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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 45901  
**Date:** June 2, 2020  
**Re:** Sole Source Certification Number 4316 to provide maintenance and support of the PRISM application for the Mississippi State Department of Health (MSDH)  
**Contact Name:** Justin Faucette  
**Contact Phone Number:** 601-432-8165  
**Contact E-mail Address:** [Justin.Faucette@its.ms.gov](mailto:Justin.Faucette@its.ms.gov)

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### Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4316 for the MSDH, please be advised that ITS intends to award Advanced Systems Design, Inc. as the sole source provider of maintenance and support of the PRISM application through June 30, 2021, in an amount not to exceed \$50,000.00. If no objections are received and MSDH continues to need this maintenance and support, then this sole source certification will be valid until June 30, 2023. Please be advised that ITS will determine if additional support is within scope during the certification period and may increase the spending authority accordingly. Should Advanced Systems Design, Inc. 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 MSDH Patient Reporting Investigation Surveillance Manager (PRISM) application is used by MSDH and employees throughout the state to enter chlamydia, syphilis, gonorrhea, HIV, and TB diagnoses. It also allows PRISM users to conduct partner services and Sexually Transmitted Disease (STD) surveillance. The MSDH PRISM version was designed to replace the DOS-based Sexually Transmitted Disease Management Information System (STD\*MIS) available from the Centers for Disease Control (CDC). There is currently no other system on the market that contains all of the features that PRISM has, allowing users of the PRISM**

**application to conduct Partner Services and STD Surveillance. 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:

**The MSDH PRISM application collects Electronic Laboratory Reporting (ELR) and Health Level Seven (HL7) messages from providers, provides case management tools to epidemiologists, and reports confirmed cases back to the Centers for Disease Control (CDC). The PRISM application allows connectivity by field staff, such as Public Health District Disease Intervention Specialists and Epidemiology Nurses. PRISM supports surveillance for chlamydia, syphilis, gonorrhea, HIV, pubic lice, and TB. It also provides case management for STDs, accepts ELR messages, parses and creates case reports, and transmits cases to the CDC via file transfer to the Secure Data Network (SDN) for National Electronic Telecommunication Systems for Surveillance (NETSS). PRISM support includes case management tools for epidemiologists and bi-monthly meetings to discuss help desk tickets and other issues. 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:

**Advanced Systems Designs, Inc (ASD) is the only vendor who can provide required support and maintenance services related to PRISM in a manner that would be consistent with the requirements and protections of federal copyright law. ASD has developed and supported the PRISM application since its inception in 2008. ASD employs the only PRISM technical subject matter experts and is the owner, developer, and sole-source provider of the PRISM application. ASD has no resellers of the PRISM application. The Vendor's sole source certification letter is included as Attachment B.**

### **Schedule**

<b>Task</b>	<b>Date</b>
First Advertisement Date	06/02/20
Second Advertisement Date	06/09/20
Response Deadline From Objectors	06/16/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 06/17/20

### **Project Details**

PRISM is open-source software that was originally developed by the Florida Department of Health and given to the State of Mississippi. Subsequently, edits and upgrades have been performed by ASD. ASD, as a result, claims an exclusive, proprietary interest in the PRISM application. In June 2016, ITS issued Notice of Intent to Certify Sole Source Number 3962 for the maintenance and support of the PRISM application through June 30, 2020, and received no objections. MSDH has spent \$199,805.90 on this product to date.

### **Submission Instructions and Format of Response from Objecting Parties**

Interested parties who have reason to believe that the maintenance and support of the PRISM application 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 Advanced Systems Design, 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 16, 2020, at 3:00 p.m. (Central Time) to Justin Faucette at [Justin.Faucette@its.ms.gov](mailto:Justin.Faucette@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 Justin Faucette 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;"><b>SUBMITTED IN RESPONSE TO</b> <b>Sole Source Certification No. 4316-45901</b> <b>Accepted until June 16, 2020 @ 3:00 p.m.,</b> <b>ATTENTION: Justin Faucette</b></p>
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If you have any questions concerning the information above or if we can be of further assistance, please contact Justin Faucette at 601-432-8165 or via email at [Justin.Faucette@its.ms.gov](mailto:Justin.Faucette@its.ms.gov).

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





## Sole Source Certification Request

<b>Project Title: PRISM System Renewal</b>		<b>Stimulus (ARRA) Funds? Yes No <u>X</u></b>		
<b>Customer Contact Information</b>				
<b>Agency/Public University: MS State Department of Health</b> <b>Address: 570 E. Woodrow Wilson, Jackson, MS 39215</b>		<b>Contact Person: Christie Lewis</b> <b>Phone: 601-576-7723</b> <b>Email Address: Christie.Lewis@msdh.ms.gov</b>		
<b>MAGIC Customer Number</b> (only required from state agencies):		<b>Division/Dept.:</b> <b>Handmail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</b>		
<b>Project Summary Narrative Description of Project</b> (include details of original acquisition if applicable): This renewal will be for the support and maintenance of STD/HIV PRISM System. PRISM allows connectivity by the field staff (Public Health District Intervention Specialists and Epidemiology Nurses).				
<b>ITS Acquisition Approval (CP-1) should be effective through this date</b> (Please allow time for all vendor invoices to be paid):				
<b>Cost Estimates</b> <i>Fiscal Year</i>	<b>Initial Costs</b>	<b>Ongoing Costs</b>	<b>Time Constraints</b> Item Needed by: June 30, 2020 Funds Expire: June 30, 2020	<b>Anticipated Lifecycle of Products/System</b> (i.e. estimated years of effective use): 1 year
FY 2021	\$50,000.00		<b>Discuss Funding</b> (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds). 100% funded by State and Federal grants.	
<b>Total</b>	\$50,000.00			
<b>Acquisition Details</b>				
<b>Items Requested</b>	<b>Quantity</b>	<b>Description</b>		<b>Building Location(s)</b>
PRISM Maintenance and Support	1			Osborne Building
<b>Describe platform &amp; infrastructure</b> (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:				
<b>Progress to Date:</b> What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? A procurement request was 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> The MSDH PRISM application collects Electronic Laboratory Reporting (ELR) and Health Level Seven (HL7) messages from providers, provides case management tools to epidemiologists, and reports confirmed cases back to the Centers for Disease Control (CDC). The PRISM application allows connectivity by field staff, such as Public Health District Disease Intervention Specialists and Epidemiology Nurses. PRISM supports surveillance for chlamydia, syphilis, gonorrhea, HIV, pubic lice, and TB. It also provides case management for STDs, accepts ELR messages, parses and creates case reports, and transmits cases to the CDC via file transfer to the Secure Data Network (SDN) for National Electronic Telecommunication Systems for Surveillance (NETSS). PRISM support includes case management tools for epidemiologists and bi-monthly meetings to discuss help desk tickets and other issues.				
<b>Explain why these products or services are the only ones that can meet your needs</b> (include unique features/special functionality): The MSDH Patient Reporting Investigation Surveillance Manager (PRISM) application is used by MSDH and employees throughout the state to enter chlamydia, syphilis, gonorrhea, HIV, and TB diagnoses. It also allows PRISM users to conduct partner services and Sexually Transmitted Disease (STD) surveillance. The MSDH PRISM version was designed to replace the DOS-based Sexually Transmitted Disease Management Information System (STD*MIS) available from the Centers for Disease Control (CDC). There is currently no other system on the market that contains all of the features that PRISM has, allowing users of the PRISM application to conduct Partner Services and STD Surveillance.				
<b>Explain why the source is the only entity that can provide the products or services</b> (Include other products/vendors researched or evaluated): Advanced Systems Designs, Inc (ASD) is the only vendor who can provide required support and maintenance services related to PRISM in a manner that would be consistent with the requirements and protections of federal copyright law. ASD has developed and supported the PRISM application since its inception in 2008. ASD employs the only PRISM technical subject matter experts and is the owner, developer and sole-source provider of the PRISM application. ASD has no resellers of the PRISM application.				
<b>Vendor's Certification of Sole Source attached:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <b>Vendor's proposal submitted:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
<b>MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.</b>				
<b>Place Order To</b> <b>Vendor Name: Advanced System Design, Inc.</b> <b>Vendor Address: 2120 Killarney Way, Tallahassee, FL 32309</b>		<b>Remit To</b> <b>Vendor Name: Advanced System Design, Inc.</b> <b>Vendor Address: 2120 Killarney Way, Tallahassee, FL 32309</b>		

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.

Thomas Dobbs, MD, MPH  
 State Health Officer  
 Name (Agency Head or Public University CIO)/Title

  
 Signature

  
 Date



2120 Killarney Way; Tallahassee, Florida 32309  
Office: 850-385-5129 | Fax: 850-385-1934  
www.asd-web.com | http://prism.support



April 16, 2020

Christie Lewis  
STD/HIV Office  
Mississippi State Department of Health  
PO Box 1700  
Jackson, MS 39215

Re: Advanced Systems Design, Inc., a Florida corporation ("ASD"), and the Patient Reporting Investigation Surveillance Manager application and system ("PRISM"); Sole Source Letter

Dear Ms. Lewis:

ASD holds exclusive licensing and other rights to PRISM under federal copyright and trademark law. More particularly, ASD's personnel developed the PRISM database software. Therefore, ASD is the holder of any associated copyright to the work.

Moreover, ASD has not provided any written license to the Department, or to any other person or entity for that matter, that would permit any competing service or support provider to access or modify the PRISM software code. Cf. 17 U.S.C. §101 (generally defining transfers of copyright ownership); 17 U.S.C. §204(a) ("[a] transfer of copyright ownership, other than by operation of law, is not valid unless an instrument of conveyance, or a note or memorandum of the transfer, is in writing and signed by the owner of the rights conveyed or such owner's duly authorized agent"). Therefore, ASD is the only vendor who can provide required support and maintenance services related to PRISM in a manner that would be consistent with the requirements and protections of federal copyright law. Advanced Systems Design (ASD) has developed and supported the PRISM application since its inception in 2008. ASD employs the only PRISM technical subject matter experts and is the owner, developer and sole-source provider of the PRISM application. ASD has no resellers of the PRISM application. ASD as a result claims an exclusive, proprietary interest in the PRISM application.

Sincerely,

*Meagan Knight*

Meagan Knight  
Operations Manager

## 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](http://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.