

MISSISSIPPI STATE DEPARTMENT OF HEALTH
Notice of Proposed Sole Source Purchase #0301-51
RFx # 31500001930

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

Commodity or commodities to be purchased (make, model, description): Female condoms FC2 Internal Condoms. The FC1 female condom was first made from polyurethane. The second generation female condom (FC2) is non-latex material made from synthetic nitrile; full transition of product line was done October 2009.

Explanation of the need to be fulfilled by this item(s) and why it is the only one that can meet the specific needs of the department: FC2 internal condoms and male condoms are the only barrier methods approved by the FDA for preventing unintended pregnancy and sexually transmitted diseases, including HIV.

Name of company/individual selling the item(s) and why that source is the only possible source that can provide the required item(s): Veru Inc. is the sole supplier of the FC2 Female Condom in the United States. The FC2 is the only female condom approved by the United States Food and Drug Administration for sale and use in the United States. Veru Inc. owns all intellectual, manufacturing and property rights worldwide.

Estimated cost of item(s) and an explanation why the amount to be expended is considered reasonable: FC2 internal condom is offered to all public sector and 501(c)(3) entities at special pricing of \$1.10 per condom (\$1100.00/case of 1000) with free shipping.

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: Agency's staff has requested quotes from other vendors to purchase FC2 internal condoms and was informed by vendors that FC2 condoms can only be purchased from Veru Inc.

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 Dotson, Mississippi State Department of Health Purchasing Department, 570 E. Woodrow Wilson, Room 134 Underwood Building, Jackson, MS 39216 or P. O. Box 1700, Jackson, MS 39215-1700.

Responses may be hand delivered, via regular mail, overnight delivery or by e-mail: jennifer.dotson@msdh.ms.gov. The envelope or e-mail should reference the sole source number.

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. The enclosed form (OSS) may be used if you so desire.

If after a review of the submitted notice and documents, Mississippi State Department of Health determines that the commodity in the proposed sole source request can be provided by another person or entity, then Mississippi State Department of Health 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 Mississippi State Department of Health determines after review that there is only one (1) source for the required commodity, the Mississippi State Department of Health will appeal to the Public Procurement Review Board. Mississippi State Department of Health will have the burden of proving that the commodity is only provided by one (1) source.

Notices/objections, etc. will be accepted at any time prior to: Tuesday, February 19, 2019 at 3:00 p.m. (CST)



FC2 Internal Condom Quote

Quotation prepared by: Beth Gotti 1/16/2019; Expires 3/16/2019
Email: info@fc2.us.com

Elizabeth B. H.

Thank you for your support of FC2!

www.fc2.us.com

MIAMI LONDON MALAYSIA