

**Mississippi State University**  
**Notice of Proposed Sole Source Purchase**  
**245-75**

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

**1. Commodity or commodities to be purchased (make, model, description):**

System 4WIN 10 Biodex Software Upgrade

**2. Explanation of the need to be fulfilled by this item(s), how is it unique from all other options, and why it is the only one that can meet the specific needs of the department:**

This is a system software upgrade to be able to continue to use our Biodex machine for rehab purposes. Only Biodex makes a Biodex software to be put on the computer. No other companies create this software for the Biodex machine.

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

MedQuip and Biodex. Sales rep is Justin Hamrick. Only this company makes the software necessary to use the Biodex.

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

Upgrade of the existing system will cost less than \$6000.00 while a full replacement will cost over \$63,000.00.

**5. 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:**

Our sales rep has verified that this is the best price possible. Biodex sales rep has confirmed they are the only reseller. We currently have an existing Biodex system in place, and no other company offers an upgrade on this system because it is not a generic system. This is only something that Biodex can provide an upgrade for.

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 Mayfield, CPPO  
Director of Procurement & Contracts

[jmayfield@procurement.msstate.edu](mailto:jmayfield@procurement.msstate.edu)

Subject Line must read "Sole Source Objection"

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.

If after a review of the submitted notice and documents, MSU determines that the commodity in the proposed sole source request can be provided by another person or entity, then MSU 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 MSU determines after review that there is only one (1) source for the required commodity, then MSU will appeal to the Public Procurement Review Board. MSU will have the burden of proving that the commodity is only provided by one (1) source.