

UNIVERSITY OF MISSISSIPPI

Notice of Intent to Certify Sole Source

SS 074

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

Commodity or commodities to be purchased (manufacturer, model, description):

COSMED USA, Inc. BOD POD Gold Standard

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:

The University of Mississippi has been using the BOD POD for the past for 8 years. The data can continue to be compiled with this new purchase, leading to continued consistent research and publications dealing with body composition as a measured parameter. The BOD POD was developed and is manufactured by COSMED USA, Inc. It is sold and distributed worldwide exclusively by COSMED USA, Inc. COSMED USA, Inc. is an ISO 13485 certified company (Certificate #9594-2). The BOD POD has been validated and tested in more the 130 scientific publications. The BOD POD is covered by US Patent #5,105,825 due to the unique way it measures body composition.

Name of company/individual selling the item and why that source is the only possible source that can provide the required item(s):

Cosmed USA, Inc. is the sole manufacturer and distributor of the BOD POD. The BOD POD is covered by US Patent #5,105,825.

Why the amount to be expended for the commodity is reasonable:

The BOD POD Gold Standard is being offered to our University at approximately a 7% discount off of the total price.

Efforts that the agency went through to obtain the best possible price for the commodity:

The University and Cosmed have negotiated so that the quoted pricing for us offers a discount off of the standard pricing.

Submission Instructions and Format of Response from Objecting Parties:

Interested parties who have reason to believe that the item(s) above should not be certified as a sole source should provide information in the following format for UM to use in determining whether or not to proceed with awarding the Sole Source purchase.

1.1 Interested Party Information

1.1.1 Contact Name, Phone Number, Address and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Tuesday, November 28, 2017 at 3:00 pm (Central Time) to Katherine Jones at kajones4@olemiss.edu (with Cc: to purchase@olemiss.edu) at The University of Mississippi Procurement Services Department, 164 Jeanette Phillips Drive, PO Box 1848, University, Mississippi 38677. Responses may be delivered by hand, via regular mail, overnight delivery, or e-mail. The envelope or email should reference the sole source number. UM WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach UM on time. Interested Parties may contact Katherine Jones to verify the receipt of their Responses. Responses received after the deadline will be rejected.

If after a review of the submitted notice and documents, UM determines that the commodity in the proposed sole source request can be provided by another person or entity, then UM will withdraw the sole source certification and submit the procurement of the commodity to an advertised competitive bid or selection process.

If UM determines after review that there is only one (1) source for the required commodity, then UM will appeal to the Public Procurement Review Board for approval to purchase.