

Mississippi State University
Notice of Proposed Sole Source Purchase

245-114

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):
Apogee, the 6th generation smart, active power-suit.
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:
The Ekso EVO Arm Cuffs and Unit Activation Apogee are needed to study how assistive devices help older adults maintain motor function. They are unique because they provide passive, lightweight support without motors, allowing natural movement, which no other device offers
3. Name of company/individual selling the item and why that source is the only possible source that can provide the required item(s):
German Bionic is the only distributor.

There are no agents or dealers authorized to represent this product. Additionally, competition is precluded by the existence of an agreement with the manufacturer, who has given us an exclusive right to market this product (or patent, copyright, secret process, or monopoly. There is no other like item(s) or product(s) available for purchase that would serve the same purpose or function and there is only one price for the above names item(s) or product(s) because of exclusive distribution or marketing rights.

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

\$14, 319.00

Apogee Ultra is a sole source product, manufactured, sold, and distributed exclusively by German Bionic Inc. No division of German Bionic Inc, nor any other company, makes a similar or competing product.

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:

The department reviewed available products and found no other device matching the Ekso EVO's passive support and design. Pricing was confirmed with the manufacturer and matches public listings, ensuring the best available price.

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

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.