



TELEPHONIC MEETING AGENDA
Wednesday, February 2, 2022
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 January 5, 2022 Public Procurement Review Board Meeting**
- III. Approval of per diem and expenses for the February 2, 2022 meeting and for any additional expenses incurred prior to the March 2, 2022 meeting**
- IV. DFA Office of Purchasing, Travel and Fleet Management (OPTFM)**

A. Petitions for Relief from Reverse Auction

1. Governing Authorities

- i. 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 project, which will include both technology commodities and professional services. The Districts feels that competitive sealed bidding should be utilized to procure the project.

Requesting Governing Authority: Bay Saint Louis-Waveland School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$100,000.00 estimated

Requesting Governing Authority: Forrest County School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$380,000.00 estimated

Requesting Governing Authority: Newton Municipal School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$145,000.00 estimated

Requesting Governing Authority: Quitman School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$314,578.00 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 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 Health (MSDH)

Supplier: Hologic, Inc.

Contract #: 880008075

Total Value: \$569,200.00

Term: 2/2/2022 through 7/7/2022

Summary of Request: MSDH is requesting approval for the sole source purchase of SARS-CoV-2 kits and reagents manufactured by Hologic, Inc. These Hologic products are the only products compatible with MSDH's existing lab equipment. These kits and reagents are utilized to test specimens for COVID-19.

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

2. Requesting Agency: Mississippi State University (MSU)

Supplier: Delta Western

Contract #: 8200060866

Total Value: \$1,242,000.00

Term: 2/2/2022 through 12/31/2022

Summary of Request: MSU solicited a bid (institutions of higher learning are statutorily exempt from the use of reverse auction) for the purchase of approximately 2,000 to 3,000 tons of 28% regular floating fish feed. MSU received one (1) response from the solicitation and requests to award to Delta Western.

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

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

Supplier: 1220 Exhibits

Contract #: 8800008073

Total Value: \$130,359.77

Term: 2/2/2022 through 9/30/2022

Summary of Request: MDAH requested and was granted an exemption from the reverse auction process for the purchase of a customized canoe exhibit case at the June 2, 2021 PPRB meeting. The Agency solicited sealed bids and wishes to award to 1220 Exhibits.

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

C. Master Lease Purchase Program

1. **Requesting Agency:** Delta State University

Master Lease Purchase: \$2,525,000.00

Term of Contract: Next available Master Lease Purchase Series

Purchase Method: Invitation for Bid

Comments: Pursuant to Miss. Code Ann. § 31-7-10, as amended, Delta State University is requesting authority to utilize the Master Lease Purchase Program to finance five (5) aircraft.

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

2. **Requesting Agency:** Mississippi Valley State University

Master Lease Purchase: \$354,225.00

Term of Contract: Next available Master Lease Purchase Series

Purchase Method: Invitation for Bid

Comments: Pursuant to Miss. Code Ann. § 31-7-10, as amended, Mississippi Valley State University is requesting authority to utilize the Master Lease Purchase Program to finance a front loading refuse truck.

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

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 Change Orders for Board Action

1. **Using Agency:** Mississippi Department of Finance and Administration

Project Number: GS# 358-059

Project Title: Site Improvements PH II – Mississippi State Capitol

General Contractor: Paul Jackson & Son, Inc.

Original Contract Sum: \$4,672,000.00

Net Change by Previous Change Orders: \$174,581.80

Total Value of Award before this Change Order: \$4,846,581.80

Total Value of this Change Order: \$796,868.00

Construction Days to Date [Term]: 775 (including 180 for this CO)

Change Order Scope: Change Order #3 adds Alternate #5 scope, from the original bid, back into the contract. Scope of work includes work constructing a new flagpole plaza with stone and renovating the existing Bell Plaza and adding a stone facade.

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 executable Change Order.

B. Consideration of Construction Contract Amendment for Board Action

1. **Using Agency:** Mississippi Department of Finance and Administration

Project Number: GS# 371-166

Project Title: Job Order Contracting Program

General Contractor: Brown & Root Industrial Services, LLC

Term: 1st renewal of up to four (4) one (1) year renewals

Original approval was February 2021 PPRB

Total Value at Award: Not to Exceed \$25,000,000.00 Annually

Project Scope: Indefinite delivery / indefinite quantity term construction contract based upon a nationally published and recognized cost index (Job Order Contract) for the repair, renovation, demolition, and improvement of buildings, facilities, and infrastructure for state agencies and institutions, universities and community colleges statewide in accordance with Section 31-7-13(n) of the Mississippi Code of 1972, Annotated. The cost for all work is based upon the established cost index multiplied by the Bidder's pricing coefficient. The BOB is requesting to raise the initial Individual Job Order limit by 25% percent to account for increased labor and material costs due to COVID-19's impact on the global supply chain. Individual Job Orders will be not more than one million two hundred and fifty dollars (\$1,250,000.00) and not less than twenty-five thousand dollars (\$25,000.00).

Note: Board Action is required when contract amendment is over \$1,000,000.00.

Clarification or Remarks: This initial award was to the Bidder with a minimum Performance Rating of Satisfactory on the basis of the lowest average weighted pricing coefficient. Two bids were received.

Staff Recommendation: This request has been reviewed for compliance and has been determined to comply with all rules and regulations and legal requirements by DFA staff. BOB recommends PPRB approval contingent upon an executable renewal.

C. Consideration of BOB Contracts for Construction

- 1. Using Agency:** Woolfolk Building (Sun-n-Sand) (Office of Capitol Facilities)
(Department of Finance and Administration)
- Project Number:** GS# 362-066
- Title:** West Lot Improvements (Paving and Renovations (Phase 1))
- General Contractor:** Fountain Construction Co., Inc. – Jackson, Mississippi
- Construction Days from Notice to Proceed [Time]:** 240 days
- Total Value at Award:** \$6,570,000.00
- Scope:** Paving and landscape of parking area and envelope stabilization of the building at the Woolfolk West lot.
- Clarification or Remarks:** This award including base bid only, is the lowest responsive/responsible bid of three (3) bids 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. BOB has reviewed the documentation and recommends PPRB approval, contingent upon executable Contract.

D. BOB Staff Approvals Reported to the Board

E. RPM Non-Competitive Leases

- 1. Requesting Agency:** Mississippi Department of Agriculture and Commerce
- Lease #:** 030-542-25A
- Lessor:** Town of Sardis
- Term:** 07-01-2022 thru 06-30-2025
- Total Yearly Cost:** \$2,700.00
- Cost PSF:** \$3.72 + Utilities & Janitorial
- Previous Cost PSF:** N/A
- Total Space per Occupant:** 241
- Federal Funds:** 0%
- Square Footage Proposed:** 725
- Previous Square Footage:** N/A
- Address of Property:** 121 E. McLaurin Street, Sardis, MS
- Purpose of Lease:** This is a research/laboratory facility that measures the moisture content of grains from around the state.

Note: This is a three (3) year lease with two (2) one (1) year options to renew at the same rate as the base term.

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

F. RPM Amended Leases

1. Requesting Agency: Mississippi Secretary of State

Lease #: 775-172-23A

Lessor: Chuck Roberts, Inc. d/b/a Command Realty Group

Term: 5-6-2022 thru 5-6-2023

Total Yearly Cost: \$6,000.00

Cost PSF: \$7.06 + Utilities & Janitorial

Previous Cost PSF: \$7.06 + Utilities & Janitorial

Total Space per Occupant: 212

Federal Funds: 0%

Square Footage Proposed: 850

Previous Square Footage: 850

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

Purpose of Lease: This is the north Mississippi office for the Secretary of State.

Note: This is the first (1st) year of three (3) one (1) year options to renew per the original contract. This lease originated on 5-06-2021.

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

G. Parchman Farmland Assignments

1. Consider a request from Mississippi Department of Corrections to assign/sub-lease approximately 379.76 acres of tracts 4 (fields 1, 2, 3, 11) located in the Mississippi State Penitentiary Farmland in Sunflower County, Mississippi from William E. Livingston to Joshua Chandler for the 2022 crop year per paragraph 18 of the original lease regarding assignments. All terms and conditions, including the yearly rental amounts per acre will remain the same as in the original lease between the Lessee and the State of Mississippi. The Lessee and Assignee will both be responsible for the tract(s) until expiration of the lease term which is January 14th, 2023. Should the PPRB decide not to approve the Assignment/Sub-Lease, the Lessee will retain the tract(s) completely. The total yearly amount of the assigned leases is \$29,317.47.

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 assignment.

H. Wildlife Farming Leases

1. Consider a request from the Mississippi Department of Wildlife, Fisheries and Parks (MDWFP) to award the following Wildlife Management Area (WMA) Farmland Lease for the 2022 crop year. A check for the full rent was delivered to MDWFP for the year 2022 at the bid opening and will be held by MDWFP until PPRB approval of this lease. This request from MDWFP includes a lease for one (1) year in duration for grain crop only, with four (4) options to renew by mutual agreement between the Lessee and Lessor, one year at a time, in writing by October 1st of the given year with payment for renewal no later than December 1st of the given year.

Billy C. Deviney WMA- Farm #'s 4800, 3848, 5114, and 6575 (Sunflower County)

Bid Date: January 18, 2022, 11:00:00 AM

Acreage: 849.35±

Lessee: Britt Crop Care, Inc.

Bid Amount: \$49,300.00

Selection: Highest of two bids received.

Note: This is a one (1) year lease with four (4) one (1) year options to renew.

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 assignment.

2. Consider a request from the Mississippi Department of Wildlife, Fisheries and Parks (MDWFP) to award the following Wildlife Management Area (WMA) Farmland Lease for the 2022 crop year. A check for the full rent was delivered to MDWFP for the year 2022 at the bid opening and will be held by MDWFP until PPRB approval of this lease. This request from MDWFP includes a lease for one (1) year in duration for grain crop only, with four (4) options to renew by mutual agreement between the Lessee and Lessor, one year at a time, in writing by October 1st of the given year with payment for renewal no later than December 1st of the given year.

O'Keefe WMA- Farm #'s 2608 (Sunflower County)

Bid Date: January 18, 2022, 2:00:00 PM

Acreage: 466.31±

Lessee: 5 K & J Farms II

Bid Amount: \$32,001.00

Selection: Highest of two bids received.

Note: This is a one (1) year lease with four (4) one (1) year options to renew.

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 assignment.

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

A. Petitions for Relief from Competitive Sealed Bidding

1. Requesting Agency: East Mississippi State Hospital

RFx Number: 3180001632

Procurement Request: Request for Qualifications

Anticipated Term: Four Years with One Optional One-Year Renewal

Anticipated Contract Amount: \$832,000.00

Summary of Request: The Agency is seeking to contract with two board-certified Psychiatrists to serve psychiatric and nursing home residents. The Agency contends the use of an Invitation for Bids (IFB) to procure the service is neither practicable nor advantageous because the Agency sets the price for this service and would like to give weight to more experienced applicants. The Agency requests to use a Request for Qualifications (RFQ) as the procurement method in order to evaluate the experience, availability, and qualifications of the Offerors. Offerors will be evaluated based on the following factors: Management weighted at 65% and Cost (Price) 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 § 31-7-403(4), and approval of the Agency's request to use a Request for Qualifications as the procurement method.

B. Consideration of Contracts for Board Action

1. Requesting Agency: Mississippi State Hospital

Term: 02/22/2022-02/21/2026

Summary of Request: The term of the contracts is four years with no optional renewals. The Contractors will provide laboratory services and were selected through an Invitation for Bids (IFB) with three respondents. The contracts were awarded to the lowest bidders. The Mississippi Board of Mental Health met on January 20, 2022 and approved these contracts. Proof of the approval must be received prior to processing the contracts.

a. Supplier: Memphis Pathology Laboratory dba American Esoteric Laboratories

Contract #: 8200061051

Total Value: \$480,000.00

Projected Budget for Life of the Contract: \$480,000.00

New

\$480,000.00

b. Supplier: Mississippi Baptist Medical Center, Inc.

Contract #: 8200061053

Total Value: \$240,000.00

An appropriate Certificate of Insurance reflecting the required coverage is required prior for final processing of this contract.

Projected Budget for Life of the Contract: \$240,000.00

New

\$240,000.00

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 each contract as requested, contingent upon receipt of proof of the regulatory board's approval for Item a. and the required Certificate of Insurance for Item b.

- 2. Requesting Agency:** Mississippi Division of Medicaid **Modification**
Term: 07/01/2017–06/30/2022 **\$0.00**
Summary of Request: The term of the original contract was three years with two optional one-year renewals. The Contractor provides administration services for the Mississippi Coordinated Access Network (MississippiCAN) managed care program. Amendment Twelve has been submitted to address vendor performance and clarify program policy requirements pursuant to federal guidelines and regulations. The Amendment updates the General Provisions; Definitions; Prior Authorizations; Member Services; Provider Network; Quality Management; Reporting Requirements; Capitation Rates; Financial Requirements; Default and Termination; Claims Management; and Member Complaint, Grievance, Appeal, and State Fair Hearing Process clauses. All other terms and conditions of the contracts as previously amended remain the same. The Centers for Medicare & Medicaid Services (CMS) will not review or approve managed care contracts which are not fully executed; therefore, the Agency must receive PPRB approval prior to submitting Amendment Twelve to CMS. Amendment Twelve will be effective upon execution by both parties and OPSCR requests authority to approve fully executed amendments upon receipt.
- a. Supplier:** United Healthcare of Mississippi
Contract #: 8200041776
Total Value: \$5,480,325,908.83
- b. Supplier:** Molina Healthcare
Contract #: 8200041827
Total Value: \$1,409,118,782.99
- c. Supplier:** Magnolia Health Plan
Contract #: 8200041775
Total Value: \$6,413,282,005.44

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 each contract modification as requested.

- 3. Requesting Agency:** Mississippi Division of Medicaid **Modification**
Term: 08/01/2019-07/31/2022 **\$0.00**
Summary of Request: The term of the original contract was three years with two optional one-year renewals. The Contractor provides administration services for the Children's Health Insurance Program (CHIP). Amendment Six has been submitted to address vendor performance and clarify program policy requirements pursuant to federal guidelines and regulations. The Amendment updates the General Provisions; Definitions; Provider Network; Claims Payment, Denial, and Appeals; Member Services; Reporting Requirements; Financial Requirements; Non-Compliance and Termination; and Member Complaint, Grievance, Appeal, and Independent External Review Process clauses. All other terms and conditions of the contracts as previously amended remain the same. The Centers for Medicare & Medicaid Services (CMS) will not review or approve managed care contracts which are not fully executed; therefore, the Agency must

receive PPRB approval prior to submitting Amendment Six to CMS. Amendment Six will be effective upon execution by both parties and OPSCR requests authority to approve fully executed amendments upon receipt.

a. **Supplier:** United Healthcare
Contract #: 8200047090
Total Value: \$218,287,992.54

b. **Supplier:** Molina Healthcare
Contract #: 8200045142
Total Value: \$106,951,830.73

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 each contract modification as requested.

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

Supplier: Seok Soon Cho

Contract #: 8200037754

Term: 04/01/2018-03/31/2023

Total Value: \$817,800.00

Renewal
\$163,560.00

Summary of Request: The term of the original contract was three years with two optional one-year renewals. Amendment Two has been submitted to exercise the last optional renewal allowed by the original contract. The Contractor works in the Republic of Korea to expand economic development opportunities on behalf of the State of Mississippi. Amendment Two updates the Period of Performance and Compensation clauses. All other terms and conditions of the original contract remain the same.

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

Projected Budget for Life of the Contract: \$817,800.00

5. **Requesting Agency:** Ellisville State School at South Mississippi Regional Center

Supplier: Warner, Inc. dba Service Master One Call

Contract #: 8200061010

Term: 03/01/2022-02/28/2023

Total Value: \$101,880.00

New
\$101,880.00

Summary of Request: The term of the contract is one year with four optional one-year renewals. The Contractor will provide janitorial services. The Contractor was selected through an Invitation for Bids with six respondents, of which the Contractor was the lowest bidder. The Mississippi Board of Mental Health met on January 20, 2022 and approved this contract. Proof of the approval must be received prior to final processing of the contract.

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

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

Projected Budget for Life of the Contract: \$509,400.00

6. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: Reed Extermination Co., Inc.

Contract #: 8200057275

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

Total Value: \$89,347.50

**Modification
- \$10,151.50**

Summary of Request: The term of the original contract was four years with one optional one-year renewal. The Contractor provides pest management services for properties owned and operated by the State of Mississippi in the Jackson area. Amendment One has been submitted to remove the Old Capitol Museum and the Two Mississippi Museums, including the Public Garage and Staff Garage, from the scheduled services and reduce the spending authority by \$10,151.50. Amendment One updates the Scope of Services and Consideration clauses. All other terms and conditions of the original contract remain the same. A Certificate of Insurance reflecting the required coverage must be received from the Agency prior to final processing of the contract.

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

Projected Budget for Life of the Contract: \$122,494.00

7. Requesting Agency: Mississippi Department of Mental Health

Supplier: Fresh Press Creative, LLC dba Creative Distillery

Contract #: 8200061052

Term: 02/14/2022-02/13/2024

Total Value: \$1,114,000.00

**New
\$1,114,000.00**

Summary of Request: The term of the contract is two years with no optional renewals. The Contractor will provide a statewide education and outreach campaign to increase public awareness of community mental health services and drug and alcohol treatment services. The contract is funded through U.S. Department of Health and Human Services Mental Health and Substance Abuse Block Grants. The Contractor was selected through an Invitation for Bids (IFB) with three respondents. One respondent was deemed non-responsible. The contract was awarded to the lowest bidder. The Mississippi Board of Mental Health approved this contract on December 16, 2021. Proof of the approval must be received prior to final processing of the contract.

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

Projected Budget for Life of the Contract: \$1,114,000.00

8. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: AmFed Insurance Services, LLC

Contract #: 8200061083

Term: 02/02/2022- 01/31/2026

Total Value: \$76,000.00

**New
\$76,000.00**

Summary of Request: The term of the contract is approximately four years with one optional one-year renewal. The Contractor will provide excess workers' compensation insurance brokerage services to the Mississippi State Agencies Self-Insured Workers' Compensation Trust, which is governed by an elected Board of Trustees and managed by the Mississippi Department of Finance and Administration. The Contractor was selected through an Invitation for Bids (IFB) with two respondents. The contract was awarded to the lowest bidder. The Agency requests an exception to PPRB OPSCR Rules and Regulations Section 3-202.06.3 for failure to include the name and telephone number of the procurement officer in the newspaper advertisement. OPSCR has reviewed this request and has no concerns that granting it would affect the competition, fairness, or transparency of the procurement because that information was prominently placed on the cover page of the IFB. Proof of the approval of the Board of Trustees and an appropriate Certificate of Insurance must be received prior to final processing of the contract. The Board of Trustees met on January 25, 2022 and approved this contract.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff and, upon granting the requested exception, it 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 and proof of the regulatory board's approval.

Projected Budget for Life of the Contract: \$95,000.00

9. Requesting Agency: Mississippi Department of Finance and Administration

Supplier: Cannon Cochran Management Services, Inc.

Contract #: 8200037110

Term: 07/01/2018-06/30/2023

Total Value: \$4,503,109.56

**Renewal
\$949,271.52**

Summary of Request: The term of the original contract was four years with one optional one-year renewal. Amendment One has been submitted to exercise the only renewal year allowed by the original contract. The Contractor provides third-party claims administration services to the Mississippi State Agencies Self-Insured Workers' Compensation Trust, which is governed by an elected Board of Trustees and managed by the Mississippi Department of Finance and Administration. Amendment One updates the Consideration, E-Payment, Paymode, Applicable Law, Procurement Regulations, Representation Regarding Gratuities, Indemnification, Approval, and Incorporation of Documents clauses. Proof of the approval of the Board of Trustees must be received prior to final processing of the contract. The Board of Trustees met on January 25, 2022 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 modification as requested, contingent upon receipt of proof of the regulatory board's approval.

Projected Budget for Life of the Contract: \$4,503,109.56

10. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: Environmental Management Services, Inc.

Contract #: 8200056199

Term: 3/19/2021-2/28/2023

Total Value: \$216,000.00

**Renewal
\$72,000.00**

Summary of Request: The term of the original contract was approximately one year with an option to renew at the Agency's discretion for a maximum period of performance of five years. Modification No. 2 has been submitted to exercise a one-year renewal period. The Contractor provides invasive species management services, specifically controlling the Amazonian Apple Snail. The Modification updates the Period of Performance and Consideration clauses. All other terms and conditions of the original contract remain the same. An updated Certificate of Insurance reflecting the required insurance coverage must be received prior to final processing of the contract.

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

Projected Budget for Life of the Contract: \$360,000.00

C. Additional Requests for Board Action

1. Requesting Agency: Mississippi Department of Education

Supplier: GradeSlam America, Inc.

Contract #: TBD

Term: 02/02/2022 – 9/30/2024

Total Value: \$10,759,584.00

**New Emergency
\$10,759,584.00**

Summary of Request: The term of the contract is approximately two years and eight months. The Contractor provides high dosage tutoring in English Language Arts and Mathematics for students in third through twelfth grade. The Agency issued two separate Requests for Proposals (RFPs) for each subject. The Contractor was selected as the highest scoring proposer for both. However, upon review by OPSCR of the RFPs and resulting contracts, it was determined that the Agency failed to send the pre-proposal conference recordings to the offerors who received the RFPs and post the recordings on the Mississippi procurement portal and the Agency's website as required by Miss. Code Ann. § 31-7-409(3). Accordingly, the Agency must cancel the solicitations.

Due to the time constraints regarding the availability of the federal funding (Elementary and Secondary School Relief Funds I, II, and III), the Agency now seeks to enter into one emergency contract with the same vendor and under the same terms and conditions had the contracts been awarded under the RFPs. Pursuant to PPRB OPSCR Rules and Regulations Section 3-207, "[t]he PPRB does not approve emergency contracts." The determination as to whether an emergency exists is made by the Agency Head of the Agency entering the emergency contract. Sections 3-207.01 and 3-207.02 limit the term of an emergency contract to one year. The Agency

seeks an exception to the one year limitation on emergency contracts, as the Agency will need the services described herein for the full term in order to fully obligate the available federal funding. The Contractor selected by the Agency was the highest scoring proposer in response to competitive procurements, which cannot result in contract awards due to the circumstances described above. This approval request is contingent upon the approval of the emergency contract by the Mississippi State Board of Education.

Staff Recommendation: This request has been reviewed by OPSCR staff. Based on the specific circumstances described herein, OPSCR recommends granting of the requested exception to PPRB OPSCR Rules and Regulations Sections 3-207.01 and 3-207.02, contingent upon proof of the regulatory board's approval.

Projected Budget for Life of the Contract: \$10,759,584.00

D. Additional Reports to Board

1. **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

Summary of Report: This contract was approved by the PPRB at the May 5, 2021 meeting. The term of the contract is three years with no optional renewals. The Contractor provides transportation of alcoholic beverages in the Jackson metropolitan area. The contract is an indefinite quantity contract, and the Contractor is paid a unit price of \$1.20 per case. The Agency requested \$3,000,000.00 in spending authority at the May 2021 meeting, which was an estimate of potential use by the Agency. The Board requested an update on the funds expended on this contract after six months. The Agency provided the attached documentation in response to the Board's request, and the current amount spent totals \$516,892.80.

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. Quarterly Reports to Legislature

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

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

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

VII. Other Business

A. Next Regular PPRB Meeting March 2, 2022 at 9:00 a.m.

VIII. Adjournment