
Notice of Intent to Certify Sole Source

To: Interested Parties
From: Craig P. Orgeron, Ph.D.
CC: ITS Project Number 44860
Date: May 26, 2020
Re: Sole Source Certification Number 4309 for MOSAIQ® maintenance and support for the University of Mississippi Medical Center (UMMC)
Contact Name: Jill Chastant
Contact Phone Number: 601-432-8214
Contact E-mail Address: Jill.Chastant@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4309 for the University of Mississippi Medical Center (UMMC), please be advised that ITS intends to award Elekta, Inc. as the sole source provider of MOSAIQ® maintenance and support through June 30, 2023 in an amount not to exceed \$619,957.58. Please be advised that ITS will determine if additional enhancements or support are within scope during the certification period and may increase the spending authority accordingly. Should Elekta, Inc. change its 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:

This system is Food and Drug Administration (FDA) regulated in the operation of linear accelerators. A linear accelerator is a radiation therapy treatment machine used in the care and treatment of cancer patients. The system is clinical use equipment and software and interfaces with EPIC. The system:

- **Simplifies the management of complex treatments and techniques,**
- **Personalizes treatments with automated decision support for informed clinical decision making,**
- **Reduces errors and patient wait times by eliminating data entry errors and unnecessary procedures, and**

- Oversees the entire spectrum of cancer care through a common interface, connecting any treatment planning tool or delivery device you choose.

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:

MOSAIQ is the electronic medical record system for UMMC’s Radiation Oncology department. This product is a critical component to the treatment process for radiation therapy patients. A single database aggregates all patient data, clinical regimens, and pharmacy information to deliver the best possible care for every patient. Because MOSAIQ software uses a common database for chemotherapy and radiation oncology records, there is a single point of access for patient data. The electronic medical records system houses critical radiation treatment plans that links to UMMC’s linear accelerators for radiation treatment delivery. 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:

Elekta, Inc. is the sole source provider of MOSAIQ software and services. The Vendor’s sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	05/26/20
Second Advertisement Date	06/02/20
Response Deadline From Objectors	06/09/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 06/10/20

Project Details

In June 2018, UMMC certified Elektra, Inc. as the sole source provider of MOSAIQ maintenance and support and entered into a Service Agreement with Elektra, Inc. in the amount of \$198,910.73 for one year. In April 2019, a one-year Service Agreement was executed for \$198,910.73 for the renewal of maintenance and support. The previous Agreements did not fall under ITS purview previously as the software and services were for specific healthcare medical equipment. The current Agreement expires June 30, 2020. The current spend to date is \$397,821.46.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the MOSAIQ maintenance and support 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 Elekta, Inc.

- 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, June 9, 2020, at 3:00 p.m. (Central Time) to Jill Chastant at Jill.Chastant@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 Jill Chastant 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. 4309-44860
Accepted until June 9, 2020 @ 3:00 p.m.,
ATTENTION: Jill Chastant**

If you have any questions concerning the information above or if we can be of further assistance, please contact Jill Chastant at 601-432-8214 or via email at Jill.Chastant@its.ms.gov.

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



Sole Source Certification Request

Project Title: MOSAIQ maintenance and support		Stimulus (ARRA) Funds? Yes No <u>X</u>	
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Project Summary Narrative Description of Project (include details of original acquisition if applicable): In June 2018, UMMC certified Elektra, Inc. as the sole source provider of MOSAIQ maintenance and support and , UMMC entered into a Service Agreement with Elektra, Inc. for MOSAIQ maintenance and support in the amount of \$198,910.73 for one year. In April 2019, a one-year Service Agreement was executed for \$198,910.73 for the renewal of maintenance and support. The previous Agreements did not fall under ITS purview previously as the software and services were for specific healthcare medical equipment. .			
ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid):			
Cost Estimates <i>Fiscal Year</i>	Initial Costs	Ongoing Costs	Time Constraints Item Needed by June 30 Funds Expire:
FY21		\$206,652.52	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 revenue.
FY22		\$206,652.53	
FY23		\$206,652.53	
Total		\$619,957.58	
Acquisition Details			
Items Requested	Quantity	Description	Building Location(s)
Maintenance and support		MOSAIQ support	
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)? Project request submitted to ITS with sole source letter.			
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: MOSAIQ is the electronic medical record system for UMMC's Radiation Oncology department. This product is a critical component to the treatment process for radiation therapy patients. A single database aggregates all patient data, clinical regimens, and pharmacy information to deliver the best possible care for every patient. Because MOSAIQ software uses a common database for chemotherapy and radiation oncology records, there is a single point of access for patient data. The electronic medical records system houses critical radiation treatment plans that links to UMMC's linear accelerators for radiation treatment delivery.			
Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): This system is Food and Drug Administration (FDA) regulated in the operation of linear accelerators. The linear accelerator is a radiation therapy treatment machine used in the care and treatment of cancer patients. The system is clinical use equipment and software and interfaces with EPIC. The system:			
<ul style="list-style-type: none"> • Simplifies the management of complex treatments and techniques, • Personalizes treatments with automated decision support for informed clinical decision making, • Reduces errors and patient wait times by eliminating data entry errors and unnecessary procedures, and • Oversees the entire spectrum of cancer care through a common interface, connecting any treatment planning tool or delivery device you choose. 			
Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): Elekta, Inc. is the sole source provider of MOSAIQ software and services.			
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: Elekta, Inc. Vendor Address: 100 Mathilda Place, Sunnyvale, CA 94086		Remit To Vendor Name: Elekta, Inc. Vendor Address: 100 Mathilda Place, Sunnyvale, CA 94086	

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.

Ellenswager L / Co-Appraisals
 Name (Agency Head or Public University CIO)/Title


 Signature

5/28/2020
 Date



February 21, 2020

University of Mississippi
350 W Woodrow Wilson Ave.
Jackson, MS 39213-7681

Re: Sole Sourcing Confirmation

Elekta has continuously strengthened its marketplace reputation by not only developing world-class solutions, but also by acquiring companies with complementary best-in-class technology. Since 1996, such acquisitions have included Philips Medical, 3D Line, IMPAC Medical Systems, Computerized Medical Systems (CMS), Medical Intelligence and Resonant Medical.

Please accept this letter as confirmation that Elekta Inc. is the sole source provider for MOSAIQ software and services.

Should you have any questions or require further information, please do not hesitate to contact me.

Best Regards,

A handwritten signature in black ink, appearing to read 'Katrina Halbig', written over a horizontal line.

Katrina Halbig
Director, Contract Administration

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.