

Mississippi State University
Notice of Proposed Sole Source Purchase
223-19

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):

ChemStation software sold by Agilent Technologies to run our Agilent 1200 Series LC-MS system (MSU Inventory #254-0150804).

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:

This software is used to run our LC-MS (liquid chromatography-mass spectrometry) system in the Department of Chemistry. This instrument is essential for small molecule characterization for both research and teaching, and it is an instrument used by the entire department as well as those outside the department. No other software will run the Agilent instrument.

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

ChemStation is a proprietary software used by Agilent Technologies to run their chromatography systems. We are in the process of repairing our LC-MS instrument and Agilent no longer supports the older (Windows XP) version of this software. So, we are wanting to purchase the newer version of their software for our instrument.

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

The cost is \$6,884.20 for the software which includes a \$1,603.80 discount. Compared to the cost of a new instrument which would be \$75-100k, I believe the \$6k software is reasonable.

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:

Dr. Stokes (the instrument manager for the chemistry department) has discussed a variety of option with the Agilent sales rep and their technicians. The purchase of this software would be the lowest cost option aside from purchasing another instrument. The software is proprietary, so it is not distributed by other companies.

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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