

Mississippi Forensic Laboratory
Notice of Proposed Sole Source Purchase
Sole source # 3150000971

The Mississippi Forensic Laboratory (MSFL) is seeking to purchase Qiagen EZ1 DNA Investigator Kits and related consumables as defined in the state law.

1. Description of the commodity or commodities the MSFL is seeking to procure:

Make and Model: EZ1 DNA Investigator Kit (48) part number 952034

Description: Qiagen Kits and related consumables. EZ1 DNA Investigator Kit (48) Part Number 952034

The QIAGEN EZ1 DNA Investigator Kit (48) Part Number 952034 is the consumable kit required for extraction of genomic DNA from forensic sample types on the QIAGEN Bio Robot EZ1 and Advanced XL. The QIAGEN EZ1 Kit chemistry is the only chemistry that can operate on the QIAGEN Bio Robot EZ1 and Advanced XL Nucleic Acid Extraction System which are validated and in use at the Mississippi Forensics Laboratory. QIAGEN is the sole manufacturer and distributor of EZ1 Kit chemistry and EZ1 extraction platform. The QIAGEN EZ1 DNA Investigator Kit (48) has been proven to provide the required results for downstream applications of quantitative PCR and STR profiling for the purpose of casework processing and uploading data to the CODIS and NDIS reference database. The QIAGEN Bio Robot EZ1 and Advanced XL is designed for automated isolation of nucleic acids from a wide variety of sample types. The Bio Robot EZ1 and Advanced XL with Mag Attract silica magnetic particle technology combines the speed, efficiency, and purity of silica-based nucleic acid purification, with the convenient handling of magnetic particles. Only QIAGEN offers the combination of 1) full walk-away automation with 2) proven self-contained sealed reagent strip chemistries, and 3) gDNA, mitoDNA, or Total RNA extraction protocols for multiple sample types. QIAGEN is the *only* vendor that offers the EZ1 DNA investigator Kits and EZ1 Advanced XL Protocol Cards in the United States and Canada. These kits is validated and has been in use at the Mississippi Forensics Laboratory since 2008 for the extraction of all DNA evidence. The QIAGEN EZ1 DNA investigator kits are use on the following sample types at the Mississippi Forensics Laboratory: Liquid blood, dried blood spots, buccal swabs, saliva on cards, hair, tissue, fingernails, feces, clothing, cigarette butts, differential extractions (epithelial and sperm cells), mouth washes, and DNA clean up from organic extractions.

2. Explanation of why the commodity is the only one that can meet the needs of the Agency:

The QIAGEN EZ1 DNA Investigator Kit (48) Part Number 952034 is the only chemistry that will operate the QIAGEN Bio Robot EZ1 and Advanced XL. The QIAGEN Bio Robot EZ1 and Advanced XL are the only extraction instruments at the Mississippi Forensics Laboratory. These instruments have been validated in use for forensics casework since 2008 using the QIAGEN EZ1 DNA investigator kits. The failure to purchase the EZ1 DNA Investigator kit chemistries will require the Mississippi crime lab to revalidate and implement new technologies as required by federal regulations. Countless hours and costs of labor and consumables would be required to

change currently validated and approved methodologies. Also new extraction instruments would have to be purchased for this process. Additionally, forensic scientists would have to be retrained in a different technology therefore removing them from casework and further contributing to the forensic casework backlog. The DNA section will be shut down if these products are not available to order and no DNA testing will be provided for the state of Mississippi. The QIAGEN EZ1 Kit chemistry is the only chemistry that can operate on the QIAGEN Bio Robot EZ1 and Advanced XL Nucleic Acid Extraction System which are validated and in use at the Mississippi Forensics Laboratory.

3. Explanation of why the source is the only person or entity that can provide the required commodity:

The EZ1 /Advanced XL instrument is the only instrument that utilizes a protocol card capable of “ Tip Dance plus normalization” and a 40 uL elution volume, Also, DNA purification is performed inside a filtered tip which greatly minimizes or eliminates contamination of valuable forensic DNA samples

4. Explanation of why the amount to be expended for the commodity is reasonable:

Estimated Cost: \$410,000.00

Amount is within the expected price range of these items requested.

5. Efforts the Agency went through to obtain the best possible price for the commodity:

Qiagen is the only company that offers the EZ1 DNA Investigator Kit. Qiagen offers the Mississippi Forensics Laboratory a discount of 2%. The price has been established by the discount provided by the company.

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 should submit a written notice to:

Britney Wesley or Sonya Toaster
Procurement Department
4th Floor, Room 402
Jackson, MS 39216

The notice should contain a detailed explanation of why the commodity is not a sole source procurement, as well as, but not limited to the following information:

Interested Party Information

- Contact Name, Phone Number, and email address
- Company Website URL, if applicable

Objection to Sole Source Justification

- Interested parties must present specific objections to the Sole Source certification, including, but not limited to the following:
 - a) A description of the commodity or commodities that Interested Party believes is comparable to the Qiagen Kits and related consumables;
 - b) An explanation of why Interested Party's commodity or commodities can also meet the needs of the agency; and
 - c) A list of sources from which Interested Party's commodity may be procured.
- If Interested Party claims that the Qiagen Kits and related consumables are available from a source other than Qiagen objection must contain a written statement from Qiagen is that the Interested Party is an authorized distributor or reseller of the Qiagen Kits and related consumables.

This information should be provided no later than Thursday, May 18, 2017 at 5:00 pm local time. Response may be delivered by hand, via regular mail or overnight delivery.

If after a review of the submitted notice and documents, MSFL determines that the commodity in the proposed sole-source request can be provided by another person or entity, then MSFL will withdraw the sole source request publication from the procurement portal website and submit the procurement of the commodity or commodities to an advertised competitive bid process.

If MSFL determines after the review that there is only one (1) source for the required commodity or commodities, then MSFL will appeal to the Public Procurement Review Board (PPRB). MSFL will have the burden of proving that the commodity or commodities is only provided by one (1) source.