

# Notice of Intent to Certify Sole Source

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**To:** Interested Parties

**From:** Stacy Baldwin  
Agency Procurement Officer

**Date:** March 2, 2017

**Re:** Sole Source Certification Number **SS5085** for **Baxter Peritoneal Dialysis Cyclers disposables and Icodextran fluid**

**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 **SS5085** for **Baxter Peritoneal Dialysis Cyclers disposables and Icodextran fluid**, please be advised that UMMC intends to award the purchase of the **Baxter Peritoneal Dialysis Cyclers disposables and Icodextran fluid** to **Baxter Healthcare Corporation** as the sole source provider of the **Baxter Peritoneal Dialysis Cyclers disposables and Icodextran fluid**.

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	March 2, 2017

Second Advertisement Date	March 9, 2017
Response Deadline from Objectors	March 16, 2017, at 3:00 p.m. Central Time
Notice of Award/No Award Posted	Not before March 17, 2017

## Project Details

**1. Describe the commodity that the agency is seeking to procure:**

The University of Mississippi Medical Center seeks to continue purchasing disposables used with Baxter peritoneal dialysis cyclers and Icodextran fluid for use in its peritoneal home dialysis program. UMMC currently leases Baxter Home Choice and Baxter Home Choice Pro peritoneal dialysis cycler machines. In addition to the home dialysis program, UMMC also uses the Baxter Home Choice and Baxter Home Choice Pro peritoneal dialysis cycler machines for adult and pediatric inpatients. The disposables used with Baxter peritoneal dialysis cyclers and Icodextran fluid are proprietary to Baxter Healthcare Corporation and the only disposables that may be used with Baxter's cyclers.

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

The disposables used with Baxter peritoneal dialysis cyclers and Icodextran fluid are proprietary to Baxter Healthcare Corporation and the only disposables that may be used with Baxter's cyclers.

Additionally, Icodextran is an alternative to regular peritoneal dialysis fluid. Icodextran is needed when peritoneal dialysis patients cannot remove fluid. Icodextran can often help remove the fluid without causing harm to the patients. Icodextran is a patented and unique product to Baxter.

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

Baxter Healthcare Corporation is the sole manufacturer and exclusive distributor of these products. See supporting letter from **Baxter Healthcare Corporation**, Attachment A.

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

The estimated amount to be expended is for the purchase of the **Baxter Peritoneal Dialysis Cycler disposables and Icodextran fluid** is \$5,280,807.02 for the term of the contract. This amount is within the expected price range for these products.

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

Through market intelligence, UMMC was able to negotiate best pricing for these products. All applicable discounts were explored and applied.

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

Interested parties who have reason to believe that the **Baxter Peritoneal Dialysis Cycler disposables and Icodextran fluid** (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 **Baxter Healthcare Corporation**. 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 Thursday, March 16, 2017, 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

**Baxter**

## Attachment A

Baxter Healthcare Corporation  
Renal Division  
One Baxter Parkway  
Deerfield Illinois 60015  
Fax: 224-948-2183

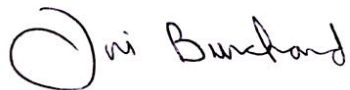
January 18, 2017

Attn: Blakeney E. Smith, MHS  
Senior Contract Administrator  
University of Mississippi Health Care  
2500 N. State Street  
Jackson, Mississippi 39216

Per your request this letter serves as confirmation that Baxter Healthcare Corporation is the sole source manufacturer and provider in the United States for the Baxter Renal Products, including Prismaflex, Amia/Homechoice, and Icodextrine. The Prismaflex and Homechoice PD disposables are proprietary to Baxter cyclers and not available through distributors or resellers.

Please contact me at (224) 948-6922 if I can be of additional assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Burchard". The signature is written in a cursive, flowing style.

Lori Burchard  
Senior Business Operations Analyst  
Medical Products-Renal

Attachment B

**SUBMITTED IN RESPONSE TO  
Sole Source Certification No. SS5085  
Accepted until March 16, 2017, 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.

\_\_\_\_\_  
Objector Name  
Objector's title

\_\_\_\_\_  
Date