

SUPPLEMENTAL AGENDA

Suspension of the Rules Request
ALC/Review Subcommittee

Tuesday, February 13th, 2024
1:30 pm, Room A MAC

A. In – State Contract

1. Agri Soybean Promotion Board – The Communications Group

Note: All exhibits for this meeting are available by electronic means and are accessible on the General Assembly's website at www.arkleg.state.ar.us

Notice: Silence your cell phones. Keep your personal conversations to a minimum. Observe restrictions designating areas as *'Members and Staff Only'*.

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SUMMARY SCHEDULE OF STATE AGENCY CONTRACTS
FOR ARKANSAS LEGISLATIVE COUNCIL REVIEW
In-State Contracts

1. Agency: Department of Agriculture	Contractor: THE COMMUNICATIONS GROUP
	Location: LITTLE ROCK State: AR
Service Type: Professional Consultant Services (PCS)	
Total Authorized:	\$0.00 Org. Term: 02/16/2024 07/01/2024 Procurement: SP
Total After Review:	\$200,000.00 Funding: State - 100%
Total Projected:	\$200,000.00 MOF:
Contract Number: 4502199364	
<u>Org/Amt:</u>	<u>Amount</u> <u>Paid To Date</u> <u>Objective:</u> <u>New Exp Date</u>
	200,000.00 Public relations work for the Arkansas Soybean Promotion Board



Sarah Huckabee Sanders
Governor

1 Natural Resources Drive, Little Rock, AR 72205
agriculture.arkansas.gov
(501) 225-1598



Wes Ward
Secretary of Agriculture

February 6, 2024

Senator Scott Flippo
Representative Les Eaves
Co-Chairs, ALC-Review Subcommittee
1 Capitol Mall
Little Rock, AR 72201

Dear Senator Flippo and Representative Eaves:

The Arkansas Department of Agriculture respectfully requests suspension of the rules of the ALC-Review Subcommittee to allow for review of a marketing and communications contract for the Arkansas Soybean Research and Promotion Board (Board). Pursuant to Act 636 of 2023, the Arkansas Department of Agriculture (Department) began administering the Board on August 1, 2023.

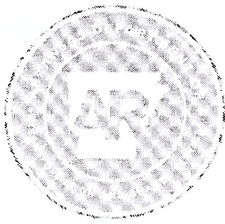
The Board has been in the process of procuring a contractor for these services for several months but has not been able to complete the procurement. The Board recently directed the Department to request a Special Procurement to allow for these services to continue while a new contractor is being selected. The need to provide information to consumers and producers of soybeans is of vital importance to the Board and must be provided during this interim period.

Once the Special Procurement was approved, there was not sufficient time to finalize an agreement with a contractor to carry out the needed services before the normal submission deadline for the ALC - Review Subcommittee. Therefore, we respectfully submit this request for a suspension of the rules to allow for review of the contract obtained through Special Procurement that would enable the continuation of marketing and communication services critical to the Board's fulfillment of its duties.

I appreciate your consideration of this request. Please do not hesitate to let me know if additional information is needed.

Respectfully,

Wesley W. Ward
Secretary of Agriculture
State of Arkansas



DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES
OFFICE OF STATE PROCUREMENT
Special Procurement Justification Form

Complete all sections of this *Special Procurement Justification Form* and follow the steps specified in the *Special Procurement Procedures*. Email the completed form to the Office of State Procurement review mailbox at osp.review@arkansas.gov to ensure timely review.

Procurement Unit Requesting Special Procurement

Requesting Department: 9901 - Department of Agriculture

Requesting Division: Soybean Promotion Board

Purchasing Contact: Melissa Barlow Phone Number: 501-219-6386

Email: melissa.barlow@agriculture.arkansas.gov

General Information

Description of Service/Commodity: Public Relations Service

Vendor Name: The Communications Group

Start Date of Resulting Contract: 2/16/2024 Expiration Date of Resulting Contract: 7/1/2024

Contract Number (if available): Click here to enter text. Total Projected Cost: \$200,000

Identify the unusual or unique situation justifying a Special Procurement.

The Soybean Promotion Board is currently without a Public Relations Group. Outreach, educational, marketing, and communication capabilities are essential for the Board's promotional activities. Several conferences and industry related meetings occur during the winter and early spring prior to planting season making this time frame a critical outreach and communications time of the season.

Identify the reason a competitive procurement is contrary to public interest.

Click here to enter text.

Identify the expected duration of the unusual or unique situation.

This is a temporary request while we work on our bidding for a contract. We are currently working on the draft of an Request for Proposal with OSP.

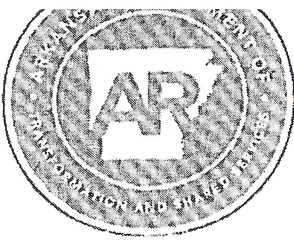
Explain the reason the contract duration exceeds the expected duration of the unusual or unique situation, if applicable.

Click here to enter text.

Identify the reason for choosing the selected vendor.

Communications Group had the expired contract and can pick up where they left off. They understand and know exactly what is needed without a formal bid or meeting. The group is familiar with agriculture and particularly soybean production and marketing. They are also familiar with and have many contacts within the Board's target audience.

Provide additional details as needed.



Department of Transformation and Shared Services

Governor Sarah Huckabee Sanders

Secretary Leslie Fisk

Director Edward Armstrong

February 2, 2024

Ms. Melissa Barlow
Arkansas Agriculture Department
1 Natural Resources Drive
Little Rock, Arkansas 72205

Re: Request for Special Procurement
The Communications Group

Dear Ms. Barlow:

Thank you for your correspondence received on January 29, 2024, to obtain authorization for a special procurement on behalf of Arkansas Agriculture Department to enter into an agreement with The Communications Group to purchase public relations services for a term from February 16, 2024, to July 1, 2024, for a total projected cost of \$200,000.00.

The legal standard for granting special procurement authority is codified at Arkansas Code Annotated § 19-11-263, which provides, in pertinent part, as follows:

... the State Procurement Director or the head of a procurement agency may initiate a procurement above the competitive bid amount specified in § 19-11-234, when the officer determines that an *unusual or unique situation exists that makes the application of all requirements of competitive bidding, competitive sealed bidding, or competitive sealed proposals contrary to the public interest.*

Arkansas Code Annotated § 19-11-263 (emphasis added).

As justification for its request, Arkansas Agriculture Department states:

The Soybean Promotion Board is currently without a Public Relations Group. Outreach, educational, marketing, and communication capabilities are essential for the Board's promotional activities. Several conferences and industry related meetings occur during the winter and early spring prior to planting season making this time frame a critical outreach and communications time of the season.

Arkansas Agriculture Department also presents the following information:

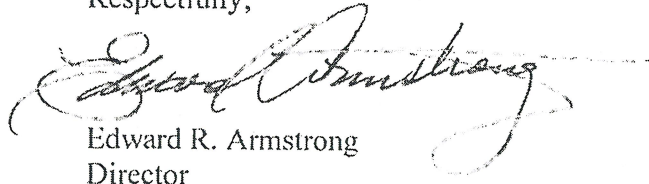
This is a temporary request while we work on our bidding for a contract. We are currently working on the draft of a Request for Proposal with OSP.

The Communications Group had the expired contract and can pick up where they left off. They understand and know exactly what is needed without a formal bid or meeting. The group is familiar with agriculture and particularly soybean production and marketing. They are also familiar with and have many contacts within the Board's target audience.

I find that this set of circumstances meets the standard for special procurement as set forth in Arkansas Code Annotated § 19-11-263 since a competitive solicitation is already in the works but the Soybean Promotion Board has claimed a present need to the Department. As a result, Arkansas Agriculture Department's special procurement request to enter into an agreement with The Communications Group to purchase public relations services for a term from February 16, 2024, to July 1, 2024, for a total projected cost of \$200,000.00 is approved.

In doing so, I note that approval of this special procurement request is short-term in order that Arkansas Agriculture Department may procure these public relations services through standard state procurement processes that were initiated in October 2023 but not yet finalized.

Respectfully,

A handwritten signature in cursive script, appearing to read "Edward R. Armstrong", is written over a horizontal line.

Edward R. Armstrong
Director