

# Notice of Intent to Certify Sole Source

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**To:** Interested Parties

**From:** Ellen Swoger  
CIO, Applications

**Date:** 11/15/2023

**Re:** Sole Source Certification Number **SS9609** for Upgrade of Bose ELF3200 Instrument

**Contact Email Address:** [solesource@umc.edu](mailto:solesource@umc.edu)

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## Sole Source Certification Award Details

Regarding UMMC Sole Source Certification Number 9609 for Upgrade of Bose ELF3200 Instrument please be advised that UMMC intends to award the purchase of the Upgrade of Bose ELF3200 Instrument to TA Instruments – Waters, LLC as the original equipment manufacturer (OEM) and sole source provider of the Bose ELF3200 Instrument for the University of Mississippi Medical Center.

UMMC issues this notice in accordance with Mississippi state law, policy, and procedures for sole source procurements.

## Sole Source Criteria

1. Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration (and manufacturer is the sole supplier).
2. Where a sole supplier's item is needed for trial use or testing.
3. Where a sole supplier's item is to be required when no other item will service the needs of UMMC.

## Schedule

Task	Date
First Advertisement Date	November 20, 2023
Second Advertisement Date	November 29, 2023
Response Deadline from Objectors	December 6, 2023, at 3:00 p.m. Central Time

**Project Details****1. Describe the commodity/service that the agency/institution is seeking to procure:**

The Bose ELF3200 is an electromagnetic load frame that pushes and pulls on specimens to measure their strength and stiffness in the academic research laboratory at UMMC. It is controlled by a computer, software, and signal processing box. Uses of the ELF3200 include, but are not limited to: (1) Load, edit, and save workflows that we previously created with an earlier version of the Wintest software. (2) Control the motion and heating of the ELF3200 load frame. (3) Read the temperature, position, and force of the ELF3200 load frame.

**2. Explain why the commodity/service is the only one (1) that can meet the needs of the agency/institution:**

This upgrade is required because the current hardware and software is not compatible with the current version of Windows. Microsoft is no longer releasing security updates for old versions of Windows. Therefore, it is a security threat. In addition, there is a technical error in the old version of the software.

**3. Explain why the source is the only person or entity that can provide the required commodity/service:**

TA Instruments is the only organization authorized to service products for which TA Instruments is the OEM supplier. Specifically, TA Instruments has proprietary knowledge and components required to calibrate and to service such apparatus. See supporting letter from TA Instruments – Waters, LLC. Attachment A.

**4. Explain why the amount to be expended for the commodity/service is reasonable:**

The estimated amount to be expended is for the purchase of the Upgrade of Bose ELF3200 Instrument is \$23,065.00. Please be advised that UMMC will determine if additional enhancements, upgrades, support, or equipment are within scope during the certification period and may increase the spending authority accordingly. Should TA Instruments – Waters, LLC change their name during this certification period, then UMMC will determine if a recertification is necessary.

This amount is within the expected price range for these products.

**5. Describe the efforts that the agency/institution went through to obtain the best possible price for the commodity/service:**

Pricing is compared against available market intelligence and identified discounts are pursued where applicable.

**Submission Instructions and Format of Response from Objecting Parties**

Interested parties who have reason to believe that the Upgrade of Bose ELF3200 Instrument (hereafter, “Products”) should not be certified as a sole source should provide information in the Vendor Form for the State to use in determining whether or not to proceed with awarding the sole source to TA Instruments – Waters, LLC. The Vendor Form may be found at <http://www.dfa.state.ms.us/Purchasing/documents/ObjectiontoSoleSourceDetermination.pdf>.

Objections must include the certification in Attachment B.

Comments will be accepted at any time prior to Wednesday December 6, 2023, at 3:00 p.m. (Central Time) to [solesource@umc.edu](mailto:solesource@umc.edu). Responses may be delivered via email to [solesource@umc.edu](mailto:solesource@umc.edu). UMMC WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach UMMC on time. Responses received after the deadline and responses that lack all required information will be rejected. UMMC reserves the right to inspect Interested Party’s commodity for comparison purposes.

If you have any questions concerning the information above or if we can be of further assistance, please contact [solesource@umc.edu](mailto:solesource@umc.edu).

Attachment A: Vendor Correspondence

Attachment B: Objection Certification

Attachment B

**SUBMITTED IN RESPONSE TO**

**Sole Source Certification No. SS9609**

**Accepted until Wednesday, December 6, 2023, at 3:00 p.m.**

I certify that the information contained in this objection is true and accurate to the best of my knowledge. I understand that UMMC will investigate all statements made in this objection and that any false or misleading information provided may result in adverse action.

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Objector Name

Objector's title