

Notice of Intent to Certify Sole Source

To: Interested Parties
From: Craig P. Orgeron, Ph.D.
CC: ITS Project Number 45861
Date: May 19, 2020
Re: Sole Source Certification Number 4307 to provide Micromedex subscription renewal for the University of Mississippi Medical Center (UMMC)
Contact Name: Alec Shedd
Contact Phone Number: 601-432-8162
Contact E-mail Address: Alec.Shedd@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4307 for the University of Mississippi Medical Center (UMMC), please be advised that ITS intends to award International Business Machines Corporation (IBM Corporation), as the sole source provider of Micromedex subscription renewal through June 30, 2023, in an amount not to exceed \$501,432.24. Please be advised that ITS will determine if additional enhancements, upgrades, or support are within scope during the certification period and may increase the spending authority accordingly. Should IBM Corporation change their name during this certification period, then ITS will determine if a recertification is necessary. 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:

The Micromedex Solutions® software is a medical and health care database that covers toxicology, pharmacology, acute care medicine, patient education, disease management, chemical agent information, and biological agent information. Micromedex Solutions® offers numerous solutions including POISINDEX®. Further, Micromedex Solutions® offers several unique products including, but not limited to, IV INDEX™ System with Trissel's Table, an electronic source of physical compatibility test results for parenteral medications; DRUG-REX®, providing interactive drug interactions; INDETIDEX® System for tablet and capsule identification; REPRORISK® System that provides reproductive risk information;

and NeoFax® that provides neonatal drug dosing information. 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:

Micromedex Solutions® offers products that are unique to them. As the State’s Poison Control Center, UMMC is required to utilize POISINDEX®, a product that is only available and provided by IBM Corporation, as part of its medical and health care database proprietary information covering toxicology, pharmacology, acute care medicine, patient education, disease management, chemical agents, and biological agents. 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 the product or services:

IBM sells to UMMC a standalone version of “Micromedex” that is not combined with any other commercially available, third party offerings when it is made available to UMMC. IBM is the sole direct seller of such Product. The Vendor’s sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	05/19/20
Second Advertisement Date	05/26/20
Response Deadline From Objectors	06/03/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 06/04/2020

Project Details

In 2014, UMMC purchased Truven Health Analytics’ Micromedex Solutions® via a sole source procurement for \$404,113.39 for three years. In 2017, ITS, on the behalf of the University of Mississippi Medical Center (UMMC), issued Notice of Intent to Certify Sole Source No. 3997 for Micromedex Solutions® software and internet subscription to provide access to various databases that provide expanded drug information including DRUGDEX®, complete IV compatibility, and POISINDEX® through June 30, 2020, at a total 3-year lifecycle cost of \$454,569.89.

In April 2016, International Business Machines Corporation (IBM) announced that it had completed the acquisition of Truven Health Analytics, one of the largest providers of healthcare analytics solutions and services designed to help improve healthcare quality and access while reducing costs. Beginning August 1, 2018, Truven Health Analytics, an IBM Company, began conducting business as IBM. In February 2020, ITS issued Notice of Intent to Certify Sole Source Number 4227 to transfer the sole source certification from Truven to IBM Corporation through June 30, 2020. UMMC wishes to renew its Micromedex subscription through June 30, 2023. The total expenditure to date for this project is \$858,683.28.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the Micromedex Subscription renewal 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 IBM 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 Wednesday, June 3, 2020, at 3:00 p.m. (Central Time) to Alec Shedd at Alec.Shedd@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 Alec Shedd 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:

<p style="text-align: center;">SUBMITTED IN RESPONSE TO Sole Source Certification No. 4307-45861 Accepted until June 3, 2020 @ 3:00 p.m., ATTENTION: Alec Shedd</p>

If you have any questions concerning the information above or if we can be of further assistance, please contact Alec Shedd at 601-432-8162 or via email at Alec.Shedd@its.ms.gov.

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



Sole Source Certification Request

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

Project Title: Micromedex		Stimulus (ARRA) Funds? Yes_ No _X_	
Customer Contact Information			
Agency/Public University: University of Mississippi Medical Center Address: 2500 North State Street, Jackson, MS 39216		Contact Person: Lydia Ory Phone: 601-815-5275 Email Address: lory@umc.edu	
MAGIC Customer Number (only required from state agencies):		Division/Dept.: Handmail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Project Summary Narrative Description of Project (include details of original acquisition if applicable): The most comprehensive compilation of medical and health care information databases of its kind available. Micromedex Health Care Series offers extensive proprietary information covering toxicology, pharmacology, acute care medicine, patient education, disease management, chemical, and biological agents. Prepared exclusively by Micromedex, these extraordinary databases in combination with enhanced versions of licensed medical databases are not available from any other vendor.			
ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid):			
Cost Estimates Fiscal Year	Initial Costs	Ongoing Costs	Time Constraints Item Needed by: June 30, 2020 Funds Expire:
July 2020-June 2021		\$162,228.55	Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 3 years Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds). Patient funds.
July 2021-June 2022		\$167,095.41	
July 2022-June 2023		\$172,108.28	
Total		\$501,432.24	
Acquisition Details			
Items Requested	Quantity	Description	Building Location(s)
Micromedex Subscriptions		Subscription renewals	
Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification:			
Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)?			
Sole Source Certification Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.			
Specific business requirements to be met by the requested products or services: Micromedex Solutions® offers products that are unique to them. As the State's Poison Control Center, UMMC is required to utilize POISINDEX®, a product that is only available and provided by IBM Corporation, as part of its medical and health care database proprietary information covering toxicology, pharmacology, acute care medicine, patient education, disease management, chemical agents, and biological agents.			
Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): The Micromedex Solutions® software is a medical and health care database that covers toxicology, pharmacology, acute care medicine, patient education, disease management, chemical agent information, and biological agent information. Micromedex Solutions® offers numerous solutions including POISINDEX®. Further, Micromedex Solutions® offers several unique products including, but not limited to, IV INDEX™ System with Trissel's Table, an electronic source of physical compatibility test results for parenteral medications; DRUG-REX®, providing interactive drug interactions; INDETIDEX® System for tablet and capsule identification; REPRORISK® System that provides reproductive risk information; and NeoFax® that provides neonatal drug dosing information.			
Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): IBM sells to UMMC a standalone version of "Micromedex" that is not combined with any other commercially available, third party offerings when it is made available to UMMC. IBM is the sole direct seller of such Product.			
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 Vendor Name: IBM Corp – Atlanta Vendor Address: PO Box 534151, Atlanta, GA 30353-4151		Remit To Vendor Name: IBM Corp - Dallas Vendor Address:	

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.


Name (Agency Head or Public University CIO)/Title


Signature

5/15/2020
Date

International Business Machines Corporation
*International Business Machines Corporation, PO Box 643600, Pittsburgh,
PA 15264-3600*



Attn: Office of Contracts Administration
University of Mississippi Medical Center
2500 North State Street
Jackson, MS 39216

March 6, 2020

To Whom it May Concern,

This letter is in response to a request received by International Business Machines Corporation ("IBM") from the University of Mississippi Medical Center ("UMMC") to provide certain information about the sales and distribution of certain IBM products.

Specifically, IBM sells to UMMC pursuant to the Consolidated Master Agreement executed October 28, 2014, as amended from time to time (the "Agreement") a standalone version of "Micromedex" that is not combined with any other commercially available, third party offerings when it is made available to UMMC under the Agreement (collectively, the "IBM Product"). IBM is the sole direct seller of such IBM Product.

Regards,

A handwritten signature in blue ink that reads "Chris J. Walshe".

Chris J. Walshe

Account Executive, Micromedex

6200 S. Syracuse Way, Suite 300, Greenwood

Village, CO 80111

770-923-0676 office

Chris.walshe@ibm.com

Attachment C

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).

ITS enabling legislation requires that information technology hardware, software 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 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.