



**MISSISSIPPI STATE DEPARTMENT OF HEALTH**

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Notice of Proposed Sole Source Purchase #0301-02  
RFx # 3150000136**

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 possesses a Cytomics™ Flow Cytometry 500 (FC 500) instrument. Immunophenotyping analysis using flow cytometry involves the identification and enumeration of targeted cells in whole blood samples for CD4 T-cell counts. The MPHL would like to purchase reagents that are FDA approved to perform CD4 T-cell counts on human patients using the Beckman Coulter FC 500 Flow Cytometry instrument.

- Part # 6605359 Flow Check Fluospheres
- Part # 6607007 Flow Set
- Part # 177017 QuickComp 4 Kit
- Part # 6607023 CYTO-COMP Cells
- Part # 6607077 Immuno-Trol Control
- Part # 6607013 Tetrachrome 45/4/8/3
- Part # 6607073 Tetrachrome 45/56/19/3
- Part # 8547008 IsoFlow
- Part # 6607098 ImmunoTrol Low
- Part # 7546999 ImmunoPrep 300 Test
- Part # 7547053 Flow Count 200 Tests

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 Mississippi Public Health Laboratory currently possesses a Beckman Coulter Cytomics™ FC 500 instrument that is used to perform tests for CD3, CD4 and CD8 testing on HIV positive human patients. All reagents, quality control products and monoclonal antibodies must be FDA approved for testing on human patients using the FC 500 Flow Cytometry 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 FC 500 instrument are manufactured only by Beckman Coulter, Inc. Beckman Coulter Inc. does not use distributors in the clinical market and sales directly to laboratories.

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

- Estimated Cost: \$91,067.00 for a one-year purchase agreement ending August 31, 2016.
- The MPHL receives 5%-50% 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:

- Beckman Coulter is the sole manufacturer and sole vendor of these products and sells directly to laboratories.
- No other test reagents are FDA approved to perform CD4 tests on human patients using the Beckman Coulter FC 500 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: Johnny Nelson, 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: [johnny.nelson@msdh.ms.gov](mailto:johnny.nelson@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: Thursday, September 24, 2015 at 3:00 p.m. (CST)

