



THE UNIVERSITY OF  
SOUTHERN MISSISSIPPI

---

DEPARTMENT OF SPEECH AND HEARING SCIENCES  
118 College Drive #5092 | Hattiesburg, MS 39406-0001  
Phone: 601.266.5216 | Fax: 601.266.5224 | [www.usm.edu/shs](http://www.usm.edu/shs)

September 28, 2015

To Whom It May Concern:

I am requesting an exemption from the normal bidding process for the requisitions and purchase orders for products from Cochlear Americas Corporation because they are the sole source of these products.

The purpose of the purchase is to serve as a loaner device (processor) for the children of the Dubard School. The clients all have internal (implanted) medical devices with which the instrument must work and similar instruments from other companies are not compatible with the internal device. Only Cochlear products are compatible with the implant once that system has been selected by the surgeon and cannot be substituted. Therefore, to meet the goal of this purchase, only products from Cochlear Americas will be acceptable. Other companies make similar cochlear implant products; however, these products are selected for individual and specific needs of particular patients and products of other companies will not meet the desired goal of the purchase because of its incompatibility with the internal component. The Cochlear Corporation's devices and accessories are most commonly used in the state of Mississippi. This product is patented and proprietary to Cochlear Americas. Cochlear Americas is the sole manufacturer and distributor of this product in the United States.

Sincerely,

Kimberly Ward, Au.D., CCC-A, FAAA  
Audiologist/Assistant Professor  
University of Southern Mississippi  
[Kimberly.ward@usm.edu](mailto:Kimberly.ward@usm.edu)  
P:(601)-266-5257/F:(601)-266-5224

## MEMORANDUM

To: Audra Williams

From: Kimberly Ward

Date: September 28, 2015

Subject: Bidding on Requisitions to Cochlear Americas

I am requesting an exemption from the normal bidding process for the requisitions and purchase orders for products from Cochlear Americas Corporation because they are the sole source of these products.

The following is my reply to your questions concerning this purchase:

**Do other companies make similar commodities that will do the same job or meet the same goals?**

Yes, other companies make cochlear implant products; however, these products are selected for individual and specific needs of particular patients and products of other companies will not meet the desired goal of the purchase. The purpose of the purchase is to secure a loaner processor for children at the Dubard School, all of whom have Cochlear internal implants. The clients have internal (implanted) medical devices with which the instrument must work and similar instruments from other companies are not compatible with the internal device. **Only** Cochlear products are compatible with the implant once that system has been selected by the surgeon. Therefore, to meet the goal of this purchase, only products from Cochlear America will be acceptable.

**How is this item unique from all others?** The cochlear implant device selected is a medical device. The Cochlear Corporation's processor and its accessories are most commonly used in the Mississippi. Cochlear implant systems and devices from other manufacturers are incompatible with the Cochlear Americas system and cannot be substituted.

**What can this item do that the others can't?** The device from Cochlear Americas is the only device that is compatible with the client's internal (implanted) device. The purpose is to replace damaged or obsolete devices for an individual who have internal components made by Cochlear Americas; therefore, other cochlear implant systems will not meet the purpose of this purchase.

**Is there a copyright or patent on the commodity?** This product is patented and proprietary to Cochlear Americas.

**Is this item available from other manufacturers?** Cochlear Americas is the sole manufacturer and distributor of this product in the United States.