



PPRB
**PUBLIC PROCUREMENT
REVIEW BOARD**

MEETING AGENDA
Wednesday, January 4, 2023
9:00 a.m.

Woolfolk Office Building, Room 145

- I. Call to Order**
- II. Approval of Minutes from the December 7, 2022 Public Procurement Review Board Meeting**
- III. Approval of per diem and expenses for the January 4, 2023 meeting and for any additional expenses incurred prior to the February 1, 2023 meeting**
- IV. 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**
- V. DFA Office of Purchasing, Travel and Fleet Management (OPTFM)**
 - A. Petitions for Relief from Reverse Auction**
 - 1. Governing Authorities**
 - i. Requesting Governing Authority: Leake County School District**
Supplier: Unknown
Term: One-time purchase
Commodities: E-Rate Category 2 Project
Total Value: \$450,000.00 estimated

Summary of Request: Leake County School District has requested an exemption from using the reverse auction process for the purchase of an E-Rate Category 2 project. E-Rate is the commonly used name for the Schools and Libraries Program of the Universal Service Fund, which is administered by the Universal Service Administrative Company (USAC) under the direction of the Federal Communications Commission (FCC). They are requesting an exemption because of the overall complexity of the project, which will include both technology commodities and professional services. The District feels that competitive sealed bidding should be utilized to procure the project.

Staff Recommendation: Based on the information submitted, OPTFM recommends approval of the exemption and the use of competitive sealed bidding for the procurement.

B. Consideration of State Agency Contracts for Board Action

1. Requesting Agency: Mississippi Department of Revenue (MDOR)

Supplier: Shaw Material Handling Systems

Contract #: 8200063890

Term: 1/2/23 through 12/31/2024

Total Value: \$848,352.00

Summary of Request: MDOR completed a reverse auction for the rental of equipment for use at the Alcoholic Beverage Control warehouse. The contract was approved on 9/7/2022 by PPRB with a value of \$540,750.00. MDOR wishes to amend the agreement to add additional equipment which is allowed under the terms of the contract. They wish to add one (1) reach forklift, six (6) stock pickers, and two (2) stand up rider forklifts.

Staff Recommendation: Based on the information submitted, OPTFM recommends approval of the contract amendment.

2. Requesting Agency: Mississippi Department of Employment Security (MDES)

Supplier: Canon U.S.A., Inc.

Contract #: 8200066558

Term: 2/1/2023 through 1/31/2028

Total Value: \$581,040.00

Summary of Request: MDES is requesting approval to enter into a five (5) year copier rental agreement. The agreement is with a vendor that is on a current OPTFM state copier contract.

Staff Recommendation: Based on the information submitted, OPTFM recommends approval of the contract.

C. Master Lease Purchase Program

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

Master Lease Purchase: \$3,200,000.00

Term of Contract: Next available Master Lease Purchase Series

Purchase Method: Sealed bids and State contract

Comments: Pursuant to Miss. Code Ann. § 31-7-10, as amended, MDOT is requesting authority to utilize the Master Lease Purchase Program to finance heavy-duty trucks and bodies as well as pickup trucks.

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

VI. 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 Agency Contracts for Project Professionals

1. **Using Agency:** Mississippi Department of Archives and History
Title: Expansion of Grand Village of the Natchez Indians
Location: Natchez, Mississippi
Budget: \$6,000,000.00 (estimated fees \$447,909.75)
Funding Sources: Capital Expense / State Support granted in FY23 MDAH Appropriation Bill HB 1599 Section 14
Professional: Burris/Wagnon Architects, P.A., Jackson, Mississippi
Scope: Planning through construction documents and warranty for an Interpretive Center Renovation and Expansion with a pavilion/outdoor restroom at the Grand Village of the Natchez Indians campus. The Interpretive Center will contain museum exhibits and should be connected to the existing facility, resulting in around 8,000+ square feet. The existing facility has not seen significant improvements or modifications since its construction in 1976; therefore, renovations to it will need to occur.
Clarification or Remarks: The Professional was selected as most highly qualified in accordance with a publicly noticed qualification-based selection process. Seven (7) proposals were received. Three (3) firms were shortlisted, interviewed, evaluated, and selected by the Selection Committee utilizing criteria identified in the RFQ and approved by the Mississippi Department of Archives and History Board of Trustees at its October 21, 2022, meeting.

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 contract execution.

B. RPM New Leases

1. **Requesting Agency:** Mississippi Department of Corrections
Lease #: 170-291-33A
Lessor: Tier Investment, LLC.
Term: 02-01-2023 thru 01-31-2033

Total Yearly Cost: \$18,000.00

Cost PSF: \$9.00 + Utilities & Janitorial

Previous Cost PSF: N/A

Total Space per Occupant: N/A

Federal Funds: 0%

Square Footage Proposed: 2,000

Previous Square Footage: N/A

Address of Property: 109A Access Road, Fulton, MS.

Purpose of Lease: This will be the Parole and Probation office for the Fulton/Itawamba County area.

Note: This is a ten-year lease with one (1) five (5) year option to renew at \$18,900.00 per year or \$9.45 + Utilities & Janitorial PSF. The agency advertised and received two responses.

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.

C. RPM Amended Leases

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

Lease #: 515-251-25A-R

Lessor: 5360, LLC.

Term: 02-01-2015 thru 01-31-2025

Total Yearly Cost: \$409,875.00 (\$34,156.25/Month) before amendment.

Cost PSF: \$14.58+ Utilities & Janitorial

New Total Yearly Cost: \$408,795.00 (\$34,066.25/Month) after amendment.

New Cost PSF: \$14.54 + Utilities & Janitorial

Effective Date of Amendment: February 1, 2023

Federal Funds: 50%

Square Footage Proposed: 28,117

Address of Property: 5360 I-55 North, Jackson, MS.

Purpose of Amendment: The Lessor agrees to pay for 1/3 of the cost of security for the property and staff. The cost of the security is \$3,240.00 per month (1/3 is \$1,080.00).

Note: The original contract includes a graduated rate increase that will take effect 02-01-2023. This rate increase will be offset by the agreed cost sharing for security. The original contract was approved by PPRB on 11-5-2014.

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.

D. RPM Non-Competitive Leases

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

Lease #: 725-242-24B

Lessor: John Favard Self Storage

Term: 01-04-2023 thru 01-03-2024

Total Yearly Cost: \$2,904.00

Cost PSF: \$14.52 Inclusive

Federal Funds: 0%

Square Footage Proposed: 200

Address of Property: 10213 Lorraine Road, Gulfport, MS.

Note: This storage unit is for the storage of refrigerators, freezers, and vending machines.

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

2. Requesting Agency: Mississippi Development Authority

Lease #: 225-011-27A

Lessor: National Park Service/U.S. Department of Interior

Term: 01-04-2023 thru 06-30-2027

Total Yearly Cost: \$6,665.00

Cost PSF: \$10.41 Inclusive

Federal Funds: 0%

Square Footage Proposed: 640

Address of Property: 640 South Canal Street, Natchez, MS.

Note: This property is a federally owned welcome center co-operated and staffed by MDA employees. The rental rate will increase on a yearly basis starting with the second year in accordance with the average Consumer Price Index as published by the U.S. Department of Labor.

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

E. Parchman Farming Lease Renewals

Quitman County

Tract	Lessee	Acres	Lease Amount	Year
1	Kellen Corbin	141.16	\$11,330.00	4/8

Sunflower County

Tract	Lessee	Acres	Lease Amount	Year
1	Josh Chandler	165.08	\$19,149.28	4/8
2/39	Roosevelt Jones	638.39	\$57,455.10	4/8
3	Wesley Chandler	469.66	\$61,000.00	4/8
4 fields 1, 2,3,11.	William Livingston	379.76	\$29,317.47	5/8
5	C & B Farms	329.00	\$41,500.00	3/8
6	Hunter Doty	294.62	\$44,487.62	5/8
10	C & B Farms	397.09	\$42,150.00	3/8
11	C & B Farms	429.00	\$45,650.00	3/8
12	C & B Farms	354.68	\$65,000.00	2/8

13	C & B Farms	335.83	\$61,510.00	2/8
14	C & B Farms	480.67	\$51,050.00	3/8
16	C & B Farms	295.17	\$31,550.00	2/8
18	Marcus Johnson Farms and Trucking	400.19	\$40,019.00	2/8
19	C & B Farms	500.58	\$91,600.00	2/8
20	C & B Farms	278.69	\$51,200.00	2/8
21	C & B Farms	254.87	\$33,300.00	2/8
22	C & B Farms	328.40	\$28,229.26	4/8
23	C & B Farms	296.84	\$32,050.00	3/8
25	C & B Farms	369.00	\$40,150.00	3/8
30	C & B Farms	436.17	\$40,616.15	5/8
31	C & B Farms	440.56	\$42,734.00	5/8
32	Willie Nelson	298.32	\$25,357.72	5/8
36	C & B Farms	213.54	\$39,100.00	2/8

Note: This request is based on recommendation from the Mississippi Department of Corrections (MDOC), Mississippi State Penitentiary at Parchman, MS, and the MDOC Division of Agricultural Enterprises. MDOC requests PPRB approve these farmland lease renewals listed above. This request is also contingent upon the execution of the farming lease contracts.

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 these farmland lease renewals, contingent upon receipt of executed lease contracts.

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

A. Petition for Relief from Competitive Sealed Bidding

1. Requesting Agency: Mississippi State Department of Health

RFx Number: 3180001950

Procurement Request: Request for Proposals

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

Anticipated Contract Amount: \$10,000,000.00

Summary of Request: The Agency is seeking one Contractor to provide newborn screening laboratory testing services. The selected Contractor must be able to test at least 40,000 specimens per year to identify certain serious and life-threatening conditions. The Agency contends the use of an Invitation for Bids (IFB) to select a Contractor is neither practicable nor advantageous because the Agency needs to evaluate innovative methods for providing fast and accurate genetic testing. Offerors will be evaluated on Technical factors weighted at 31%, Management factors weighted at 34%, and Cost (Price) factors weighted at 35%. 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 Proposals as the procurement method. OPSCR also 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 Finance and Administration

RFx Number: 3180001951

Procurement Request: Request for Proposals

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

Anticipated Contract Amount: \$2,000,000.00

Summary of Request: The Mississippi Tort Claims board is seeking one Contractor to provide third party administration (TPA) services for the State's self-insured tort liability program. The selected Contractor will adjudicate tort claims filed against the State, evaluate the State's liability and exposure, and negotiate settlements. The Agency contends the use of an Invitation for Bids (IFB) to select a Contractor is neither practicable nor advantageous because the Agency needs to comparatively evaluate the Offerors' experience, staffing, and technical proficiencies in order to select the Offeror with the highest potential for success. Offerors will be evaluated on Technical factors weighted at 34%, Management factors weighted at 25%, Cost (Price) factors weighted at 36%, and a Finalist Presentation and Site Visit weighted at 5%. 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 Proposals as the procurement method. OPSCR also recommends approval of the Agency's request to evaluate Cost factors openly, as allowed by Miss. Code Ann. § 31-7-413(2)(iii).

B. Consideration of Contracts for Board Action

1. Requesting Agency: Mississippi Department of Corrections

Term: 04/01/2019 – 03/31/2024

Summary of Request: The term of the original contracts was three years with two optional one-year renewals. Amendment Two has been submitted to exercise the final renewal period for each contract. In an effort to reduce recidivism, the Contractors provide transitional housing and employment assistance for former criminal offenders. The Agency is requesting spending authority on each contract renewal as indicated below.

A. Supplier: Crossroads Outreach Ministries, Inc.

Contract #: 8200044023

Total Value: \$618,680.00

**Renewal
\$71,180.00**

B. Supplier: New Way Mississippi, Inc.

Contract #: 8200044024

Total Value: \$2,737,500.00

**Renewal
\$0.00**

C. Supplier: Sober Living Residential, LLC

Contract #: 8200044025

Total Value: \$778,760.00

**Renewal
\$34,160.00**

D. Supplier: Mississippi Offenders Reentry Experience (M.O.R.E.)

Contract #: 8200044035

Total Value: \$2,358,630.00

Renewal
\$0.00

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

2. Requesting Agency: Mississippi Department of Revenue

Supplier: FMH Conveyors, LLC

Contract #: 8200063968

Term: 08/10/2022 – 06/30/2023

Total Value: \$144,865.93

Modification
(-) \$29,744.60

Summary of Request: The term of the contract is ten months and 21 days with no renewals. The Contractor provides repair services for a conveyor system located at the Alcoholic Beverage Control Distribution Center in Gluckstadt, Mississippi. Modification Two has been submitted to remove certain scope requirements due to unavailability of replacement parts, decrease the spending authority to reflect the reduced scope, and update the Period of Performance to provide additional time to complete the repairs needed because of supply chain delays.

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.

3. Requesting Agency: Mississippi Department of Revenue

Supplier: TempStaff, Inc.

Contract #: 8200057270

Term: 08/01/2021 – 07/31/2023

Total Value: \$630,000.00

Modification
\$230,000.00

Summary of Request: The term of the original contract was one year with three optional one-year renewals. Amendment Two has been submitted to increase the spending authority due to the need for a higher volume of temporary staff. The Contractor will continue to be paid the markup reflected in the original contract on the hourly rate of temporary staff the Contractor provides at the Alcoholic Beverage Control Liquor Distribution Center.

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 required Certificate of Insurance.

4. Requesting Agency: Mississippi Emergency Management Agency

Supplier: Lipsey Logistics Worldwide, LLC

Contract #: 8200062344

Term: 06/06/2022 – 06/05/2023

Total Value: \$2,000,000.00

Modification
\$1,000,000.00

Summary of Request: The term of the original contract was one year with three optional one-year renewals. The Contractor provides Emergency Transportation on an as-needed basis.

Amendment One has been submitted to increase the spending authority for the original one-year term due to utilization during the Jackson water crisis. The rate of pay has not changed.

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 required Certificate of Insurance.

5. Requesting Agency: Mississippi Department of Human Services

Supplier: Propio Language Services, LLC

Contract #: 8200049612

Term: 03/01/2020 – 02/28/2024

Renewal

Total Value: \$180,000.00

\$0.00

Summary of Request: The term of the original contract was three years with two optional one-year renewals. Amendment One has been submitted to exercise the first renewal period and updates the Period of Performance, Consideration and Method of Payment, Notices, and Priority clauses. The Contractor provides language interpretation services to allow Limited English Proficient and hearing-impaired persons to gain meaningful access to MDHS 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 renewal as requested.

6. Requesting Agency: Ellisville State School

Supplier: B Clean LLC

Contract #: 8200061408

Term: 03/03/2022 - 03/02/2024

Renewal

Total Value: \$392,400.00

\$196,200.00

Summary of Request: The term of the contract was one year with four optional one-year renewals. Amendment One has been submitted to exercise the first renewal. The Contractor provides plumbing services on the main campus.

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.

7. Requesting Agency: Ellisville State School

Supplier: Waste Pro of Mississippi

Contract #: 8200066531

Term: 03/01/2023 - 02/28/2025

New

Total Value: \$318,858.24

\$318,858.24

Summary of Request: The term of the contract is two years with three optional one-year renewals. The Contractor will provide waste management services, which includes pick up and disposal of all solid waste collected on ESS properties. The Contractor was selected through a Request for Proposals (RFP) and submitted the lowest price of three 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.

8. 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: \$5,103,109.56

Modification

\$600,000.00

Summary of Request: The term of the original contract was four years with one optional one-year renewal. The renewal period was exercised in a prior amendment. Amendment Two has been submitted to add an additional \$600,000.00 in spending authority, which was inadvertently omitted from Amendment One, for safety and risk control services at the rates included in the original contract. The Contractor provides third party administration services for the state employees' workers' compensation trust. The Mississippi State Agencies Self-Insured Workers' Compensation Trust Board met December 20, 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 approval.

9. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: Yelverton Consulting, LLC

Contract #: 8200055176

Term: 02/03/2021-01/31/2024

Total Value: \$120,000.00

Renewal

\$24,000.00

Summary of Request: The term of the original contract was approximately two years with one optional one-year renewal. Amendment One has been submitted to exercise the renewal period. The Contractor provides consulting services relating to the Mississippi Coordinating Council for Remote Sensing and Geographic Information Systems. The Agency is requesting an additional \$24,000.00 in spending authority and will continue to be paid the hourly rates contained in the original 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.

10. Requesting Agency: Mississippi Department of Marine Resources

Supplier: W.C. Fore Trucking, Inc.

Contract #: 8200066479

Term: 01/11/2023-01/10/2024

Total Value: \$2,150,000.00

New

\$2,150,000.00

Summary of Request: The term of the contract is one year with one optional one-year renewal. The Contractor will be responsible for creating new reefs at Cat Island and other Barrier Islands. The Contractor was selected through an Invitation for Bids (IFB) and submitted the lowest of three bids.

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, contingent upon receipt of the required performance and payment bonds.

11. Requesting Agency: Mississippi Department of Education

Supplier: Catapult Learning, LLC

Contract #: 8200066628

Term: 01/19/2023 – 01/18/2027

Total Value: \$10,946,942.00

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Contractor will provide mathematics professional development & instructional coaching services to the Mississippi Department of Education and local education agencies including a select number of K-12 public schools throughout the State. The Contractor was selected through a Request for Proposals (RFP) with four respondents. The State Board of Education will meet on January 19, 2023 to approve this contract.

The Agency requests an exception to PPRB OPSCR Rules and Regulations Sections 3-202.08 and 3-203.09. The Agency failed to upload Amendment One, which was the Question and Answer document, to the procurement portal as required by Section 3-202.08.2. OPSCR has reviewed the requested exception and feels the failure to upload the Amendment affects the competition, fairness, and transparency of the procurement. There were 40 questions submitted by potential offerors. The responses provided by the Agency to many of those questions were substantive – providing either new information or a clarification of the RFP requirements. The substantive information would directly impact a potential Offerors' ability to calculate their price submission and prepare their proposal.

Staff Recommendation: This request has been reviewed for compliance by OPSCR staff. OPSCR cannot recommend approval of an exception to Sections 3-202.08 and 3-203.09 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, the procurement and contract would otherwise be in compliance with PPRB OPSCR Rules and Regulations and all legal requirements.

VIII. Other Business

B. Next Regular PPRB Meeting February 1, 2023 at 9:00 a.m.

IX. Adjournment