

Mississippi Forensic Laboratory
Notice of Proposed Sole Source Purchase
Sole source # 3150005147

The Mississippi Forensic Laboratory (MSFL) is seeking to purchase CMI, Inc. equipment and accessories as defined in the state law.

1. Description of the commodity or commodities the MSFL is seeking to procure:

The Intoxilyzer 9000 is an evidential breath testing instrument that detects the presence or absence of alcohol in individuals suspected of driving under the influence of an intoxicating substance.

Part #	Description	Quantity	Unit Price
	Assy Intoxilyzer 9000 with One Year Warranty	100	\$9,095.00
150047	Keyboard, Mini Black, USB/PS2	100	-
015111	Mouthpiece, Valved, 100/per bag	100	-
011168	Gas System, I9000, 3Piece	100	\$608.75
340286	CYL, GA,0.080g/210L,58L, ST	100	-
140145T	Scanner, Barcode,2D Handheld, Tested	100	\$600.00
690083	Printer, Laser, USB, I9000/I8000	100	\$365.00
330540	Cable Assy, USB, AMALE-BMALE,3M	100	-
690069	BTRY, L-ION,11.1V, 5200MAH, 1X6	20	\$185.00
014162	Cable Assy, PWR, DC, 9A, 2.5 MM	20	\$39.00

2. Explanation of why the commodity is the only one that can meet the needs of the Agency:

The Intoxilyzer 9000 breath alcohol instrument has unparalleled performance in accuracy, precision and interferent detection by using pulsed infrared technology, eliminating chopper motors or mechanical filter in the analytical system. This is the only breath alcohol instrument that uses four different IR wavelengths to detect and quantify alcohol in a deep lung air sample. This instrument is designed for mobile or stationary use. Without this purchase there will be a prolong in the time it takes to update the evidentiary breath testing program. The existing program is approximately twenty years old, and the instruments are coming to the end of their life cycle. Failing to update this program in a timely manner could have a negative effect on highway safety.

3. Explanation of why the source is the only person or entity that can provide the required commodity:

CMI, Inc is the sole manufacturer and distributor of all Intoxilyzer 9000 equipment, accessories, and spare/ replacement parts. CMI Intoxilyzer breath alcohol testers are used by several state testing programs for evidential DUI enforcement. CMI manufactures the Intoxilyzer 9000 brand of evidential and preliminary breath alcohol testing instruments CMI, Inc. The system boasts multi- wavelength measurement with no moving parts, dramatically reducing downtime and maintenance. CMI, Inc. does have a patent/copyright on equipment.

4. Explanation of why the amount to be expended for the commodity is reasonable:

Amount is within the expected price range of these items requested. Purchase of Intoxilyzer 9000 CMI, Inc. equipment and accessories: \$1,071,355.00

5. Efforts the Agency went through to obtain the best possible price for the commodity:

All options to obtain the best possible price for the commodities have been taken.

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 should submit a written notice to:

Britney Wesley or Sonya Toaster
Procurement Department
4th Floor, Room 402
Jackson, MS 39216

The notice should contain a detailed explanation of why the commodity is not a sole source procurement, as well as, but not limited to the following information:

Interested Party Information

- Contact Name, Phone Number, and email address:
- Company Website URL, if applicable

Objection to Sole Source Justification

- Interested parties must present specific objections to the Sole Source certification, including, but not limited to the following:
 - a) A description of the commodity or commodities that Interested Party believes is comparable to the CMI, Inc. Intoxilyzer 9000 equipment and related consumables.
 - b) An explanation of why Interested Party's commodity or commodities can also meet the needs of the agency; and
 - c) A list of sources from which Interested Party's commodity may be procured.

- If Interested Party claims that the CMI, Inc. Intoxilyzer 9000 and related consumables are available from a source other than CMI, Inc. the objection must contain a written statement from CMI, Inc. that the Interested Party is an authorized distributor or reseller of the CMI, Inc. Intoxilyzer 9000 and related consumables.

This information should be provided no later than Tuesday, August 30, 2023, at 5:00 pm local time. Response may be delivered by hand, via regular mail or overnight delivery.

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

If MSFL determines after the review that there is only one (1) source for the required commodity or commodities, then MSFL will appeal to the Public Procurement Review Board (PPRB). MSFL will have the burden of proving that the commodity or commodities is only provided by one (1) source.