**MSSISSIPPI STATE DEPARTMENT OF HEALTH**
**Notice of Proposed Sole Source Purchase #0301-07**
**RFx # 3150000452**

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

Commodity or commodities to be purchased (make, model, description):
The Mississippi Public Health Laboratory (MPHL) currently uses the Becton Dickinson (BD) BACTEC MGIT 960 automated system, a Food and Drug Administration (FDA) approved test system, specially designed for the rapid growth and propagation of Mycobacteria through a reagent rental agreement. The BACTEC MGIT 960 is also used for drug susceptibility testing for *Mycobacteria tuberculosis complex* (MTBC), the causative agent of tuberculosis. The BACTEC MGIT 960 is a continuously monitoring mycobacterial culture system allows the use of plastic Mycobacteria Growth Indicator Tubes (MGIT) that have screw caps, which eliminates the need to use needles for the addition of supplement and specimen inoculation. The growth of microorganisms in MGIT tubes is clearly visible, and in most cases the pattern of growth distinguishes mycobacteria from other contaminating bacterial species. The BACTEC MGIT 960 instrument is designed for high-volume Mycobacteriology laboratories such as the MPHL.

- BACTEC™ MGIT™ Barcoded 7mL Tube (100 tubes) #245122, approx. qty. 100 cs.
- BACTEC™ MGIT™ 960 supplement Kit (100 tests) #245124, approx. qty. 120 cs.

Explanation of 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 MGIT liquid media (Cat # 245122) and the supplement (Cat # 245124) are manufactured and distributed by BD. These reagents are components of the FDA approved test system and must be used as part of the testing process for cultivation and drug susceptibility testing to remain in compliance with CLIA. No other reagents may be substituted to use with the BACTEC MGIT 960 instrument.

Name of company/individual selling the item and why that source is the only possible source that can provide the required item(s):
The reagents for the BACTEC MGIT 960 instrument are manufactured only by Becton Dickinson (BD). BD distributes directly to public health laboratories.

Estimated cost of item(s) and an explanation why the amount to be expended is considered reasonable:

- Estimated Cost: $79,958.20 per year (based on the current volume of specimens received for Mycobacteriology testing in the MPHL)
- The MPHL receives 5%-25% discount off list price.

Explanation of the efforts taken by the department to determine this is the only source and the efforts used to obtain the best possible price:

- BD is the sole manufacturer and sole vendor of these products and sells directly to laboratories.
- No other test reagents are FDA approved to perform Mycobacteriology tests on human patients using BACTEC MGIT 960 instrument.
- All applicable discounts were explored and applied.

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 shall submit a written notice to: Jennifer Dotson, Mississippi State Department of Health Purchasing Department, 570 E. Woodrow Wilson, Room 134 Underwood Building, Jackson, MS 39216 or P. O. Box 1700, Jackson, MS 39215-1700.

Responses may be hand delivered, via regular mail, overnight delivery or by e-mail: jennifer.dotson@msdh.ms.gov The envelope or e-mail should reference the sole source number.

The notice shall contain a detailed explanation of why the commodity is not a sole source procurement. Appropriate documentation shall also be submitted if applicable. The enclosed form (OSS) may be used if you so desire.

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

If Mississippi State Department of Health determines after review that there is only one (1) source for the required commodity, the Mississippi State Department of Health will appeal to the Public Procurement Review Board. Mississippi State Department of Health will have the burden of proving that the commodity is only provided by one (1) source.

Notices/objections, etc. will be accepted at any time prior to: Friday, April 8, 2016, at 3:00 p.m. (CST/DST)

**OFFICE OF PURCHASING, TRAVEL AND FLEET MANAGEMENT**
**OBJECTION TO SOLE SOURCE DETERMINATION (0SS)**

**VENDOR FORM**

***INFORMATION ABOUT THE VENDOR/INDIVIDUAL SUBMITTING OSS FORM***

Vendor/Representative Name: _____

Responsible Contact: _____

Phone/Email/Fax Contact: _____

Date Form Submitted: _____ RFIN#: (RFx #)

***INFORMATION ABOUT THE PURCHASING AGENCY***

Agency: _____

Proposed Commodity Provider Name: _____

Type of Commodity: _____

Provide a detailed explanation of why the commodity is not a sole source commodity; including why you believe that you, your company, or another entity can provide the commodity required by the Agency.

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