

Mississippi State University Notice of Proposed Sole Source Purchase

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):

We request permission to purchase FishTek SharkGuard shark deterrents: electronic devices designed to deter sharks from recreational fishing catch. These devices are manufactured and sold by FishTek Marine Sport. More information about the product can be found here:

<https://fishtekmarinesport.com/sharkguard-deterrent/>

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:

Human-wildlife conflict in marine systems is intensifying as a result of habitat change and shifts in wildlife abundance and distribution. In U.S. waters, the most critical conflict involving sharks is depredation, the partial or complete removal of hooked fishes by sharks. This interaction affects commercial, charter, and recreational fisheries by eroding trust in fisheries management, reducing economic returns, and increasing tensions among fishermen, managers, and conservationists. Recent Congressional action and legislation, including a NOAA Fisheries depredation report to Congress in 2022 and the passage of the SHARKED Act by the U.S. House of Representatives in 2025, highlight the urgency of addressing shark depredation at regional and national scales. A global synthesis of depredation mitigation approaches provides a shortlist of the most promising methods to mitigate shark depredation (Mitchell et al. In Review).

Our objective is to conduct controlled testing of the Fishtek SharkGuard, a deterrent method recommended by Mitchell et al. (In Review). We will also recruit industry personnel to trial the Fishtek SharkGuard in non-controlled settings. First, we will recruit charter captains and share recommended techniques and rigging during an in-person workshop. Then we will provide deterrents and testing guidelines to recruited captains.

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

FishTek Marine Sport is the developer and sole manufacturer of the FishTek SharkGuard.

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

The FishTek SharkGuard typically costs \$275 each, but FishTek Marine Sport will provide an 18% discount (\$226.46 each) for a total of \$19,249.10.

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:

Since shark deterrents are an emerging technology, they are not commonly supplied. Given the generous discount from FishTek Marine Sport, the sole manufacturer of the SharkGuard, the product described above is the only feasible option for this project.

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:

Jennifer Mayfield, CPPO
Interim Deputy Director of Procurement & Contracts
jmayfield@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.