

INTENT TO SOLE SOURCE

In accordance with §11-35-1560 (A) of the SC Consolidated Procurement Code, it is the intent of the Medical University of South Carolina (MUSC) to award without competition, a sole source contract in accordance with Regulation 19-445.2105 (B) (5) to Thermo Electron North America LLC for the purchase of an annual Maintenance Contract for the Orbitrap Fusion Lumos EDT(serial number FSN20563) and Easy Nlc 1200 (Serial number LC030772) instruments.

Purpose and Objectives

The purpose of this purchase is to obtain preventive maintenance services on existing State-owned research laboratory equipment manufactured by Thermo Fisher Scientific. The service and parts provider must be an Original Equipment Manufacturer (OEM) and Authorized Service Provider. In order to maintain the warranty and also the integrity of the research conducted using the Thermo Fisher Orbitrap Fusion Lumos ETD system and all services is required to be performed by OEM certified factory-trained technicians using genuine OEM parts.

Sole Source Justification: Thermo Electron North America LLC is the only contractor who:

- ✓ has manufacturer-trained and certified technicians to maintain and upgrade their patented and proprietary software and hardware.
- ✓ can provide updates to their scientific equipment and software.
- ✓ manufactures and certifies replacement parts for this equipment.

In addition, all required parts and supplies for this equipment must be purchased from Thermo Electron. Replacement parts or accessories must be compatible with the existing system and all manufacturer training is provided for Thermo Electron engineers.

For these reasons Thermo Electron North America LLC has been deemed by the Procurement Officer to be the only contractor that can fulfill the requirements listed which meets MUSC's specific needs.

QUESTIONS: Shall be addressed to the email address of the Procurement Officer indicated below.

PROTESTS (MAY 2019): If you are aggrieved in connection with the intended award of this contract, you may be entitled to protest, but only as provided in §11-35-4210. To protest an intended award of a contract pursuant to §11-35-1560, you shall (i) notify the chief procurement officer in writing of your intent to protest within five (5) business days of the date this intent to award is posted, and (ii) if the appropriate chief procurement officer has been timely notified of your intent to protest, you may submit your actual protest within fifteen days of the date this notice of intent to award is posted. Days are calculated as provided in §11-35-310(13). Both protests and notices of intent to protest must be in writing and must be received by the appropriate Chief Procurement Officer within the time provided. The grounds of the protest and the relief requested must be set forth with enough particularity to give notice of the issues to be decided.

Any protest or notice of intent to protest must be addressed to the Chief Procurement Officer, Materials Management Office, and submitted in writing (a) by email to: protest-mmo@mmo.sc.gov or (b) by post or delivery to: 1201 Main Street, Suite 600, Columbia, SC 29201

This notice of intent is not a request for competitive proposals. Any responsible sources who wish to identify their interest and capability to provide these services must notify this Contracting Specialist at kellysy@musc.edu prior to the contact deadline: February 21, 2020 12:00 AM EST. Telephone responses will not be accepted. Upon receipt of the interested parties' notification, the Contracting Officer will determine whether to conduct a competitive procurement or proceed with sole source negotiations.