

PUBLIC PROCUREMENT REVIEW BOARD

SPECIAL MEETING

WEDNESDAY, MAY 31, 2017

A special meeting of the Public Procurement Review Board (PPRB) was scheduled for 2:30 p.m. in the 13th floor Conference Room of the Woolfolk State Office Building located in Jackson, Mississippi.

PRESENT

Mrs. Laura D. Jackson, Chairman
Mr. Brian Pugh, Vice Chairman
Mr. Charles R. Snowden, Member

OTHERS

Mr. Ross Campbell, Director of Marketing and Audit, DFA
Mr. Glenn Kornbrek, Director of the Bureau of Building, Grounds and Real Property Management, DFA
Ms. Melody Coulson, PPRB Recorder

VIA PHONE

Faye James, MDMR
Mandy Mitchell, MDMR
Erin Gallagher, MDMR

The Chairman called the meeting to order.

OFFICE OF PURCHASING, TRAVEL AND FLEET MANAGEMENT (OPTFM)

Mr. Cook presented the following:

1. Mississippi State University (MSU) – Award to Intirion Corp, dba Micro-Fridge, in the amount of \$555,148.00 for One (1) Year (05/22/2017 – 04/26/2018) for Six hundred and twenty (620) – Microwave/Refrigerator Combination units. Mr. Pugh made a motion to approve 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. Mississippi Department of Marine Resources (MDMR) – Award to Spat-Tech of Mississippi, LLC, in the amount of \$3,900,000.00 for Seven (7) Months (05/31/2017- 12/31/2017) for Purchase and Deployment of Live Oysters. Mr. Snowden made a motion to approve contingent upon the issuance of a purchase order or an award letter by the Agency. Mr. Pugh seconded and the motion carried

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


Mr. Kornbrek presented the following:

- Bid Award on GS#106-257 Edna Horton Renovation, Mississippi Valley State University, Award to: Timbo's Construction Inc., Cleveland, Mississippi, in the amount of \$7,352,300.00 (Lowest of 5 bids received). Mr. Pugh 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.


Mrs. Laura D. Jackson


Mr. Brian Pugh


Mr. Charles R. Snowden



STATE OF MISSISSIPPI
GOVERNOR PHIL BRYANT

DEPARTMENT OF FINANCE AND ADMINISTRATION

LAURA D. JACKSON
EXECUTIVE DIRECTOR

NOTICE

A Special Meeting of the

PUBLIC PROCUREMENT REVIEW BOARD

will be held Wednesday, May 31, 2017
2:30 p.m. in the
13th floor Conference Room
Woolfolk State Office Building

- Request for approval of contracts for OPTFM and miscellaneous

AGENDA

PUBLIC PROCUREMENT REVIEW BOARD Special Meeting 2:30 p.m.

WEDNESDAY, MAY 31, 2017

I. OFFICE OF PURCHASING, TRAVEL AND FLEET MANAGEMENT (OPTFM)

Mr. Ross Campbell, Director of Marketing and Audit, presents the following:

- 1 contract for Mississippi State University (MSU)
- 1 contract for Mississippi Department of Marine Resources (MDMR)

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

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

- Bid Award on GS#106-257 Edna Horton Renovation, Mississippi Valley State University

III. NEXT MEETING DATE

Regular Meeting, Wednesday, June 07, 2017

**OFFICE OF PURCHASING AND TRAVEL
PUBLIC PROCUREMENT REVIEW BOARD
SPECIAL MEETING AGENDA
May 31, 2017**

- 1. REQUESTING AGENCY:** Mississippi State University (MSU)
SUPPLIER: Intirion Corp, dba Micro-Fridge
MAGIC NUMBER: 8200032155
AMOUNT OF CONTRACT: \$555,148.00
TERM OF CONTRACT: One (1) Year (05/22/2017 – 04/26/2018)
SCOPE OF CONTRACT: Six hundred and twenty (620) - Microwave/Refrigerator Combination units.
PURCHASE METHOD: Competitive RFx
COMMENTS: MSU solicited bids for the purchase of Six hundred and twenty (620) - microwave/refrigerator combination units. One (1) response was received. No protests were received. MSU is requesting the Board's approval to award a contract to the vendor that meets the specifications and bid requirements. This item was originally presented to PPRB on May 22, 2017, and a motion to table was entered and OPTFM was asked to request more information from MSU. . *See attached response from MSU regarding the bid process of the large combo units.*
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.
- 2. REQUESTING AGENCY:** Mississippi Department of Marine Resources (MDMR)
SUPPLIER(S): Spat-Tech of Mississippi, LLC
MAGIC NUMBER: 8200032083
AMOUNT OF CONTRACT: \$3,900,000.00
TERM OF CONTRACT: Seven (7) Months (05/31/2017- 12/31/2017)
SCOPE OF CONTRACT: Purchase and Deployment of Live Oysters
PURCHASE METHOD: Statutory Exemption
COMMENTS: MDMR is requesting a Special PPRB meeting (see the attached letters) for the purchase and deployment of live oysters. MDMR Will use Hatchery technology for the growth of high density oyster spat (oyster larvae) on fossilized shell. Once the oysters have grown to a pre-designed size, the live oysters are transported and deployed into the Mississippi Sound.
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.

Response to PPRB questions related to Housing request

Why MSU must have a combo refrigerator/freezer/microwave rather than less expensive separate units?

The units selected use “one-plug” technology which increases safety while increasing energy efficiency. The “one-plug” design shuts down the refrigerator compressor when the microwave is turned on, decreasing the load on circuits which is especially important in our renovated halls. Additionally, the microwave is affixed to the top of the refrigerator reducing the chance of it being knocked off or moved to a less safe location in the room. We also save on the installation cost as it would increase if MSU purchased the refrigerator and microwave units separately.

Why did MSU specify such large units in their bid rather than smaller units which are less expensive?

The large units are consistent with the current larger sizes already used in all new and most of our renovated residence halls. In our current housing stock, approximately 84% of our bedrooms already have the larger size units. The smaller units are not providing residents their desired storage space.

MSU did follow regulations for the bid, but why did MSU only receive one bid for common appliances? Did you not notify or contact multiple responsive bidders about the bid?

We bid this project twice in hopes of receiving more responses. The first time we combined two of our residence halls into one bid asking for two different sized combination units. A smaller size for one of our older halls and this larger size for the newer hall. After that bid opened, we realized that vendors had difficulty bidding on both sizes as, it was determined, not all vendors carried both sizes. We canceled the original bid and then separated the unit sizes in the hopes of attracting more attention. The second time we received multiple bids for the smaller units (the bid totaled \$35,035.20) but did only receive the one bid for this purchase under consideration. Both times the following vendors were sent a copy of the bid request(s): Microfridge, Bedloft, AJ Madison, Living Direct, Inc., Campus Specialties, EdgeStar Products, and Summit Appliance.



STATE OF MISSISSIPPI

Phil Bryant

Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Jamie M. Miller, Executive Director

May 23, 2017

Laura Jackson, Executive Director
Chairman, Public Procurement Review Board
701 Woolfolk Building, Suite A
501 N. West Street
Jackson, MS 39201

***Re: Request to call a Special Meeting of the PPRB to Consider Contract No. 8200032083
Growth and Deployment of High-Density Oyster Spat***

Dear Ms. Jackson:

The Mississippi Department of Marine Resources (MDMR) requests a special meeting of the Public Procurement Review Board for consideration of its procurement of Contract No. 8200032083 between the MDMR and Spat-Tech of Mississippi, LLC for the spawning, growth and deployment of live oysters. The procurement was conducted under **Section 3.101.02 (12) Exemptions Not Requiring Approval, Subsection (12) -Live Animals**. The award of this contract, without further delay, is necessary to protect substantial interests of the State of Mississippi as explained below.

In February 2015, Governor Phil Bryant issued Executive Order 1350, creating the Governor's Oyster Restoration and Resiliency Council. The Oyster Council was charged with generating a report that captures, develops and organizes recommendations, projects and programs for the restoration and resiliency of the oyster resource and industry. One of the Oyster Council's recommendations was to restore and improve existing public reefs.

This contract is unique in that live juvenile oysters are attached to cultch material prior to the final deployment. This new technique creates a much higher survival success of juvenile oysters resulting in increased oyster production. I must emphasize the importance of using Mississippi oysters to spawn and create the live juvenile oysters. Live oysters from other areas or regions will not have the heretic basis to be properly acclimated to the Mississippi Sound where the final deployment will be located.

The award of this contract without delay, is necessary to protect substantial interests of the State of Mississippi. If you have any questions or would like to discuss this request, please contact me or Erin Gallagher, Procurement Director @ Erin.Gallagher@dmr.ms.gov.

In appreciation,



Jamie M. Miller
Executive Director

Cc: Aubrey Leigh Goodwin



STATE OF MISSISSIPPI

Phil Bryant
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Jamie M. Miller, Executive Director

May 23, 2017

Director of Purchasing, Travel and Fleet Management
701 Woolfolk Building, Suite A
501 N West Street
Jackson, MS 39201

Re: Contract 8200032083

Dear Ms. Goodwin:

The Mississippi Department of Marine Resources requests your approval of a contract for the purchase and deployment of live oysters. This contract is necessary for MDMR to carry out its mission to enhance the oyster population.

This contract for live oyster spat (juvenile oysters) will require them to be attached to cultch material prior to the final deployment. This new technique creates a much higher survival success of juvenile oysters resulting in increased oyster production. I must emphasize the importance of using Mississippi oysters to spawn and create the oyster larvae. Live oysters from other areas will not have the heretic basis to be properly acclimated to the Mississippi Sound where the final deployment will be located.

If you have any questions or would like to discuss this request, please contact Erin Gallagher, Procurement Director @ 228 523-4147 or by email Erin.Gallagher@dmr.ms.gov.

In appreciation,

A handwritten signature in blue ink that reads "Jamie M. Miller".

Jamie M. Miller
Executive Director



STATE OF MISSISSIPPI

Phil Bryant
Governor

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

Jamie M. Miller, Executive Director

May 26, 2017

Laura Jackson, Executive Director
Chairman, Public Procurement Review Board
701 Woolfolk Building, Suite A
501 N. West Street
Jackson, MS 39201

Re: Procurement Information for Contract 8200032083

Dear Ms. Jackson:

Mississippi's oyster industry has been devastated by a series of natural and man-made disasters over the past decade. In 2015, Governor Phil Bryant issued Executive Order 1350 to establish a Governor's Oyster Restoration and Resiliency Council (Governor's Oyster Council). The final report was submitted in June 2015 and outlined several recommendations for the recovery of Mississippi's oyster resources and the industry. A key element of the plan is to grow live oysters through aquaculture. The Mississippi Department of Marine Resources (MDMR) has made great progress in accomplishing the goal of the Governor's Oyster Council plan.

The Mississippi Legislature committed funds during the 2016 regular session to initiate Phase I of a oyster restoration demonstration project that included the hatching and growing live oysters through aquaculture. Additionally, Governor Bryant committed \$8 million of RESTORE Act funds to purchase an oyster hatchery. The 2017 regular session of the Mississippi legislature concluded with the signing SB 3015, Section 17, with the purpose of carrying out Phase II of the Mississippi Oyster Restoration Project in the Mississippi Sound. Specifically, \$3,000,000.00 was appropriated from the Budget Contingency Fund for the immediate deployment of live oysters to Mississippi oyster reefs.

The selected vendor, Spat –Tech of Mississippi, LLC currently owns and operates the only Mississippi based hatchery. The vendor met with the MDMR Executive Director, and presented information on the use of oyster aquaculture for large scale oyster restoration however, MDMR did not have available funding at that time. Therefore, no offer or agreement was entered into by MDMR. Upon funding becoming available, MDMR began negotiations with the only capable vendor to provide live oysters using oyster aquaculture that would provide the best results for deploying live oysters. Spat – Tech of Mississippi, LLC was subsequently selected as the contractor. The details of the selection process are described below.

This contract is unique in that live juvenile oysters are attached to cultch material prior to the final deployment. This technique creates a much higher survival success of juvenile oysters resulting in increased oyster production. According to the Marine Fisheries subject matter experts (SMEs), the use of Mississippi brood stock oysters to spawn and create the oyster larvae is essential to oyster survival upon deployment into the Mississippi Sound. Live oysters from other areas will not have the heretic basis to be properly acclimated to the Mississippi Sound where the final deployment will be located.

Although the procurement of live animals is exempt, to ensure reasonable and adequate competition the Procurement Office conducted research to identify and solicit additional sources. After conducting research in consultation with the SMEs, MDMR was unable to identify any vendors who had access to the Mississippi brood stock oyster larvae in quantities large enough to produce the required amount and density of 55,000 shells with spat per acre. This process will require multiple deployments ultimately covering 100 acres in the Mississippi Sound.

In order for the oysters to survive after deployment, the contractor must also be able to complete the multi-phase, large scale project within a short timeframe, therefore additional factors restricted the solicitation of additional sources. Factors included the need for access to the required technology, equipment, and facilities large enough to produce, spawn, grow, and safely transport and deploy such large quantities of premium fossilized shells with high density live oyster larvae.

If you have any questions or would like to discuss this request, please contact Erin Gallagher, Procurement Director @ 228 523-4147 or by email Erin.Gallagher@dmr.ms.gov.

In appreciation,


Jamie M. Miller
Executive Director

AGENDA

PUBLIC PROCUREMENT REVIEW BOARD

WEDNESDAY, MAY 31, 2017

BID AWARD FOR PPRB APPROVAL

GS# 106-257

Edna Horton Renovation

Mississippi Valley State University

(Itta Bena, Mississippi)

The Bureau of Building, Grounds and Real Property Management requests approval of the following: Award to Timbo's Construction Inc., Cleveland, Mississippi, in the amount of \$7,352,300.00 (Lowest of 5 bids received)

Bid Date:4/20/17

IHL Approval: 5/2/17