

Mississippi State University
Notice of Proposed Sole Source Purchase
245-80

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):

SAS (Statistical Analysis System) Software Licenses:

70069969/EAS Education Analytical Suite 10 administrative installs.

70007967/EAS Education Analytical Suite 1 medium university – (university site license unlimited)

2. 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:

Information Technology Services (ITS) currently provides a university site license for SAS software. MSU faculty have chosen to use SAS because they judge it meets their research and teaching needs by providing extensive capabilities for advanced analytics. A number of MSU faculty teach SAS in the classroom giving students an opportunity to analyze data with a broad range of statistical methods, including analysis of variance, regression, and other methods. All MSU employees and students are eligible to use SAS on university and personal computers.

A MSU department purchase SAS administrative licenses which permit software use associated with university operations, in a non-teaching and research environment.

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

SAS Institute Inc. ("SAS"):

Is the sole manufacturer and publisher of SAS software

SAS is the sole source for obtaining SAS software licenses by post-secondary degree-granting institutions in the United States at SAS' academic fees except when the software is licensed in conjunction with certain third party software and/or services.

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

SAS Institute Inc. has increased maintenance costs for SAS administrative licenses and the Education Analytical Suite (EAS) from last year. The number of administrative licenses fluctuate annually, depending on SAS operation activities within departments. To continue use of SAS across campus, ITS must purchase maintenance prior to June 30th, 2025, expiration date. Should ITS choose not to purchase our SAS subscription for the next fiscal year the software will stop working.

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:

ITS spoke to SAS Institute Inc. and confirmed in writing that they sell directly and have no other sales channel for SAS maintenance.

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

Director of Procurement & Contracts

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.

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