

Mississippi Forensic Laboratory
Notice of Proposed Sole Source Purchase
Sole source # 3150003263

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

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

Make and Model:

Description:

Part #	Description	Unit Price
015103	Mouthpiece, PBT, Whistler, 100/BG	32.00

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

The Intoxilyzer 8000 was purchased by the state of Mississippi from CMI, Inc. and is unique because it has been designed and programed to meet specific requirements for the state of Mississippi and no other customers. In order to meet those specifications and for the Intoxilyzer 8000 to properly function and be guaranteed by CMI, Inc., the replacement parts must come from the manufacturer of the Intoxilyzer 8000. The MSFL has validated CMI Intoxilyzer 8000 based on the parts provided exclusively by CMI, Inc. The MSFL has determined that this offering far exceeds the availability from any other related product or manufacturer of Intoxilyzer 8000 parts. It is extremely important that the MSFL have the specific parts from CMI, Inc.

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

CMI, Inc. parts are unique. Multiple vendors may make Intoxilyzer 8000 parts, however only CMI, Inc. can offer the part that no other breath alcohol vendor has developed and validated an instrument exactly like the CMI Intoxilyzer 8000. CMI, Inc. does not have a patent on all parts. Procuring the parts for the Intoxilyzer 8000 from CMI, Inc. together with their specifications ensures the proper operation and correct measurement of alcohol in suspected impaired drivers. To use another supplier's parts would mandate the department to re-validate the entire CMI Intoxilyzer 8000 process requiring expenditure of additional laboratory resources and a huge delay in repair and replacement of instruments in the field for breath alcohol testing.

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

Estimated Cost:

Amount is within the expected price range of these items requested.

Purchase of Intoxilyzer 8000 CMI, Inc. parts	\$32.00
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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:

Betsy Toles 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 8000 parts 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 8000 and related consumables are available from a source other than CMI, Inc. objection must contain a written statement from CMI, Inc. is that the Interested Party is an authorized distributor or reseller of the CMI, Inc. Intoxilyzer 8000 and related consumables.

This information should be provided no later than Friday, December 4, 2020 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.