

PUBLIC PROCUREMENT REVIEW BOARD

SPECIAL MEETING

TUESDAY, JULY 21, 2015

A special meeting of the Public Procurement Review Board was held at 3:30 p.m. in the 13th floor Conference Room of the Woolfolk State Office Building located in Jackson, Mississippi.

PRESENT

Mr. Kevin J. Upchurch, Chairman
Mr. Freddie M. "Flip" Phillips, Vice Chairman
Mr. Charles R. Snowden, Member

OTHERS

Mr. Glenn Kornbrek, Director of the Bureau of Building, Grounds and Real Property Management, DFA
Ms. Monica Ritchie, Director of the Office of Purchasing, Travel and Fleet Management, DFA
Mr. Michael Cook, Director of the Office of Purchasing and Travel, DFA
Mr. Bennie Nutt, Deputy Executive Director, DFA
Ms. Aubrey Leigh Goodwin, Special Assistant Attorney General, DFA
Ms. Melody Coulson, PPRB Recorder, DFA

The Chairman called the meeting to order and commenced the meeting with prayer.

OFFICE OF PURCHASING, TRAVEL AND FLEET MANAGEMENT (OPTFM)

1. The University of Mississippi Medical Center (UMMC) submitted a request for ratification of the purchase of a GE Optima MR450w MRI machine from the GPO Novation contract #XR0053 from General Electric Co./GE Healthcare, in the amount of \$1,080,274.99. Also included in this purchase is a trade in of an older Phillips Medical MRI machine. The new MRI is replacing the older MRI at the UMMC Grenada hospital. Mr. Phillips made a motion to ratify this purchase. Mr. Snowden seconded and the motion carried.
2. The Mississippi Department of Health (MSDH) requested an increase of \$500,000 (from total \$2,000,000 to a new total of \$2,500,000) for a previously approved contract for the purchase of special infant formula for infants and children enrolled in the federally funded WIC program through the remainder of the 2015 Federal Fiscal Year. The MSDH sole source contract was originally approved by PPRB in the meeting held on October 1, 2014. Mead Johnson is the sole manufacturer of the concentrated formulas that are prescribed by physicians. Without this contract adjustment, WIC would not be able to provide the medically necessary products to eligible infants and children. Mr. Phillips made a motion to approve contingent upon the issuance of a purchase order or an award letter by the agency. Mr. Snowden seconded and the motion carried.
3. The Mississippi Department of Transportation (MDOT) requested approval for a competitively bid agency contract for aluminum sign blanks to be awarded to Vulcan Signs, in the amount of \$556,250.00. This amount is based on the estimated annual average usage over the last 5 years. MDOT awarded to the low bidder meeting bid specifications. Mr. Phillips made a motion to approve contingent upon the issuance of a purchase order or an award letter by the agency. Mr. Snowden seconded and the motion carried.

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Special Meeting

Tuesday, July 21, 2015

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4. The Mississippi Department of Transportation (MDOT) requested approval to purchase 43 vehicles from Butch Oustalet Ford. All vehicles that are being purchased are on state contract and all are replacements for existing inventory. There are no additions to the MDOT fleet. All of the vehicles being replaced meet the state approved criteria for replacement (6 years/120,000 miles). The purchases will be made from 17 different MAGIC contracts that total \$982,652.00. Mr. Phillips made a motion to approve contingent upon the issuance of a purchase order or an award letter by the agency. Mr. Snowden seconded and the motion carried.

BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT (BOB)

Mr. Kornbrek presented the following:

1. The Bureau of Building, Grounds and Real Property Management requested approval of the following: Award to Malouf Construction, LLC, Greenwood, Mississippi, in the amount of \$5,368,083.00 (Lowest Responsive of 5 bids received). The low bidder and the second low bidder were deemed non-responsive because they did not include a required completed "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion" (Form VA 40-0895-12). Mr. Phillips made a motion to approve. Mr. Snowden seconded and the motion carried.
2. Approval to proceed with the Emergency Project GS#352-022 Fire Damage Repairs Central High School (Office of Capitol Facilities) (Department of Finance and Administration), Appointment of Professional, obtaining quotes, and etc.

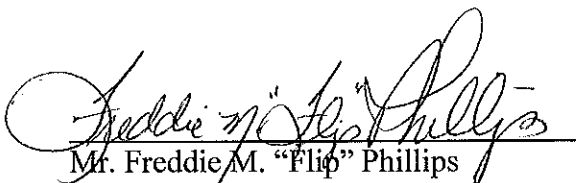
Request for \$500,000.00 of the FY16 Capital Expense Funds per Section 27-103-303 of the MS Code Ann.

Ratification of Emergency Declaration from Roe Grubbs, Director of Capitol Facilities, dated July 21, 2015.

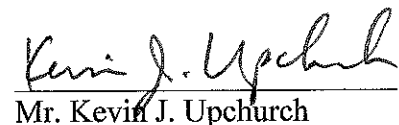
Ratification of Emergency Certificate by Kevin J. Upchurch, Executive Director of the Department of Finance and Administration, dated July 21, 2015.

Mr. Phillips made a motion to approve. Mr. Snowden seconded and the motion carried.

There being no further business to bring before the Board, the meeting was adjourned.


Mr. Freddie M. "Flip" Phillips


Mr. Charles R. Snowden


Mr. Kevin J. Upchurch



STATE OF MISSISSIPPI
GOVERNOR PHIL BRYANT

DEPARTMENT OF FINANCE AND ADMINISTRATION

KEVIN J. UPCHURCH
EXECUTIVE DIRECTOR

NOTICE

A Special Meeting of the

PUBLIC PROCUREMENT REVIEW BOARD

will be held Tuesday, July 21, 2015, 3:30 p.m. in the
13th floor Conference Room
Woolfolk State Office Building

Agenda: Request for Approval of a Bid Award, Contracts and Miscellaneous

AGENDA

PUBLIC PROCUREMENT REVIEW BOARD Special Meeting 3:30 p.m.

TUESDAY, JULY 21, 2015

I. OFFICE OF PURCHASING, TRAVEL AND FLEET MANAGEMENT

Mr. Mike Cook, Director of the Office of Purchasing and Travel, will present the following:

- Ratification of 1 contract for the University of Mississippi Medical Center
- Approval of 1 contract for the Mississippi Department of Health
- Approval of 2 contracts for the Mississippi Department of Transportation

II. BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT

Mr. Glenn Kornbrek, Director of the Bureau of Building, Grounds and Real Property Management, will present the following:

- Request for approval of a Bid Award on GS#507-044 North Mississippi Veterans Memorial Cemetery
- Approval to proceed with the Emergency Project GS#352-022 Fire Damage Repairs Central High School (Office of Capitol Facilities) (Department of Finance and Administration), Appointment of Professional, obtaining quotes, and etc.
- Ratification of Emergency Declaration from Roe Grubbs, Director of Capitol Facilities, dated July 21, 2015.
- Ratification of Emergency Certificate by Kevin J. Upchurch, Executive Director of the Department of Finance and Administration, dated July 21, 2015.

III. NEXT MEETING DATE

Regular Meeting, Wednesday, August 05, 2015

**OFFICE OF PURCHASING AND TRAVEL
PUBLIC PROCUREMENT REVIEW BOARD
SPECIAL MEETING AGENDA
July 21, 2015**

- 1. REQUESTING AGENCY:** University of MS Medical Center
SUPPLIER: General Electric Co./GE Healthcare
MAGIC NUMBER: 8200020131
AMOUNT OF CONTRACT: \$1,080,274.99
TERM OF CONTRACT: One time purchase with trade-in July 21, 2015 through June 30, 2016.
SCOPE OF CONTRACT: Purchase of a GE Optima MR450w 1.5T 16-Ch 25.0 (MRI) with trade in of an old Phillips Medical MRI.
PURCHASE METHOD: GPO Novation contract #XR0053
COMMENTS: The University of Mississippi Medical Center (UMMC) has submitted a P1 request for ratification of the purchase of a GE Optima MR450w MRI machine from their GPO Novation contract #XR0053. Also included in this purchase is a trade in of an old Phillips Medical MRI machine. The new MRI is replacing the old MRI at the UMMC Grenada hospital.
COMPLIANCE WITH PROCEDURES (YES, NO): Yes
If no, explanation:
ADDITIONAL COMMENTS IF NEEDED: Based on the information submitted by the Agency, we ask that the Board ratify this purchase.
- 2. REQUESTING AGENCY:** MS Dept. of Health
SUPPLIER: Mead Johnson Nutrition Group
MAGIC NUMBER: 8800003091
AMOUNT OF CONTRACT: \$2,500,000.00
TERM OF CONTRACT: October 1, 2014 through September 30, 2015.
SCOPE OF CONTRACT: WIC special infant formula
PURCHASE METHOD: Sole Source
COMMENTS: MDOH is requesting an increase of \$500,000 (from total \$2,000,000 to a new total of \$2,500,000) in their previously approved contract for purchase of special infant formula for infants and children enrolled in the federally funded WIC program through the remainder of the Federal Fiscal Year 2015. This sole source contract was originally approved by PPRB in meeting held on October 1, 2014. Mead Johnson is the sole manufacturer of the concentrated formulas that are prescribed by physicians. Without this contract adjustment, WIC will not be able to provide these medically necessary products to eligible infants and children.
COMPLIANCE WITH PROCEDURES (YES, NO): Yes
If no, explanation:

ADDITIONAL COMMENTS IF NEEDED: Based on the information submitted by the Agency, we ask for the Board's approval contingent upon the issuance of a purchase order or an award letter by the agency.

3. **REQUESTING AGENCY:** MS Dept. of Transportation

SUPPLIER: Vulcan Signs

MAGIC NUMBER: 8200019983

AMOUNT OF CONTRACT: \$556,250.00

TERM OF CONTRACT: July 21, 2015 through 6-30-2016

SCOPE OF CONTRACT: MDOT agency contract for aluminum sign blanks through 6-30-16.

PURCHASE METHOD: Competitively bid contract

COMMENTS: MDOT has competitively bid this agency contract for aluminum sign blanks needed for the current fiscal year based on the estimated annual average usage over the last 5 years. \$556,250.00 is the estimated dollar amount estimated usage the one year. MDOT is awarding to the low bidder meeting bid specifications.

COMPLIANCE WITH PROCEDURES (YES, NO): Yes

If no, explanation:

ADDITIONAL COMMENTS IF NEEDED: Based on the information submitted by the Agency, we ask for the Board's approval contingent upon the issuance of a purchase order or an award letter by the agency.

4. **REQUESTING AGENCY:** Mississippi Department of Transportation

SUPPLIERS: Butch Oustalet Ford

MAGIC NUMBERS: 17 different contracts

AMOUNT OF CONTRACTS: \$982,652.00

TERM OF CONTRACT: One time purchase orders.

SCOPE OF CONTRACT: Purchase of State contract vehicles

PURCHASE METHOD: State Contract

COMMENTS: The Mississippi Department of Transportation is purchasing 43 vehicles from Butch Oustalet Ford. All vehicles that are being purchased are on state contract and all are replacements for existing inventory. There are no additions to the fleet. All of the vehicles being replaced meet the state approved criteria for replacement (6 years/120,000 miles).

COMPLIANCE WITH PROCEDURES (YES, NO): Yes

If no, explanation:

ADDITIONAL COMMENTS IF NEEDED: Based on the information submitted by the Agency, we ask for the Board's approval to purchase these vehicles.

AGENDA

PUBLIC PROCUREMENT REVIEW BOARD

TUESDAY, JULY 21, 2015

BID AWARD FOR PPRB APPROVAL

GS# 507-044

North Mississippi Veterans Memorial Cemetery

Mississippi State Veterans Affairs Board

The Bureau of Building, Grounds and Real Property Management requests approval of the following: Award to Malouf Construction, LLC, Greenwood, Mississippi, in the amount of \$5,368,083.00 (Lowest Responsive of 5 bids received) (The low bidder and the second low bidder were deemed non-responsive because they did not include a required completed "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion" (Form VA 40-0895-12).

AGENDA
PUBLIC PROCUREMENT REVIEW BOARD
SPECIAL MEETING
TUESDAY, JULY 21, 2015

GS# 352-022

Fire Damage Repairs (EMER)

Central High School (Office of Capitol Facilities)

(Department of Finance and Administration)

The Office of Capitol Facilities is requesting assistance from the Department of Finance and Administration / Bureau of Building, Grounds and Real Property Management, regarding damages due to a fire at the Marriott Hotel on July 19th which damaged the adjacent Central High School Building due to the intense heat and subsequent discharge of the fire sprinkler. The Office of Capitol Facilities is requesting approval for expenditure from the Capital Expense Fund for FY16; and, proceeding with project for said emergency, with the Professional obtaining bids in the above mentioned project.

NOTE: Code 27-103-303 allows up to \$500,000.00 for any single emergency with a cap of \$2,000,000.00 per fiscal year. This request is for \$500,000.00 of the FY16 Capital Expense Funds. The Office of Capitol Facilities Declaration is attached. The Department of Finance and Administration Emergency Certificate is attached. Letters have been drafted for distribution to the seven entities named in the statute for notification of expenditure from the Capital Expense Fund.



STATE OF MISSISSIPPI
GOVERNOR PHIL BRYANT

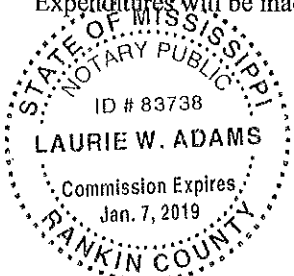
DEPARTMENT OF FINANCE AND ADMINISTRATION

KEVIN J. UPCHURCH
EXECUTIVE DIRECTOR

DFA DECLARATION OF EMERGENCY CERTIFICATE

I, Kevin J. Upchurch., Executive Director of the Department of Finance and Administration, do hereby make the following findings and declarations pursuant to authority provided in Sections 31-7-1(f) and 31-7-13 (j), *Mississippi Code of 1972*:

- (1) An emergency is being declared as set forth below regarding damages due to a fire at the Marriott Hotel on July 19th which damaged the adjacent Central High School Building due to the intense heat and subsequent discharge of the fire sprinkler.
- (2) In the opinion of the Department of Finance and Administration, the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the State. This is based on letter serving as the Declaration of Emergency from Roe Grubbs, Director of the Office of Capitol Facilities, dated July 21, 2015.
- (3) As per Section 31-7-13(j), Mississippi Code of 1972, . . . *If the governing board or the executive head, or his designee, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the provisions herein for competitive bidding shall not apply . . .*
- (4) As per Section 31-7-1(f), Mississippi Code of 1972, "Emergency" shall mean . . . *any circumstances . . . when the immediate preservation of order or of public health is necessary . . . or when immediate restoration of a condition of usefulness of any public building . . . appears advisable . . . or when the delay incident to obtaining competitive bids could cause adverse impact upon the governing authorities or agency, its employees, or its citizens . . .*
- (5) The repairs and replacements are being processed under GS Number 352-022 entitled "Fire Damage Repairs (EMER)" for the Office of Capitol Facilities.
- (6) The procedures provided in the Bureau of Building, Grounds and Real Property Management Procedure Manual regarding emergencies are being complied with, as well as the Code Sections referenced above.
- (7) Procedures for obtaining bids will now commence between the Bureau of Building Grounds and Real Property Management, the Professional, and the Using Agency, for subject project.
- (8) Expenditures will be made from FY16 Emergency Capital Expense Fund.



Kevin J. Upchurch

Kevin J. Upchurch, Executive Director
Department of Finance and Administration

Date: July 21, 2015

Sworn to and subscribed to before me, the undersigned Notary, on this the 21st day of July, 2015.

Laurie W. Adams, Notary

My Commission Expires: 1-7-2019



STATE OF MISSISSIPPI
PHIL BRYANT, GOVERNOR

DEPARTMENT OF FINANCE AND ADMINISTRATION
KEVIN J. UPCHURCH
EXECUTIVE DIRECTOR

Mr. Kornbrek,

Due to a fire at the Marriott Hotel on July 19th, the adjacent Central High School Building was damaged from the intense heat and subsequent discharge of the fire sprinkler system. The damage includes, but is not limited to, the following items,

1. Replacement of glass and windows on the south side of the building.
2. Replacement of carpet in affected areas.
3. Removal of moisture laden walls and ceiling in affected areas.
4. Replacement of furniture & equipment damaged by the sprinkler discharge.

Due to this damage, portions of the building have had to be evacuated and arrangements for temporary lease of space made. As delaying repair and mediation work to give opportunity for competitive bidding could lead to further degradation of this Mississippi Landmark, and as costs for temporary leased space will continue to mount daily, pursuant to Section 31-7-13(j), Mississippi Code 1972, Annotated, the Office of Capitol Facilities requests that an emergency be declared, a Bureau of Building project be initiated, and that \$500,000 be requisitioned from the Emergency Capital Expense Fund.

Sincerely,


Roe Grubbs

July 21, 2015