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## Notice of Intent to Certify Sole Source

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**To:** Interested Parties  
**From:** Craig P. Orgeron, Ph.D.  
**CC:** ITS Project Number 44297  
**Date:** September 18, 2018  
**Re:** Sole Source Certification Number 4131 for Liebert UPS Battery Maintenance and Verification Service for the Mississippi Department of Revenue  
**Contact Name:** Jordan Barber  
**Contact Phone Number:** 601-432-8005  
**Contact E-mail Address:** [Jordan.Barber@its.ms.gov](mailto:Jordan.Barber@its.ms.gov)

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### Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4131 for Liebert Battery Maintenance and Verification Service for the Mississippi Department of Revenue, please be advised that ITS intends to award to Vertiv Corporation as the sole source provider of the maintenance through October 31, 2021, in an amount not to exceed \$43,509.01. For an explanation regarding Mississippi state law, policy, and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

### Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

**Vertiv provides maintenance and support of the existing Liebert Equipment that provides power to the Mississippi Department of Revenue (DOR) infrastructure. The maintenance is performed quarterly and is crucial to DOR infrastructure during power failure events. Vertiv schedules the quarterly service with DOR and sends a status report for the Liebert UPS once the maintenance is completed. The battery verification service allows DOR to replace the batteries within the unit as they are now closing in on end of life. DOR has made a business decision to continue utilizing the Liebert maintenance. The customer's sole source certification request is included as Attachment A.**

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

**Liebert Power Products are integrated into the DOR headquarters and intertwined with DOR infrastructure. The UPS provides auxiliary power for the DOR Datacenter as well as the switching closets that maintain connectivity on each floor of the DOR facility. The UPS also provides back up power for the network backbone infrastructure in the plaza level as well as the rack for the Mississippi Department of Information Technology Services (ITS)'s phone system. The customer's sole source certification request is included as Attachment A.**

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for products or services:

**Vertiv is the only authorized service provider for the Liebert Power product line (uninterruptible power supply/battery, static transfer switch, power distribution units, and monitoring products). The vendor's sole source certification letters are included as Attachment B.**

### Schedule

<b>Task</b>	<b>Date</b>
First Advertisement Date	09/18/18
Second Advertisement Date	09/25/18
Response Deadline From Objectors	10/02/18, at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 10/03/18

### Project Details

The Mississippi Department of Revenue (DOR) is responsible for maintaining the Liebert UPS equipment located at the DOR headquarters in Clinton, Mississippi. When DOR leased the facility from Duckworth Realty that has since been sold to Hertz, the Liebert equipment was given to DOR as part of the Lease Agreement. In 2014, ITS certified the Liebert UPS battery maintenance as Sole Source to Emerson Network Power. In 2016, Emerson Network Power changed its name to Vertiv Services, Inc. On September 1, 2018 the selling entity of Vertiv Corporation merged into Liebert Corporation. At the same time, Liebert Corporation changed its name to Vertiv Corporation.

DOR has made the business decision to continue the Liebert UPS Battery maintenance for an additional 3 years. DOR has spent to date \$56,712.00.

### Submission Instruction and Format of Response from Objecting Parties

Interested parties who have reason to believe that the Battery Maintenance and Verification Service should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Vertiv Corporation.

#### 1.1 Interested Party Information

- 1.1.1 Contact Name, Phone Number and email address
- 1.1.2 Company Website URL, if applicable
- 1.2 Objection to Sole Source Certification
  - 1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.
  - 1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.
- 1.3 Comments will be accepted at any time prior to Tuesday, October 02, 2018, at 3:00 p.m. (Central Time) to Jordan Barber at [Jordan.Barber@its.ms.gov](mailto:Jordan.Barber@its.ms.gov) or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail, or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Jordan Barber to verify the receipt of their Responses. Responses received after the deadline will be rejected.
- 1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO  
Sole Source Certification No. 4131-44297  
Accepted until October 02, 2018 @ 3:00 p.m.,  
ATTENTION: Jordan Barber**

If you have any questions concerning the information above or if we can be of further assistance, please contact Jordan Barber at 601-432-8005 or via email at [Jordan.Barber@its.ms.gov](mailto:Jordan.Barber@its.ms.gov).

- Attachment A: Customer Sole Source Certification Request
- Attachment B: Vendor Correspondence
- Attachment C: Sole Source Procurement Overview



3771 Eastwood Drive  
 Jackson, Mississippi 39211  
 Phone 601-432-8000 Fax 601-713-6380

## Sole Source Certification Request


<b>Project Title: Vertiv Services Inc-Liebert Maintenance</b>		<b>Stimulus (ARRA) Funds? Yes</b>		<b>No X</b>
<b>Customer Contact Information</b>				
<b>Agency/Public University: MS Dept. of Revenue</b> <b>Address:</b> Revenue, Department of 500 Clinton Center Drive Clinton, MS 39056			<b>Contact Person: Mickey Yates</b> <b>Phone: (601) 419-0835</b> <b>Fax:</b> <b>Email Address: mickey.yates@dor.ms.gov</b>	
<b>MAGIC Customer Number</b> (only required from state agencies): 7000000082			<b>Division/Dept:</b> <b>Handmail:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Project Summary Narrative Description of Project</b> (include details of original acquisition if applicable): This is an extension of the existing project that covers preventive maintenance on the building UPS (Liebert Equipment) for DOR. It also includes battery replacement that is due in FY19. The previous contract was under the name of Emerson but that company was purchased by Vertiv Services Inc.				
<b>ITS Acquisition Approval (CP-1) should be effective through this date</b> (Please allow time for all vendor invoices to be paid): 10/31/21				
<b>Cost Estimates</b> <i>Fiscal Year</i>	<i>Initial Costs</i>	<i>Ongoing Costs</i>	<b>Time Constraints</b> Item Needed by: ASAP Funds Expire: NA	<b>Anticipated Lifecycle of Products/System</b> (i.e. estimated years of effective use): 3 years
<b>FY19</b>	<b>\$10,374.97</b>	<b>\$11,044.68</b>	<b>Discuss Funding</b> (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds):	
<b>FY20</b>		<b>\$11,044.68</b>		
<b>FY21</b>		<b>\$11,044.68</b>		
<b>Total</b>	<b>\$10,374.97</b>	<b>\$33,134.04</b>		
<b>Acquisition Details</b>				
<b>Items Requested</b>	<b>Quantity</b>	<b>Description</b>	<b>Building Location(s)</b>	
<b>Battery Service and Maintenance</b>	<b>1</b>		<b>DOR Headquarters</b>	
<b>Describe platform &amp; infrastructure</b> (connectivity; subscription/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). This is for power management for infrastructure at the DOR Headquarters				
<b>Progress to Date:</b> What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? Contact with Vertiv and obtained quotes and sole source Justification. Procurement request has been submitted to ITS.				
<b>Sole Source Certification</b> Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.				
<b>Specific business requirements to be met by the requested products or services:</b> Liebert Power Products are integrated into the DOR headquarters and intertwined with DOR infrastructure. The UPS provides auxiliary power for the DOR datacenter as well as the switching closets that maintain connectivity on each floor of the DOR facility. The UPS also provides back up power for the network backbone infrastructure in the plaza level as well as the rack for the Mississippi Department of Information Technology Services (ITS)'s phone system.				
<b>Explain why these products or services are the only ones that can meet your needs</b> (include unique features/special functionality): Vertiv provides maintenance and support of the existing Liebert Equipment that provides power to the Mississippi Department of Revenue (DOR) infrastructure. The maintenance is performed quarterly and is crucial to DOR infrastructure during power failure events. Vertiv schedules the quarterly service with DOR and sends a status report for the Liebert UPS once the maintenance is completed. The battery verification service allows DOR to replace the batteries within the unit as they are now closing in on end of life. DOR has made a business decision to continue utilizing the Vertiv maintenance.				
<b>Explain why the source is the only entity that can provide the products or services</b> (Include other products/vendors researched or evaluated): To ensure top performance, reliability and duration of its equipment, Vertiv Services is the only authorized service provider for the Liebert Power product line (uninterruptible power supply/battery, static transfer switch, power distribution units, and monitoring products).				
<b>Explain why the amount to be expended for the services is reasonable:</b> N/A				
<b>Explain what your agency did to obtain the best possible price for the services:</b> N/A				

**Attachment A**

Vendor's Certification of Sole Source attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Vendor's proposal submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.			
Place Order To		Remit To	
Vendor Name:	VERTIV CORPORATION	Vendor Name:	VERTIV CORPORATION
Vendor Address:	1050 Dearborn Drive Columbus, OH 43085	Vendor Address:	PO BOX 70474 Chicago, IL 60673

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

HERB FRIERSON/COMMISSIONER  
Name (Agency Head or Public University CIO)/Title

 9/13/18  
Signature Date



**DAWN BATEMAN**  
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August 29, 2018

**Re: Sole Source Service Provider for Liebert® Power Products**

With your purchase of Liebert power products, you now have the best critical support equipment available. As you choose the appropriate level of service support for this equipment, please consider the following.

To ensure top performance, reliability, and duration of equipment, Vertiv™ Services is the only authorized service provider for the Liebert power product line (uninterruptible power supply/battery, static transfer switch, power distribution units, and monitoring products). In order to meet the objective of providing the highest level of service possible, Vertiv Services has invested in the very best individuals to create the strongest support organization in the industry.

With more than 850 technical experts and support personnel across the United States; a 24/7/365 customer resolution center that is fully staffed by personnel having immediate access to equipment detail and service histories for Liebert equipment; a multi-level parts distribution system; and a technical support group available 24/7, Vertiv Services offers the most comprehensive power product service program in existence today.

There are distinct advantages in having the original equipment manufacturer (OEM) perform your service, and they are specific to the proprietary information, materials, and expertise maintained by the OEM. These exclusive advantages are summarized below and are the basis for sole source qualification.

**Factory Training**

- Vertiv Services' customer engineers (CEs) are required to have completed a two-part comprehensive training program before entering a customer's site.
- This program includes more than 110 hours of core training such as fundamentals of data center applications, and electrical and personal safety; more than 400 hours of product-specific and structured on-the-job training; and at least another 200 hours of training on elective topics.
- Vertiv Services' CEs keep their level of training up to date by participation in at least 20 hours of new and refresher training courses each year.
- No other organization is authorized to have their field technicians participate in maintenance training programs for Liebert solutions.

**Startup Services**

- The standard factory warranty for Liebert three-phase UPS units is active for 12 months from the date of startup and is only valid with startup by a Vertiv Services CE.
- Startup performed by an outside service organization reduces the equipment warranty to 90 days with coverage for parts only.

**Maintenance and Troubleshooting Information**

- Vertiv Services' CEs have instant access to Technical Knowledge Online (TKO). This database includes the latest in maintenance and troubleshooting techniques specific to Liebert equipment.
- The information available through TKO is only accessible to Vertiv Services' CEs and includes proprietary information like equipment schematics and assembly drawings.
- Access to the proprietary software used in Liebert UPS units allows Vertiv Services' CEs to properly configure your UPS and to be more informed for a superior level of service.
- Through Power Technical Support (PTS), Vertiv Services' CEs have access to the engineers who designed and built your power equipment.

1050 Dearborn Drive, Columbus OH 43085 USA  
VertivCo.com  
Vertiv Services Inc



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**Part Availability**

- Part support is available to all customers and service providers.
- Part priority is given to Vertiv Services' contract customers to make certain that contractual obligations are met.
- To guarantee availability for contract customers, standard lead times apply for all part orders from non-contract customers and outside service providers.

**Technical Support**

- PTS exists solely to support Vertiv's field service organization and is not available to outside service organizations.
- PTS is comprised of long-tenured factory engineers who are experts in servicing, troubleshooting, and maintaining Liebert equipment. PTS engineers engage in complex startup activities, support the Vertiv Services CE in difficult troubleshooting situations, and develop equipment modifications that improve system performance.

**Field Modifications - Field Change Notice (FCN)**

- The FCN process for Liebert equipment is managed by PTS and factory personnel, and is not available to outside service organizations.
- The FCN process allows for engineering improvements to be made to the equipment as soon as an enhancement has been identified. These FCNs enhance the safety and reliability of Liebert power systems.
- Safety related FCNs are distributed to the Vertiv customer contact on file. Contract customers are automatically notified and scheduled for installation.
- Technical FCN enhancements are only available, at no charge, to Vertiv contract customers.

Vertiv Services' wide range of offerings for system startup, preventive maintenance, emergency service, battery management, project management, and customer training are available through your local representative or by calling 1-800-543-2378.

A handwritten signature in black ink, appearing to read 'D. Bateman'.

## **Attachment C: Sole Source Procurement Overview**

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website ([www.its.ms.gov](http://www.its.ms.gov)).

ITS enabling legislation requires that information technology hardware, subscription and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source



## **Attachment C: Sole Source Procurement Overview**

certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.