

Mississippi State University
Notice of Proposed Sole Source Purchase
223-17

Mississippi State University anticipates purchasing the item(s) listed below as a sole source purchase. Anyone objecting to this purchase shall follow the procedures outlined below.

1. Commodity or commodities to be purchased (make, model, description):

LabVIEW for Teaching/Research AVL Subscription License

2. Explanation of the need to be fulfilled by this item(s), how is it unique from all other options, and why it is the only one that can meet the specific needs of the department:

Labview is used by Ag and Bio Engineering, Aerospace Engineering, CAVS, Electrical and Computer Engineering, ICET, and Mechanical Engineering for both teaching and research.

The software is needed specifically for use in controlling and monitoring hardware. Programs have been written for this purpose that will only run through Labview.

In addition, various departments have portions of their curriculum written to expressly use Labview for teaching and demonstrations.

3. Name of company/individual selling the item and why that source is the only possible source that can provide the required item(s):

National Instruments (NI)

4. Estimated cost of item(s) and an explanation why the amount to be expended is considered reasonable:

The cost to purchase the license is \$12,845. The software is required to interface with National Instrument's hardware. In addition, the development effort already committed in both teaching and research is substantial and would require significant effort to retool.

5. Explanation of the efforts taken by the department to determine this is the only source and the efforts used to obtain the best possible price:

NI has switched their licensing model this year to a subscription based service. As part of the transition, NI agreed to provide the same service as the college's former site license agreement to help with the transition.

Any person or entity that objects and proposes that the commodity listed is not sole source and can be provided by another person or entity shall submit a written notice to:

Don Buffum, CPPO

Director of Procurement & Contracts

dbuffum@procurement.msstate.edu

Subject Line must read “Sole Source Objection”

The notice shall contain a detailed explanation of why the commodity is not a sole source procurement. Appropriate documentation shall also be submitted if applicable.

If after a review of the submitted notice and documents, MSU determines that the commodity in the proposed sole source request can be provided by another person or entity, then MSU will withdraw the sole source request publication from the procurement portal website and submit the procurement of the commodity to an advertised competitive bid or selection process.

If MSU determines after review that there is only one (1) source for the required commodity, then MSU will appeal to the Public Procurement Review Board. MSU will have the burden of proving that the commodity is only provided by one (1) source.

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