
Notice of Intent to Certify Sole Source

To: Interested Parties

From: David C. Johnson

CC: ITS Project Number 47140

Date: August 9, 2022

Re: Sole Source Certification Number 4482 to provide a behavioral health electronic monitoring system and equipment for the East Mississippi State Hospital (EMSH)

Contact Name: Debbie Parker

Contact Phone Number: 601-432-8159

Contact E-mail Address: Debbie.Parker@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4482 for the East Mississippi State Hospital (EMSH), please be advised that ITS intends to award InvisAlert Solutions, Inc., as the sole source provider of a behavioral health electronic monitoring system and equipment for the East Mississippi State Hospital (EMSH) through September 30, 2025, in an amount not to exceed \$315,034.50. Please be advised that ITS will determine if additional licenses, enhancements, upgrades, support, training, or equipment are within scope during the certification period and may increase the spending authority accordingly. Should InvisAlert Solutions, 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 B: 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 ObservSMART monitoring system offers the only tamper resistant wrist band made specifically for Behavioral Health patients. Anything else in the market is easily removed or taken off. ObservSMART has 1:1 technology that no other company offers, such as for 1:1 observation; EMSH can determine the proximity staff must maintain to the patient. This is the only Psychiatric care specific monitoring device on the market that works to a proximity of patient distance. The patient does not have to be scanned or woken up to make the round. This product allows for multiple uses for psychiatric care and ensures quality care is delivered per Nursing and Direct Care Workers. This system also allows for environmental

rounds to be made within the same system. No other system is available that offers Direct Care Workers, Nursing, and Environmental Rounds in one system.

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

This product will ensure improvement on compliance with patient rounds and environmental rounds, ensuring that the Registered Nurse is checking on the patient as well as the rounds of the Direct Care Worker on previous rounds. This will improve patient satisfaction as well, as they will not have to be woken up to view a bracelet or scan a bracelet. Quality improvement reports will greatly improve in percentages of compliance.

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:

ObservSMART is a sole source product manufactured, sold, and distributed exclusively by InvisAlert Solutions, no other company makes a similar or competing product with all its features. ObservSMART has designed the only tamper-resistant band specifically for behavioral health. The Vendor's sole source certification letter is included as Attachment A.

Schedule

Task	Date
First Advertisement Date	08/09/22
Second Advertisement Date	08/16/22
Response Deadline From Objectors	08/23/22 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 08/24/22

Project Details

The East Mississippi State Hospital (EMSH) ObservSMART project, funded through general funds, is tasked with finding a technology solution that will assist their Nurses and Direct Care Workers with the challenges of monitoring a non-compliant patient population during patient observations. There are many complexities and nuances of behavioral health workflows. EMSH desires to procure the ObservSMART monitoring systems for the State Hospital to ensure improvement of compliance with patient rounds, patient satisfaction, and the safety of patients and staff.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that a behavioral health electronic monitoring system and equipment for the East Mississippi State Hospital (EMSH) 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 InvisAlert Solutions, 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, August 23, 2022, at 3:00 p.m. (Central Time) to Debbie Parker at Debbie.Parker@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 Debbie Parker 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. 4482-47140 Accepted until August 23, 2022 @ 3:00 p.m., ATTENTION: Debbie Parker</p>

If you have any questions concerning the information above or if we can be of further assistance, please contact Debbie Parker at 601-432-8159 or via email at Debbie.Parker@its.ms.gov.

- Attachment A: Vendor Correspondence
- Attachment B: Sole Source Procurement Overview



Sole Source Letter dated July 5, 2022

To Whom It May Concern: This letter is to confirm that the ObservSMART is a sole source product, manufactured, sold, and distributed exclusively by Invisalert Solutions, no other company, makes a similar or competing product with all its features.

ObservSMART uses proprietary software, a patented, highly tamper resistant wristband with a Bluetooth beacon and tablet to validate compliance and document patient observations. Patient checks can only take place when there is staff to patient proximity, thus ensuring compliance and mitigating the risks and costs associated with missed and falsified observations.

- The tablet has patient panel photographs to quickly identify patients
- There is customizable patient precaution, risk flags information for staff engagement.
- Workflow is arranged in order of priority

Achieving compliance is highly dependent on our tamper-resistant wristband designed with non-compliant patient populations in mind. ObservSMART has designed the only tamper-resistant band specifically for behavioral health and is only removed at discharge.

- You can swim and shower with the band and beacon.
- The beacons have a battery life of 14 months, so there is no need to introduce cumbersome workflows to staff to recharge the beacons.

ObservSMART has designed real-time proactive alerts into the software to account for safety concerns, missed observations, and 1:1 falling asleep and observation proximity failures. Supervisory staff is proactively notified of any potential issues so they can immediately assist and correct the problem real-time.

- Primary, secondary, and tertiary alerts
- Request assistance feature, organized code response
- Missed observations, 1:1 out of range, and falling asleep alerts
- Nursing Station Dashboard: simultaneous, multiple unit monitoring and alert notifications

ObservSMART fully supports the complexities and nuances of behavioral health workflows. Designed by and for behavioral health staff. Our solution supports the most complex workflows and improves communication among staff. Off-unit, non-observed patient synchronization

- Off-unit observed patient activities/program coordination
- Real-time quality feedback
- Observation prioritization cues
- Proprietary management processes and ongoing operational support

ObservSMART offers the ability to conduct environment of care rounds seamlessly, in addition to observing patients.

- Customizable time intervals and settings per unit, per facility
- Centralized navigation on menu bar
- Built-in reminders and alerts for staff
- Validates and documents completed tasks
- Repair notifications can be sent to appropriate staff.

ObservSMART provides a suite of powerful reporting and analytics capabilities that help support the needs of the clinical, business, risk, and quality teams. Reports can be easily queried on an ad hoc basis or pushed as a standard daily report to an email.

ObservSMART also has full bi-directional integration in to any EMR.

Feel free to reach out to me with any other additional questions about ObservSMART.

Lisa Foglia

Lisa Foglia

Director of Sales

302-518-2464

lfoglia@invisalertsolutions.com

Attachment B

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 A.

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.

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.