** Pascagoula-Gautier School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$814,705.00 estimated

Summary of Request: These School Districts have 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 projects, which will include both technology commodities and professional services. The Districts feel that competitive sealed bidding should be utilized to procure the projects.

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, OPTFM recommends approval of the exemptions and the use of competitive sealed bidding for the procurements.

B. Consideration of State Agency Contracts for Board Action

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

Supplier: Big Green Sign LLC

Contract #: 8200037217

Term: 1/1/2018 through 12/31/2022

Total Value: \$685,000.00

Summary of Request: MDOT completed the sealed bid process on November 15, 2017 for the purchase of 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. This requested increase now requires PPRB approval. MDOT is requesting an increase in total value to meet the need for road safety projects.

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, OPTFM recommends approval of the contract.

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

Supplier: Deere & Company

Contract #: 8200054313

Term: 1/1/2021 through 12/31/2023

Total Value: \$960,000.00

Summary of Request: MDOT completed a reverse auction on October 8, 2020 for tractor rental in District II. The contract was not presented to PPRB as the value was under the dollar threshold requiring approval. MDOT is requesting a twelve (12) month extension with an increase that now meets the PPRB threshold for approval. This is the second of a possible four (4) twelve (12) month extensions. This extension has a Consumer Price Index increase which is allowed per the bid documents.

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, OPTFM recommends approval of the contract extension.

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

Supplier: John Deere Financial FSB

Contract #: 8200060066

Term: 1/1/2022 through 12/31/2023

Total Value: \$560,000.00

Summary of Request: MDOT completed the sealed bid process on October 1, 2021, for the procurement of tractor rental in District VI. The contract was not presented to PPRB as the value was under the dollar threshold requiring approval. MDOT is requesting a twelve (12) month extension with an increase that now meets the PPRB threshold for approval. This is the first of a possible four (4) twelve (12) month extensions. This extension has a Consumer Price Index increase which is allowed per the bid documents.

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, OPTFM recommends approval of the contract extension.

4. Requesting Agency: Mississippi Department of Corrections (MDOC)

Supplier: The Merchants Company

Contract #: 8200055290

Term: 3/1/2021 through 3/1/2024

Total Value: \$40,000,000.00 with an increase to \$57,000,000.00

Summary of Request: MDOC conducted a reverse auction on December 3, 2020 for the procurement of food for inmates at fifteen (15) different correctional facilities. The contract was approved at the 2/3/2021 PPRB meeting. The total value of the contract is \$40,000,000.00 at a rate of \$2.45 per inmate per day. Merchants has requested an increase in price based on increased food costs. The contract allows up to a 5% increase in price annually. MDOC is requesting approval to increase the total value of the contract to \$57,000,000.00 at a rate of \$2.57 per inmate per day.

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, OPTFM recommends approval of the contract increase.

5. Requesting Agency: Mississippi Emergency Management Agency (MEMA)

Supplier: Lipsey Mountain Spring Water

Contract #: 8200041078

Term: 9/10/2018 through 9/9/2023

Total Value: \$250,000.00 increased to \$4,350,000.00 by emergency

Summary of Request: MEMA is requesting a twelve (12) month extension for standby emergency bottled water. PPRB approved this contract on 9/11/2018. MEMA increased the total value to \$4,100,000.00 under the State of Emergency declared by the Governor for Jackson, Mississippi on 8/30/2022. This is the fourth and final extension request.

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, OPTFM recommends approval of the contract extension.

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

Supplier: Altec Industries

Contract #: 8200065693

Total Value: \$837,825.00

Term: 11/2/2022 through 4/1/2023

Summary of Request: MDOT completed the competitive sealed bid process for the procurement of a minimum of one (1), maximum of three (3) Aerial Platform Lifts 62' Truck Mounted on 9/15/2022. Two (2) bids were received and one (1) was found to be nonresponsive for failure to meet specifications. MDOT wishes to award to Altec Industries. The contract term is for six (6) months and will have nine (9) possible six (6) month extensions, not to exceed sixty (60) months. This contract will be available to MDOT, other state agencies, and governing authorities.

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

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

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.)

A. Consideration of BOB Contracts for Project Professionals

1. **Using Agency:** Alcorn State University
Project Number: GS# 101-328
Title: Dormitory Renovations
Location: Lorman, Mississippi
Budget: \$5,600,000.00
Funding Sources: SB 2971 (Regular Session 2021)
Professional Fee: C+ (estimated fees \$400,818.71)
Professional: Burris/Wagnon Architects, P.A. - Jackson

Scope: Planning through the Warranty Phase for the renovation of various dormitories on the ASU main campus. These existing facilities have not seen significant improvements or modifications since their construction. The scopes will include renovation, some interior reconfiguration, and a roof replacement. This effort will also require asbestos abatement, disability access improvements, and renovation of the mechanical, electrical, plumbing, and life safety systems as per code requirements.

Staff Recommendation: The Professional was selected via a publicly noticed competitive qualification-based selection process. 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 approval of the Institutions of Higher Learning Board and the execution of completed contracts.

2. **Using Agency:** East Central Community College
Project Number: GS# 203-065
Title: Preplan New Cafeteria
Location: Decatur, Mississippi
Budget: \$16,000,000.00
Funding Sources: HB 1730, (Regular Session 2020)
Professional Fee: C (estimated fees \$932,799.57)
Professional: Eley Guild Hardy Architects, PA (Biloxi)

Scope: Preplanning through Construction Document Phase of a new cafeteria for the Decatur Campus of ECCC. The facility will include a kitchen, dry goods and cold food storage, serving

area, dining areas, and incidental support spaces. This project will also include demolition and site preparation at the location proposed for the new cafeteria as well as subsequent renovations of the current cafeteria space once the new cafeteria is online. The project may involve multiple phases.

Staff Recommendation: The Professional was selected via a publicly noticed competitive qualification-based selection process. 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:** Holmes Community College
Project Number: GS# 206-085
Title: New Allied Health Facility - Ridgeland
Location: Ridgeland, Mississippi
Budget: \$10,700,000.00
Funding Sources: HB 1729 (Regular Session 2016), HB 1649 (Regular Session 2018), SB 3065 (Regular Session 2019), HB1730 (Regular Session 2020), SB 2971 (Regular Session 2021)
Professional Fee: C (estimated fees \$639,316.35)
Professional: JH&H Architects Planners Interiors, A Professional Association - Flowood

Scope: Planning through Warranty phase of a new Allied Health Education Building. The facility will include classrooms, training rooms, offices, and other administrative and support spaces.

Staff Recommendation: The Professional was selected via a publicly noticed competitive qualification-based selection process. 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

1. **Using Agency:** Mississippi Soil and Water Conservation Commission
Title: Engineering Professional Services
Location: Jackson, Mississippi
Budget: MSWCC currently anticipates construction projects totaling between \$30,000,000.00 and \$60,000,000. The potential individual project budgets range in size from \$1,000,000.00 to \$12,000,000.00 (multi-year). Project budgets are expected to amount to approximately \$6,000,000.00 in year one, increase to approximately \$7,000,000.00 for years 2,3,4, and 5 with the possibility of including additional multi-year projects.
Funding Sources: Federal Funds

Professional Fee Type: Hourly with a not-to-exceed maximum fee over 5 years with expiration no later than November 3, 2027

Professionals: Dungan Engineering, P.A. – Columbia (not to exceed \$8M)
Neel-Schaffer, Inc. – Jackson (not to exceed \$1M)
WSP USA Environment & Infrastructure Inc. (formerly Wood Environment & Infrastructure Solutions, Inc.) – Alpharetta, Georgia (not to exceed \$8M)
Waggoner Engineering, Inc. – Jackson (not to exceed \$4M)
Benchmark Engineering and Surveying, LLC – Brandon (not to exceed \$1M)
Cypress Environmental Services, LLC dba Cypress Environment & Infrastructure joint venture with Digital Engineering & Imaging, Inc. – Ocean Springs (not to exceed \$1M)

Scope: Projects shall include, but not be limited to, planning through construction administration phase of one (1) or more construction projects for Flood Control Structures, drainage waterways, reinforced concrete structures, environmental, cultural, and economic assessments, etc.

Clarification or Remarks: The Professionals selected as the most highly qualified in accordance with a publicly noticed qualification-based selection process. Seven (7) proposals were received. Six (6) firms were shortlisted, interviewed, evaluated, and selected by the Selection Committee utilizing criteria identified in the RFQ. No specific value of work is guaranteed to any 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 Mississippi Soil and Water Conservation Commission Board approval on November 3, 2022, and the execution of completed contracts.

C. RPM New Leases

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

Lease #: 725-421-37A

Lessor: MT & MT Development Co., LLC.

Term: 01-01-2023 thru 12-31-2037

Total Yearly Cost: \$376,562.40

Cost PSF: \$12.50 + Utilities & Janitorial

Total Space per Occupant: N/A

Federal Funds: 80%

Square Footage Proposed: 30,125

Address of Property: 204 Eastman St., Greenwood, MS.

Purpose of Lease: This location will serve as an AbilityWorks facility. The current office staff is moving to the new location and are all employees of the Office of Vocational Rehabilitation who oversee the AbilityWorks facility. AbilityWorks currently has three contracts with private companies in the Greenwood area. AbilityWorks is a network of community rehabilitation

programs that provide vocational assessment, job training, and actual work experience for individuals with disabilities.

Note: This is a fifteen (15) year lease with no renewals. This lease was advertised and one (1) response was 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. RPM recommends approval of this lease.

2. Requesting Agency: Mississippi Department of Public Safety/Capitol Police

Lease #: 670-251-24D

Lessor: Hertz Jackson One, LLC.

Term: 11-02-2022 thru 11-01-2024

Total Yearly Cost the first year: \$12.00

Total Yearly Cost the second year: \$39,831.00

Cost PSF first year: \$.01 Inclusive

Cost PSF second year: \$16.50 Inclusive

Previous Cost PSF: N/A

Total Space per Occupant: 201

Federal Funds: 0%

Square Footage Proposed: 2,214

Previous Square Footage: N/A

Address of Property: 210 Capitol St., Suite M195, Jackson, MS

Purpose of Lease: This will be the downtown office for the Capitol Police. The office will be located on the first floor of the Regions building and will create a visible police presence in the area.

Note: This is a two (2) year lease with no renewals. The Agency advertised and received two (2) responses and is seeking to utilize the lowest cost lease proposal.

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. RPM recommends approval of this lease.

D. RPM Amended Leases

1. Requesting Agency: Mississippi Board of Nursing

Lease #: 610-452-28A

Lessor: Nerhus Properties, LLC.

Term: 2-01-2023 thru 01-31-2028

Total Yearly Cost: \$219,240.00

Previous Yearly Cost: \$219,240.00

Cost PSF: \$15.00 Inclusive

Previous Cost PSF: \$15.00 Inclusive

Total Space per Occupant: 339 sq. ft.

Federal Funds: 0

Square Footage Proposed: 14,616

Address of Property: 1080 River Oak Drive, Flowood, MS.

Purpose of Lease: The Mississippi Board of Nursing is a consumer protection agency with authority to regulate nursing practice through licensure. The Board oversees 78,000 licensees statewide. Additionally, the Board oversees the statewide Office of Nursing Workforce Program and regulates Practical Nursing Education statewide.

Note: This is a five (5) year lease with no renewals. The Mississippi Board of Nursing asks PPRB for a waiver on the Space Efficiency Requirements due to the fact the original contract was entered into before the new policy took effect. The Agency must advertise at the end of this lease and will be required to meet the Space Efficiency Allowance requirement.

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

2. Requesting Agency: Mississippi Department of Environmental Quality

Lease #: 595-251-25B

Lessor: Jarvis Chappell

Term: 01-01-2023 thru 12-31-2025

Total Yearly Cost: \$5,800.00

Cost PSF: \$2.50 Inclusive

Previous Cost PSF: \$2.50 Inclusive

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 2,320

Previous Square Footage: 2,320

Address of Property: 605 W. Fortification Street, Jackson, MS.

Purpose of Lease: This facility stores drilling core samples in perpetuity. The samples do not have a lifespan and can be studied forever. The cores are donated to MDEQ by the Oil and Gas industry and have considerable value for future reserve exploration.

Note: MDEQ asks PPRB for a waiver on the one-year limitation applied to storage under 300.9 (6) of the State Leasing Manual.

Staff Recommendation: This request has been reviewed for compliance and with the waiver of Section 300.9 (6) will have complied with all rules and regulations and legal requirements by DFA staff. RPM recommends approval of this lease.

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

A. Petitions for Relief from Competitive Sealed Bidding

1. Requesting Agency: Boswell Regional Center

RFx Number: 3200000930

Procurement Method Requested: Request for Qualifications

Anticipated Term: Three years with two optional one-year renewals

Anticipated Contract Amount: \$780,000.00

Summary of Request: The Agency is seeking one physician to provide psychiatric services to individuals receiving services from the Agency and to oversee the Agency's psychiatric clinic.

The Agency contends the use of an Invitation for Bids (IFB) to procure this service is neither practicable nor advantageous because the Agency needs to comparatively evaluate the experience of the Offerors to ensure the highest quality care for its patients. Offerors will be evaluated based on Cost (Price) factors weighted at 35% and Management factors weighted at 65%. Management factors will include an Interview weighted at 20%. Pursuant to Miss. Code Ann. § 31-7-413(2)(iii), the Agency requests to evaluate Cost factors openly.

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 granting the Agency's petition for relief from competitive sealed bidding requirements, as allowed by Miss. Code Ann. § 31-7-403(4), and approval of a Request for Qualifications as the procurement method. Additionally, OPSCR recommends approval of the Agency's request to evaluate Cost factors openly, as allowed by Miss. Code Ann. § 31-7-413(2)(iii).

2. Requesting Agency: Mississippi Department of Corrections

RFx Number: 3180001850

Procurement Request: Request for Proposals

Anticipated Term: Three years with one two-year renewal

Anticipated Contract Amount: \$2,500,000.00 to \$3,000,000.00

Summary of Request: The Agency is seeking one Contractor to provide third party administration services for the Agency's workers compensation fund and to provide loss control and risk management services for the benefit of the Agency's personnel. The Agency contends the use of an Invitation for Bids (IFB) to procure this service is neither practicable nor advantageous because, in addition to price, the Agency needs to comparatively evaluate the relative abilities of the Offerors to perform, the marketplace will respond better to a solicitation allowing for a range of proposals, and the Agency may need to hold discussions with Offerors and allow Offerors to revise their proposals. Offerors will be evaluated based on Management factors weighted at 33%, Technical factors weighted at 32%, and Cost (Price) factors weighted at 35%.

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 granting the Agency's petition for relief from competitive sealed bidding requirements, as allowed by Miss. Code Ann. § 31-7-403(4), and approval of a Request for Proposals as the procurement method.

3. Requesting Agency: Mississippi Department of Human Services

RFx Number: 3180001862

Procurement Request: Request for Qualifications

Anticipated Term: One year with four optional one-year renewals

Anticipated Contract Amount: \$846,000.00

Summary of Request: The Agency is seeking to contract with multiple Home Health Agencies to provide respite care for individuals with Alzheimer's Disease and other related dementias. The Agency contends the use of an Invitation for Bids (IFB) to procure this service is neither practicable nor advantageous because the Agency will set the price for the services. The Agency also needs to comparatively evaluate quality, availability, and capability of the Offerors; may need to hold discussions with the Offerors; and requires multiple contracts (50+) to

effectively implement this new program. Offerors will be evaluated based on Management factors weighted at 40%, Technical factors weighted at 25%, and Cost (Price) factors weighted at 35%.

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 granting the Agency's petition for relief from competitive sealed bidding requirements, as allowed by Miss. Code Ann. § 31-7-403(4), and approval of a Request for Qualifications as the procurement method.

B. Contracts for Board Consideration

1. Requesting Agency: Mississippi Department of Environmental Quality

Term: 11/15/2022 - 10/31/2026

Summary of Request: The term of the original contract is three years, 11 months, and 14 days with an option to renew for a maximum contract term of five years. The Contractors will conduct land surveys on an as-needed basis as part of Gulf Coast restoration projects resulting from the 2010 Deepwater Horizon Oil Spill. The Contractors were selected through a Request for Qualifications (RFQ) with five respondents. The Agency awarded contracts to three respondents, rejected one respondent because their Qualification was submitted after the deadline, and deemed one respondent nonresponsive for failing to provide pricing as required by the RFQ. Each Contractor will be paid hourly rates submitted in their proposals.

a. **Supplier:** Environmental Management Services, Inc.

Contract #: 8200065789

New

Total Value: \$400,000.00

\$400,000.00

b. **Supplier:** Overstreet and Associates, PLLC

Contract #: 8200065808

New

Total Value: \$400,000.00

\$400,000.00

c. **Supplier:** SJB Group, LLC

Contract #: 8200065854

New

Total Value: \$400,000.00

\$400,000.00

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 contracts as requested, contingent upon receipt of the required Certificates of Insurance.

2. Requesting Agency: Mississippi Division of Medicaid

Supplier: eQHealth Solutions, LLC

Contract #: 8200053059

Term: 12/01/2020 - 11/30/2023

Renewal

Total Value: \$1,083,747.00

\$371,978.00

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Amendment Two has been submitted to exercise the second renewal. The

Contractor provides non-emergency, outpatient advanced imaging utilization management services. Amendment Two updates the Period of Performance, Cost of Services, Entire Agreement, and Notices 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, contingent upon receipt of the required Certificate of Insurance.

3. Requesting Agency: Mississippi Department of Human Services

Supplier: Pendleton Security Services

Contract #: 8200044480

Term: 06/01/2019 – 11/02/2022

Total Value: \$694,207.09

Termination

(-) \$482,242.02

Summary of Request: The term of the original contract was one year with two optional two-year renewals. The Contractor provides security guard services at 750 North State Street and 200 South Lamar Street. Amendment Three has been submitted to terminate the contract effective November 2, 2022. Due to inflation and labor shortages, the Contractor is unable to provide guards at the contracted rates. The Agency intends to resolicit for these services.

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

4. Requesting Agency: Mississippi Department of Human Services

Supplier: Mississippi State University

Contract #: 8200065710

Term: 11/07/2022 - 09/30/2025

Total Value: \$465,000.00

New

\$465,000.00

Summary of Request: The term of the contract is three years with no optional renewals. The Contractor will analyze and set reimbursement rates for the Agency's childcare financial assistance program. The Agency contracted directly with Mississippi State University Social Science Research Center (SSRC) without soliciting the private sector pursuant to PPRB OPSCR Rules and Regulations Section 3-102.04, Procuring Services Offered by Governmental Entities Not Under Purview of the PPRB. The Agency has determined that the services meet the Agency's requirements, and the cost represents a fair market value. The Agency contends that contracting with SSRC incurs less cost than fair market value because SSRC has collected data on childcare market rates as part of a separate agreement with the Agency. Transferring and modifying that data for a new vendor would significantly increase the cost of these services.

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

5. Requesting Agency: Mississippi Division of Medicaid

Supplier: Brett Brown

Summary of Request: The Agency has submitted a new contract with Brett Brown, a Contract Worker who will serve as the Director of Data and Analytics. The term of the contract is approximately seven months with four optional one-year renewals. The Agency issued a Request for Applications (RFA) and received one response. Mr. Brown will be paid \$60.00 per hour. The Agency will also pay a fringe rate of 7.65% for the employer's annual share of FICA and \$2,000.00 for travel.

Mr. Brown is currently under contract with the Agency in the position of Medicaid Technology Specialist. The Agency seeks to terminate Mr. Brown's contract as the Medicaid Technology Specialist effective November 2, 2022 in favor of the recently awarded contract as Director of Data and Analytics.

a. Service: Director of Data and Analytics

Contract #: 10133695

Term: 11/03/2022 – 06/30/2023

Total Value: \$81,058.16

New
\$81,058.16

b. Service: Medicaid Technology Specialist

Contract #: 119288

Term: 07/01/2020 -11/02/2022

Total Value: \$137,598.23

Termination
(-) \$195,227.17

Staff Recommendation: These requests have been reviewed for compliance by OPSCR staff and comply with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract for the Director of Data and Analytics and approval of the contract termination for the Medicaid Technology Specialist as requested.

6. Requesting Agency: Mississippi State Hospital

Term: 11/07/2022 - 11/06/2026

Summary of Request: The term of each contract is four years with one optional one-year renewal. The Contractors will provide locum tenens physicians to provide psychiatric care to patients at Mississippi State Hospital. These physicians will fill in when needed and are not guaranteed any hours, however it is anticipated that they will work up to forty (40) hours per week for at least a six (6) month period. The Contractors were selected through an Invitation for Bids (IFB), to which they were the only respondents.

a. Supplier: Austin Major Group

Contract #: 8200065812

Total Value: \$2,704,000.00

New
\$2,704,000.00

b. Supplier: Staff Care, Inc.

Contract #: 8200065813

Total Value: \$2,496,000.00

New
\$2,496,000.00

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 contracts as requested.

7. **Requesting Agency:** East Mississippi State Hospital

Supplier: Rush Medical Foundation

Contract #: 8200065544

Term: 11/03/2022–11/02/2026

Total Value: \$500,000.00

New

\$500,000.00

Summary of Request: The term of the contract is four years with no optional renewals. The Contractor will provide laboratory services for East Mississippi State Hospital and was selected through an Invitation for Bids (IFB) with two respondents. The contract was awarded to the lowest bidder.

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

8. **Requesting Agency:** Office of the State Treasurer

Supplier: Morgan Stanley Domestic Holdings, Inc.

Contract #: 8200065805

Term: 01/01/2023 - 12/31/2025

Total Value: **\$80,000.00**

New

\$80,000.00

Summary of Request: The term of the contract is three years with two optional one-year renewals. The Contractor will provide investment consultant services for the operations of the Mississippi Prepaid Affordable College Tuition (MPACT) program. The Contractor was selected through a Request for Proposals with three respondents. The Board of Directors for the College Savings Plan of Mississippi will meet in November 2022 to approve 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 as requested, contingent upon receipt of the regulatory board's approval.

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

Supplier: National Center for the Improvement of Educational Assessment, Inc.

Contract #: 8200042426

Term: 11/07/2018 - 11/06/2023

Total Value: \$1,174,750.00

Renewal

\$247,950.00

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Modification Four has been submitted to exercise the final renewal. The Contractor provides a project manager to the Mississippi Technical Advisory Committee, which gives guidance related to student assessments and compliance with state and federal law. Modification Four updates the Budget Narrative and the Compensation and Financial Reports clauses. All other terms and conditions of the original contract remain the same. The contract must be approved by the Mississippi State Board of Education, which meets on October 27, 2022.

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 proof of the regulatory board's approval and the required performance bond.

10. Requesting Agency: Mississippi State Department of Health

Supplier: Innovative Emergency Management, Inc.

Contract #: 8200065995

Term: 11/02/2022 - 11/01/2023

Total Value: \$165,169.00

New

\$165,169.00

Summary of Request: The term of the contract is one year with one optional one-year renewal. The Contractor will prepare two After Action Reports and Improvement Plans regarding the Agency response and the Statewide response to the COVID-19 pandemic. The Contractor was selected through a Request for Proposals (RFP) with twelve respondents. Two offerors were deemed nonresponsive for failure to provide the required financial information. One of the non-responsive offerors also failed to meet the minimum experience and certification requirements. The proposals submitted by the ten responsive and responsible offerors were evaluated, and the contract was awarded to the offeror who submitted the highest scoring and lowest priced proposal.

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.

11. Requesting Agency: Mississippi Department of Child Protection Services

Term: 12/15/2021-12/14/2023

Total Value: \$500,000.00

Renewal

\$250,000.00

Summary of Request: The term of each of the original contracts was one year with three optional one-year renewals. Modification Number One has been submitted to exercise the first renewal. The Contractors provide level of care and behavioral health assessments for youth placed in therapeutic group homes or residential treatment programs. The modification amends the Scope of Services (only where budget is referenced), Consideration, Period of Performance, and Renewal of Contract clauses, and Attachment C-1, Budget. All other terms and conditions of the original contracts remain the same.

a. Supplier: Keystone Peer Review Organization

Contract #: 8200060428

b. Supplier: ACE Institute, LLC

Contract #: 8200060429

Staff Recommendation: These requests have been reviewed for compliance by OPSCR staff and comply with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract renewals as requested, contingent upon receipt of the required Certificate of Insurance.

12. Requesting Agency: Ellisville State School

Term: 04/01/2022-03/31/2023

Total Value: \$800,000.00

Modification

\$200,000.00

Summary of Request: The term of the original contracts remains one year with four optional one-year renewals. Amendment Two has been submitted to request additional spending authority. The Contractors provide Professional Nursing Services. The Contractors are paid hourly rates, which remain unchanged. The additional spending authority requested is due to a higher than anticipated need for nurse staffing services due to staff shortages at the Agency. The increase in spending authority is the only modification requested.

a. **Supplier:** HMP Nursing Services, Inc.

Contract #: 8200061292

b. **Supplier:** Supplemental Medical Services, Inc. dba StaffLink

Contract #: 8200061294

c. **Supplier:** Prime Care Nursing, LLC

Contract #: 8200061293

d. **Supplier:** TD Medical Solutions, LLC

Contract #: 8200061296

Staff Recommendation: These requests have been reviewed for compliance by OPSCR staff and comply with PPRB OPSCR Rules and Regulations and all legal requirements. OPSCR recommends approval of the contract modifications as requested, contingent upon receipt of the required Certificates of Insurance.

13. Requesting Agency: Mississippi State Hospital

Supplier: Lavonne Boose

Contract #: 10130848

Term: 07/01/2022-09/20/2022

Total Value: \$17,398.50

Termination

(-) \$78,697.50

Summary of Request: The term of the original contract was one year with no optional renewals. The contract worker provided nursing services. The Agency elected to exercise its contractual right to terminate the contract effective September 20, 2022.

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 termination as requested.

14. Requesting Agency: Mississippi Development Authority

Supplier: The Ramey Agency, LLC

Contract #: 8200065788

Term: 11/02/2022 - 11/01/2024

Total Value: \$1,000,000.00

New

\$1,000,000.00

Summary of Request: The term of the contract is two years with three optional one-year renewals. The Contractor will provide advertising services to promote the State of Mississippi

as a premier location for new and/or established business and industries. The Contractor was selected through a Request for Qualifications (RFQ) with four respondents.

The Agency requests an exception of Section 3-202.06.3 for failure to include the name of the procurement officer and the telephone number in the newspaper advertisement. OPSCR has reviewed this request and has no concerns that granting the exception would affect the competition, fairness, or transparency of the procurement as an email address was included in the newspaper advertisement for any potential offerors who needed to contact the Agency, and a name a telephone number was provided on the Agency website and procurement portal.

The Agency also requests an exception to Section 3-202.08.2 for failure to post RFQ Amendments 2 and 3 on the procurement portal. OPSCR is concerned that failure to comply with the requirements of Section 3-202.08.2 affected the competition, fairness, and transparency of the procurement. The Amendments contained substantive information that was pertinent to the development of the offeror's response. Failure to post the Amendments on the procurement portal limited the information available to potential offerors who use the procurement portal to locate opportunities to do business with the State.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff. OPSCR cannot recommend approval of an exception to Section 3-202.08 of the PPRB OPSCR Rules and Regulations. Therefore, OPSCR is unable to recommend approval of the contract as requested.

Should the Board choose to grant the requested exceptions to both Section 3-202.06.3 and Section 3-202.08, the procurement and contract would otherwise be in compliance with PPRB OPSCR Rules and Regulations and all legal requirements.

C. Preapproved Vendor List (PVL)

1. Requesting Agency: Mississippi Department of Child Protection Services

Service: Procurement Acquisition Support Services

Effective Dates of PVL: 11/02/2022-06/05/2023

Renewable Through: 06/05/2024

Summary of Request: Pursuant to Miss. Code Ann. § 27-104-7 (2)(i) and Section 3-208 of the PPRB OPSCR Rules and Regulations, the Public Procurement Review Board may in its discretion establish a preapproved list of providers of various personal and professional services for set prices with which state agencies under PPRB purview may contract without bidding or prior approval from the Board.

NASPO ValuePoint is a national cooperative purchasing consortium serving statewide central procurement officials who are members of the National Association of State Procurement Officials (NASPO). The Department of Finance and Administration (DFA) is the primary member of NASPO from the State of Mississippi. The Requesting Agency requests the Board establish the NASPO ValuePoint Procurement Acquisition Support Services portfolio as a PVL. The vendors in that portfolio were selected through a Request for Proposals (RFP) conducted by the lead state, Hawaii. Twenty-seven offerors submitted proposals, and sixteen were awarded Master Agreements and placed in the portfolio. The vendors provide procurement planning assistance, market research, procurement document development, procurement

facilitation, and contract administration support – among other procurement support services. The Master Agreements with each of the vendors listed below are firm fixed price contracts based on labor hours.

OPSCR has reviewed this request and the procurement conducted by the State of Hawaii. OPSCR recommends the following suppliers be placed on the PVL. A Participating Addendum including clauses relevant to and required for entities contracting with the State of Mississippi will be executed by DFA on behalf of state agencies. This request is contingent upon receipt, final review, and approval of all documents requested from the State of Hawaii.

Suppliers: ASI Government, LLC
Berry, Dunn, McNeil & Parker
Business Management Research Associates, Inc.
Center for Applied Innovation, LLC
Civic Initiatives, LLC
Gartner
ITSC Secure Solutions
Ikaso Consulting
Mathtech
Monterey Consultants, Inc.
Public Knowledge
Trust Consulting Services, Inc.

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 the establishment of a preapproved vendor list for Procurement Acquisition Support Services with the vendors in the NASPO ValuePoint portfolio, contingent upon receipt, final review, and approval of all documents requested from the State of Hawaii.

D. Request for Exception to PPRB OPSCR Rules and Regulations

1. Requesting Agency: Mississippi Division of Medicaid

Procurement Type: Invitation for Bids

Regulation: Section 3-502(a)

Summary of Request: The Agency requests an exception to PPRB OPSCR Rules and Regulations Section 3-502 Multi-Term Contracts, Subsection (a) Specified Period, which reads, "...a contract for services may be entered into for a period of time not to exceed four (4) years with an option to renew for one year, provided the term of the contract and conditions of renewal or extension, if any, are included in the solicitation ..."

The Agency intends to issue two solicitations and requests an exception to the five-year time limitation in Section 3-502(a) for the contracts resulting from both solicitations. Each of the contracts will involve an implementation period at no cost to the Agency and which is expected to last for several months, but no more than one year. The implementation period allows the Contractor and the Agency to collaborate in preparation for the operational phase of the contract and to create data exchanges relevant to the Contractor's performance. The Agency intends to solicit the services in such a way that all costs associated with the implementation period will be borne by the Contractor.

The Agency wishes to solicit for:

... an initial contract term which includes an implementation period of no more than one year and the operational period of no more than four years with an option to renew for a total operational period of no more than five years. The term of the implementation period will be determined by the actual time required for implementation, and all costs associated with the implementation period will be borne by the Contractor. The term of the operational period to be included in the original contract and any subsequent renewal(s) shall be at the sole discretion of the Agency.

The Agency requests that the Board grant an exception to Section 3-502(a) such that the five-year time limitation applies to the operational period of the contract only. The Agency has determined a longer contract period will serve the best interests of the State because it promotes competition, will give the Agency the benefit of an operational Contractor for the full five year period, is expected to result in lower costs to the Agency, and is anticipated to result in programmatic improvement in subsequent procurement cycles by allowing the Agency time to assess the Contractor's performance during the operational period of the contract.

- a. **Service:** Non-Emergency Transportation
Anticipated Implementation Period: 5 months
- b. **Service:** Payment Methodology Services
Anticipated Implementation Period: 4 months

Staff Recommendation: OPSCR has reviewed the requested exceptions to Section 3-502(a) of the PPRB OPSCR Rules and Regulations and has no concerns that granting the exception would affect the competition, fairness, or transparency of the procurement process. Should the Board agree with the Agency's determination that granting the requested exceptions is in the best interest of the State, OPSCR recommends approval of the exception to Section 3-502(a) for the Agency's Non-Emergency Transportation and Payment Methodology Services procurements and the resulting contracts.

IX. Other Business

- A. **Next Regular PPRB Meeting December 7, 2022 at 9:00 a.m.**

X. Adjournment