

PUBLIC PROCUREMENT REVIEW BOARD

SPECIAL MEETING

MONDAY, FEBRUARY 08, 2016

A special meeting of the Public Procurement Review Board (PPRB) was held at 10:00 a.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

Ms. Monica Ritchie, Director of the Office of Purchasing, Travel and Fleet Management, DFA
Mr. Mike Cook, Director of the Office of Purchasing and Travel, DFA
Ms. Regina Irvin, Staff Officer for the Office of Purchasing, Travel and Fleet Management, DFA
Mr. George Roberson, Insurance, DFA
Mr. Glenn Kornbrek, Director of the Bureau of Building, Grounds and Real Property Management, DFA
Mr. Kent Adams, Director of the Real Property Management, DFA
Ms. Romaine Richards, 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

Ms. Monica Ritchie presented the following:

1. Mississippi State University requested approval of a one-time purchase for dormitory furniture for two residence halls (Azalea & Dogwood). They received four bids, declared one as non-responsive and are awarding to the low bidder, Case Goods, in the amount of \$687,950.00. Mr. Phillips made a motion to approve this item contingent upon the issuance of a purchase order or an award letter by the agency to award this contract. Mr. Snowden seconded and the motion carried.
2. The Mississippi State Department of Health (MSDH) received two bids for bread for the WIC program. The lowest bid was \$1.24 per loaf. The next highest bid was \$1.50 per loaf. The contract will run through March 31, 2017. MSDH requested Board approval to award to Bimbo Bakeries, from April 1, 2016 – March 31, 2017, in the amount of \$1,358,071.56. Mr. Phillips made a motion to approve this item contingent upon the issuance of a purchase order or an award letter by the agency to award this contract. Mr. Snowden seconded and the motion carried.
3. The Mississippi Department of Health (MSDH) received three bids for fresh fruits and vegetables for the WIC program. MSDH requested Board approval to award to the lowest bidder, Gulf Coast Produce, from March 1, 2016 – February 28, 2017, in the amount of \$2,601,840.00. Mr. Phillips made a motion to approve this item contingent upon the issuance of a purchase order or an award letter by the agency to award this contract. Mr. Snowden seconded and the motion carried.
4. Mississippi State Hospital (MSH) solicited bids for personal care products. They are awarding to the low vendor. They also requested approval to deviate from Procurement Manual Regulation 4.104.01.2 (3) (a) "Brand Name Specification Use" due to requesting one brand name in their bid (for hair gel) without receiving prior approval from the Chief Procurement Officer, as required. They understand that they must seek approval prior to releasing a bid in the future. Mr. Phillips made a motion to approve the requested deviation and to allow the award contingent upon the

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issuance of a purchase order or an award letter by the agency to award this contract. Mr. Snowden seconded and the motion carried.

5. The University of Mississippi Medical Center (UMMC) requested approval to purchase dialysis supply disposables used with Baxter peritoneal dialysis cyclers and Icodextran fluid for use in its peritoneal home dialysis program. UMMC currently leases Baxter Home Choice and Baxter Home Choice Pro peritoneal dialysis cycler machines. In addition to the home dialysis program, UMMC also uses the Baxter Home Choice and Baxter Home Choice Pro peritoneal dialysis cycler machines for adult and pediatric inpatients. The disposables used with Baxter peritoneal dialysis cyclers and Icodextran fluid are proprietary to Baxter Healthcare Corporation and the only disposables that may be used with Baxter's cyclers. The Centers for Medical and Medicaid Services (CMS) requires a single supplier per patient and a written agreement with the approved CMS billing supplier on file. UMMC is not allowed to use distributorships for End Stage Renal Disease (ESRD) patients per these CMS Conditions of Coverage. Baxter Healthcare Corporation is an approved CMS Renal Vendor and must directly distribute its products to ESRD patients. Baxter Healthcare Corporation is the sole manufacturer and exclusive distributor of these products, and they are not available domestically from any other reseller pursuant to CMS rules. UMMC negotiated best possible pricing with Baxter Healthcare Corporation. All applicable discounts were explored and applied. The contract is for \$5,280,807.02, from February 8, 2016 thru November 30, 2018. Mr. Phillips made a motion to approve this item contingent upon the issuance of a purchase order or an award letter by the agency to award this contract. Mr. Snowden seconded and the motion carried.

6. Jackson State University (JSU) requested approval to purchase copiers from Xerox, in the amount of \$2,526,180.00, from February 8 – February 28, 2021. They negotiated their price within the state contract and are awarding to the lowest and best price. Mr. Phillips made a motion to approve this item contingent upon the issuance of a purchase order or an award letter by the agency to award this contract. Mr. Snowden seconded and the motion carried.

BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT


Leases

Mr. Snowden presented the following:

The Board reviewed a request for retro-active approval of a Lease Amendment to lease #235-253-16A between the Mississippi Department of Education and Hertz Clinton one, LLC for the property at 5100 Clinton Center Drive, Suite 2100, Clinton, Mississippi 39056. The amendment was to increase the leased space from 26,763 SqFt. @ \$19.00/SqFt to 38,082 SqFt @ \$19.00/SqFt. No other terms and conditions of the original lease have been amended. PPRB recommended writing a letter to the head of the agency. Mr. Snowden made the motion to approve as recommended by the Division of Real Property Management, contingent upon fully executed leases. Mr. Phillips 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 Monday, February 08, 2016, 10:00 a.m. in the
13th floor Conference Room
Woolfolk State Office Building

Agenda: Approval of a Lease for MDE and Miscellaneous

AGENDA

PUBLIC PROCUREMENT REVIEW BOARD

Special Meeting

10:00 a.m.

MONDAY, FEBRUARY 08, 2016

I. OFFICE OF PURCHASING, TRAVEL AND FLEET MANAGEMENT

Ms. Monica Ritchie, Director of the Office of Purchasing and Travel, presents the following:

- 1 contract for Mississippi State University (MSU)
- 2 contract for Mississippi State Department of Health (MSDH)
- 1 contract for Mississippi State Hospital (MSH)
- 1 contract for the University of Mississippi Medical Center (UMMC)
- 1 contract for Jackson State University (JSU)

II. BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT

Mr. Rick Snowden, Deputy Executive Director of the Department of Finance and Administration presents the following:

- Lease Amendment for Mississippi Department of Education (MDE)

III. NEXT MEETING DATE

Regular Meeting, Wednesday, March 02, 2016

**OFFICE OF PURCHASING AND TRAVEL
PUBLIC PROCUREMENT REVIEW BOARD
SPECIAL MEETING AGENDA
FEBRUARY 8, 2016**

- 1. REQUESTING AGENCY:** Mississippi State University
SUPPLIER: Case Goods
MAGIC CONTRACT #: 8200023087
AMOUNT OF CONTRACT: \$687,950.00
TERM OF CONTRACT: one time purchase
SCOPE OF CONTRACT: Dormitory Furniture
PURCHASE METHOD: Competitive Bid
COMMENTS: Mississippi State solicited bids for dormitory furniture for two residence halls (Azalea & Dogwood). They received four bids, declared one as non-responsive and are awarding to low.
COMPLIANCE WITH PROCEDURES (YES, NO): Yes
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 to approve this increase.

- 2. REQUESTING AGENCY:** Mississippi State Department of Health
SUPPLIER: Bimbo Bakeries
MAGIC CONTRACT #: 8200023477
AMOUNT OF CONTRACT: \$1,358,071.56
TERM OF CONTRACT: April 1, 2016 – March 31, 2017
SCOPE OF CONTRACT: loaf bread WIC program Sara Lee 100% Whole Wheat 16oz
PURCHASE METHOD: Competitive Bid
COMMENTS: MSDH received two bids for bread for the WIC program. The lowest bid was \$1.24 per loaf. The next highest bid was \$1.50 per loaf. This contract will run through March 31, 2017. MSDH is seeking Board approval to award to Bimbo Bakeries.
COMPLIANCE WITH PROCEDURES (YES, NO): Yes
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 to approve this increase.

3. **REQUESTING AGENCY:** Mississippi State Department of Health
SUPPLIER: Gulf Coast Produce
MAGIC CONTRACT #: 8200023355
AMOUNT OF CONTRACT: \$2,601,840.00
TERM OF CONTRACT: March 1, 2016 –February 28, 2017
SCOPE OF CONTRACT: Fresh Fruits & Vegetables
PURCHASE METHOD: Competitive Bid
COMMENTS: MSDH received three bids for fresh fruits and vegetables the WIC program. MSDH is requesting Board approval to award to the lowest bidder, Gulf Coast Produce.
COMPLIANCE WITH PROCEDURES (YES, NO): Yes
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 to approve this increase.
4. **REQUESTING AGENCY:** Mississippi State Hospital
SUPPLIER: Health-care Equipment & Parts Co.
MAGIC CONTRACT #: 8200023222
AMOUNT OF CONTRACT: \$65,474.06
TERM OF CONTRACT: February 8 – January 31, 2018
SCOPE OF CONTRACT: Personal Care Supplies
PURCHASE METHOD: Competitive Bid
COMMENTS: MSH solicited bids for personal care products. They are awarding to the low vendor. They are also requesting approval to deviate from Procurement Manual Regulation 4.104.01.2 (3) (a) "Brand Name Specification Use" due to requesting one brand name in their bid (for hair gel) without receiving prior approval from the Chief Procurement Officer, as required. They understand that they must seek approval prior to releasing a bid in the future.
COMPLIANCE WITH PROCEDURES (YES, NO): No, they are asking to deviate from a regulation after the fact but if approved by the Board, they will be in compliance with procedures.
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 to approve this increase.

5. **REQUESTING AGENCY:** University of Mississippi Medical Center
SUPPLIER: Baxter Healthcare Corporation
MAGIC NUMBER: 8800004915
AMOUNT OF CONTRACT: \$5,280,807.02 (based on historical projected patient volume)
TERM OF CONTRACT: February 8, 2016 thru November 30, 2018
SCOPE OF CONTRACT: Dialysis supplies
PURCHASE METHOD: Sole Source
COMMENTS: This contract has already received IHL Board on January 21, 2016. The University of Mississippi Medical Center seeks to purchase dialysis supply disposables used with Baxter peritoneal dialysis cyclers and Icodextran fluid for use in its peritoneal home dialysis program. UMMC currently leases Baxter Home Choice and Baxter Home Choice Pro peritoneal dialysis cycler machines. In addition to the home dialysis program, UMMC also uses the Baxter Home Choice and Baxter Home Choice Pro peritoneal dialysis cycler machines for adult and pediatric inpatients. The disposables used with Baxter peritoneal dialysis cyclers and Icodextran fluid are proprietary to Baxter Healthcare Corporation and the only disposables that may be used with Baxter's cyclers. The Centers for Medical and Medicaid Services (CMS) requires a single supplier per patient and a written agreement with the approved CMS billing supplier on file. UMMC is not allowed to use distributorships for End Stage Renal Disease (ESRD) patients per these CMS Conditions of Coverage. Baxter Healthcare Corporation is an approved CMS Renal Vendor and must directly distribute its products to ESRD patients. Baxter Healthcare Corporation is the sole manufacturer and exclusive distributor of these products, and they are not available domestically from any other reseller pursuant to CMS rules.
UMMC negotiated best possible pricing with Baxter Healthcare Corporation. All applicable discounts were explored and applied.
COMPLIANCE WITH PROCEDURES (YES, NO): Yes
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 to approve this increase.
6. **REQUESTING AGENCY:** Jackson State University
SUPPLIER: Xerox
MAGIC CONTRACT #: 8200023077
AMOUNT OF CONTRACT: \$2,526,180.00
TERM OF CONTRACT: February 8 – February 28, 2021
SCOPE OF CONTRACT: state contract copiers
PURCHASE METHOD: State Contract
COMMENTS: Jackson State University is requesting approval to award their campus copiers to Xerox (Berney's Office Solutions). They negotiated their price within the state contract and are awarding to the lowest and best price.
COMPLIANCE WITH PROCEDURES (YES, NO): Yes
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 to approve this increase.

AGENDA

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Lease Amendment for Approval

The Bureau of Building, Grounds and Real Property Management requests retro-active approval of an amendment to lease #235-253-16A between the Mississippi Department of Education and Hertz Clinton one, LLC for the property at 5100 Clinton Center Drive, Suite 2100, Clinton, Mississippi 39056. The amendment is to increase the leased space from 26,763 SqFt @ \$19.00/SqFt to 38,082 SqFt @ \$19.00/SqFt. No other terms and conditions of the original lease have been amended.