



MEETING Minutes
Wednesday, January 3, 2024
9:00 a.m.

Board Members: Rita Wray, Chair
David Russell, Vice-Chair
Billy Morehead
Norman McLeod
Liz Welch

Board Member Absent: Norman Katool

Staff Members: Brittney Thompson
Suzanne Hudson, Special Assistant Attorney General
Liz Bolin, General Counsel
Ross Campbell
Adrian Massey
Glenn Kornbrek
Kent Adams
Amelia Gamble
Carrie Boyd
Liz DeRouen
Shantina Christmas
Jonathan Dillard
Trina Kelly
Kimberly Burse
Angela Cooper

Staff Members Attending Via Teleconference:

LaShun Smith
Ashley Harrell
Preston L. Pierce
Easter Haimur
James Brabston
Ramona Jones
Shakrita Fields
Ashley Smith
Shannon Smith

Guests Attending Via Teleconference:

Cindy Gardner
Blake Branning
Cody Fisher
Bea Tolsdorf
Sterling Kidd
Anita Evans
Jennifer O. Wentworth
Janet Mcurtray
Duncan Stone
Mimi Speyerer
Harris Vanbuskirk
Charles Crawford
Dell S. Williams
Nancy B. Jones
Scott Clements
William I. Thompson
Chuck McGee
Scottie Jones
Vanessa X. Wilson
Sarah Durham
Aaron Lewis
Jennifer Mayfield
Joey Roberts
Shane Keil
Jennifer Fulcher
Katrina Hardy
Albert Galeas
Bryan C. Wardlaw
Kathryn Taylor
Cindy Freeman
Millissa Stork
Amelia Willis
Sonya Toaster
Kayla J. Mcknight
Misty A. Jenkins
Dakota Dale
Christopher Statham
Britney Wesley
LaShunda Williams
Aveleka Moore
Lee Shirley
Art Kennard
Millissa Stork
Kimberly Parker

Tricia Shannon
Jennifer R. Grant
Kimbley Hendrix
Laura L. Gibbes
Five (5) attendees were unidentified.

I. Call to Order

The meeting was called to order by Rita Wray Chair.

II. Approval of Minutes from the December 6, 2023 Public Procurement Review Board Meeting

Action: A motion was made by Mr. Russell made a motion to approve the Minutes from the December 6, 2023, PPRB Meeting as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

III. Approval of per diem and expenses for the January 3, 2024 meeting and for any additional expenses incurred prior to the February 7, 2024 meeting

Action: A motion was made by Mr. Morehead to approve per diem and expenses for the January 3, 2024, meeting and for any additional expenses incurred prior to the February 7, 2024, meeting. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

IV. Adoption of 2024 Meeting Dates

PPRB Meeting Date

January 3, 2024
February 7, 2024
March 6, 2024
April 3, 2024
May 1, 2024
June 5, 2024
July 3, 2024
August 7, 2024
September 4, 2024
October 2, 2024
November 6, 2024
December 4, 2024

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. Russell and unanimously approved by all members present.

V. Election of Officers

Action: Upon a nomination made by Mr. Morehead and seconded by Mr. McLeod, Mr. Russell was elected to serve as PPRB Chair for 2024 by all members present.

Action: Upon a nomination made by Mr. McLeod and seconded by Mr. Russell, Mr. Katool was elected to serve as PPRB Vice-Chair for 2024 by all members present.

VI. Reports

A. OPTFM Emergency Purchases Reported to the Board

The OPTFM Emergency Purchases Report is attached to these Minutes as **Attachment A.**

B. OPTFM Sole Source Purchases Reported to the Board

The OPTFM Sole Source Approvals Report is attached to these Minutes as **Attachment B.**

C. OPTFM Staff Approvals Reported to the Board

The OPTFM Staff Approvals Report is attached to these Minutes as **Attachment C.**

D. BOB Staff Approvals Reported to the Board

The BOB Staff Approvals Report is attached to these Minutes as **Attachment D.**

E. OPSCR Emergency Contracts Reported to the Board

The OPSCR Emergency Contracts Report is attached to these Minutes as **Attachment E.**

F. OPSCR Sole Source Contracts Reported to the Board

The OPSCR Sole Source Contracts Report is attached to these Minutes as **Attachment F.**

G. OPSCR Staff Approvals Reported to the Board

The OPSCR Staff Approvals Report is attached to these Minutes as **Attachment G.**

VII. DFA Office of Purchasing, Travel and Fleet Management (OPTFM)

A. Petitions for Relief from Reverse Auction

Items VII.A.1.i through VII.A.i.iv were presented together and voted together.

1. Governing Authorities

- i. Requesting Governing Authority:** Bay Saint Louis-Waveland School District
 - Supplier:** Unknown
 - Term:** One-time purchase
 - Commodities:** E-Rate Category 2 Project

Total Value: \$135,000.00 estimated

Summary of Request: Bay Saint Louis-Waveland 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 commodities and professional services. The District feels that competitive sealed bidding should be utilized to procure the project.

Staff Recommendation: OPTFM recommends approval of the exemption.

ii. **Requesting Governing Authority:** Forrest County Agricultural High School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$100,000.00 estimated

Summary of Request: Forrest County Agricultural High 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 commodities and professional services. The District feels that competitive sealed bidding should be utilized to procure the project.

Staff Recommendation: OPTFM recommends approval of the exemption.

iii. **Requesting Governing Authority:** Claiborne County School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$258,349.00 estimated

Summary of Request: Claiborne 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 commodities and professional services. The District feels that competitive sealed bidding should be utilized to procure the project.

Staff Recommendation: OPTFM recommends approval of the exemption.

iv. **Requesting Governing Authority:** Laurel School District

Supplier: Unknown

Term: One-time purchase

Commodities: E-Rate Category 2 Project

Total Value: \$95,000.00 estimated

Summary of Request: Laurel 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 commodities and professional services. The District feels that competitive sealed bidding should be utilized to procure the project.

Staff Recommendation: OPTFM recommends approval of the exemptions in Items VII.A.1.i through VII.A.1. iv.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented on Items VII.A.1.i through VII.A.1.iv. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

B. Consideration of State Agency Contracts for Board Action

1. Requesting Agency: Mississippi State University (MSU)

Supplier: Bruker Corporation

Contract #: 8200072460

Term: 1/3/2024 through 11/13/2024

Total Value: \$528,441.50

Summary of Request: MSU advertised for competitive sealed bids for an ultra-performance liquid chromatography system. MSU received three (3) responses from the solicitation. The lowest and second lowest bids did not meet specifications. MSU requests to award to Bruker Corporation, the third lowest bid which met specifications.

Staff Recommendation: OPTFM recommends approval of the contract.

Action: A motion was made by Mr. McLeod to approve the staff recommendation as presented. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

2. Requesting Agency: Mississippi State University (MSU)

Supplier: Sivad Inc.

Contract #: 8800009173

Term: 1/3/2024 through 11/5/2024

Total Value: \$700,000.00

Summary of Request: MSU is requesting approval of a sole source purchase for a connected smart manufacturing training system. MSU advertised in the newspaper and on the procurement portal per the Mississippi Procurement Manual. There were no objections received.

Staff Recommendation: OPTFM recommends approval of the contract.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. Russell and unanimously approved by all members present.

3. Requesting Agency: University of Southern Mississippi (USM)

Supplier: J&W Marine Enterprises Inc.

Contract #: 8200071165

Term: 1/3/2024 through 8/28/2024

Total Value: \$1,747,200.00

Summary of Request: USM advertised for sealed bids for the purchase of limestone to be used to create oyster reef plots. Two (2) vendors responded and USM wishes to award to the low bidder.

Staff Recommendation: OPTFM recommends approval of the contract.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

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

Suppliers: Scott Equipment Co LLC

Contract #: 8200070610

Term: 9/6/2023 through 7/31/2024

Total Value: \$1,806,250.00

Summary of Request: MDOT is requesting to renew the contract with Scott Equipment CO LLC for the purchase of self-propelled power brooms. The contract was approved by PPRB on 9/6/23. This will be the first of nine (9) possible six (6) month renewals.

Staff Recommendation: OPTFM recommends approval of the extension.

Action: A motion was made by Mr. Russell to approve the staff recommendation as presented. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

5. Requesting Agency: Mississippi Department Wildlife, Fisheries and Parks (MDWFP)

Supplier: Courtesy Motors

Contract #: 4000661697, 4000661429, 4000661472, 4000661421

Term: 9/6/2023 through 7/31/2024

Total Value: \$803,502.00

Summary of Request: MDWFP is requesting to amend the PO amounts that were approved by PPRB on December 6, 2023. There were items listed on the purchase orders that were not contract items and had to be removed. The total amount for the purchase orders are being decreased by \$11,890.00.

Staff Recommendation: OPTFM recommends approval of the amendment.

Action: A motion was made by Mr. Mcleod to approve the staff recommendation as presented. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

VIII. 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. Requesting Agency: Mississippi Department of Archives and History

Title: Grand Village of the Natchez Indians Improvements

Location: Natchez, Mississippi

Budget: \$19,139,691.00 (estimated fees \$1,189,691.00)

Funding Source: HB 1599, Laws of 2022 and HB 1612, Laws of 2023

Professional Fee Type: D+

Professional: Eley Guild Hardy Architects – Jackson, P.A.

NOTE: Professional was selected via publicly noticed competitive qualification-based selection process. Previous Professional selected at January 2023 PPRB was terminated for Convenience of Owner per 9.2 of Owner/Professional Agreement.

Scope: Architectural services for renovation and expansion of the interpretive center at the Grand Village of the Natchez Indians site in Natchez, Mississippi.

Staff Recommendation: BOB recommends PPRB approval, contingent upon a fully executed Contract.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as amended adding Fee Type per BOB and Board discussion to add further explanation in Note Paragraph. The motion was seconded by Mr. Russell and unanimously approved by all members present.

B. RPM Succeeding Leases

1. Requesting Agency: Mississippi Department of Education/Child Nutrition

Lease #: 235-251-29B

Lessor: Litchfield Carlisle, LLC.

Term: 05-01-2024 thru 04-30-2029

Total Yearly Cost: \$207,361.44

Cost PSF: \$12.54 Inclusive

Previous Cost PSF: \$11.04 Inclusive

Total Space Per Occupant: 241

Federal Funds: 79%

Square Footage Proposed: 16,536

Address of Property: 500 Greymont Avenue, Jackson, MS

Purpose of Lease: This houses the Child Nutrition division of the Department of Education.

Note: This is a five-year succeeding lease with no renewals. This agency has been at this location since 5-1-2011.

Staff Recommendations: RPM recommends the approval of this lease.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

2. Agency: Mississippi Bureau of Narcotics

Lease #: 580-361-28A

Lessor: Heritage Development, LLC.

Term: 01-03-2024 thru 12-31-2028

Total Yearly Cost: \$53,279.00

Cost PSF: \$18.18 Inclusive

Previous Yearly Cost: \$51,275.00

Previous Cost PSF: \$17.50 Inclusive

Total Space per Occupant: 209

Federal Funds: 0%

Square Footage Proposed: 2,930

Previous Square Footage: N/A

Address of Property: 312 Heritage Dr., Oxford, MS.

Purpose of Lease: This request is for space that will house the drug enforcement activities of the Oxford District Office/ Mississippi Bureau of Narcotics.

Note: This is a five-year succeeding lease with no renewals. This agency has been at this location since 12-01-2018.

Staff Recommendations: RPM recommends the approval of this lease.

Action: A motion was made by Mr. Russell to approve the staff recommendation as presented. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

C. RPM Amended Leases

1. Requesting Agency: Mississippi Development Authority

Lease #: 225-251-28A

Lessor: Douglas, Inc.

Term: 03-01-2024 thru 02-29-2028

Total Yearly Cost: \$30,000.00

Cost PSF: \$6.11 inclusive

Federal Funds: 0%

Square Footage Proposed: 4,909

Address of Property: 4225 Industrial Drive, Jackson, MS

Purpose of Lease: This facility receives and stores tourism brochures and other advertising information that is eventually distributed throughout the state via Douglas Express Delivery.

Note: This amendment extends this lease for four years. There are no renewals. This agency has leased this storage/delivery service area since 10-01-2015.

Staff Recommendations: RPM recommends the approval of this lease.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. Russell and unanimously approved by all members present.

D. Parchman Farming Lease Renewals

Quitman County

Tract	Lessee	Acres	Lease Amount	Year
1	Kellen Corbin	141.16	\$11,330.00	5/8

Sunflower County

Tract	Lessee	Acres	Lease Amount	Year
1	Josh Chandler	165.08	\$19,149.28	5/8
2/39	Roosevelt Jones	638.39	\$57,455.10	5/8
3	Wesley Chandler	469.66	\$61,000.00	5/8
4 fields 1, 2,3,11.	William Livingston	379.76	\$29,317.47	6/8
5	C & B Farms	329.00	\$41,500.00	4/8
6	Hunter Doty	294.62	\$44,487.62	6/8
10	C & B Farms	397.09	\$42,150.00	4/8
11	C & B Farms	429.00	\$45,650.00	4/8
12	C & B Farms	354.68	\$65,000.00	3/8
13	C & B Farms	335.83	\$61,510.00	3/8
14	C & B Farms	480.67	\$51,050.00	4/8
16	C & B Farms	295.17	\$31,550.00	3/8
18	Marcus Johnson	400.19	\$40,019.00	3/8
	Farms and Trucking			
19	C & B Farms	500.58	\$91,600.00	3/8
20	C & B Farms	278.69	\$51,200.00	3/8
21	C & B Farms	254.87	\$33,300.00	3/8
22	C & B Farms	328.40	\$28,229.26	5/8
23	C & B Farms	296.84	\$32,050.00	4/8
25	C & B Farms	369.00	\$40,150.00	4/8
30	C & B Farms	436.17	\$40,616.15	6/8
31	C & B Farms	440.56	\$42,734.00	6/8
32	Willie Nelson	298.32	\$25,357.72	6/8

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

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

E. Parchman Farming New Leases

Sunflower County

Tract	Winning Bidder	Acres	Lease Amount	Year
15	Gumbo Brothers Partnership	327.58	\$65,843.58	1/8
24	Gumbo Brothers Partnership.	101.51	\$15,297.55	1/8

Note: This request is based on recommendations from the Mississippi Department of Corrections, Mississippi State Penitentiary at Parchman, MS, and the Division of Agricultural Enterprises. MDOC requests PPRB approve the new leases listed above. These leases are presented for consideration from a bid that took place on 12-12-2023. There were no protests to the bid. This request is also contingent upon the execution of the farming lease contracts.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

F. Wildlife Farmland Lease:

Consider a request from the Mississippi Department of Wildlife, Fisheries and Parks, (MDWFP) to award the following new farmland WMA Lease for one year to Triple R Farms. A check for the full rent was delivered with the bid to MDWFP for the year 2024. This request from the MDWFP includes a lease for one (1) year in duration for grain crop only, with one (1) option to renew by mutual consent in writing by December 1st of the given year with payment for the renewal term received by MDWFP no later than December 1st of that given year.

Howard Miller WMA-Farms 1310 (Issaquena County)

Bid Date: December 21st, 2023, 11:00 a.m.

Acreage: 1,350±

Lessee: Lee Ross/Triple R Farms

Bid Amount: \$209,250.00

Note: Selection was based on the highest of two bids received.

Staff Recommendation: RPM recommends the approval of this new farmland lease.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

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

A. Petition for Relief from Competitive Sealed Bidding

1. Requesting Agency: Mississippi Development Authority

RFX Number: 3180002182

Procurement Request: Request for Proposals

Anticipated Term: One Year with Twelve Months in Any Combination of Renewals

Summary of Request: The Agency is seeking one Contractor to assist the Agency in gathering and analyzing data from various stakeholders in Mississippi's travel & tourism industry. Using this information, the Contractor will create a strategic tourism marketing plan for Visit Mississippi. The Agency contends the use of an Invitation for Bids (IFB) is not advantageous because the Agency needs to evaluate experience, capabilities, staffing, budget, and other factors. Offers will be evaluated on the following factors: Technical weighted at 36%, Management weighted at 29%, and Cost (Price) weighted at 35%.

Staff Recommendation: OPSCR recommends approval of this request.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

2. Requesting Agency: Mississippi Department of Child Protection Services

RFX Number: 3180002191

Procurement Request: Request for Qualifications

Anticipated Term: Three Years with Two Optional One-Year Renewals

Summary of Request: The Agency is seeking to procure the services of multiple vendors depending on availability of funding to provide sitting services. The selected Contractor(s) will provide services to youth in foster care with behavioral health or medical needs. The contract will allow for service delivery in high need counties including Harrison, Hancock, Jackson, Pearl River, Stone, George, and Hinds. The Agency contends the use of an Invitation for Bids (IFB) is neither practicable nor advantageous because the Agency needs the flexibility to identify qualified and capable professional nursing sitting services in order to make informed decisions for providing care to children and youth in MDCPS custody. The cost of service is not the most important factor. Offerors will be evaluated on the following factors: Technical weighted at 33%, Management weighted at 32%, and Cost (Price) weighted at 35%.

Staff Recommendation: OPSCR recommends approval of this request.

Action: A motion was made by Mr. Russell to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

3. **Requesting Agency:** Mississippi Department of Child Protection Services
RFx Number: 3180002192
Procurement Request: Request for Proposals
Anticipated Term: Three Years with Two Optional One-Year Renewals
Summary of Request: The Agency is seeking one Contractor to provide Independent Living Skills in major categories for youth ages 14-21 to transition to adulthood. The Agency contends the use of an Invitation for Bids is neither practicable nor advantageous because the Agency needs flexibility in selecting an offeror who can meet the specialized needs of youth with various education levels, prioritizing experience over price. Offerors will be evaluated on the following factors: Technical weighted at 33%, Management weighted at 32%, and Cost (Price) weighted at 35%.

Staff Recommendation: OPSCR recommends approval of this request.

Action: A motion was made by Mr. Mcleod to approve the staff recommendation as presented. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

4. **Requesting Agency:** Mississippi State Department of Health
RFx Number: 3180002181
Procurement Request: Request for Proposals
Anticipated Term: Three Years with Two Optional One-Year Renewals
Summary of Request: The Agency is seeking one Contractor to provide assistance to the Ryan White HIV/Aids Program to ensure compliance with the Health Resources and Services Administration requirements and federal Ryan White legislation. The Agency contends the use of an Invitation for Bids (IFB) is neither practicable nor advantageous because the Agency needs to evaluate based on technical experience. Price is not the most important factor to consider for these services. Offerors will be evaluated on the following factors: Technical weighted at 25%, Management weighted at 40%, and Cost (Price) weighted at 35%. Pursuant to Miss. Code Ann. § 31-7- 413(2)(iii), the Agency requests to evaluate Cost factors openly.

Staff Recommendation: OPSCR recommends approval of this request.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. Russell and unanimously approved by all members present.

A 10-minute recess was taken after the presentation of item IX.A.4.

B. Consideration of Contracts for Board Action

1. **Requesting Agency:** Mississippi Department of Child Protection Services
Supplier: Methodist Children's Homes of Mississippi, LLC
Contract #: 8200071785
Term: 11/08/2023 - 11/07/2024
Total Value: \$3,220,800.00
- Additional Spending Authority**
\$1,720,000.00

Summary of Request: The term of the contract is one year with two optional two-year renewals. The Contractor offers treatment services provided in a crisis residential setting to children who have been identified as being victim of human trafficking. The Contractor was selected through a Request for Qualifications with three respondents. Two respondents were deemed nonresponsive, and the contract was awarded to the highest scoring respondent.

Staff Recommendation: OPSCR recommends approval of this request.

Projected Budget for the Life of the Contract: \$5,162,400.00

Action: A motion was made by Mr. Mcleod to approve the staff recommendation as presented. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

2. Requesting Agency: Mississippi State Hospital

Supplier: Dr. Ralph Wayne Smith

Contract #: 8200072655

Term: 1/15/2024 - 1/14/2028

Total Value: \$618,800.00

**New
\$618,800.00**

Summary of Request: The term of the contract is four years with one optional renewal. Dr. Smith is an Independent Contractor that will serve as a Psychiatric/Physician Advisor who will provide professional Psychiatrist services. The Independent Contractor was selected through a Request for Qualifications (RFQ), being the sole respondent. Dr. Smith will be paid \$175.00 per hour and the rate shall be fixed and firm for the duration of the contract period.

Staff Recommendation: OPSCR recommends approval of this request.

Projected Budget for the Life of the Contract: \$773,500.00

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. Russell and unanimously approved by all members present.

3. Requesting Agency: Mississippi Department of Human Services

Supplier: Propio Language Services, LLC

Contract #: 8200049612

Term: 03/01/2020 – 02/28/2025

Total Value: \$180,000.00

**Renewal
\$0.00**

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 final 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: OPSCR recommends approval of this request.

Projected Budget for the Life of the Contract: \$180,000.00

Action: A motion was made by Mr. Mcleod to approve the staff recommendation as presented. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

4. Requesting Agency: Mississippi State Department of Health

Supplier: Douglas Express Delivery

Contract #: 8200054840

Term: 03/01/2020 – 02/28/2025

Total Value: \$2,986,272.00

**Renewal
\$780,000.00**

Summary of Request: The term of the contract is three years with two optional one-year renewals. Amendment One has been submitted to exercise the first renewal period. The Contractor provides courier services to Regional offices, County Health Departments, and specified Public Health Clinics/Offices throughout the state from Field locations back to the Mississippi State Department of Health Central Office in Jackson.

Staff Recommendation: OPSCR recommends approval of this request.

Projected Budget for the Life of the Contract: \$3,677,120.00

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

5. Requesting Agency: Mississippi Division of Medicaid

Supplier: University of Southern Mississippi, School of Social Work

Contract #: 8200067028

Term: 02/03/2023 – 02/02/2025

Total Value: \$559,902.00

**Modification
\$286,354.00**

Summary of Request: The term of the contract was one year with one optional one-year renewal. The Contractor provides training workshops, consultations, and technical assistance to assist in expanding a person-centered system of care in Mississippi. Amendment One has been submitted to exercise the optional renewal period as well as update the Cost for Services. Due to the increase of in-person requests, the Cost for Services increased to accommodate the travel and training space rentals.

Staff Recommendation: OPSCR recommends approval of this request.

Projected Budget for the Life of the Contract: \$559,902.00

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

6. Requesting Agency: Mississippi Department of Child Protection Services

Term: 01/15/2024 - 01/14/2025

Summary of Request: The term of each contract is one year with two optional two-year renewals. The Contractors will provide emergency care and treatment for special needs

children who are in MDCPS custody. These services will address behavioral, emotional, and medical issues, as well as discharge planning for reunification or adoption. The Contractors were selected through a (Request for Qualifications) RFQ with three respondents, resulting in the award of two contracts. One respondent was deemed non-responsive and non-responsible because their submission was incomplete, and the Agency was unable to reach the required number of references.

Supplier: Youth Villages

Contract #: 8200072631

Total Value: \$2,175,400.00

Projected Budget for the Life of the Contract: \$10,877,000.00

New
\$2,175,400.00

Supplier: The Devereaux Foundation

Contract #: 8200072632

Total Value: \$2,898,100.00

Projected Budget for the Life of the Contract: \$14,490,500.00

New
\$2,898,100.00

Staff Recommendation: OPSCR recommends approval of this request, contingent upon receipt of the required Certificates of Insurance.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

7. Requesting Agency: Mississippi Department of Corrections

Supplier: Crossroads Outreach Ministries, Inc.

Contract #: 8200044023

Term: 04/01/2019 – 03/31/2024

Total Value: \$644,700.00

Modification
\$26,020.00

Summary of Request: The term of the contract was three years with two optional one-year renewals. The Contractor provides transitional housing for individuals released from the custody of the Agency. Amendment Three has been submitted to increase the contract amount. During the previous renewal period, one vendor opted out of the renewal. As a result, more beds were needed at other facilities to cover this change. The contract amount was increased to accommodate the additional beds provided by this vendor. All other terms and conditions remain the same.

Staff Recommendation: OPSCR recommends approval of this request, contingent upon receipt of the required Certificate of Insurance.

Projected Budget for the Life of the Contract: \$644,700.00

Action: A motion was made by Mr. Russell to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

8. Requesting Agency: Mississippi Department of Corrections

Supplier: Sober Living Residential, LLC

Contract #: 8200044025

Term: 04/01/2019 – 03/31/2024

Total Value: \$855,060.00

Modification
\$76,300.00

Summary of Request: The term of the contract was three years with two optional one-year renewals. The Contractor provides transitional housing for individuals released from the custody of the Agency. Amendment Three has been submitted to increase the contract amount. During the previous renewal period, one vendor opted out of the renewal. As a result, more beds were needed at other facilities to cover this change. The contract amount was increased to accommodate the additional beds provided by this vendor. All other terms and conditions remain the same.

Staff Recommendation: OPSCR recommends approval of this request, contingent upon receipt of the required Certificate of Insurance.

Projected Budget for the Life of the Contract: \$855,060.00

Action: A motion was made by Mr. Russell to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

9. Requesting Agency: Mississippi Department of Archives and History

Supplier: Immerse Agency, LLC

Contract #: 8200072779

Term: 01/04/2024 – 01/03/2027

Total Value: \$1,490,000.00

New
\$1,490,000.00

Summary of Request: The term of the contract is 3 years with one optional one-year renewal. The Contractor will develop and implement an integrated marketing plan for museum sites overseen by MDAH. The Contractor was selected through a Request for Qualifications (RFQ) with 10 respondents. The contract was awarded to the highest scoring Respondent.

Staff Recommendation: OPSCR recommends approval of this request.

Projected Budget for the Life of the Contract: \$1,990,000.00

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

10. Requesting Agency: Mississippi Department of Rehabilitation Services

Supplier: Berry, Dunn, McNeil & Parker, LLC

Contract #: 8200072709

Term: 01/08/2024 – 01/07/2025

Total Value: \$275,103.00

New
\$275,103.00

Summary of Request: The term of the contract is one year with four optional one-year renewals. The Contractor is to provide professional services needed to create an all-inclusive Comprehensive Statewide Needs Assessment (CSNA) for the Offices of Vocational Rehabilitation, and Vocational Rehabilitation for the Blind. The Contractor was selected

through a Request for Proposals (RFP) with three respondents. The contract was awarded to the highest scoring Respondent.

Staff Recommendation: OPSCR recommends approval of this request.

Projected Budget for the Life of the Contract: \$275,103.00

Action: A motion was made by Mr. Russell to approve the staff recommendation as presented. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

11. Requesting Agency: Mississippi Department of Environmental Quality

Supplier: Center for Toxicology and Environmental Health, LLC

Contract #: 8200072567

Term: 02/01/2024 – 01/31/2028

Total Value: \$2,000,000.00

New

\$2,000,000.00

Summary of Request: The term of the contract is four years with one optional one-year renewal. The Contractor will provide MDEQ with professional scientific support for toxicology, response management, information technology, industrial hygiene, training, engineering support, legal support as necessary, risk assessment, and contaminated site solutions related to air monitoring services. The Contractor was selected through a Request for Qualifications (RFQ), being the sole respondent.

Staff Recommendation: Having received the required certification confirmation, OPSCR recommends approval of this request.

Projected Budget for the Life of the Contract: \$2,000,000.00

Action: A motion was made by Mr. Morehead to approve the staff recommendation as amended. The motion was seconded by Mr. McLeod and unanimously approved by all members present.

12. Requesting Agency: Mississippi Emergency Management Agency

Term: 02/06/2023 – 02/05/2025

Summary of Request: The term of the original contract was one year with four optional one-year renewals. Amendment One has been submitted to exercise the first renewal period. The Contractor provides continuation of technical assistance services to be performed during a disaster to ensure (FEMA) Federal Emergency Management Agency policies and regulations are followed in the event of federal disaster funding reimbursement. All other terms and conditions of the original contract remain the same.

Supplier: Tetra Tech, Inc.

Contract #: 8200066228

Total Value: \$3,000,000.00

Projected Budget for the Life of the Contract: \$3,000,000.00

Renewal

\$0.00

Supplier: TF Rankin & Associates, Inc.

Contract #: 8200066229

Renewal

Total Value: \$4,500,000.00
Projected Budget for the Life of the Contract: \$4,500,000.00

\$1,500,000.00

Supplier: Postlethwaite & Netteville, APAC
Contract #: 8200066240
Total Value: \$3,000,000.00
Projected Budget for the Life of the Contract: \$3,000,000.00

Renewal
\$0.00

Staff Recommendation: Having received the required certification confirmation OPSCR recommends approval of this request.

Action: A motion was made by Mr. Mcleod to approve the staff recommendation as amended. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

C. Motion to Stay Protest Appeal

- 1. Procuring Agency:** Mississippi Division of Medicaid
Services: Non-Emergency Medical Transportation
Intended Awardee: Modivcare Solutions, LLC
Protesting Party: Medical Transportation Management, Inc.
Procurement: IFB# 20230113 RFX# 3160005602

Summary: Medical Transportation Management, Inc. (MTM) protested the Notice of Intent to Award issued by the Mississippi Division of Medicaid in the above-referenced procurement. Medicaid issued its protest decision on October 4, 2023, and MTM then appealed to PPRB.

MTM requested a copy of Verida, Inc.'s bid through the Mississippi Public Records Act and Verida filed a petition for protective order in Hinds County Chancery Court. The court has not ruled on Verida's petition. Therefore, MTM's protest rights at the agency have not been exhausted pursuant to Rule 3-202.11.3 of the PPRB OPSCR Rules and Regulations.

Staff Recommendation: OPSCR recommends PPRB stay the protest appeal and enter a scheduling order as to when the stay will be lifted.

Responses in objection to the staff recommendation and the Board Order on the recommendation are attached to these Minutes as Attachment H.

Action: A motion was made by Mr. Morehead to approve the staff recommendation as presented. The motion was seconded by Mr. McLeod.

Action: A motion was made by Mr. Russell to close the meeting to deliberate whether or not to declare an executive session. The motion was seconded by Mr. Morehead and unanimously approved by all members present.

Close Session

Ms. Thompson excused the public so that the Board could consider going into Executive Session. Only DFA staff and Board members remained while Board members determined whether an executive session was appropriate.

Open Session

Action: Mr. Russell made a motion to go into Executive Session in accordance with Mississippi Code Section 25-41-7(4)(b) as strategy session with respect to prospective litigation where an open meeting would have detrimental effect on the litigating position of the Board. The motion was unanimously approved by all members present.

Executive Session

While the public was excused from the meeting, the Board discussion only the staff recommendation. The Board took no action in the executive session.

Open Session

Action: The Board voted unanimously to approve the staff recommendation, pursuant to the motion of Mr. Morehead and second by Mr. McLeod.

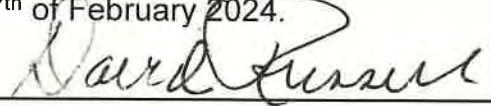
X. Other Business

A. Ms. Rita Wray announced the next Regular PPRB Meeting will be February 7, 2024 at 9:00 a.m.

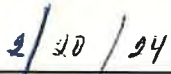
XI. Adjournment

Action: A motion was made by Mr. Morehead to adjourn. The motion was seconded by Mr. Russell and unanimously approved by all members present.

These Minutes of the Public Procurement Review Board were approved by the members on the 7th of February 2024.



David Russell, Chair



Date

Attachment A

OPTFM

Emergency Purchases Report

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Calendar Year 2023 Total (to date):

\$23,057,411.74

Emergency Contracts Reported January 3, 2024							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
4400005105	MDWFP	KIRK AUTO WORLD	(2) 2023 DODGE RAM	NEW	\$84,388.50	11/30/2023	11/30/2023
8400002796	MDOT	KIRK AUTO WORLD	(7) 2023 DODGE RAM 1500 QUAD CAB	NEW	\$275,800.00	11/19/2023	6/30/2024
8400002811	MDOT	KIRK AUTO WORLD	(4) 2023 DODGE RAM QUAD CAB	NEW	\$157,600.00	11/16/2023	11/15/2024
8400002807	MDWFP	KIRK AUTO WORLD	(14) 2023 DODGE RAMS	NEW	\$590,719.50	11/15/2023	11/13/2024
8400002802	MS VETERAN AFFAIRS	TERRY SERVICE INC	RENTAL OF TEMPORARY CHILLER	NEW	\$25,000.00	11/14/2023	12/14/2024
8400002804	MS VETERAN AFFAIRS	TERRY SERVICE INC	LABOR, PARTS, AND INSTALLATION SERVICES FOR THE AIR HANDLING UNITS.	NEW	\$110,000.00	11/11/2023	2/11/2024
8400002793	MVSU	BARLOW REFRIGERATION INC.	AC UNIT	NEW	\$7,100.00	11/7/2023	11/5/2024
4400005059	BOARD OF ANIMAL HEALTH	KIRK AUTO WORLD	(4) 2023 DODGE RAM 1500 AND (1) 2023 DODGE RAM 2500	NEW	\$205,713.00	11/3/2023	11/3/2023
Total for Report					\$1,456,321.00		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported December 6, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
4400005063	MS DEPT OF AG & COMMERCE	MCLARTY/GRAY DANIELS NISSAN	(2) 2023 NISSAN KICKS	NEW	\$48,636.00	10/31/2023	
4400005055	MS DEPT OF AG & COMMERCE	MCLARTY/GRAY DANIELS FORD	2023 FORD F250	NEW	\$66,611.70	10/25/2023	
8400002781	MS VETERAN AFFAIRS	SUDDEN SERVICE, INC	GENERATOR RENTAL-JACKSON VA HOME	MODIFICATION	\$42,989.00	10/10/2023	12/10/2023
Total for Report					\$2,047,060.00		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported November 1, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
4400005030	MS STATE HOSPITAL	BRANDON SERVICE CO., INC.	BOILER	NEW	\$28,532.60	9/29/2023	
8400002740	MS DEPT OF CORRECTIONS	MCCAIN ENGINEERING COMPANY INC	EMERGENCY CDC COEMERGENCY RENTAL OF BOILER	MOD	\$60,175.00	9/25/2023	9/23/2024
4400005000	MS DEPT OF CORRECTIONS	MCCAIN ENGINEERING COMPANY INC	EMERGENCY CDC COEMERGENCY RENTAL OF BOILER	NEW	\$0.00	9/25/2023	9/23/2024
4400004999	MS DEPT OF CORRECTIONS	MCCAIN ENGINEERING COMPANY INC	EMERGENCY CDC COEMERGENCY RENTAL OF BOILER	NEW	\$60,175.00	9/25/2023	9/23/2024
8400002737	MS DEPT OF HEALTH	MODERNA US, INC	EMERGENCY CDC CONTRACT COVID VACCINES	NEW	\$567,006.00	9/20/2023	6/6/2024
8200071529	MS DEPT OF AG & COMMERCE	CANNON WP LLC	(2) CHEVY COLORADO	NEW	\$78,805.00	9/19/2023	6/30/2024
8400002731	MS DEPT OF HEALTH	PFIZER INC	EMERGENCY CDC CONTRACT COVID VACCINES	NEW	\$521,365.40	9/15/2023	6/6/2024
8200071460	MS DEPT OF AG & COMMERCE	FOREST FORD INC	(3)2024 DODGE RAM 3500, (4) 2024 DODGE RAM 3500 CHASSIS CAB	NEW	\$318,451.00	9/13/2023	6/30/2024
8400002660	MDOT	AERIAL TRUCK EQUIPMENT	(2) 2023 FORD F-350	NEW	\$133,670.00	8/14/2023	8/12/2024
8400002650	MDOT	SCOTT POWERLINE & UTILITY	2024 65' PLATFORM LIFT TRUCK	NEW	\$278,880.00	7/18/2023	12/31/2023
Total for Report					\$2,047,060.00		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported October 4, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
4400004970	MS DEPT OF CORRECTIONS	GERRY LANE CDJR	2023 DODGE CHARGER	NEW	\$31,521.00	9/8/2023	
8200071353	MS DEPT OF CORRECTIONS	LANDER DODGE	3-2023 DODGE RAM	NEW	\$89,844.00	9/8/2023	
8200071317	MS DEPT OF AG & COMMERCE	ASHBURY/GRAY DANIELS	2-2023 NISSAN KICKS	NEW	\$48,636.00	9/7/2023	
4400004947	MS MILITARY DEPT	WALT MASSEY	3-2023 CHEVY COLORADO	NEW	\$131,175.00	9/5/2023	
8200071172	MS DEPT OF AG & COMMERCE	CANNON OF WEST POINT	2022 JEEP RENEGADE	NEW	\$30,120.00	8/31/2023	
8400002690	MS DEPT OF TRANSPORTATION	KIRK AUTO WORLD	DODGE RAM 1500	NEW	\$42,030.00	8/29/2023	
4400005000	MS DEPT OF CORRECTIONS	MCCAIN ENGINEERING COMPANY INC	EMERGENCY BOILER RENTAL FOR UNIT 29.	NEW	\$60,175.00		
4400004841	MS PUBIC BROADCASTING	MEDIA TRANSPORT SOLUTIONS, LLC	FIBER TRANSMITTER	MODIFICATION	\$93,108.60		
4400004844	MS PUBIC BROADCASTING	BROADSTREAM SOLUTION	EQUIPMENT AND INTERGRATION SERVICE FOR MASTER CONTROL	MODIFICATION	\$280,477.80		
4400004949	MS PUBIC BROADCASTING	MEDIA TRANSPORT SOLUTIONS, LLC	FIBER TRANSMITTER	MODIFICATION	\$16,385.00		
4400004960	MS PUBIC BROADCASTING	BROADSTREAM SOLUTION	EQUIPMENT AND INTERGRATION SERVICE FOR MASTER CONTROL	MODIFICATION	\$280,491.00		
Total for Report					\$1,103,963.40		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported September 6, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
8400002642	UMMC	PAUL MOAK AUTOMOTIVE	(2) 2023 HONDA ODYSSEY	NEW	\$79,192.50	7/31/2023	
4400004882	MDOC	GRAY DANIELS FORD LINCOLN	(2) 2023 FORD F250 EXT CAB 4WD, (2) 2023 FORD F250 RC 4X2, AND (5) FORD F150 4WD SUPER CREW	NEW	\$480,532.22	6/29/2023	
8400002548	MS DEPT OF REVENUE	SHAW MATERIAL HANDLING SYSTEMS	RACKING EXPANSION	MODIFICATION	\$90,000.00	5/15/2023	8/15/2023
8200067854	DPS	AXON ENTERPRISE INC	CONDUCTED ELECTRICAL WEAPONS & ACCESSORIES(TASERS)	NEW	\$603,538.52		
Total for Report					\$1,253,263.24		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported August 2, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
4400004847	NORTH MS REGIONAL CENTER	MODEL 1 COMMERCIAL VEHICLE	2023 FORD TRANSIT VAN	NEW	\$89,190.00	6/29/2023	
8400002611	MS PUBLIC BROADCASTING	BROADSTREAM SOLUTION	EQUIPMENT AND INTERGRATION SERVICE FOR MASTER CONTROL	MODIFICATION	\$0.00	6/13/2023	6/11/2024
Total for Report					\$89,190.00		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported July 5, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
8400002580	MDOT	WATERS TRUCK & TRACTOR	(2) 2023 FORD F350 14,000 GWR TRUCKS	NEW	\$117,860.00	6/19/2023	
8400002611	MS PUBLIC BROADCASTING	BROADSTREAM SOLUTION	EQUIPMENT AND INTERGRATION SERVICE FOR MASTER CONTROL	NEW	\$570,887.80	6/13/2023	6/11/2024
8400002566	MDOT	GLOBAL RENTAL	45 FT BUCKET TRUCK	NEW	\$151,303.00	6/8/2023	
8400002590	MS DEPT OF REVENUE	DRI-STICK DECAL CORPORATION	DISABILITY PLACARDS	NEW	\$374,000.00	6/5/2023	9/30/2023
8400002582	MS PUBLIC BROADCASTING	MEDIA TRANSPORT SOLUTIONS, LLC	FIBER TRANSMITTER	MODIFICATION	\$111,093.60	6/5/2023	6/3/2024
Total for Report					\$1,325,144.40		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported June 7, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
8400002535	MSDH	MERCK SHARP & DOHME LLC	CDC CONTRACT FLU VACCINE & VACCINES	MODIFICATION	\$3,515,024.00	5/17/2023	
8400002505	MSDH	GLAXOSMITHKLINE LLC	CDC CONTRACT FLU VACCINE & VACCINES	MODIFICATION	\$1,516,280.00	5/17/2023	
8400002548	MS DEPARTMENT OF REVENUE	SHAW MATERIAL HANDLING SYSTEMS	RACKING EXPANSION PROJECT	NEW	\$310,000.00	5/15/2023	7/21/2023
8400002536	MSDH	PFIZER INC	CDC CONTRACT VACCINES	MODIFICATION	\$842,580.00	5/12/2023	
8400002504	MSDH	SANOFI PASTEUR INC	EMERGENCY CDC CONTRACT FLU VACCINE	MODIFICATION	\$1,176,160.00	5/12/2023	
8400002540	MDOT	CANNON CCN	2023 CHEVY 3500	NEW	\$66,493.20	5/2/2023	
8400002522	MDOT	TRUCK EQUIPMENT SALES	2023 DODGE 3500	NEW	\$71,040.00	4/21/2023	
Total for Report					\$7,497,577.20		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported May 3, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
8400002530	MDOT	TRUCK EQUIPMENT SALES	(3) AERIEL BUCKET TRUCKS	NEW	\$606,618.00	4/14/2023	
4400004746	MS DEPT OF HUMAN SERVICES	KIRK AUTO WORLD	(18) DODGE DURANGO PPV	NEW	\$694,636.00	3/30/2023	
4400004744	HUDSPETH REGIONAL CENTER	CANNON FORD LINCOLN	(3) FORD TRANSIT VAN	NEW	\$198,015.00	3/24/2023	
Total for Report					\$1,499,269.00		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported April 5, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
8400002521	UMMC	MAC HAIK	(1) 2023 DODGE 5500 AND (5) DODGE 3500	NEW	\$431,000.00	3/22/2023	3/20/2024
4400004753	MS BOARD OF ANIMAL HEALTH	ENHANCED ENVIR & EMERG SRVS	PROTECTIVE MATERIALS FOR POULTRY DEPOPULATION	NEW	\$34,365.50	3/17/2023	
4400004730	MS DEPT OF AG & COMMERCE	BLACKBURN MOTOR CO	2022 DODGE RAM 2500	NEW	\$56,000.00	3/10/2023	
4400004732	MS DEPT OF AG & COMMERCE	BROWN CDJR	2022 DODGE RAM 2500	NEW	\$53,035.00	3/10/2023	
8400002504	MS DEPARTMENT OF HEALTH	SANOVI PASTEUR, INC.	FLU VACCINE	NEW	\$43,980.00	3/8/2023	3/6/2024
8400002505	MS DEPARTMENT OF HEALTH	GLAXOSMITHKLINE, LLC	FLU VACCINE	NEW	\$121,760.00	3/8/2023	3/6/2024
4400004712	MS BOARD OF ANIMAL HEALTH	CLIBURN TANK LINES, INC	CO2 FOR POULTRY DEPOPULATION	NEW	\$11,925.00	2/16/2023	
Total for Report					\$752,065.50		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported March 1, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
8400002470	MSU	COVINGTON FLOORING COMPANY, INC.	REPAIR OF FLOORING AT HUMP TYPE 1	NEW	\$206,542.00		
8400002225	MS DEPT OF REVENUE	SHAW MATERIAL HANDLING SYSTEMS	EXPAND ABCS CURRENT STORAGE RACKING SYSTEM FOR STORING ALCOHOLIC BEVERAGES AT THE ALCOHOLIC BEVERAGE CONTROL DISTRIBUTION CENTER	MODIFICATION	\$400,000.00		
8400002461	MVSU	GRAY'S REPAIR SERVICE	EMERGENCY REPAIRS DUE TO A BROKEN WATER LINE WHICH CAUSED THE CHILLER PLANT TO MALFUNCTION	NEW	\$7,000.00		
4400004700	MS BOARD OF ANIMAL HEALTH	KIRK AUTO WORLD	(2) 2022 DODGE RAM	NEW	\$69,240.00		
Total for Report					\$682,782.00		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported Feb 1, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
8400002460	UMMC	MAC HAIK	DODGE RAM 3500	NEW	\$72,000.00	1/20/2023	
8400002441	MDOT	AERIAL TRUCK EQUIP CO	FORD F550 BUCKET TRUCK	NEW	\$56,000.00	1/11/2023	
8400002442	MDOT	AERIAL TRUCK EQUIP CO	DODGE 5500 BUCKET TRUCK	NEW	\$69,640.00	1/11/2023	
4400004659	DPS	CARLOCK CDJR	(2) DODGE DURANGO	MODIFICATION	\$82,292.00	1/6/2023	
4400004655	MDWFP	CANNON CCN	(3) CHEVY TAHOE SSV	MODIFICATION	\$139,797.00	1/5/2023	
4400004652	MS BOARD OF ANIMAL HEALTH	CLIBURN TANK LINES, INC	CO2	NEW	\$12,800.00	12/12/2022	
Total for Report					\$432,529.00		

**OPTFM Emergency Contracts
Reported in the PPRB Minutes
Calendar Year 2023**

Emergency Contracts Reported Jan 4, 2023							
Contract #	Agency	Contractor	Commodity	Action	Amount	Start	End
8400002424	MDOT	WATERS TRUCK & TRACTOR	CAB & CHASSIS W/ DUMP BED	NEW	\$107,310.00	12/16/2022	
4400004641	DPS	JACKSON MAC HAIK	FORD EXPEDITION	NEW	\$65,545.00	12/13/2022	
4400004625	DPS	COURTESY MOTORS	(22) FORD EXPLORER PPV	NEW	\$879,780.00	12/8/2022	
4400004613	DPS	HERRIN GEAR	(2) CHEVY TAHOE	NEW	\$130,938.00	12/7/2022	
4400004614	DPS	ROGER DABBS CHEVROLET	2023 CHEVY TAHOE	NEW	\$61,390.00	12/6/2022	
4400004626	DPS	CANNON CCN	(2) CHEVY TAHOE LTZ	NEW	\$140,610.00	12/2/2022	
4400004627	DPS	MAC HAIK	DODGE DURANGO R/T RWD	NEW	\$51,719.00	12/2/2022	
4400004624	DPS	CANNON CCN	(15) CHEVY TAHOES	NEW	\$637,500.00	12/2/2022	
4400004463	DPS	ROYALS POWER SERVICES LLC	GENERATOR RENTAL AND LABOR	MODIFICATION	\$36,744.00	12/2/2022	
4000600944	DMR	LANDERS FORD SOUTH	FORD F250	NEW	\$33,526.00	12/1/2022	
4000600961	DMR	COURTESY MOTORS	FORD F150	NEW	\$35,900.00	12/1/2022	
4400004623	DPS	CANNON CCN	15 CHEVY TAHOES	NEW	\$690,225.00	11/28/2022	
Total for Report					\$2,871,187.00		

Attachment B

OPTFM

Sole Source Approvals

Public Procurement Review Board
OPTFM Sole Source Contracts
Calendar Year 2023

Calendar Year 2023 Total (to date):

\$13,975,524.66

SOLE SOURCE Contracts Reported JANUARY 3, 2024							
Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800009210	MS DEPT OF HEALTH	CRIBS FOR KIDS, INC.	NEW	SAFE SLEEP SURVIVAL SSS	\$12,600.00	12/13/2023	12/12/2024
8800009197	USM	SEA-BIRD ELECTRONICS INC.	NEW	CONDUCTIVITY TEMPERATURE DEPTH SYSTEM (CDT)	\$185,776.56	12/4/2023	12/3/2024
8800009196	MSU	TSI INCORPORATED	NEW	DIFFERENTIAL MOBILITY ANALYZER	\$41,700.00	12/1/2023	11/29/2024
8800009194	UMMC	10X GENOMICS	NEW	CYTASSIST AND CHROMIUM X INSTRUMENTS. ALL RELATED REAGENTS AND KITS	\$300,000.00	11/29/2023	11/27/2024
8800009185	MSU	C C LYNCH & ASSOCIATES, INC.	NEW	WATER QUANTITY/QUALITY AUTOSAMPLER	\$13,509.64	11/27/2023	11/25/2024
8800009193	UMMC	INNOVIVE, LLC	NEW	SIX (6) INDIVIDUALLY VENTILATED DISPOSABLE CAGE SYSTEMS	\$125,000.00	11/21/2023	11/19/2024
8800009191	MDOT	NAVIGATION ELECTRONICS INC	NEW	SURVEYING EQUIOMENT	\$180,971.95	11/20/2023	6/30/2024
8800009181	MS DEPT OF PUBLIC SAFETY	LIFE TECHNOLOGIES CORPORATION	NEW	HSD QS5 QUANITATION SYSTEM(DNA TEST) AND RELATED TO CONSUMABLES	\$136,074.76	11/17/2023	11/16/2024
8800009187	MS DEPT OF PUBLIC SAFETY	ULTRA ELECTRONICS FORENSIC TECH	NEW	QIAGEN BALLISTIC IDENTIFICATION SYSTEM	\$146,294.00	11/15/2023	11/4/2024
8800009177	UMMC	OROBOROS INSTRUMENTS GMBH	NEW	O2K MODULES AND THE RELATED ACCESSORIES	\$16,000.00	11/10/2023	11/8/2024
8800009139	UMMC	MILTENYI BIOTEC	NEW	HUMAN REAFINITY RECOMBINANT ANTIBODIES AND ANCILLARY REAGENT KITS	\$200,000.00	10/25/2023	10/23/2024
8800009094	MS DEPT OF PUBLIC SAFETY	QIAGEN NORTH AMERICAN HOLDINGS, INC	MODIFICATION	QIAGEN CONNECT AND CONSUMABLES	\$53,611.96	10/3/2023	10/2/2024
Total Reported in DECEMBER 2023:					\$1,411,538.87		

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SOLE SOURCE Contracts Reported DECEMBER 6, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800009162	UMMC	ILLUMINA, INC	NEW	ISCAN ADVANCED GENETIC ANALYSIS PLATFORM, ALONG WITH THE PROPRIETARY INFINIUM MICROARRAYS AND RELATED ACCESSORIES	\$300,000.00	11/9/2023	11/7/2024
8800009174	UNIVERSITY OF MISSISSIPPI	RAD SOURCE TECHNOLOGY INC	NEW	X-RAY IRRADIATOR SYSTEM	\$218,000.00	11/8/2023	11/6/2024
8800009171	MS STATE UNIVERSITY	SCHEDMD, LLC.	NEW	SCHEDULER SOFTWARE SLURM SUPPORT	\$19,897.00	11/7/2023	11/5/2024
8800009160	UNIVERSITY OF MISSISSIPPI	ADVION, INC.	NEW	EXPRESSION -L COMPACT MASS SPECTROMETER	\$55,870.00	11/6/2023	11/4/2024
8800009151	UMMC	TECNIPLAST USA, INC	NEW	CABINET AQUATIC WASHER AND THE COMPONENTS.	\$59,000.00	10/26/2023	9/24/2024
8800009153	UMMC	OXFORD INSTRUMENTS AMERICA, INC.	NEW	IMARIS SOFTWARE FOR A CONFOCAL MICROSCOPE.	\$18,000.00	10/26/2023	10/24/2024
8800009137	JACKSON STATE UNIVERSITY	GEOPHYSICAL SURVEY SYSTEMS INC.	NEW	GROUND PENETRATING RADAR (GPR) SIR-400	\$37,400.00	10/24/2023	10/22/2024
8800009123	MS STATE UNIVERSITY	ANTON PAAR USA, INC.	NEW	RHEOMETER WITH ACCESSORIES	\$119,976.00	10/19/2023	10/17/2024
8800008817	UMMC	ALLENTOWN LLC	MODIFICATION	MICRO-VENT JAG75 MOUSE RACK AND COMPONENTS.	\$105,750.00	5/9/2023	5/7/2024
Total Reported in NOVEMBER 2023:					\$933,893.00		

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SOLE SOURCE Contracts Reported NOVEMBER 1, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800009070	MS DEPT OF PUBLIC SAFETY	RANDEX LABORATORIES-US LTD	NEW	RANDEX BIOCHIP ARRAY "EVIDENCE" ANALYZER KITS	\$296,400.00	10/12/2023	10/11/2024
8800009100	USM	QUALISYS NORTH AMERICA, INC	NEW	MIQUS HYBRID MOTION CAPTURE CAMERA	\$116,361.60	10/12/2023	10/10/2024
8800009086	USM	PARCHMENT, LLC	NEW	TRANSCRIPT AND DIPLOMA SERVICES	\$43,428.00	10/5/2023	10/3/2024
8800009083	MSU	BRASCO INTERNATIONAL, INC.	NEW	ALUMINUM SHELTER STRUCTURE	\$10,975.00	10/3/2023	10/1/2024
8800009091	MSU	LI-COR, INC.	NEW	POROMETER/FLUOROMETER	\$10,200.00	10/3/2023	10/1/2024
8800009093	UMMC	ON-LINE INSTRUMENT SYSTEMS, INC.	NEW	CD SPECTROPHOTOMETER	\$58,000.00	10/3/2023	10/1/2024
8800009094	MS DEPT OF PUBLIC SAFETY	QIAGEN NORTH AMERICAN HOLDINGS, INC	NEW	QIAGEN CONNECT AND CONSUMABLES	\$53,611.96	10/3/2023	10/2/2024
8800009081	UMMC	SIMULAB CORPORATION	NEW	MEDICAL SIMULATION TISSUE SETS AND RELATED ACCESSORIES	\$6,800.00	10/2/2023	9/30/2024
8800009082	UMMC	MEDIBEACON GMBH	NEW	(10) TRANSDERMAL GFR MONITOR PROBES	\$20,000.00	10/2/2023	9/30/2024
8800009058	MS DEPT OF PUBLIC SAFETY	QIAGEN NORTH AMERICAN HOLDINGS, INC	NEW	QIAGEN EZ2 CONNECT FX , RELATED CONSUMABLES AND MAINTENANCE	\$153,583.44	9/28/2023	9/24/2024
8800009055	MS DEPT OF HEALTH	SCIAPS, INC	NEW	HANDHELD X-RAY FLUORESCENT ANALYZER ACCEPTED BY HUD & EPA	\$24,500.00	9/22/2023	12/21/2023
8800009047	JACKSON STATE UNIVERSITY	INTELLIGENT HEARING SYSTEMS	NEW	BABY ISAO DOLL	\$7,500.00	9/21/2023	9/19/2024
8800009053	UNIVERSITY OF MS	JBI SCIENTIFIC	NEW	VOYAGER NITROGEN LASER	\$14,101.00	9/20/2023	9/18/2024
8800009045	MSU	PARTICLE MEASURING SYSTEMS, INC.	NEW	AEROSOL PARTICLE COUNTER	\$70,608.00	9/20/2023	9/18/2024
8800009052	MSU	FORMULATRIX, LLC	NEW	ROCK IMAGER	\$216,007.00	9/20/2023	9/18/2024
8800009043	UMMC	SCION NEUROSTIM	NEW	EARBAR COOLING SYSTEM	\$12,000.00	9/12/2023	9/10/2024
8800008964	USM	BECTON, DICKINSON AAND COMPANY	NEW	BD FACSMELODY CELL SORTER	\$345,461.01	7/24/2023	7/22/2024
8800008611	UMMC	CARTER2 SYSTEMS INC	MODIFICATION	INCREASE OF (32) SELF ADMINISTRATION PANELS	\$130,000.00	11/15/2022	11/14/2023
Total Reported in October 2023:					\$1,589,537.01		

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SOLE SOURCE Contracts Reported OCTOBER 4, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800009041	UMMC	AVKIN, INC.	NEW	AVKIN AVBIRTH	\$60,000.00	9/11/2023	9/9/2024
8800009042	UMMC	MICROBRIGHTFIELD, INC.	NEW	HAMAMATSU LT3 MONochrome CAMERA	\$14,000.00	9/11/2023	9/9/2024
8800009034	USM	EXFLUOR	NEW	15 KG HEXAFLOUROGLUTARYL CHEMICALS	\$22,425.00	9/8/2023	9/6/2024
8800009036	UMMC	HAEMONETICS CORPORATION	NEW	HAEMONETICS THROMBOELASTOGRAPHY (TEG) 6	\$48,000.00	9/8/2023	9/6/2024
8800009032	UMMC	ILLUMINA, INC.	NEW	ILLUMINA REAGENTS, KITS AND SUPPLIES	\$350,00.00	9/7/02023	9/5/2024
8800009020	USM	LI-COR INC	NEW	LAI-2200C PLANT CANOPY ANALYZER WITH TALL CANOPY PACKAGE	\$19,295.00	9/1/2023	8/30/2024
8800009003	UNIVERSITY OF MS	PARDINI USA LLC	NEW	MEGALINK ELECTRONIC SCORING TARGETS AND ACCESSORIES	\$103,792.85	8/28/2023	8/26/2024
8800009004	USM	10X GENOMICS	NEW	CHROMIUM IX SINGLE CELL IMMUNE PROFILING SYSTEM	\$49,000.00	8/30/2023	8/28/2024
Total Reported in September 2023:					\$316,512.85		

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SOLE SOURCE Contracts Reported SEPTEMBER 6, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008992	UNIVERSITY OF MS	TRIDENT SOUTHEAST LLC	NEW	HAAS MODEL VF-2SSYT CNC VERTICAL MILLING MACHINE	\$118,099.75	8/18/2023	8/16/2024
8800008990	MSU	DOODLE LABS	NEW	MULTI BAND RADIOS	\$8,330.00	8/18/2023	8/16/2024
8800008991	MSU	LI-COR, INC.	NEW	PORTABLE PHOTOSYNTHESIS SYSTEM	\$69,154.00	8/18/2023	8/16/2024
8800008978	MSU	T F HERCEG, INC.	NEW	SUREHANDS MOBILITY LIFT	\$13,236.73	8/11/2023	8/9/2024
8800008975	MSU	METER GROUP, INC.	NEW	SATURO INFILTROMETER	\$11,626.00	8/8/2023	8/6/2024
8800008972	MSU	INDUSTRY TRAINING SOLUTIONS	NEW	UNIVERSAL ROBOT W/ VARIOUS APPLICATIONS.	\$70,000.00	8/7/2023	8/5/2024
8800008956	UMMC	CHRONO-LOG CORP	NEW	WHOLE BLOOD OPTICAL LUMI AGGREGATION SYSTEM	\$37,800.00	7/27/2023	7/25/2024
8800008966	UMMC	NEWPORT CORPORATION	NEW	TWO-PHOTON LASER WITH AUTOMATED DISPERSION COMPENSATION	\$132,500.00	7/27/2023	6/25/2024
8800008953	MSU	INDUSTRY TRAINING SOLUTIONS	NEW	COLLABORATIVE ROBOT W/ FLEX TRAINER	\$90,000.00	7/24/2023	7/22/2024
8800008958	MS DEPT OF INSURANCE	TRADEMAN, LLC	NEW	FORCIBLE ENTRY PROPS	\$12,065.00	7/24/2023	8/31/2023
8800008963	UNIVERSITY OF MS	TA INSTRUMENTS, LLC	NEW	AFFINITY ITC DEGASSING STATION	\$15,260.00	7/21/2023	7/19/2024
8800008962	UNIVERSITY OF MS	HYPERION TECHNOLOGY GROUP INC.	NEW	SEISMICALLY-DECOUPLED DIGITAL INFRASOUND SENSORS	\$269,820.00	7/21/2023	7/19/2024
8800008951	MS DEPT OF HEALTH	ILLUMINA INC	NEW	KITS & REAGENTS TO PERFORM WHOLE GENOME SEQUENCING.	\$498,892.80	7/19/2023	6/30/2024
8800008952	MS DEPT OF HEALTH	IDEXX DISTRIBUTION INC	NEW	MICROBIOLOGY TEST PRODUCTS & REAGENTS TO TEST FOR TOTAL COLIFORM AND E-COLI	\$243,371.64	7/19/2023	6/30/2024
8800008932	MS DEPT OF PUBIC SAFETY	INTELLIGENT IMAGING SYSTEMS INC.	NEW	HARDWARE AND SOFTWARE	\$448,000.00	7/13/2023	7/12/2024
Total Reported in AUG 2023:					\$562,811.48		

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OPTFM Sole Source Contracts
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SOLE SOURCE Contracts Reported AUGUST 2, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008932	MS DEPT OF PUBIC SAFETY	INTELLIGENT IMAGING SYSTEMS INC	NEW	HARDWARE AND SOFTWARE BREAK-FIX, AND USER SUPPORT	\$448,000.00	8/1/2023	7/31/2024
8800008921	MS DEPT OF PUBIC SAFETY	LIFE TECHNOLOGIES CORPORATION	NEW	REAGENT KITS & RELATED CONSUMABLES	\$497,000.00	7/31/2023	
8800008920	MS DEPT OF PUBIC SAFETY	QIAGEN NORTH AMERICAN HOLDINGS INC	NEW	EZ1 & DNA INVESTIGATOR KITS	\$432,000.00	7/29/2023	7/28/2024
8800008933	UNIVERSITY OF MS	PARK SYSTEMS INC.	NEW	NX12 AFM ATOMIC FORCE MICROSCOPE	\$131,355.00	7/13/2023	7/11/2024
8800008942	MSU	BLUEFORS CRYOCOOLER	NEW	BAGLESS HELIUM RECOVERY SYSTEM	\$158,785.00	7/10/2023	7/8/2024
8800008930	MSU	CYROFAB, INC.	NEW	150 L LIQUID HELIUM DEWAR	\$7,752.00	7/5/2023	7/3/2024
8800008914	MSU	BRUKER CORPORATION	NEW	SPARE NEEDLE KITS FOR ESI SPRAYER	\$5,520.00	6/28/2023	6/26/2026
8800008913	UMMC	BIOLYTICAL LABORATORIES INC.	NEW	THREE VIRAL VECTORS	\$11,480.00	6/23/2023	6/21/2024
8800008881	USM	TELEDYNE INSTRUMENTS, INC	NEW	TELEDYNE WEBB RESEARCH SLOCUM GLIDER	\$107,459.00	6/1/2023	5/31/2024
Total Reported in JULY 2023:					\$1,799,351.00		

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SOLE SOURCE Contracts Reported JULY 5, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008908	MDOT	PAVEMENT TECHNOLOGY INC	NEW	PM COMPACTION DEVICES AND ACCESSORIES	\$20,640.00	6/15/2023	12/31/2023
8800008910	USM	TA INSTRUMENTS-WATERS	NEW	THERMOGRAVIMETRIC & THERMOMECHANICAL ANALYZER	\$72,608.57	6/13/2023	6/12/2024
8800008911	USM	TA INSTRUMENTS-WATERS	NEW	THERMOMECHANICAL ANALYZER	\$69,280.00	6/13/2023	6/11/2024
8800008903	UNIVERSITY OF MISSISSIPPI	MISSOURI COMMUNITY ACTION NETWORK	NEW	COMMUNITY ACTION POVERTY SIMULATION KIT	\$9,375.00	6/12/2023	6/10/2024
8800008886	MSU	SIVAD, INC.	NEW	VARIOUS ROBOTS	\$308,597.00	6/9/2023	6/7/2024
8800008885	UNIVERSITY OF MISSISSIPPI	AXON ENTERPRISE INC	NEW	AXON TASER 10 CONDUCTIVE ENERGY WEAPON	\$159,242.80	6/6/2023	6/4/2024
8800008884	UNIVERSITY OF MISSISSIPPI	NORAXON USA INC.	NEW	ULTIUM MOTION SYSTEM (NORAXON IMU)	\$68,540.80	6/6/2023	6/4/2024
8800008883	UNIVERSITY OF MISSISSIPPI	WATERS TECHNOLOGIES CORPORATION	NEW	WATERS XEVO G3 QTOF MASS SPECTROMETER	\$452,590.80	6/6/2023	6/4/2024
8800008892	MSU	TSI INCORPORATED	NEW	X-RAY UNIT	\$172,860.00	6/6/2023	6/4/2024
8800008873	USM	TRILLION QUALITY SYSTEMS	NEW	ARMIS OPTICAL STRAIN	\$67,900.00	6/1/2023	5/31/2024
8800008848	MS DEPT OF HEALTH	TECAN US INC	NEW	STD TESTS	\$25,032.00	5/24/2023	12/31/2024
8800008872	UMMC	ILLUMINA, INC	NEW	DNA SEQUENCING, PRIMARY ANALYSIS MACHINE	\$432,153.25	5/24/2023	5/25/2024
8800008849	MS DEPT OF HEALTH	QUICKSILVER ANALYTICS INC.	NEW	CHEMICAL, BIOLOGICAL, RADIOLOGICAL, NUCLEAR AND EXPLOSIVE AND HAZARDOUS MATERIAL PORTABLE SELF-CONTAINED TEST SYSTEM.	\$57,222.70	5/24/2023	7/30/2024
8800008854	UNIVERSITY OF MISSISSIPPI	TECHNICAL & EDU TRAINING AIDS INC.	NEW	J55 PRIME PRINTER	\$123,360.00	5/22/2023	5/20/2024
8800008855	UNIVERSITY OF MISSISSIPPI	INSTRON	NEW	INSTRON 2580-5KN STATIC LOAD CELL	\$9,351.00	5/22/2023	5/20/2024
8800008909	MS DEPT OF INSURANCE	TRADEMAN, LLC	NEW	FORCIBLE ENTRY PROP	\$12,065.00	5/18/2023	8/31/2023
8800008823	MS DEPT OF INSURANCE	CHEVRON PHILLIPS CHEMICAL CO.	MODIFICATION	FIRE TRAINING FUEL	\$85,440.00	5/9/2023	8/31/2023
8800008793	MS DEPT OF PUBIC SAFETY	RADOX LABORATORIES-US LTD	NEW	RADOX WHOLE BLOOD KIT	\$17,950.00	4/7/2023	4/6/2024
Total Reported in JUNE 2023:					\$2,164,208.92		

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SOLE SOURCE Contracts Reported JUNE 7, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008611	UMMC	CARTER2 SYSTEMS INC	MODIFICATION	SELF ADMINISTRATION PANEL.	\$26,000.00	11/15/2023	11/14/2024
8800008854	UNIVERSITY OF MISSISSIPPI	TECHNICAL & EDU TRAINING AIDS INC.	NEW	J55 PRIME PRINTER	\$123,360.00	5/22/2023	5/20/2024
8800008841	UMMC	DATA SCIENCES INTERNATIONAL, INC.	NEW	IMPLANTABLE TELEMETRIC PHYSIOLOGIC MONITORING DEVICES AND ALL RELATED ACCESSORIES	\$350,000.00	5/15/2023	5/13/2024
8800008843	UMMC	ADINSTRUMENTS, INC.	NEW	MULTI-MYOGRAPH POWERLAB SYSTEM AND COMPONENTS	\$86,126.00	5/15/2023	5/13/2024
8800008828	UNIVERSITY OF MISSISSIPPI	ALTERG, INC.	NEW	ALTERG PRO 200 TREADMILL UPGRADES	\$19,189.98	5/12/2023	5/10/2024
8800008816	MSU	UPL NA, INC.	NEW	UPL ADAPT DRONE BOAT	\$40,547.53	5/9/2023	5/7/2024
8800008823	MS DEPT OF INSURANCE	CHEVRON PHILLIPS CHEMICAL CO.	NEW	FIRE TRAINING FUEL	\$85,440.00	5/9/2023	8/31/2023
8800008817	UMMC	ALLENTOWN LLC	NEW	MICRO-VENT JAG75 MOUSE RACK AND COMPONENTS	\$60,000.00	5/9/2023	5/7/2024
8800008819	UMMC	ALLENTOWN LLC	NEW	REPLACEMENT BLOWERS AND VENTS FOR MICRO-VENTILATED RODENT RACKS	\$48,102.00	5/9/2023	5/7/2024
8800008815	MSU	KEELING CO INC.	NEW	RAIN BIRD IRRIGATION ROTOR	\$74,878.23	5/8/2023	5/6/2024
8800008809	UMMC	DMT-USA INC	NEW	(2) MULTI MYOGRAPH SYSTEMS AND COMPONENTS	\$100,000.00	5/2/2023	4/30/2024
8800008813	MSU	CALIFORNIA PELLET MILL	NEW	PELLET MILL	\$68,759.00	4/24/2023	4/22/2024
8800008806	MSU	HEXCEL CORPORATION	NEW	EPOXY RESIN	\$100,000.00	4/20/2023	4/18/2024
8800008803	UMMC	MERCURY ENTERPRISES, INC	NEW	AIRTRAQ WI-FI CAMERAS AND ACCESSORIES	\$11,000.00	4/19/2023	4/17/2024
8800008811	MSDH	QIAGEN NORTH AMERICAN HOLDINGS INC	NEW	REAGENT (KITS) FDA APPROVED TO PERFORM TESTING IN THE PUBLIC	\$151,492.00	4/19/2023	4/18/2024
8800008802	MSDH	CEPHEID	NEW	TEST KITS THAT ARE FDA APPROVED TO PERFORM MTB-RIF NAAT TESTING	\$119,000.00	4/14/2023	4/12/2024
Total Reported in MAY 2023:					\$1,463,894.74		

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SOLE SOURCE Contracts Reported May 3, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008801	UNIVERSITY OF MISSISSIPPI	HORIBA INSTRUMENTS INCORPORATED	NEW	CONFOCAL RAMAN MICROSCOPE	\$219,397.00	4/11/2023	4/9/2024
8800008793	MS DEPT OF PUBIC SAFETY	RANDOX LABORITIES-US LTD	NEW	RANDOX MULTISTAT BLOOD KITS	\$17,950.00	4/10/2023	
8800008778	UMMC	SCINTICA INC.	NEW	DOPPLER FLOW VELOCITY SYSTEM	\$42,335.00	3/30/2023	3/28/2024
8800008780	MSU	RENISHAW, INC.	NEW	RAPIDOX 2100Z RETROFIT OXYGEN (O2) SENSOR ASSEMBLY	\$7,668.00	3/29/2023	3/27/2024
8800008776	USM	GE MEDICAL SYSTEMS	NEW	LUNAR IDX A2, MTY SYSTEM (XRAY SYSTEM)	\$112,820.41	3/29/2023	3/27/2024
Total Reported in April 2023:					\$400,170.41		

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SOLE SOURCE Contracts Reported April 5, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008773	UMMC	ALLENTOWN LLC	NEW	MEDIA HOLDER KITS AND DOCK ASSEMBLY WITH COMPONENTS	\$10,000.00	3/21/2023	3/19/2024
8800008764	JACKSON STATE UNIVERSITY	SHIMADZU	NEW	CBM-40LITE SYSTEM CONTROLLER	\$25,393.60	3/17/2023	3/15/2024
8800008765	JACKSON STATE UNIVERSITY	E3 DIAGNOSTICS INC	NEW	GSI AUDIOSTAR PRO	\$13,110.00	3/17/2023	3/15/2024
8800008762	JACKSON STATE UNIVERSITY	SCANTRON CORP	NEW	SCANTRON SCANNING AND SCORING EQUIPMENT	\$5,561.00	3/15/2023	3/13/2024
8800008763	JACKSON STATE UNIVERSITY	E3 DIAGNOSTICS INC	NEW	AUDIOSCAN VERFIT Z ADVANCED HEARING AID VERIFICATION SYSTEM	\$17,190.00	3/15/2023	3/13/2024
8800008770	JACKSON STATE UNIVERSITY	AHEAD SIMULATIONS INC	NEW	AUDIO CARL	\$8,412.00	3/13/2023	3/11/2024
8800008754	JACKSON STATE UNIVERSITY	ANATOMAGE INC	NEW	ANATOMAGE VR TABLETS	\$9,575.00	3/9/2023	3/7/2024
8800008744	UMMC	DMT-USA INC	NEW	PRESSURE MYOGRAPH SYSTEM	\$40,000.00	3/8/2023	3/7/2024
8800008729	MSU	CC LYNCH & ASSOCIATES, INC.	NEW	WATER SAMPLING UNIT	\$163,203.00	3/8/2023	3/6/2024
8800008726	UNIVERSITY OF MISSISSIPPI	LEISTRITZ EXTRUSION	NEW	LEISTRITZ EXTRUSION MODEL AL-04.0 FLEXIBLE LIP SHEET DIE & MICRO18 TIMING BLOCK	\$14,640.00	3/7/2023	3/5/2024
8800008725	UNIVERSITY OF MISSISSIPPI	BIODOT, INC.	NEW	AD1520 ASPIRATE-DISPENSE PLATFORM	\$54,532.25	3/6/2023	3/6/2024
8800008734	USM	MCLANE RESEARCH LABORATORIES, INC	NEW	WATER TRANSFER SYSTEM	\$136,650.00	2/27/2023	2/26/2024
8800008733	MSU	POLYNT COMPOSITES USA INC	NEW	3,200LB OF POLYNT PRD MATERIAL	\$125,000.00	2/23/2023	2/22/2024
8800008721	MS DEPT OF PUBIC SAFETY	AGILENT TECHNOLOGIES INC	NEW	AGILENT GAS CHROMATOGRAPHY MASS SPECTROMETRY SYSTEM	\$211,833.64	2/22/2023	2/21/2024
8800008731	UMMC	UNIV OF BRITISH COLUMBIA-VANC	NEW	RAT CLOSED HEAD INJURY MODEL	\$30,000.00	2/20/2023	2/19/2024
8800008693	UMMC	GAUMARD SCIENTIFIC	NEW	HAL ADVANCED PATIENT SIMULATORS WITH ALL RELATED ACCESSORIES AND SOFTWARE	\$141,849.54	1/26/2023	1/25/2024
Total Reported in March 2023:					\$1,006,950.03		

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SOLE SOURCE Contracts Reported March 1, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008697	MSU	BOWMAN MANUFACTURING CO., INC.	NEW	HIGH CLEARANCE, FOUR-WHEEL DRIVE PESTICIDE APPLICATOR.	\$83,200.00	2/2/2023	2/1/2024
8800008687	UNIVERSITY OF MISSISSIPPI	COHERENT, INC.	NEW	COHERENT SAPPHIRE 458-75 CW CDRH USB AND 532-100 CW CDRH USB LASER SYSTEMS	\$16,659.00	2/2/2023	2/1/2024
8800008690	MS DEPARTMENT OF HEALTH	EDUCATION, TRAINING & RESEARCH ASSOC.	NEW	EDUCATION RESOURCES FOR HIV	\$29,340.00	1/20/2023	1/19/2024
8800008646	UMMC	ADINSTRUMENTS, INC.	MODIFICATION	MIKRO TIP PRESSURE-VOLUME CATHETER AND ACCESSORIES	\$37,171.00	12/20/2022	12/19/2023
8800008400	MS DEPT OF PUBIC SAFETY	INTELLIGENT IMAGING SYSTEMS INC.	NEW	HARDWARE AND SOFTWARE	\$448,000.00	7/13/2022	7/12/2023
Total Reported in Feb 2023:					\$614,370.00		

Public Procurement Review Board
OPTFM Sole Source Contracts
Calendar Year 2023

SOLE SOURCE Contracts Reported Feb 1, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008665	USM	THERMO FISHER SCIENTIFIC	NEW	GRAVIMETRIC TWIN SCREW FEEDER	\$49,226.26	1/11/2023	1/10/2024
8800008663	MSU	NORAXON U.S.A. INC.	NEW	EMG SENSORS AND SOFTWARE	\$32,987.25	1/6/2023	1/5/2024
8800008664	MSU	BIRNS OCEANOGRAPHICS, INC.	NEW	SUB-MARINE QUALITY WATERPROOF COAXIAL CABLE & ADAPTORS	\$26,643.00	1/6/2023	1/5/2024
8800008658	MSU	RADIO RECONNAISSANCE TECHNOLOGIES INC	NEW	TACTICAL HANDHELD EMITTER, FINDER	\$395,407.00	1/5/2023	1/4/2024
8800008657	MSU	SORINEX EXERCISE EQUIPMENT	NEW	STRENGTH & CONDITIONING / SORINEX ATTACHMENTS	\$5,644.00	1/5/2023	1/4/2024
8800008662	MS DEPT OF PUBIC SAFETY	AGILENT TECHNOLOGIES INC	NEW	AGILENT GAS CHROMATOGRAPHY MASS SPECTROMETRY	\$101,922.00	1/5/2023	1/4/2024
8800008603	MSU	MIRION TECHNOLOGIES (GDS) INC	NEW	RADIATION DOSIMETERS	\$11,015.42	1/4/2023	1/3/2024
Total Reported in Jan 2023:					\$622,844.93		

Public Procurement Review Board
OPTFM Sole Source Contracts
Calendar Year 2023

SOLE SOURCE Contracts Reported Jan 4, 2023

Contract #	Agency	Vendor	Action	Commodity	Amount	Start Date	End Date
8800008628	MS DEPT OF PUBIC SAFETY	CMI INC	NEW	INTOXILYZER 8000 PARTS	\$210,000.00	1/1/2023	12/31/2023
8800008626	MSU	NIKON INSTRUMENTS INC	NEW	NIKON DS-F15 COLOR CAMERA W/COMPONENTS; NIS-ELEMENTS DOCUMENTATION SOFTWARE	\$9,876.70	11/30/2022	11/29/2023
8800008627	MSU	ZOOPHARM LLC	NEW	DEER SEDATION DRUGS	\$17,939.00	11/30/2022	11/29/2023
8800008618	UNIVERSITY OF MISSISSIPI	TA INSTRUMENTS - WATERS	NEW	ROTATIONAL RHEOMETER	\$178,194.72	11/29/2022	11/28/2023
8800008619	UNIVERSITY OF MISSISSIPI	10X GENOMICS	NEW	CHROMIUM IX & ACCESSORIES	\$54,298.70	11/29/2022	11/28/2023
8800008630	UNIVERSITY OF MISSISSIPI	TA INSTRUMENTS	NEW	ISOTHERMAL TITRATION CALORIMETER	\$121,537.56	11/29/2022	11/28/2023
8800008631	UNIVERSITY OF MISSISSIPI	LAB PRODUCTS, INC	NEW	VENTILATED CAGE RACK UNIT & ACCESSORIES	\$327,710.84	11/29/2022	11/28/2023
8800008623	UMMC	AMETEK, INC.	NEW	ELECTRON BACKSCATTER DIFFRACTION (EBSD) ANALYSIS SYSTEM	\$169,883.90	11/23/2022	11/22/2023
Total Reported in Dec 2022:					\$1,089,441.42		

Attachment C

OPTFM

Staff Approvals

**Public Procurement Review Board
OPTFM Staff Approvals
January-24**

Contract #	Agency	Contractor	Commodity	Action	Amount	Staff Approval Type	Staff Approval Authority
8200072750	UNIVERSITY OF MS	NIKE	ATHLETIC APPERAL AND EQUIPMENT	NEW	\$450,000.00	COMPETITIVE BID	UNDER THE \$500,000.01 THRESHOLD
8200070409	MS DEPT OF REVENUE	INTELLECTUAL TECHNOLOGY, INC.	VEHICLE REGISTRATION FORMS WITH VALIDATION STICKERS	MODIFICATION	\$2,369,520.00	STATUTORY EXEMPTION	STATUTORY EXEMPTION
8200068036	ELLISVILLE STATE SCHOOL	CANON U.S.A., INC.	COPIER RENTAL	MODIFICATION	\$4,307.52	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200072602	MS STATE UNIVERSITY	STERIS CORPORATION - DALLAS	STERIS HYDROGEN PEROXIDE STERILIZER	NEW	\$176,652.77	COMPETITIVE BID	UNDER THE \$500,000.01 THRESHOLD
8200072656	MS STATE UNIVERSITY	AGILENT TECHNOLOGIES, INC.	LIQUID CHROMATOGRAPHY	NEW	\$309,181.89	COMPETITIVE BID	UNDER THE \$500,000.01 THRESHOLD
8200072212	MS DEPT OF CORRECTIONS	ALLIANCE DISTRIBUTION HOLDINGS INC	WASHERS & DRYERS	MODIFICATION	\$203,493.00	COMPETITIVE BID	UNDER THE \$500,000.01 THRESHOLD
8200070909	MS DEPT OF HEALTH	CANON U.S.A., INC.	COPIER RENTAL	MODIFICATION	\$33,616.00	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200072584	MS DEPT OF HEALTH	CANON U.S.A., INC.	COPIER RENTAL	NEW	\$17,776.00	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
4600003064	MS MILITARY DEPT	THE MERCHANTS COMPANY	FOOD FOR THE YOUTH CHALLENGE PROGRAM	NEW	\$100,000.00	OPEN PURCHASE ORDER	UNDER THE \$500,000.01 THRESHOLD
8200070584	MS DEPT OF HEALTH	CANON U.S.A., INC.	COPIER RENTAL	MODIFICATION	\$18,256.00	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200072738	MS DEPT OF HEALTH	CANON U.S.A., INC.	COPIER RENTAL	NEW	\$17,104.00	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200064365	MS VETERAN AFFAIRS	TOSHIBA BUSINESS SOLUTIONS	COPIER RENTAL	MODIFICATION	\$15,000.00	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200050839	MS SECRETARY OF STATE	WEST PUBLISHING CORPORATION	WESTLAW DATABASE	MODIFICATION	\$417,027.31	SUBSCRIPTION	EXEMPTION PER SECTION 3.101.02 OF THE PROCUREMENT MANUAL
8200072529	MS DEPT OF CHILD PROTECTION	FRANCOTYP POSTALIA	COPIER RENTAL	NEW	\$1,624.32	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200072528	MS DEPT OF CHILD PROTECTION	FRANCOTYP POSTALIA	COPIER RENTAL	NEW	\$1,624.32	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200072526	MS DEPT OF CHILD PROTECTION	FRANCOTYP POSTALIA	COPIER RENTAL	NEW	\$1,607.40	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200070926	MS DEPT REHABILITATION SERVICE	CANON U.S.A., INC.	COPIER RENTAL	NEW	\$165,456.00	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
8200072682	UNIVERSITY OF SOUTHERN MS	ECHO81, LLC	MICRO UNCREWED UNDERWATER VEHICLES	NEW	\$102,624.70	COMPETITIVE BID	UNDER THE \$500,000.01 THRESHOLD
8200072074	MS DEPT OF PUBLIC SAFETY	THOMSON REUTERS-WEST	WEST LAW SUBSCRIPTION	NEW	\$44,538.36	SUBSCRIPTION	EXEMPTION PER SECTION 3.101.02 OF THE PROCUREMENT MANUAL
8200063473	SOUTH MS STATE HOSPITAL	CAREFUSION	PYXIS MONTHLY RENTAL	MODIFICATION	\$138,204.00	PURCHASE FROM A GPO	UNDER THE \$500,000.01 THRESHOLD
8200072502	MS DEPT OF TRANSPORTATION	CANON U.S.A., INC.	COPIER RENTAL	NEW	\$8,524.80	COMPETITIVE PURCHASING AGREEMENT	UNDER THE \$500,000.01 THRESHOLD
Total Reported DECEMBER 2023					\$4,596,138.39		

Attachment D

BOB

Staff Approvals

27-104-7 (2) The Public Procurement Review Board shall have the following powers and responsibilities: . . . (b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services. . . .

PPRB has set construction procedures requiring PPRB approval for (1) Professional Services and/or Planning Information when fees are over \$250,000.00; (2) Construction Contracts over \$5,000,000.00; (3) Furniture and Equipment Contracts over \$2,000,000.00; and (4) Change Orders over \$1,000,000 and/or over 25% of initial contract amount and/or when taking awards over \$5,000,000.00.

All other Standard Operating Procedures have been delegated to the Bureau of Building Director and/or DFA Deputy Executive Director, thereby creating the following list of Staff Approvals, per PPRB request to keep them informed.

Setup Name	Project Name	Institution/Agency Name	Contract Scope	Low Base Bid?	# Bids / Quotes	Award Number	Company Name	Dir. Approval Date	Amount	Duration
Bid Award - GS	374-009 Site Improvements	Bolton Building (Office of Capitol Facilities) (Department of Finance and Administration)	Construction through warranty for replacing existing light poles with new LED lights. Also with the new light poles, security cameras shall be installed.	Yes	3	GC001	D.N.P., Inc.	11/2/2023	\$843,000.00	180
	427-015 ARPA Mitigation	South Mississippi State Hospital (EMSH)	Construction through warranty for HVAC upgrades at South Mississippi State Hospital.	Yes	1	GC001	Terry Service, Inc.	11/2/2023	\$691,874.00	210
	617-029 ARPA Tourism – Park Improvements	Paul B. Johnson State Park	Construction through warranty for RV pads, with water, sewer and electrical upgrades, drainage, and road improvements for Paul B Johnson State Park.	Yes	6	GC001	Wildstone Construction Services LLC	10/23/2023	\$3,690,239.00	270
Bid Award -GC Count 3								Total	\$5,225,113.00	
Quote Award -GC	320-085 ARPA Mit. - MCCF	Department of Corrections	Provide and connect new ADT Fire Alarm System devices and connections for new HVAC equipment at the Marshall County Correctional Facility.	Yes	1	GC002	ADT Commercial LLC	11/9/2023	\$207,450.00	410
Quote Award - GC Count 1								Total	\$207,450.00	
Total Count 4								Grand Total	\$5,432,563.00	

Project Name	Institution/Agency Name	Professional Scope of Work	Award Number	Company Name	Dir. Approval Date	Selection Method	Fee Complexity	Fee Percentage
350-035 HVAC & Energy Upgrades-PH II	Office of Capitol Facilities (Department of Finance and Administration)	Design through Construction for repair/replace existing domestic water lines.	JP003	Engineering Resource Group, Inc.	11/3/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (10%)
362-067 JOC General R&R	Woolfolk Building (Office of Capitol Facilities) (Department of Finance and Administration)	Design through construction for repairs of structural elements to all (6) passenger elevators.	JP011	Schultz & Wynne, P.A.	11/15/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (10%)
374-008 JOC-General R&R	Bolton Building (Office of Capitol Facilities) (Department of Finance and Administration)	Design through construction for Tenant Improvements for the 1st and 2nd Floors. Improvements shall include general construction, plumbing, mechanical, and electrical.	JP006	Allred Stolarski Architects, PA	11/3/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (9%)
103-317 JOC - Dormitory Repairs(Various)	Jackson State University	Planning through the warranty phase to perform various roof, envelope, elevator, HVAC, plumbing and electrical repairs at student housing facilities on the JSU main campus.	JP001	Vernell Barnes Architect, PLLC (Decatur, Georgia through the Office listed herein)	10/20/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (9%)
201-090 ARPA Infr. - Water Trans. & Dist.	Coahoma Community College	Planning through the warranty phase of the ARPA-funded repairs and improvements.	PP001	Pickering Firm, Inc.-Flowood (Memphis, Tennessee, through the Office listed herein)	11/3/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		
507-063 JOC-Nursing Home R&R	Mississippi Veterans Affairs	Planning through Construction and Warranty phases for the emergency replacement of the pavilion at the State Veterans Home - Jackson.	JP001	Allred Stolarski Architects, PA	10/25/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (9%)
101-342 JOC HVAC Improvements - HEERF - Robinson	Alcorn State University	Planning through the warranty phase to perform HVAC improvements at Robinson Hall on the ASU Lorman Campus.	JP001	Dewberry Engineers, Inc. (Virginia through the Office listed herein)	10/20/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (9%)
101-344 JOC HVAC Improvements - HEERF - Washington	Alcorn State University	Planning through the warranty phase to perform HVAC improvements at the Walter Washington Facility on the ASU Lorman Campus.	JP001	Dewberry Engineers, Inc. (Virginia through the Office listed herein)	10/20/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (9%)
101-343 JOC HVAC Improvements - HEERF - Burrus	Alcorn State University	Planning through the warranty phase to perform HVAC improvements at Burrus Hall on the ASU Lorman campus.	JP001	Dewberry Engineers, Inc. (Virginia through the Office listed herein)	10/20/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (9%)
320-096 MCCF Exterior Lightning Upgrades	Department of Corrections	Planning through warranty for erecting high mast lights and associated wiring at Marshall County Correctional Facility.	PP001	Corbett Legge & Associates, PLLC	10/31/2023	Professional selected through qualifications based selection from list of three eligibles (Competitive RFx)		
362-068 Water Valve Flood (EMER)	Woolfolk Building (Office of Capitol Facilities) (Department of Finance and Administration)	Design through construction for remediation of certain areas of the gypsum board ceiling and removal and reinstall stone wrap at one column.	JP005	The Johnson-McAdams Firm, P.A., dba Albert & Robinson Architects, PLLC	10/31/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)		Special Percentage (10%)

210-074 ARPA Infr. - Waste Coll. & Conv.	Mississippi Delta Community College	Planning through the warranty phase of the ARPA-funded repairs and improvements.	PP001	W. L. Burle Engineers, P.A. - Greenville	11/2/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)	
505-033 ARPA Infr. - Water Conservation	State Fire Academy	Planning through the warranty phase for improvements in water conservation measures at the Mississippi State Fire Academy Pearl, MS.	PP001	Dewberry Engineers, Inc. (Virginia through the Office listed herein)	10/31/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)	
204-090 Campus Housing	East Mississippi Community College	To construct multiple housing units at the EMCC main campus.	JP001	JBHM Architects, P.A. - Columbus (Jackson, Mississippi, through the Office listed herein)	10/30/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)	Special Percentage (9%)
505-034 ARPA Mitigation	State Fire Academy	Planning through the warranty phase for mitigation at the old Dormitory on the campus of the Mississippi State Fire Academy Pearl, MS>	PP001	Dewberry Engineers, Inc. (Virginia through the Office listed herein)	11/3/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)	
102-288 ARPA Infr. - Water Trans. & Dist.	Delta State University	Planning through Construction and Warranty phases for repairs and improvements to water transmission and distribution systems on the campus of Delta State University in Cleveland, MS.	PP001	W. L. Burle Engineers, P.A. - Greenville	11/8/2023	Professional appointed as a continuation of previous RFQ selection (Competitive RFx)	

Count 16

BoB-AD-080: Staff Approvals - F&E

PPRB November 16, 2023

Bid and Quote Awards /
Amount: between 0 to
2999999

10/20/2023 - 11/16/2023

Setup Name	Project Name	Institution/Agency Name	Contract Scope	Low Base Bid?	# Quote	Award Number	State Contract #	Company Name	Dir. Approval Date	Amount
Quote Award - FE	361-009 Renovation & Repairs	War Memorial Building (Office of Capitol Facilities) (Department of Finance and Administration)	Procurement, delivery and installation of 20 guest chairs for the War Memorial Building, 2nd Floor, 120 North State Street, Jackson, Mississippi 39201. State Contract #8200068965	Yes	1	FE004	8200068965	Office Innovations, Inc.	11/3/2023	\$11,640.00
	362-067 JOC General R&R	Woolfolk Building (Office of Capitol Facilities) (Department of Finance and Administration)	Procurement, delivery, and installation of Chairs for the 13th floor of the Woolfolk Building, 501 N West Street, Suite 1301, Jackson Mississippi 39201. State Contract #8200069423.	Yes	1	FE016	8200069423	Office Innovations, Inc.	10/30/2023	\$5,740.00
	362-067 JOC General R&R	Woolfolk Building (Office of Capitol Facilities) (Department of Finance and Administration)	Procurement, delivery and installation of Desk, Tables, Credenza, Bookcases, etc for the 13th floor of the Woolfolk Building, 501 N West Street, Suite 1301, Jackson Mississippi 39201. State Contract #8200068965.	Yes	1	FE017	8200068965	Office Innovations, Inc.	11/8/2023	\$108,399.00
	506-039 Region 4 Administrative Facility	Forestry Commission	Procurement, delivery and installation of table and chairs for Region 4 Facility, 477 South Gate Road, Hattiesburg, Mississippi 39401. State Contract #8200069068.	Yes	1	FE001	8200069068	Interior Elements	10/30/2023	\$29,722.80
	506-039 Region 4 Administrative Facility	Forestry Commission	Procurement, delivery and installation of Guest Chairs for Region 4 Facility, 477 South Gate Road, Hattiesburg, Mississippi 39401. State Contract #8200069068	Yes	1	FE002	8200069068	Interior Elements	10/30/2023	\$17,325.60
	506-039 Region 4 Administrative Facility	Forestry Commission	Procurement, delivery and installation of a Lounge Seat for Region 4 Facility, 477 South Gate Road, Hattiesburg, Mississippi 39401. State Contract #8200068993.	Yes	1	FE003	8200068993	Interior Elements	10/30/2023	\$3,169.63
	506-039 Region 4 Administrative Facility	Forestry Commission	Procurement, delivery and installation of Casegoods for Region 4 Facility, 477 South Gate Road, Hattiesburg, Mississippi 39401. State Contract #8200068873.	Yes	1	FE004	8200068873	Interior Elements	10/30/2023	\$99,026.00
	506-039 Region 4 Administrative Facility	Forestry Commission	Procurement, delivery and installation of Table, Chairs, and Office Furniture for Region 4 Facility, 477 South Gate Road, Hattiesburg, Mississippi 39401. State Contract #8200068965.	Yes	1	FE005	8200068965	Interior Elements	10/30/2023	\$54,039.70

Quote Award - FE Count 8

\$329,062.73

10/20/2023 - 11/16/2023

Agency Description	CTR ID	Contract Description	Valid From	Valid To	Total Amt	Vendor Name	Material/Service Type	Appr/Rej Date	Appr Text
MS DEPT OF ARCHIVES & HISTORY	CNTR	1475-22-C-CNTR-00020	1/12/2022	12/31/9999	4,159,029.59	CANGELOSI WARD GENERAL CONTRACTORS,	CONSTRUCTION - OTHER	10/31/2023	approval of Change Order #3 increasing contract amount by \$33,410.32 replacing existing straps on columns not repaired. (AM580363 10/31/2023 14:45:3
MS AUTHORITY FOR EDUCATION	CNTR	1247-22-C-CNTR-00105-V002	3/30/2022	12/31/2023	365,186.92	Technical Services Group, Inc.	CONSTRUCTION - OTHER	11/15/2023	approval of change order #2 increasing contract time by 408 days (AM580363 11/15/2023 13:06:41 CST) approval of Change Order 1 adding \$13,9
MS FORESTRY COMMISSION	CNTR	1451-24-C-CNTR-00022	10/5/2023	10/31/2025	15,400.00	Charles L Hood Sr Trust	LEASES	10/27/2023	
MS DEPT ENVIRONMENTAL QUALITY	CNTR	1470-24-C-CNTR-00066	10/24/2023	7/21/2024	368,987.00	Black Diamond Construction, LLC	CONSTRUCTION - OTHER	10/27/2023	approval of base bid \$368,987.00 (AM580363 10/27/2023 15:21:26 CST)
MS VETERANS AFFAIRS	EMEC	1731-23-C-EMEC-00012	3/8/2023	2/28/2024	100,000.00	4 D SOLUTIONS INC	MAINTENANCE/SERVICE BUILDING	11/13/2023	Any approval in MAGIC or any other state system does not constitute approval of the agency, emergency procurement, selection, and/or contract by the P
MS DEPT OF MILITARY	SOLC	1701-24-C-SOLC-00022	10/11/2023	12/30/2024	407,000.00	PAUL JACKSON & SON, INC.	CONSTRUCTION - OTHER	10/31/2023	approval of base bid (AM580363 10/31/2023 14:38:14 CST)
MS DEPT OF MILITARY	SOLC	1701-24-C-SOLC-00023	10/11/2023	6/1/2025	1,530,000.00	JAY VAN COMPANY	CONSTRUCTION - OTHER	11/7/2023	approval of award base bid plus alternates 1-3 (AM580363 11/07/2023 11:30:29 CST)
MS DEPT OF MILITARY	SOLC	1701-24-C-SOLC-00025	10/19/2023	12/30/2026	13,670,000.00	Codaray Construction, LLC	CONSTRUCTION - BUILDING	11/3/2023	approval of award PPRB Nov 1, 2023 (AM580363 11/03/2023 10:59:31 CST)
MS DEPT OF MILITARY	SOLC	1701-24-C-SOLC-00026	10/20/2023	12/31/2025	499,000.00	Traxler Construction LLC	CONSTRUCTION - BUILDING	10/26/2023	approval of award for base bid (AM580363 10/26/2023 09:15:13 CST)
MS DEPT OF MILITARY	SOLC	1701-24-C-SOLC-00027	10/23/2023	12/31/2025	1,177,000.00	JAY VAN COMPANY	MAINTENANCE-OTHER	11/3/2023	approval of lowest base bid \$1,177,000.00 (AM580363 11/03/2023 11:01:05 CST)
MS DEPT OF MILITARY	SOLC	1701-24-C-SOLC-00028	10/27/2023	6/1/2025	2,170,263.32	HOLLIDAY CONSTRUCTION LLC	CONSTRUCTION - BUILDING	11/13/2023	approval of award to lowest responsive/responsible bidder of base bid and alternates 1-8 (AM580363 11/13/2023 13:14:21 CST)
MS DEPT OF MILITARY	SOLC	1701-24-C-SOLC-00029	10/27/2023	6/1/2025	2,066,800.00	Hope Enterprises, LLC	CONSTRUCTION - OTHER	11/15/2023	approval of base bid plus alternate 2 (AM580363 11/15/2023 13:03:55 CST)

Total count: 12

Attachment E

OPSCR

Emergency Contracts

**Emergency Contracts
Office of Personal Service Contract Review
Reported to PPRB in Calendar Year 2024**

**Calendar Year 2024 Total:
(\$444,737.97)**

Emergency Contracts Reported January 4, 2024								
Contract Number	Agency	Contractor	Service	Contract Action	Contract Action Amount	Contract Total Amount	Start Date	End Date
8400002511	Mississippi Division of Medicaid	MedImpact Healthcare Systems, Inc	Pharmacy Rate Setting	Termination	(\$444,737.97)	\$343,215.50	3/13/2023	11/15/2023
Total Emergency Contract Actions Reported in January 2024:					(\$444,737.97)			

Attachment F

OPSCR

Sole Source Contracts

**Sole Source Contracts
Office of Personal Service Contract Review
Reported to PPRB Calendar Year 2024**

Sole Source Contracts to Report

No New Sole Source Contracts to Report in January

Attachment G

OPSCR

Staff Approvals

Staff Approvals
Office of Personal Service Contract Review
Reported to PPRB in January 2024

Staff Approvals Reported January 3, 2024							
Contract #	Agency	Contractor	Service	Action	Amount	Approval Type	Staff Authority
8200069833	East Mississippi State Hospital	Haney Health Consultants LLC	Consultant Services	New	\$30,000.00	Multiple Contracts	7-102.01
8200069683	Hudspeth Regional Center	Infiniti Healthcare Services, LLC	Nursing Services	Modification	\$110,000.00	PVL	3-208.02
10137827	East Mississippi State Hospital	William Joseph Touchstone	Psychiatric Services	Technical	\$0.00	Technical	7110.01
8200065081	Mississippi Department of Finance and Administration	GranthamPoole PLLC	Accounting	Modification	\$500,000.00	Statutory Exemption	3-101.02
8200064669	Mississippi Department of Finance and Administration	Carr Riggs & Ingram LLC	Accounting	Modification	\$500,000.00	Statutory Exemption	3-101.02
8200072497	Mississippi Department of Finance and Administration	Textron Aviation Inc	Maintenance Services on State-Owned Aircraft	New	\$168,987.25	Statutory Exemption	3-101.02
8200055688	Mississippi Emergency Management Agency	Horne LLP	Accounting	Modification	\$2,000,000.00	Statutory Exemption	3-101.02

Staff Approvals
Office of Personal Service Contract Review
Reported to PPRB in January 2024

8200048895	Mississippi Department of Employment Security	Professional Staffing Group, LLC	Temporary Staffing	Technical	\$0.00	Technical	7-110.01
8200071724	Mississippi Department of Human Services	Horne LLP	Auditing	Technical	\$0.00	Technical	7-110.01
8200072513	Mississippi Department of Human Services	Staffers Inc	Temporary Staffing	New	\$75,000.00	Multiple Contracts	7-102.01
8200070468	Mississippi Department of Public Safety	Erin Barnhart	Forensic Pathologist	Technical	\$0.00	Technical	7-110.01
Total Reported in January 2024: \$3,383,987.25							

Staff Approvals
Office of Personal Service Contract Review
Reported to PPRB in January 2024

OPSCR Staff Approval Authority Granted by PPRB	
Section 3-101.02(h)	Contracts exempt by state statute.
Section 3-101.04.3	WIN contract workers when the total contract value does not exceed \$75,000. in a 12-month period.
Section 3-103.04	Assignment of a previously approved contract due to novation, buyout, or change of name.
Section 3-208.02	Contracts with vendors selected from the Preapproved Vendor List.
Section 3-503.02.3(d)	Mississippi Veteran's Affairs contracts for operation of state veteran's homes.
Section 7-102.01	Multiple small purchase contracts with the same vendor but different scopes of service.
Section 7-110.01	Scrivener's errors and technical issues.
Section 7-110.02	Modifications which reduce the dollar amount or in which services are unchanged.
Section 7-110.03	Modifications of up to 10% of the contract amount on previously approved unit price contracts. (Total contract amount cannot exceed \$500,000.)
Section 3-102.04.1	Contracts between two state agencies, both under PPRB purview. These contracts do not require PPRB approval.

Attachment H

Protest

BEFORE THE PUBLIC PROCUREMENT REVIEW BOARD

**In the Matter of the Mississippi Division of Medicaid
Invitation for Bids for Non-Emergency Transportation Services
RFx Number 3160005602**

ORDER STAYING PROTEST APPEAL

THIS MATTER, having come before the Public Procurement Review Board (PPRB) on Medical Transportation Management, Inc.'s (MTM) appeal of the Mississippi Division of Medicaid's protest decision, is hereby STAYED until such time as the Hinds County Chancery Court rules on Verida, Inc.'s petition for protective order in Cause No. 25CH1:23-cv-00479.

As a threshold matter, MTM timely filed its original protest pursuant to the language in Medicaid's Invitation for Bids. While the Rule 7-112 of the *PPRB OPSCR Rules and Regulations* provides parties seven days to protest following the notice of intent to award, Medicaid's Invitation for Bids specifically stated that the protest deadline was "no later than April 19, 2023." Thus, even though MTM's protest was filed nine days after issuance of the notice of intent to award on April 10, 2023, the protest was timely filed pursuant to the terms of the agency's solicitation document.

Rule 7-112.03 of the *PPRB OPSCR Rules and Regulations* stays the award of a contract when a protest is timely filed following issuance of a notice of intent to award. Where the protesting party requested the bid of a third party submitted in response to the solicitation being protested and the third party filed a petition for protective order in Chancery Court, the protesting party's protest rights cannot be extinguished until the petition for protective order has been ruled upon by the Court or otherwise resolved among the parties.

However, where an Agency has issued an Invitation for Bids, Rule 3-202.11.3 allows the agency to seek PPRB approval of the resulting contract and, once approved, to execute that contract even where a timely filed protest is pending *if* the petition has been pending in Chancery Court for more than 90 days and the Chancery Court has not ruled on the petition. Should the Agency choose to proceed under Rule 3-202.11.3, the Rule 7-112.03 stay is effectively lifted, but the protesting party's protest rights are not extinguished and continue to exist after contract execution.

In the present matter, MTM's protest rights at the agency have not been exhausted and this Board will stay the protest appeal until such time as all protest rights at the agency are exhausted. Following entry of a court order ruling on Verida's petition, the stay shall be lifted without further action from this Board, as follows:

- Should the court rule that no portion of Verida's bid may be produced to MTM, the agency shall provide a copy of the court order to PPRB. The stay will be lifted once PPRB has received the court order and no further briefing to PPRB regarding the protest appeal will be allowed.

- Should the court rule that any portion of Verida’s bid may be produced to MTM, Medicaid shall produce the portion(s) of Verida’s bid allowed by the protective order. Thereafter, Medicaid shall provide MTM a reasonable amount of time to supplement its protest at the agency. In no event shall MTM be provided less than seven calendar days to supplement its protest.
 - Should MTM choose not to supplement its protest to the agency, the agency shall provide a copy of the court order, a copy of the notification the agency provided MTM regarding the deadline to submit a supplemental protest, and notification to PPRB that no such supplemental protest was timely received. Upon production of these documents to PPRB, the stay will be lifted and no further briefing regarding the protest appeal will be allowed.
 - Should MTM choose to supplement its protest to the agency, the agency shall issue a final protest decision after considering MTM’s supplemental protest. The Agency shall provide PPRB a copy of the final protest decision, a copy of the court order, and – to the extent allowed by law – a copy of the documents produced to MTM in compliance with the court order. Upon production of these documents to PPRB, the stay will be lifted and:
 - The protest appeal will be dismissed as moot *if* the final protest decision affirms MTM’s protest; or
 - The parties may supplement their briefs before the PPRB with *only* those issues arising out of the documents produced pursuant to the court order *if* the final protest decision denies MTM’s protest. The supplemental briefing deadlines are as follows:

MTM Supplemental Protest Brief:

3 business days following issuance of the final protest decision by Medicaid

Medicaid and Modivcare Supplemental Response Briefs:

5 business days following filing of MTM supplemental protest brief

MTM Supplemental Reply Brief:

2 business days following filing of Medicaid and/or Modivcare supplemental response briefs


To submit documents to PPRB, documents shall be emailed to the following individuals:

Brittney.Thompson@dfa.ms.gov	Brittney Thompson, Deputy Executive Director, DFA
Amelia.Gamble@dfa.ms.gov	Amy Gamble, Director of OPSCR, DFA
Ross.Campbell@dfa.ms.gov	Ross Campbell, Director of OPTFM, DFA
Suzanne.Hudson@ago.ms.gov	Suzanne Hudson, Special Assistant Attorney General
OPSCR@dfa.ms.gov	OPSCR General Email Address

A true and complete copy of any documents submitted to PPRB shall also be provided by email to each party's counsel of record.

PPRB delegates authority to the staff at the Mississippi Department of Finance and Administration (DFA) to amend this Order as needed to ensure the protest appeal is handled efficiently and effectively and the rights of all parties are preserved. PPRB further delegates authority to DFA staff to establish the time, date, and procedure for a hearing on the protest appeal once the stay has been lifted.

Nothing in this Order prohibits the agency from immediately seeking PPRB approval of the contract and, if approved, executing the contract as allowed by Rule 3-202.11.3. To seek such approval, Medicaid is required to submit the contract to the Office of Personal Service Contract Review at DFA pursuant to the deadlines established for submission of all personal and professional services contracts requiring PPRB approval.



Chair, PPRB

Date: Jan. 3, 2024

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December 27, 2023

Rita Wray, Chair, Mississippi Public Procurement Review Board
Mississippi Department of Finance and Administration,
Office of Personal Service Contract Review
501 North West Street, Suite 701 E
Jackson, Mississippi 39201

RE: Medical Transportation Management, Inc.'s Protest of Notice
of Intent to Award IFB #20230113 to ModivCare Solutions, LLC

Dear Ms. Wray,

The Mississippi Division of Medicaid's ("DOM") Final Decision in the MTM protest was not premature under MISS. CODE ANN. § 25-61-25(1)(b). That statute applies to public access to records held by a state agency. It is not a procurement statute and impacts the procurement protest process only to the limited extent expressly provided therein. Accordingly, this statute must be strictly construed in light of its very limited purpose which is solely to provide limited extensions of time to file a protest to an entity requesting production of competitive sealed proposals prior to the time it files a protest. Once the protest has been filed, the statute has no impact whatsoever on the time line in which an agency can issue a final decision.

Persons making a request for production of competitive sealed proposals after the notice of intent to award is issued by the public body shall have a reasonable amount of time, but in no event less than seven (7) working days after the production of the competitive sealed proposals, to protest the procurement or intended award prior to contract execution. However, in any instance where a person has filed for a protective order for a competitive sealed proposal and the court has not ruled on the protective order within ninety (90) days of filing, then the public body may proceed with awarding the contract without production of competitive sealed proposals and the contract may be protested after execution.

MISS. CODE ANN. § 25-61-25(1)(b).

On its face, the statute impacts the procurement protest process only in one limited instance that is specifically set out in the statute: where a notice of intent to award a contract has been issued, a public records request for competitive sealed proposals is subsequently made, and no procurement protest has been filed with the agency pending receipt of the documents. In that scenario, the statute allows an entity requesting a sealed competitive bid seven (7) working days after receiving the competitor's bid to then file a protest. If an intervening motion for protective order is filed and more than 90 days pass without a court ruling on the motion, the statute then authorizes the agency to move forward with awarding the contract, and any protest thereafter filed will be a protest of the contract rather than of the procurement itself.

Thus, under the plain language of the statute, an entity may seek a sealed competitive bid after the notice of intent has been issued and has no less than seven (7) working days after receipt of the documents to decide whether to file a protest of the procurement. If any party seeks a protective order with regard to the sealed competitive bids being sought and the Court has not ruled on the request for a protective order within 90 days, then the agency may go forward with awarding the contract and any protest thereafter filed will be a protest of the awarded contract.

This statute simply has no application here, and in no way does it render DOM's Final Decision premature. As pointed out in DOM's October 18, 2023, letter to Suzanne Hudson, a copy of which is attached, the time line is as follows:

April 5th: Public Record Request by MTM
April 10th: Notice of Intent to Award published
April 19th: Protest of Notice of Intent filed by MTM
May 5th: Motion for Protective Order filed by Verida
October 4th: DOM's Final Decision on Protest

MTM filed its public records request seeking the competitive sealed bid of Verida, who had been disqualified as a bidder on the NET IFB, five (5) days before DOM published its *Notice of Intent to Award the Contract*. MTM thereafter filed its Protest nine (9) days after the Notice of Intent was published and without waiting for the records it had previously requested to be produced. Subsequently, Verida filed a request for a protective order in Hinds County Chancery Court. DOM's Final Decision on the Protest was issued 153 days after the request for a protective order was filed. To date, the Chancery Court has not entered an order on the request for a protective order.

Under these undisputed facts, the statute is totally inapplicable to the factual situation before this Board. Accordingly, the Board should not enter any stay, remand or dismissal of MTM's appeal before this Board, but instead should proceed to consider the merits of MTM's appeal of DOM's Final Decision denying MTM's Protest.

There are five (5) reasons MISS. CODE ANN. § 25-61-25(1)(b) does not apply here. First, the statute only applies to requests for **competitive sealed bids**. As noted in DOM's disqualification letter to Verida, Verida's bid was never considered as a competitive bid because it failed to include all of the necessary parts as required by the IFB, i.e., independently audited financial statements. As such, Verida was immediately disqualified as a bidder, and Verida did not appeal its disqualification. Verida was not a competitive bidder as contemplated by the statute because it was disqualified before DOM considered the bids. Verida is simply irrelevant to any issue raised in MTM's Protest or appeal.

Second, the statute only applies to requests made **after** the notice of intent to award has been issued. MTM made its public records request five (5) days **before** the Notice of Intent was issued by DOM. Thus, the statute is inapplicable.

Third, MTM filed its Protest with DOM rather than waiting for production of the documents or resolution of the motion for protective order. The time extensions authorized by the statute apply **only** to the filing of the protest, which MTM has already done. Nothing in the statute or PPRB Rule 3-202.11.3 requires a pause when a protest has already been filed. If the legislature had wanted to impose a 90-day waiting period when a protest has already been filed, it would have put it in the statute. It did not. The statute simply does not address staying a protest because it does not contemplate that a protest was filed before receipt of the requested documents. PPRB cannot imply such a requirement into a statute where none exists. "In construing a statute, '[t]he entire statute must be construed together, and effect give to every

part of it, if it can be done without manifestly violating the intent of the legislature.” *Rush v. Rush Health Systems, Inc.*, 359 So. 3d 1047, 1060-61 (¶ 46) (Miss. 2023) (citations omitted).

Fourth, even if the Board finds that the statute is applicable, DOM complied with the statute. DOM did not enter its decision on MTM’s Protest **until 153 days** after Verida filed its request for a protective order. This is well more than the 90 days required by the statute. There is no mechanism in the statute or PPRB rules for this Board to issue a stay beyond 90 days. That 90 days has run, thus this Board does not have the authority to issue a stay.

Finally, public policy supports the inapplicability of the statute here. The purpose of the statute is to allow the party seeking documents to receive and review them before deciding whether to file a protest. It allows seven (7) days after the documents have been produced to file a protest. But, if after 90 days the Court has not resolved a pending request for a protective order, then the statute allows the awarding agency to go forward with awarding a contract which can then be protested **after** the contract is executed. Where, as here, the protest has already been filed, it is not possible for the agency to comply with the statute because PPRB Rule 7-112.03 prohibits the Agency from awarding a contract as allowed under the statute. Instead, that decision is redirected to this Board:

In the event of a timely protest, the agency shall not proceed further with the solicitation or with the award of the contract until the Public Procurement Review Board approves the determination that continuation of the solicitation or award of the contract without delay is necessary to protect substantial interests of the State.

Without permission from this Board, DOM cannot award the contract to ModivCare, yet the statute vests DOM with total authority to do so. DOM should not be put in the position of complying with the statute or the PPRB Rule because compliance with both is not possible under the position taken by PPRB counsel.

In this case, MTM chose to file its Protest without the Verida documents. The Protest must go forward. Neither MISS. CODE ANN. § 25-61-5(1)(b) (or any other statute) nor any PPRB rule have a requirement to stay a decision on a Protest while waiting for the resolution of a public records request for a sealed competitive bid. Implying a requirement that an agency wait indefinitely on the vagaries of a Court ruling on a request for a protective order merely encourages protesters to file spurious public record requests and then to drag out the process by refusing to sign off on required orders or endlessly negotiating over the wording of agreed orders because it is in the client’s interest to delay. Rather, public policy demands that the bid process be both speedy and certain. Having an expeditious protest process serves that purpose. DOM’s ruling on the Protest was not premature and this Board should rule on the merits of the Protest

Alternatively, and only if the Board determines that DOM’s Final Decision was premature, then DOM requests permission pursuant to PPRB Rule 7-112.03 to immediately award and execute the contract with ModivCare pursuant to the *Notice of Intent to Award Contract*. DOM is currently operating under an emergency contract with MTM which is more expensive than the contract it intends to award ModivCare. It is, therefore in the best interest of the tax payers of the State of Mississippi to move forward with awarding and executing the ModivCare contract.

Sincerely,

/s/ Janet D. McMurtray

Cc via email:

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Ross.Campbell@dfa.ms.gov

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October 18, 2023

Suzanne C. Hudson
Special Assistant Attorney General
Office of the Attorney General
State Agencies Division – Deputy Director
Woolfolk State Office Building – Office 1406
Post Office Box 220
Jackson, Mississippi 39205-0220

Sent via email to:
Suzanne.Hudson@ago.ms.gov

Dear Suzanne,

DOM provides the following information on response to your inquiry earlier today:

In response to the IFB at issue, DOM received three bids from MTM (the protestor), ModivCare (the winning bidder), and Verida. During its initial review of bids, DOM determined that Verida's bid failed to include financial statements required by § 1.8.2(5) of the IFB. As a result, Verida's bid was deemed non-responsive, and Verida was disqualified. Verida did not appeal this disqualification. Thus, Verida was not a competitive bidder on this project, because its bid was properly disqualified before bids were ever evaluated for purposes of making an award.

Subsequently, MTM filed a records request on April 5, 2023 requesting, among other documents, a copy of the sealed bid Verida submitted in response to the IFB. Although Verida was not a “competitive bidder” because its bid had been disqualified, the document nonetheless contained information that could be considered confidential or proprietary. Accordingly, DOM provided notice of the request to Verida as required by the Mississippi Public Records Act.

Shortly thereafter, on April 10, 2023, DOM published a Notice of Intent to Award the Contract stating that Modivcare was the winning bidder.

On April 19, 2023, MTM filed a Procurement Protest with DOM. On May 4, 2023, Verida filed a Petition for Protective Order. Although a hearing was held on this Petition October 4, 2023, no order has been entered by the Court and this Petition is still pending as of this date. DOM denied MTM’s protest on October 4, 2023. This is 153 days after Verida’s Petition for Protective Order was filed. It is also more than the ninety day “stay period” required by MISS. CODE ANN. § 25-61-5(b)(1):

. . .However, in any instance where a person has filed for a protective order for a **competitive sealed proposal** and the court has not ruled on the protective order within ninety (90) days of filing, then the public body may proceed with awarding the contract without production of competitive sealed proposals and the contract may be protested after execution.

Accordingly, in issuing its denial of MTM’s protest on October 4, DOM fully complied with the requirements of Mississippi law for two

reasons. First, the ninety (90) day “stay period” required by MISS. CODE ANN. § 25-61-5(b)(1) does not apply here, because MTM’s request for Verida’s sealed bid was not a request for a competitive sealed bid. During the initial review, Verida’s bid was deemed non-responsive, and it was disqualified, a finding that Verida did not challenge. DOM never considered Verida’s bid for purposes of making an award. Thus, Verida’s bid was never a competitive proposal within the meaning of the statute.

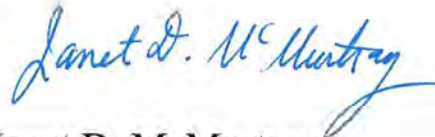
Second, even if Verida’s bid could be considered a competitive bid for purposes of MISS. CODE ANN. § 25-61-5(b)(1), DOM still complied with the statute. Verida’s Petition for Protective Order was filed May 4, 2023. DOM’s denial of MTM’s protest occurred on October 4, 2023, 153 days after the filing of Verida’s Petition. This complies with the ninety day “stay period” even if it applied.

Finally, DOM notes MTM’s request that all briefing and hearings on its appeal to PPRB be delayed while it seeks additional documents through a second, and possibly third, public records request to DOM. There is no statute, rule, or regulation that allows for such a delay, nor should one be granted in this instance even if any such discretion existed. MTM did not file a second public records request with DOM until October 5, 2023, as reflected in the attached document. That request was for communications to and from a variety of DOM personnel involved in the NET procurement, all of whom have long been known to MTM. There is no basis at all to suggest that this belated request for documents was related to “newly-discovered facts” as MTM alleges.

In addition, MTM's request was excessively broad. DOM attaches an e-mail string that reflects the public records request and DOM's response. Rather than deny the request outright, DOM has elected to allow MTM to cure its request by narrowing the scope, at which point, it can be processed as a proper request. As of today, MTM has failed to provide any information to DOM that narrows the scope of its request so that it complies with the public records statutes.

These proceedings should not be delayed based on late records requests that certainly could have been made in a timely manner, nor should any delay be allowed based on MTM's failure to serve requests that comply with the statutory requirements.

Respectfully submitted,



Janet D. McMurtray
Counsel for DOM

JDM/lwp
Attachments

Cc: All counsel of record via email

December 27, 2023

Rita Wray, Chair, Mississippi Public Procurement Review Board
Mississippi Department of Finance and Administration
Office of Personal Service Contract Review
501 North West Street, Suite 701E
Jackson, Mississippi 39201

Re: ModivCare Solutions, LLC's Response to Proposed Stay of Protest Appeal by the Department of Finance and Administration

Dear Ms. Wray:

ModivCare Solutions, LLC ("ModivCare") is in receipt of the December 18, 2023 email correspondence from Suzanne Hudson in which Ms. Hudson stated, "DFA staff will recommend that PPRB stay the protest appeal in the non-emergency transportation procurement pending outcome of Verida's petition for protective order." The apparent basis for this recommendation being that the Hinds County Chancery Court "has not ruled on Verida's petition" for protective order. *Id.* ModivCare objects to this stay as it is improper and there is no basis for such a stay in statute or regulation; therefore, the PPRB should reject the recommendation to stay by the DFA staff.

As stated in ModivCare's initial November 15, 2023 brief filed with the PPRB, MTM's appeal of DOM's protest decision is nothing more than a delay tactic. As the incumbent Non-Emergency Transportation (NET) Brokerage Services vendor, any delay in this protest appeal process serves as a mechanism by which MTM can continue to be paid under a fee structure that DOM has acknowledged includes administrative and overhead fees that are "exorbitant."

The authority cited by the DFA staff for recommending the stay of proceedings is PPRB OPSCR Rules and Regulations Rule 3-202.11.3. DFA staff's reliance on this rule is misplaced and improper. Rule 3-202.11.3 provides a mechanism by which parties may protect the confidentiality of data submitted to a public agency when responding to IFB; however, Rule 3-202.11.3 also recognizes that state business cannot be held hostage by unwarranted delay tactics. Rule 3-202.11.3 is clear: "in any instance where a person has filed for a protective order for a competitive sealed proposal and the court has not ruled on the protective order within ninety (90) days of filing, then the public body may proceed with awarding the contract without production of the competitive sealed proposals and the contract may be protested after execution." The process outlined in Rule 3-202.11.3 is based upon the authority granted in Miss. Code Ann. § 25-61-5.

Miss. Code Ann. § 25-61-5 states:

Production of competitive sealed proposals in accordance with requests made pursuant to this section shall be no later than seven (7) working days after the notice of intent to award is issued to the winning proposer. Persons making a request for competitive sealed proposals after the notice of intent to award is issued by the public body shall have a reasonable amount of time, but in no event less than seven (7) working days after the production of the competitive sealed proposals, to protest the procurement or intended award prior to contract execution. However, **in any instance** where a person has filed for a protective order for a competitive sealed proposal and **the court has not ruled on the protective order within ninety (90) days** of filing, then the public body **may proceed with awarding the contract** without production of the competitive sealed proposals and **the contract may be protested after execution.**

Miss. Code Ann. § 25-61-5 (emphasis added). Based upon its plain language, Miss. Code Ann. § 25-61-5 authorizes DOM to award the contract to ModivCare if any petition for protective order has not been ruled on within ninety (90) days of filing.

The petition for protective order at the heart of this issue is one filed by Verida. Leaving aside the *paramount* fact that DOM disregarded Verida's bid, MTM requested records from DOM related to Verida's bid on April 5, 2023. Verida filed its petition for protective order on May 4, 2023. One hundred and fifty three (153) days later, on October 4, 2023, DOM denied the protest filed by MTM and upheld its award of the IFB to ModivCare – an action they were plainly authorized by § 25-61-5 and Rule 3-202.11.3 to take. MTM engages in an interesting semantical argument on this issue – stating that while § 25-61-5 authorizes DOM to award a contract, it does not authorize DOM to rule on a protest. The PPRB should not be confused by this flawed logic – if DOM has the authority to award a contract, it naturally follows that it has the authority to deny a protest before awarding said contract.

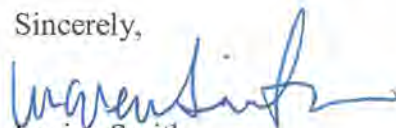
Miss. Code Ann. § 25-61-5 also makes clear that it only applies to “competitive” proposals. As discussed in ModivCare's initial brief, Verida's bid was not a “competitive” proposal, because Verida's bid never progressed to the competitive stage of the procurement process. Pursuant to Rule 3-202.13.2, “[t]he acceptability evaluation is not conducted for the purpose of determining whether one bidder's item is superior to another but **only to determine that a bidder's offering is acceptable as set forth in the Invitation for Bids**” (emphasis added). DOM rejected Verida's bid and deemed it non-responsive during this “acceptability evaluation.” Rule 3-202.13.3 makes clear that “[f]ollowing determination of acceptability as set forth in Subsection 3-202.13.2, . . . **bids will be evaluated to determine which bidder offers the lowest cost to the State in accordance with the evaluation criteria set forth in the Invitation for Bids**” (emphasis added). DOM determined that Verida failed to include the financial statements required by Section 1.8.2(5) of the 2023 IFB during the acceptability evaluation; thus, Verida's was not, and is not, “competitive.” Miss. Code Ann. § 25-61-5 and Rule 3-202.11.3 do not apply and should have no impact on the timeline of this protest appeal.

It should be further noted that the plain language of Miss. Code Ann. § 25-61-5 contemplates the protective order process will take place *prior* to the filing of any protests: **“the contract may be protested after execution.”** To find otherwise creates a process by which any party aggrieved by an award could file a protest and thereafter effectively hijack the protest process by making repeated unfounded and cumbersome public records requests and litigating the same. Such is the case here. MTM filed its protest of the IFB award to ModivCare on April 19, 2023. Now, two hundred and fifty two (252) days later, MTM’s dispute over records from a disregarded bid continues. Because MTM’s protest was made *prior* to institution of Verida’s petition for protective order, Miss. Code Ann. §25-61-5 and Rule 3-202.11.3 do not apply and should have no impact on the timeline of this protest appeal.

Based upon its pleadings, MTM would have DFA and the PPRB believe that the information sought from Verida is critical to demonstrating that ModivCare’s bid is both unreasonable and irresponsible; however, MTM has never actually confirmed the specific information it will receive from Verida upon conclusion of the protective order proceedings. While the court has not entered a written order, based upon information and belief, the court has issued a ruling in the matter ordering Verida to provide MTM with a copy of its current pending litigation. Momentarily setting aside that there is no statutory or regulatory authority for the stay requested by DFA staff, the actual information that is at the heart of that request is a list of Verida’s litigation. Respectfully, how is such information relevant to this protest appeal? The answer is simple – it is not; but regardless, Verida did not appeal DOM’s decision to reject its bid and any information related to Verida’s bid is wholly irrelevant to the award to ModivCare and MTM’s protest of the same.

Miss. Code Ann. § 25-61-5 provided DOM with the authority to deny the protest filed by MTM and move forward with awarding the IFB to ModivCare on October 4, 2023. Further, DFA staff has presented no statutory or regulatory authority supporting a stay of protest appeal proceeding. The PPRB should reject DFA staff’s recommendation to stay and schedule the hearing for the earliest available setting.

Sincerely,



Lucien Smith

Counsel for ModivCare Solutions, LLC

cc: Brittney Thompson (via Brittney.Thompson@dfa.ms.gov)
Amelia Gamble (via Amelia.Gamble@dfa.ms.gov)
Ross Campbell (via Ross.Campbell@dfa.ms.gov)
Suzanne Hudson (via Suzanne.Hudson@ago.ms.gov)
OPSCR@dfa.ms.gov