

Notice of Intent to Certify Sole Source

To: Interested Parties

From: Stacy Baldwin
Agency Procurement Officer

Date: May 8, 2017

Re: Sole Source Certification Number **SS5091** for **AirSeal System from ConMed**

Contact Email Address: solesource@umc.edu

Sole Source Certification Award Details

Regarding UMMC Sole Source Certification Number **SS5091** for **AirSeal System**, please be advised that UMMC intends to award the purchase of the AirSeal System to ConMed as the sole source provider of the AirSeal System.

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	May 8, 2017
Second Advertisement Date	May 15, 2017
Response Deadline from Objectors	May 22, 2017, at 3:00 p.m. Central Time

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

The University of Mississippi Medical Center (UMMC) seeks to purchase the AirSeal system from ConMed for use in laparoscopic and robotic cases.

The AirSeal system consists of a trocar, tubing and filter set and a re-circulation and filtration control unit that is used to create and maintain a port of entry during laparoscopic and robotic procedures. This system functions to create an AirSeal to maintain pneumoperitoneum, constant smoke evacuation and valve-free access to the abdomen during the surgical procedure. The abdomen is inflated with CO₂ for a laparoscopic and robotic procedures and if there is leakage of this pressure, the abdomen can deflate. This deflation, or loss of pneumoperitoneum, increases the risk of injury to the patient, in addition to increasing the overall length of the procedure. This system is able to provide a lower pressure overall to maintain the pneumoperitoneum which decreases post-operative pain, thereby decreasing narcotic use and recovery time for the patient.

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

The AirSeal system is a one of a kind system. Currently, items from various vendors are used in these procedures and patients incur higher abdominal pressures in the attempt to keep the abdomen inflated. Studies have proven this all in one system functions to provide a stable pneumoperitoneum at lower pressures, which decreases CO₂ gas absorption as well as pain and recovery time for the patient, in addition to decreasing OR time.

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

ConMed manufactures the AirSeal system and the proprietary components and disposables for proper use of the system. ConMed is the sole manufacturer and supplier of the AirSeal system. They are not available from any other distributor. See supporting letters from ConMed, Attachment A.

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

The estimated amount to be expended annually for the purchase of the **AirSeal System** is \$200,000. 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 AirSeal System (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 ConMed. 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 Monday, May 22, 2017, at 3:00 p.m. (Central Time) to solesource@umc.edu. Responses may be delivered via email to 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.

Attachment A: Vendor Correspondence

Attachment B: Objection Certification

Attachment A



April 15, 2016

Daniel S. Jonas, Esq.
Executive Vice President – Legal Affairs,
General Counsel
Direct Dial (315) 624-3208
Direct Fax (315) 793-8929
E-mail: DanielJonas@conmed.com

TO WHOM IT MAY CONCERN

Re: CONMED AirSeal® System

As of today and based on our knowledge, the CONMED AirSeal® System is a proprietary/patented and unique technology manufactured by CONMED Corporation. A list of the relevant patents covering the Air Seal® System is attached.

If you have any questions, please feel free to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Daniel S. Jonas'.

Daniel S. Jonas, Esq.
Executive Vice President – Legal Affairs,
General Counsel

DSJ/am

cc: Bill Peters
Julia Mejia

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Patents that Cover the AirSeal® System
(as of April 15, 2016)

United States Patents (and corresponding International Patents):

7,976,598
8,088,189
8,974,569
RE44,972
8,961,451
8,715,219
9,067,030
9,095,372
9,295,490
9,199,047
7,182,752
7,285,112
7,338,473
8,216,189
7,413,559
7,854,724
8,317,815
9,289,233
8,795,223
9,017,281



February 14, 2017

Michelle Spera, MSN, RN
Strategic Sourcing Manager, Supply Chain Management
University of Mississippi Medical Center
2500 N. State Street
Jackson, MS 39216

Dear Michelle,

AirSeal can only be purchased through the ConMed Corporation.

Thank you,

A handwritten signature in black ink, appearing to read 'David Wick', with a long horizontal flourish extending to the right.

David Wick
Vice President of Sales – Advanced Surgical Division

Attachment B

**SUBMITTED IN RESPONSE TO
Sole Source Certification No. SS5091
Accepted until May 22, 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