



STATE OF ARKANSAS
**Department of Finance
 and Administration**

OFFICE OF STATE PROCUREMENT
 1509 West Seventh Street,
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Memorandum

To: Sen Horn, Rep. Dunn, Co-Chairs,
 Review Sub-Committee, Arkansas Legislative Council

From: Jane Benton, Director

Date: April 8, 2009

Subject: **Special Procurements—Arkansas Department of Correction; Agricultural Fertilizer and the Ouachita Special Needs Unit**

Under the provisions of the State Procurement Law, Section 19-11-263, Special Procurements, this report reflects the Department of Corrections' Special Procurements.

Based on justification provided by the Arkansas Department of Correction (ADC), it is my determination 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. The provisions of this section of the Procurement Law, ACA 19-11-263, will be used in the procurement of agricultural fertilizer for ADC farms units due to the volatility in the market, uncertainty in the petroleum industry and the construction of the Ouachita Special Needs Unit. Other provisions of the Procurement Law did not allow the flexibility required by ADC to properly purchase those items in a timely manner or at a cost most beneficial to the State.

**0480 – DEPARTMENT OF CORRECTION
 FARM FERTILIZER REPORT
 March 2009**

<u>PO #</u>	<u>VENDOR</u>	<u>AMOUNT</u>	<u>UNIT</u>
4500929608	Agro Distribution/Altheimer	\$ 14,360.00	Cummins
4500929635	Crop Production Services	<u>\$ 8,325.00</u>	EARU
		\$ 22,685.00	

**SPECIAL NEEDS UNIT REPORT
 March 2009**

<u>PO #</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
4500924654	Bradco Supply Corp	Roofing Materials	\$ 88,648.24
4500931354	Statler Crane Service Inc.	Crane Rental	<u>62,713.00</u>
Total			<u>\$151,361.24</u>



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MEMORANDUM

To: Representative David Dunn
 Senator Barbara Horn
 Arkansas Legislative Council Co-Chairs

From: Jane Benton, Director *Jane Benton*
 Office of State Procurement

Date: May 5, 2009

Subject: Notification of Use of ACA §19-11-263 Special Procurement

This memorandum provides notification of the use of the "Special Procurement" provisions of ACA 19-11-263 for the purpose of construction of the 300 bed unit by the Arkansas Department of Corrections (ADC).

19-11-263. Special procurements.

- (a) Notwithstanding any other provision of this subchapter, 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.
- (b) A written determination of the basis for the procurement and for the selection of the particular contractor shall be included by the director or the head of a procurement agency in the contract file, and he or she shall file a monthly report with the Legislative Council describing all such determinations.

History. Acts 2001, No. 1237, § 48.

R1:19-11-263 Special procurement reporting.
Agencies are required to report special procurements to the Office of State Procurement. The reports shall include a copy of the written determination of the basis for the procurement and for the selection of a particular contract, and a copy of the contract. The reports will be reviewed and collated and a consolidated report for the state will be forwarded to the Legislative Council as required.

Based upon the justification provided by the Arkansas Department of Corrections (ADC) by letter of March 19, 2009 I have determined that a unique situation exists that makes the application of requirements of competitive bidding contrary to the public interest due to:

- Corrections will use inmate labor on this project which is more economical than hiring an outside contractor.
- Corrections has shown prudent judgment and use of the existing Special Procurement exception agreement.
- A 2 year project timeline will require complex coordination of all trades to complete construction. This will require timely delivery of needed supplies and equipment.
- Corrections established and operates under internal controls that have worked well to ensure compliance, competitiveness, and transparency.
- There is significant Correctional managerial oversight and review by the contracted architectural firm of purchases.
- The provisions of this section of the Procurement Law will be used in the procurement of commodities that are generally standard in the correctional construction market for the exclusive use in the construction of the 300 bed unit.

These purchases will be reported monthly to the Arkansas Legislative Review Council as required by Arkansas Code §19-11-263.

PROFESSIONAL SERVICE CONTRACTS
\$5-\$25k REPORT
MARCH 2009

Agency #	Agency Name	Contract #	Vendor Name	Total Amount	Contract Start	Contract End	Method
23	Administrative Office of the Courts	4600016641	Jamaal M. Walker	\$14,950.00	02/19/2009	05/31/2009	RFQ
23	Administrative Office of the Courts	4600016747	Diane Robinson	\$24,600.00	03/30/2009	03/20/2010	RFQ
23	Administrative Office of the Courts	4600016748	Christy Carr	\$14,000.00	03/20/2009	06/30/2009	RFQ
23	Administrative Office of the Courts	4600016751	Amy Freedman	\$12,500.00	03/20/2009	06/30/2009	RFQ
23	Administrative Office of the Courts	4600016775	Mythics Professional Services	\$20,133.10	03/30/2009	09/30/2009	RFQ
23	Administrative Office of the Courts	4600016799	The McCammon Group	\$12,025.00	06/15/2009	12/28/2009	RFP
23	Administrative Office of the Courts	4600016800	Kathey Foskett	\$6,795.00	08/19/2009	08/21/2009	RFP
120	Arkansas State University Beebe	91679	Ipser & Associates, Inc.	\$8,920.00	03/23/2009	06/30/2009	CB
177	Mid-South Community College	RFP1770911	Robert Terry (CommonLink)	\$24,750.00	04/10/2009	06/30/2009	RFP
400	AAD-Land Survey	4600016709	Taylor, Derrell A	\$10,000.00	03/11/2009	06/30/2009	RFQ
400	AAD-Land Survey	4600016721	Crafton, Tull & Associates Inc	\$19,000.00	03/13/2009	06/30/2009	RFQ
400	AAD-Land Survey	4600016749	Holland, Clifford Donnie	\$19,000.00	03/20/2009	06/30/2009	RFQ
455	Arkansas Natural Resources Commi	20090209	Mitchell, Williams, Selig, Gates & Woodya	\$5,000.00	02/09/2009	03/13/2009	SS
645	AR Department of Health	4500931940	Arkansas Childrens Hospital Audiology an	\$9,120.00	04/01/2009	06/30/2010	CB
645	AR Department of Health	4500932656	Quantummark LLC	\$13,112.00	04/01/2009	06/30/2009	SS
710	DBHS	4500922258	South Arkansas Regional Health Center	\$5,743.10	02/23/2009	05/23/2009	RFQ

MONTHLY REPORT OF FEDERAL GRANT APPLICATIONS BY STATE AGENCIES, BOARDS AND COMMISSIONS FOR THE MONTH OF APRIL 2009

ARKANSAS DEPARTMENT OF FINANCE & ADMINISTRATION - OFFICE OF INTERGOVERNMENTAL SERVICES
STATE CLEARINGHOUSE 2009

Item#	Date of Application	State Agency	Project Description	Area of Impact	Federal Funding Agency	Funding Amounts
(1)	03-26-2009	Arkansas Department of Environmental Quality	Arkansas Diesel Emissions Reduction Funding Assistance Program - <u>American Recovery and Reinvestment Act of 2009</u>	Statewide	U.S. Environmental Protection Agency	Federal Applicant \$1,730,000.00 State Other Total \$1,730,000.00
(2)	03-26-2009	Arkansas Department of Environmental Quality	The overall purpose is to clean up contaminated LUST sites effectively, maximize job creation/retention, and provide economic and environmental benefits to the citizens of the United States and its territories. <u>American Recovery and Reinvestment Act</u>	Statewide	U.S. Environmental Protection Agency	Federal Applicant \$2,300,000.00 State Other Total \$2,300,000.00
(3)	04-01-2009	Arkansas Arts Council	Partnership grant with the NEA for salary monies for arts organizations that are in jeopardy of having to reduce the number of staff members. <u>American Recovery and Reinvestment Act</u>	Statewide	National Endowment for the Arts	Federal Applicant \$302,100.00 State Other Total \$302,100.00
(4)	04-01-2009	Arkansas Service Commission/DHS Division of Volunteerism	AmeriCorps Recovery Act formula funds address immediate needs in literacy, environmental and other human needs in Arkansas. <u>American Recovery and Reinvestment Act</u>	Statewide	Corporation for National and Community Service	Federal Applicant \$272,063.00 State \$226,139.00 Other Total \$498,202.00
(5)	04-01-2009	Arkansas Service Commission/DHS Division of Volunteerism	Arkansas Commission on National and Community Service - AmeriCorps Recovery Act Competitive funds address immediate needs in access to health care in the Delta region of Arkansas. <u>American Recovery and Reinvestment Act</u>	Statewide	Corporation for National and Community Service	Federal Applicant \$503,904.00 State \$221,057.00 Other Total \$724,961.00

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(6)	04-03-2009	Arkansas State Plant Board/Plant Industry Division	CORE Project-State Survey Coordinator Function – This grant will continue to fund a position whose activities will coordinate with a comparable APHIS position to oversee pest detection efforts through the Cooperative Agricultural Pest Survey (CAPS) Program. The State Survey Coordinator will build partnerships with a host of potential cooperators to create an effective detection and response capabilities in accordance with national guidelines as established by APHIS	Statewide	U.S. Department of Agriculture/ APHIS	Federal Applicant State Other Total	\$56,995.00 \$56,995.00
(7)	04-03-2009	Arkansas Arts Council	Partnership grant with the NEA to provide basic operating expenses for the AR Arts Council and grants to local arts agencies for operating support, Arts in Education, Project Support, AIE in communities, and grants to Underserved communities	Statewide	National Endowment for the Arts	Federal Applicant State Other Total	\$665,600.00 \$700,000.00 \$1,365,600.00
(8)	04-06-2009	Arkansas Department of Emergency Management	FY2009 Homeland Security Grant Program – To improve the State Emergency Management preparedness and mitigation capability and ensure the States, Commonwealths, and/or Territories encourage and establish an accelerated pattern of all-hazards risk reduction within their jurisdiction	Statewide	U.S. Department of Homeland Security/ FEMA	Federal Applicant State Other Total	\$7,177,513.00 \$7,177,513.00
(9)	04-06-2009	Arkansas Agriculture Department/Plant Board	Various projects to enhance the competitiveness of Arkansas Specialty Crops	Statewide	U.S. Department of Agriculture/ AMS	Federal Applicant State Other Total	\$105,096.00 \$105,096.00
(10)	04-14-2009	Arkansas Game and Fish Commission	Remodel public restroom that is within 100 yds. of the boat ramp and fishing pier – Cox Creek Lake Bathroom Renovation	Cox Creek Lake, Grant County, AR	U.S. Department of Interior, Fish and Wildlife Service	Federal Applicant State Other Total	\$18,375.00 \$6,125.00 \$24,500.00

(11)	04-15-2009	Arkansas Department of Finance and Administration/ Office of Intergovernmental Services	State and Local Government Program to prevent and control crime and to improve the criminal justice system. This is a grant award from the Department of Justice through the <u>American Recovery and Reinvestment Act</u> .	Statewide	U.S. Department of Justice/Bureau of Justice Assistance	Federal Applicant State Other Total	\$13,768,225.00
(12)	04-15-2009	Arkansas State Crime Laboratory	The objective of this grant is to combat criminal narcotics along the Southern border (Gulf Coast High Intensity Drug Trafficking Area (GC HIDTA) by decreasing the time it takes for law enforcement and court officials to receive laboratory drug results, therefore expediting criminal prosecution and inhibiting additional drug activity. The goal of this project is to maintain less than a 30 day turn-around time (from when the drug case was submitted by the law enforcement agency to a report being issued) for forensic drug cases and to reduce the turn-around time to below 30 days for the illicit manufacturing drug cases. The strategy for meeting the above goal is to increase capacity in the Forensic Chemistry section by purchasing two (2) Gas Chromatograph Mass Spectrometers (GCMS), one (1) Gas Chromatograph (GC), one (1) Fourier Transform Infrared – Attenuated Total Reflectance Spectrometer (FTIR-ATR) and one (1) Hydrogen Generator (to support GC.) <u>American Recovery and Reinvestment Act</u>	Statewide	U.S. Department of Justice/Bureau of Justice Assistance	Federal Applicant State Other Total	\$248,400.00
(13)	04-15-2009	Arkansas State Crime Laboratory	FY 2009 Convicted Offender and/or Arrestee DNA Backlog Reduction Program - The purpose of this grant is to fund processing of arrestee samples. This will allow the Arkansas State Crime Laboratory to comply with the expanded database collection laws	Statewide and Nationwide	U.S. Department of Justice/ National Institute of Justice	Federal Applicant State Other Total	\$85,165.00
(14)	04-16-2009	Arkansas State Police	Internet Crimes Against Children Task Force Arkansas – <u>American Recovery and Reinvestment Act of 2009 (ARRA)</u> Hiring three positions for ICAC and providing funding to Arkansas ICAC affiliates	Statewide	U.S. Department of Justice/Office of Juvenile Justice and Delinquency Prevention	Federal Applicant State Other Total	\$580,983.00

(15)	04-17-2009	Arkansas Energy Office	SEP Stimulus – The purpose of this grant is to support the implementation of the <u>American Recovery and Reinvestment Act of 2009</u> in Arkansas. The goal is to preserve and create jobs and promote economic recovery; to assist those most impacted by the recession; to provide investments needed to increase economic efficiency by spurring technological advances in science and health; to invest in transportation, environmental protection and other infrastructure that will provide long-term economic benefits; and, to stabilize state and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.	Statewide	U.S. Department of Energy/National Energy Technology Laboratory	Federal Applicant State Other Total	\$39,416.00 \$39,416.00
(16)	04-17-2009	Arkansas Department of Finance and Administration/Office of Intergovernmental Services	Recovery Act – OVW FY09 STOP Violence Against Women Formula Grant Program. <u>American Recovery and Reinvestment Act</u>	Statewide	U.S. Department of Justice/Office on Violence Against Women	Federal Applicant State Other Total	\$1,589,942.00 \$1,589,942.00
(17)	04-17-2009	Arkansas Department of Finance and Administration/Office of Intergovernmental Services	Recovery Act – OVC FY09 VOCA Victims Assistance Formula Grant Program – <u>American Recovery and Reinvestment Act</u>	Statewide	U.S. Department of Justice/Office for Victims of Crime	Federal Applicant State Other Total	\$689,000.00 \$689,000.00
(18)	04-17-2009	Arkansas Department of Finance and Administration/Office of Intergovernmental Services	HHS-2009-ACYF-FVPS-0035 – Family Violence Prevention and Services/Grants to Domestic Violence Shelters and Related Assistance/Grants to States	Statewide	U.S. Department of Health and Human Services/ Admin. for Children and Families	Federal Applicant State Other Total	\$1,101,300.00 \$1,101,300.00
(19)	04-17-2009	Arkansas Department of Finance and Administration/Office of Intergovernmental Services	OVW FY 2009 Sexual Assault Services Formula Grant Program	Statewide	U.S. Department of Justice/Office on Violence Against Women	Federal Applicant State Other Total	\$100,000.00 \$100,000.00

(20)	04-20-2009	Arkansas Department of Environmental Quality/Public Outreach and Assistance Division	<p>Pollution Prevention Program – The Arkansas Department of Environmental Quality's (ADEQ) Pollution Prevention (P2) Program will provide P2 site assistance to businesses for which a lack of information is an impediment to source reduction and to other businesses upon request. ADEQ's P2 Program Coordinator will lead the agency's Environmental Management System and document the results of its annual audit. The Arkansas Environmental Stewardship Award applications will be evaluated. Source reduction data will be collected and reported to the U.S. EPA Region 6 and the National P2 Results Data System. The P2 Program Coordinator will also participate in public outreach activities, and attend regional meetings and training events</p>	Statewide	U.S. Environmental Protection Agency	<table border="0"> <tr> <td>Federal Applicant</td> <td>\$45,000.00</td> </tr> <tr> <td>State</td> <td>\$45,000.00</td> </tr> <tr> <td>Other</td> <td></td> </tr> <tr> <td>Total</td> <td>\$90,000.00</td> </tr> </table>	Federal Applicant	\$45,000.00	State	\$45,000.00	Other		Total	\$90,000.00
Federal Applicant	\$45,000.00													
State	\$45,000.00													
Other														
Total	\$90,000.00													

**ARRA FUNDS CONTRACTS FOR REPORTING
MAY 2009**

Contract #	AMD #	Agcy #	Agency	Prcrmt Mthd	Increase Amount	Grand Total	Vendor Name	State
4600014097	1	710	DHS	RFQ	\$329,880.38	\$469,880.38	Morris & Associates, Architects, Environmental Consultants	AR
4600016244	2	710	DHS	ABA	\$93,237.50	\$493,237.50	Morris & Associates, Architects, Environmental Consultants	AR
4600009120	5	710	DHS	ABA	\$171,250.00	\$285,872.00	Morris & Associates, Architects, Environmental Consultants	AR
4600013193	1	710	DHS	ABA	\$337,000.00	\$517,600.00	Taggart-Foster-Currence-Gray, Architects, Inc.	AR
4600014539	1	710	DHS	RFQ	\$787,527.50	\$937,527.50	Stuck Associates, Inc.	AR
4600011599	5	710	DHS	ABA	\$428,725.00	\$633,606.16	Lockeby & Associates, Inc.	AR
4600011615	3	710	DHS	ABA	\$45,500.00	\$128,083.28	Clements & Associates/Architecture, Inc.	AR