

REQUEST FOR QUOTE FORMAL REVERSE AUCTION

RFQ Number: 3140001820 To Provide: Reach Truck Fork Lifts Issue Date: 03/25/2019

Closing Location

Mississippi Department of Revenue 500 Clinton Center Drive Clinton, MS 39056

BID Coordinator

Erica Greenwood, Contract Analyst, Sr. Telephone: (601) 923-7860

Fax: (601) 923-7658

E-Mail: erica.greenwood@dor.ms.gov

Closing Date and Time:

Bids must be received by April 23, 2019, 12:00 p.m. (CST)

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MISSISSIPPI DEPARTMENT OF REVENUE Invitation for Bid Reach Truck Forklifts

Section I GENERAL CONDITIONS – REVERSE AUCTIONS

ALL BIDS SUBMITTED SHALL BE IN COMPLIANCE WITH ALL CONDITIONS SET FORTH HEREIN. THE BID PROCEDURES FOLLOWED BY THIS OFFICE WILL BE IN ACCORDANCE WITH THESE CONDITIONS. THEREFORE, ALL BIDDERS ARE URGED TO READ AND UNDERSTAND THESE CONDITIONS PRIOR TO SUBMITTING A BID.

1.0 Definitions

The use of the word "agency" in any Bid Invitation solicitation or specification shall be intended to mean state agencies only. The words "governing authority" when used shall be intended as meaning city, county or other local entities.

2.0 Preparation of Bids

- 2.1 Bids and/or Quotes may be submitted through the State of Mississippi's e-procurement system (MAGIC) or in person to the Mississippi Department of Revenue ("DOR" or "the Department"). Paper bids are allowed. All prices and notations must be printed in ink or typewritten. No erasures permitted. Errors may be crossed out and corrections printed in ink or typewritten adjacent and must be initialed, in ink, by the person signing bid.
- 2.2 To submit bids electronically, bidders must ensure they are registered in the MAGIC system and have received a login, password, and supplier number and that all technical requirements have been met.
- 2.3 If a bidder is unwilling or unable to participate through MAGIC, a DOR representative can enter the Vendor's bid(s) manually (i.e. Surrogate bidding).
- **2.4** Bidders participating in person by surrogate bidding must so indicate in their response to the initial Request for Quote-Formal (RFQF).
- **2.5** Failure to examine any drawings, specifications, and instructions will be at bidder's risk.
- **2.6** Price each item separately. Unit prices shall be shown. Bid prices must be net.
- 2.7 It is understood that reference to available specifications shall be sufficient to make the terms of such specifications binding on the bidder.

- **2.8** Bidders must furnish all information requested in the bid specifications. Further, when required, each bidder must submit for bid evaluation cuts, sketches, descriptive literature and technical specifications covering the product offered. Reference to literature submitted with a previous bid or on file with DOR will not satisfy this provision.
- 2.9 Samples of items, when requested, must be furnished free of expense, and if not destroyed in testing will, upon request, be returned at the bidder's expense. Request for the return of samples must be made within ten (10) days following opening bids. Each individual sample must be labeled with bidder's name, manufacturer's brand name and number, State of Mississippi commodity number, bid number and item reference.
- **2.10** Time of performance. The number of calendar days in which delivery will be made after receipt of order shall be indicated in the bid specifications.

3.0 Bid Submission

- **3.1** When submitting a bid electronically, the authorized signature may be typed or be an electronic signature.
- **3.2** Bids and modifications or corrections received after the closing time specified will not be considered.
- 3.3 When submitting the response to the RFQF in MAGIC, bidder must ensure all questions have been answered within the RFQF and all proposed items in bid have a response.
- **3.4** Bidders submitting paper responses should submit responses to the DOR by the response deadline.

4.0 Acceptance of Bids

DOR reserves the right to reject any and all bids, to waive any informality in bids and unless otherwise specified by the bidders, to accept any items on the bid. The State reserves the right to modify or cancel in whole or in part its Invitation for Bids.

If a bidder fails to state the time within which a submitted will expire, it is understood and agreed that DOR shall have 60 days to accept.

5.0 Error in Bid

If a vendor is participating in a Live Auction, the vendor can notify DOR in the event of an erroneous bid via the chat message feature. Erroneous bids, where the mistake is apparent to DOR, may be deleted during the live auction.

6.0 Special Discount Period

Time in connection with a special discount offered will be computed from date of delivery at destination or from the date correct invoices are received, if the latter date is later than the date of delivery. Cash discounts will not be considered in the award process.

7.0 Award

- 7.1 Contracts and purchases will be made or entered into with the lowest responsible bidder meeting specifications, except as otherwise specified in the bid specifications. Where more than one item is specified in the specifications, the State reserves the right to determine the low bidder either on the basis of the individual item(s) or on the basis of all items included in its Invitation for Bids, or as expressly provided in the State's Invitation for Bids.
- 7.2 A written purchase order or contract award furnished to the successful bidder within the time of acceptance specified in the Invitation for Bid results in a binding contract without further action by either party. The contract shall consist solely of these General Conditions, the Instructions and Special Conditions, the successful bidder's bid, and the written purchase order or contract award. The contract shall not be assignable in whole or in part without the written consent of the State.

8.0 Inspection

Final inspection and acceptance or rejection may be made at delivery destination, but all materials and workmanship shall be subject to inspection and test at all times and places, and when practicable. During manufacture, the right is reserved to reject articles which contain defective material and workmanship. Rejected material shall be removed by and at the expense of the contractor promptly after notification or rejection. Final inspection and acceptance or rejection of the materials or supplies shall be made as promptly as practicable, but failure to inspect and accept or reject materials or supplies shall not impose liability on the State or any subdivision thereof for such materials or supplies as are not in accordance with the specification. In the event necessity requires the use of materials or supplies not conforming to the specification, payment therefore may be made at a proper reduction in price.

9.0 Taxes

The State is exempt from federal excise taxes and state and local sales or use taxes and bidders must quote prices which do not include such taxes. Exemption certificates will be furnished upon request. Contractors making improvements to, additions to or repair work on real property on behalf of the State are liable for any applicable sales or use tax on purchase of tangible personal property for use in connection with the contracts. Contractors are likewise liable for any applicable use tax on tangible personal property furnished to them by the State for use in connection with their contracts.

10.0 Gifts, Rebate, Gratuities

10.1 Acceptance of gifts from bidders is prohibited. No officer or employee of DOR, nor any head of any state department, institution or agency, nor any employee of any state department, institution or agency charged with responsibility of initiating requisitions, shall accept or receive, directly or indirectly, from any person, firm or corporation to whom any contract for the purchase of materials, supplies, or equipment for the State of Mississippi may be awarded, by rebate, gifts, or otherwise, any money or anything of value whatsoever, or any promise, obligation or contract for future rewards or compensation.

10.2 Bidding by state employees is prohibited. It is unlawful for any state official or employee to bid on, or sell, or offer for sale, any merchandise equipment or material, or similar commodity to the State during the tenure of his or her office or employment, or for the period prescribed by law thereafter, or to have any interest in the selling of the same to the State.

11.0 Bid Information

Bid information and documents may be examined pursuant to the Mississippi Public Records Act of 1983, MS Code 25-61-1 et seq.

12.0 Precedence

Bids shall be made and the contract shall be entered into in accordance with the General Conditions as hereinafter amended and modified. Should a conflict exist between the General Conditions and the Instructions and Special Conditions, the Instructions and Special Conditions shall take precedence.

13.0 Competition

There are no federal or state laws that prohibit bidders from submitting a bid lower than a price or bid given to the U.S. Government. Bidders may bid lower than U.S. Government contract price without any liability as the State is exempt from the provisions of the Robinson-Patman Act and other related laws. In addition, the U.S. Government has no provisions in any of its purchasing arrangements with bidders whereby a lower price to the State must automatically be given to the U.S. Government.

14.0 Waiver

DOR reserves the right to waive any General Condition, Special Condition, or minor specification deviation when considered to be in the best interest of the State.

15.0 Cancellation

Any contract or item award may be canceled with or without cause by the State with the giving of 30 days written notice of intent to cancel. Cause for the State to cancel may include, but is not limited to, cost exceeding current market prices for comparable purchases; request for increase in prices during the period of the contract; or failure to perform to contract conditions. The Contractor will be required to honor all purchase orders that were prepared and dated prior to the date of expiration or cancellation if received by the Contractor within a period of 30 days following the date of expiration or cancellation. Cancellation by the State does not relieve the Contractor of any liability arising out of a default or nonperformance. If a contract is canceled by the State due to a Contractor's request for increase in prices or failure to perform, that Contractor will be disqualified from bidding for a period of 24 months. The Contractor may cancel a contract for cause with the giving of 30 days written notice of intent to cancel. Cause for the Contractor to cancel may include, but is not limited to the item(s) being discontinued and/or unavailable from the manufacturer.

16.0 Application

It is understood and agreed by the bidder that any contract entered into as a result of this Invitation for Bids is established for use by state agencies and all purchases made by these agencies for products included under the provisions of the contract shall be purchased from the bidder receiving the award unless exempt by special authorization from the DOR.

Under the provisions of Section 31-7-7 Mississippi Code of 1972, Annotated, the prices offered herein shall be extended to the governing authorities. However, the governing authorities, by provisions of Section 31-7-12 Mississippi Code, may purchase products covered by state contracts from any source offering an identical product at a price that does not exceed the state contract price. Employees of DOR have acted exclusively as agents of the State for the award, consummation, and administration of the contract and are not liable for any performance or nonperformance by the state agencies that utilize the contract.

17.0 Addenda

Addenda modifying plans and/or specifications may be issued if time permits. No addendum will be issued within a period of two (2) working days prior to the time and date set for the bid opening. Should it become necessary to issue an addendum within the two (2) day period prior to the bid opening, the bid date will be reset to a date not less than five (5) working days after the date of the addendum, giving bidders ample time to comply with the addendum. When replying to a bid request on which an addendum has been issued, and the specifications require acknowledgement, the bid shall indicate that provisions of the addendum have been noted and that the bid is being offered in compliance therewith. Failure to make this statement may result in the bid being rejected as not being in accordance with the revised specifications or plans.

18.0 Non Responsive Bids

Nonresponsive bids will not be considered. A non-responsive bid is considered to be a bid that does not comply with the minimum provisions of the specification. Any bidder found to repeatedly offer alternated products that are not compliant with specifications in an attempt to obtain a contract on the basis of pricing only will be disqualified from bidding for a period of 24 months.

19.0 Specification Clarification

It shall be incumbent upon all bidders to understand the provisions of the specifications and to obtain clarification prior to the time and date set for the live auction or bid opening. Such clarification will be answered only in response to a written request submitted in the specified amount of time set by DOR. DOR reserves the right to specify a time frame in which clarification request shall be made.

20.0 Pre-qualification Process

20.1 The purpose of the RFQF is to advertise the competitive procurement for solicitation of formal quotes from potential bidders to participate in the Reverse Auction. DOR will be responsible for defining product categories, adding bidders, and publishing all bid related documents to the procurement portal. Once the responses have been received and the

- Opening Date has been reached, DOR will review the submissions to qualify bidders and determine a starting price for reverse auction items.
- 20.2 The Invitation for Bids/RFQF shall be advertised in accordance with Section 3.106.05.4 of the Mississippi Procurement Manual. The OPTFM shall advertise for 14 consecutive days in accordance with Section 31-7-13(c)(i)(1) of the Miss. Code Ann. Responses to the RFQF will be due on the 8th working day after the last day of advertisement.
- 20.3 Responses to the RFQF will be reviewed by the DOR for responsiveness to specifications. Price quotes received will be evaluated in conjunction with other market research to determine the starting price for the Auction.
- **20.4** DOR will accept bidder responses in MAGIC who have qualified meeting RFx specifications. Bidders not meeting specifications will not be allowed to participate in the Auction.
- **20.5** Once qualified, DOR will notify the vendor of Qualification and the date of the Live Auction via email. After receiving the confirmation email, bidders should review/ensure technical requirements for MAGIC have been met or confirm participation in person.
- **20.6** It is requested that bids be submitted on the basis of statewide distribution. Contractors must maintain adequate distribution capabilities and adequate stock of all items to insure prompt delivery.

21.0 Firm Bid Price

Prices accepted from bidder submissions shall be firm for the term of the contract except that the State shall receive the benefit of any price decrease in excess of five (5) percent. The contractor must provide written price reduction information within ten (10) days of its effective date.

22.0 Suspension and Debarment

By submitting a bid, the bidder is certifying that neither the bidder nor any potential subcontractors are debarred or suspended or are otherwise excluded from or ineligible for participation in federal assistance programs.

23.0 Assignment

The Contractor shall not assign or subcontract in whole or in part, its right or obligations under this agreement without prior written consent of DOR.

24.0 Indemnification

Contractor shall indemnify, defend, save and hold harmless, protect, and exonerate the State of Mississippi, its Commissioners, Board Members, officers, employees, agents, and representatives from and against all claims, demands, liabilities, suits, actions, damages, losses, and costs of every kind and nature whatsoever, including, without limitation, court costs, investigative fees and

expenses, and attorneys' fees, arising out of or caused by Contractor's and/or its partners, principals, agents, employees, and/or subcontractors in the performance of or failure to perform this Agreement. In the State's sole discretion, Contractor may be allowed to control the defense of any such claim, suit, etc. In the event Contractor defends said claim, suit, etc., Contractor shall use legal counsel acceptable to the State; Contractor shall be solely liable for all reasonable costs and/or expenses associated with such defense and the State shall be entitled to participate in said defense. Contractor shall not settle any claim, suit, etc., without the State's concurrence, which the State shall not unreasonably withhold.

25.0 Live Auction

- 25.1 Notification of Auction Start date and time will be sent via email to qualifying bidders. If a bidder is unwilling or unable to participate through MAGIC, a representative from DOR can enter the Vendor's bid(s) manually (i.e. Surrogate Bidding). If a bidder elects to participate via Surrogate Bidding, the bidder must be physically present at the public bidding location, with the means to submit written bids for each offer made and signed by an authorized agent of the Vendor. A Bid Form will be provided to the Vendor at the start of the auction. This form will not be returned to the bidder but will become a part of the Bid Documentation for Evaluation by DOR.
- 25.2 The Auction time may be extended at the discretion of the DOR. Examples of reasons to extend an auction include, but are not limited to, technical difficulties experienced by DOR or bidder, the need to pause the Auction, or bids placed within the last few moments of bidding.
- 25.3 Communication with bidders participating electronically during the Auction may be done via the Live Chat Feature. DOR has the ability to send messages to particular bidders or broadcast to all bidders. Bidders can ONLY communicate with DOR, not other bidders.
- **25.4** Bidders may be removed from a Live Auction for improper conduct, including but not limited to profanity, threats, consistently entering erroneous or extremely low bids, or other disruptive behavior.

26.0 Force Majeure

If DOR is closed for any reason, including but not limited to: acts of God, strikes, lockouts, riots, acts of war, epidemics, governmental regulations superimposed after the fact, fire, earthquakes, floods, or other natural disasters (the "Force Majeure Events"), which closure prevents the opening of bids at the advertised date and time, all bids received shall be publicly opened and read aloud on the next business day that the agency shall be open and at the previously advertised time. The new date and time of the bid opening, as determined in accordance with this paragraph, shall not be advertised, and all bidders, upon submission of a bid proposal, shall be deemed to have knowledge of and shall have agreed to the provisions of this paragraph. Bids shall be received by the agency until the new date and time of the bid opening as set forth herein. DOR shall not be held responsible for the receipt of any bids for which the delivery was attempted and failed due to the closure of DOR as a result of a Force Majeure Event. Each bidder shall be required to ensure the delivery and receipt of its bid by DOR prior to the new date and time of the live auction or bid opening.

Section II Instructions and Special Conditions

1.0 Purpose

The Department of Revenue (referred to as "DOR" or "Department") is seeking to obtain forklifts that are best suited to the intended use at our Liquor Distribution Center. The purchase of this equipment will enhance the productivity of delivery of product to the trucks for delivery.

It is the responsibility of the prospective bidder to review all information contained within this Invitation and accompanying attachments. Notifications must be sent to the Department of Revenue if a vendor believes the information contained in this Invitation is devised in such a manner that would restrict competition. The Administrative Services Division may be reached at telephone number (601) 923-7860 or facsimile number (601) 923-7658.

2.0 Procurement Time Line

It is our intent to follow the schedule below in the execution of this invitation for bid; however, DOR reserves the right to amend and/or change the below schedule of events, as it deems necessary.

A. Invitation for Bid Issue Date: March 25, 2019; 9:00 a.m.

B. First Publication : March 25, 2019

C. Second Publication: April 1, 2019

D. Deadline for Submission of Questions: April 11, 2019; 12:00 noon (CST)

E. Bid Packet Submission Deadline: April 23, 2019, 12:00 noon (CST)

F. Evaluation: April 24, 2019

G. Qualify Proposals: April 24, 2019

H. Email Qualified Bidders: April 30, 2019

I. Protest Deadline: May 7, 2019, 12 noon (CST)

J. Reverse Auction Start Date: May 21, 2019, 2:00 pm (CST)

K. Bid Evaluations: May 22, 2019

L. Projected Award: May 24, 2019

3.0 References

As part of its bid, each prospective provider must furnish contact information for at least four current references for purchases with their largest clients of similar size and scope of services as specified in this IFB. "Largest client" is determined by the revenue paid by the client to the provider over the past two-year period. Failure to list a qualifying client may result in rejection of prospective provider's bid. DOR will contact these clients as references to evaluate the quality of the Purchased equipment. Reference information must be provided, as part of the bid package submitted for consideration. References must report the vendor to be of good reputation in providing applicable products. Although DOR requires the provision of a minimum of four references, bidder may submit as many references as desired. Bidders are encouraged to submit additional references to ensure that at least three references are available for interview. The DOR staff must be able to contact three references for a bidder to be found responsible.

4.0 Business Longevity

Each provider must have been in business a minimum of four (4) years prior to submission of its bid. Please indicate the length of time you have been in business providing equipment as specified in this IFB. Business longevity information must be provided, as part of the bid package submitted for consideration.

5.0 Approach

It is understood that all bids are submitted on the basis of complying with the provisions, terms and specifications set out herein, provided that you can do so under the various government rulings and directives now in effect or which may be issued during the period of the contract. The Department reserves the right to waive minor technicalities on bid forms and specifications that can be waived or corrected without prejudice to other bidders when it is in the best interest of the Department of Revenue. The Department reserves the right to reject any and all bids, to waive any minor informality in the bids, and, unless otherwise specified by the bidders, to accept any items on the bid.

6.0 Scope of Service

The specifications set forth herein as "Attachment A" represent a minimum of required equipment and operational needs of DOR. The bidder may propose options above and beyond these specifications that best suit DOR's interest as determined by the agency. The bidder agrees to begin delivery within <u>60 days</u> of award. Failure to do so may result in cancellation of award. If cancellation of award occurs, a new award will be made to the next lowest bidder meeting required specifications. Please respond "Yes" or "No" to indicate compliance to the specifications for each listed criterion and add comments as needed.

7.0 Procurement Methodology

7.1 Rules of Procurement

All formal bids shall be binding for a minimum of forty-five (45) days after opening. If a bid is withdrawn after opening, the vendor will be removed from the list of eligible bidders for a period of six (6) months.

7.2 Procedure for Answering Questions

A. All questions concerning this Invitation for Bid or quote process must be submitted by email to:

BidQuestions@dor.ms.gov

- **B.** Questions and request for clarification must be submitted via email during normal business hours by the deadline reflected in Section 2.0, Procurement Time Line.
- **C.** All questions and answers will be answered and published on the Mississippi Department of Revenue website (www.dor.ms.gov) under the Procurement tab in a manner that all bidders will be able to view by the date and time reflected in Section 2.0.
- **D.** The DOR will not be bound by any verbal or written information that is not contained within this IFB unless formally noticed and issued by the contact person.

7.3 Bid Amendment or Withdrawal

No bids shall be altered or amended after the specified time for opening bids. If a bid is withdrawn after opening, the bidder will be removed from the list of eligible bidders for a period of six (6) months. A bidder may withdraw a bid prior to the time set for the opening of bids by simply making a request in writing to the DOR; no explanation is required. No partial withdrawals of a bid are permitted after the time and date set for the bid opening; only complete withdrawals are permitted.

7.4 Amendments to the Invitation for Bid

The Administrative Services Division of the Department of Revenue will prepare a written response to all inquiries and post this information on the Department of Revenue website www.dor.ms.gov under the Procurement tab in a manner all bidders will be able to view. Respondents shall rely only on this bid and any communication from the Administrative Services Division of the Department of Revenue in submitting bids. The Department of Revenue's Administrative Services Division shall not be bound by any oral communications; bidders who rely upon any oral communications regarding the Bid do so at their own risk.

Additionally, each bidder shall complete Attachment F, Acknowledgement of Amendments, and include this form as part of its bid packet.

7.5 Bid Acceptance Period

The original bid form, cover sheet, certification to sign form, references and all acknowledgement forms, shall be signed and submitted in a sealed envelope or packet to the address noted in <u>Section II 8.3 Bid Labeling and Mailing address</u>, no later than the time specified by the Procurement timeline. Timely submission of the bid forms is the responsibility of the bidder. Bids received after the specified time shall be rejected and returned to the bidder unopened. The envelope or packet shall be marked with the bid opening date and time, and the number of the invitation for bid. The time and date of receipt shall be indicated on the envelope or packet by Administrative Services or Support Staff. Each page of the bid and all attachments shall be identified with the name of the bidder. Failure to submit a bid on the bid form shall be considered just cause for rejection of the bid. Modifications or additions to any portion of the procurement document may be cause for rejection of the bid. DOR reserves the right to decide, on a case-by-case basis, whether to reject a bid with modifications or additions as non-responsive. As precondition to bid acceptance, DOR may request the bidder to withdraw or modify those portions of the bid deemed non-responsive that do not affect quality, quantity, price or delivery of service.

7.6 Bid Evaluation

Contracts and purchases will be made or entered into with the lowest, responsible and responsive bidder meeting specifications. Factors to be considered in determining the lowest, responsible bidder include:

- Price
- Conformity
- Responsibility of Bidder
- Bidder's ability to deliver as per specifications
- Reference response
- Qualified to contract with the State of Mississippi

7.7 Award Notice

Suppliers should be advised no award will automatically result from a reverse auction. DOR will review the results of the auction and make a determination. After the Department of Revenue makes the award, official notification will be sent to all participating vendors. This information will be released in written form via email and/or letter. The Department of Revenue will not respond to telephone calls requesting the information. Actions taken by a bidder before the receipt of the official notification will be at the bidder's own risk, and the Department of Revenue will not be responsible for such actions. If the purchase is for an amount greater than \$50,000, such award shall be subject to approval of the purchase by the Department of Finance and Administration.

7.8 Right to Protest

Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the Bid Coordinator or the Commissioner of the Mississippi Department of Revenue. The protest shall be submitted in writing within seven (7) days after notification is received. The written protest letter shall contain an explanation of the basis of

the protest. A protest is considered submitted when received by the Bid Coordinator or Commissioner of the Mississippi Department of Revenue. To expedite handling the protest, the envelope should be labeled "Protest". Protest filed after normal business hours on the seventh day will not be considered.

7.9 Partial Bids Prohibited

Bids submitted must be all or none. Bids will not be accepted for any part of the total.

7.10 Office Closure Statement

If the agency is closed for any reason, including but not limited to: acts of God, strikes, lockouts, riots, acts of war, epidemics, governmental regulations superimposed after the fact, fire, earthquakes, floods, or other natural disasters (the "Force Majeure Events"), which closure prevents the opening of bids at the advertised date and time, all bids received shall be publicly opened and read aloud on the next business day that the agency shall be open and at the previously advertised time. The new date and time of the bid opening, as determined in accordance with this paragraph, shall not be advertised, and all bidders, upon submission of a bid proposal, shall be deemed to have knowledge of and shall have agreed to the provisions of this paragraph. Bids shall be received by the agency until the new date and time of the bid opening as set forth herein. **DOR shall not be held responsible for the receipt of any bids for which the delivery was attempted and failed due to the closure of the agency as a result of a Force Majeure Event.** Each bidder shall be required to ensure the delivery and receipt of its bid by the agency prior to the new date and time of the bid opening or live auction.

8.0 Submission Procedures

8.1 Forms to be Utilized and Submitted

Bids must be submitted on the forms furnished by DOR, or they will not be considered. Letters will not be considered a part of your bid. Facsimile transmissions will not be accepted.

8.2 Procedures for Submitting Bid

- **A.** Each bid packet must be sealed in an envelope labeled **BID PACKET** in the lower left hand corner of the envelope.
- **B.** Bids not properly marked in the lower left hand corner and opened by mail personnel prior to the bid opening will be rejected and returned to the bidder.
- **C.** Bids should be typed and single-sided; not handwritten. The original packet shall be signed by a company official with authorization to bind the bidder to its provisions. The original bid packet shall be submitted no later than the time indicated in section 2.0 Procurement Time Line.
- **D.** All bids, if possible, should be entered into the Mississippi Accountability System Government Information and Collaboration (MAGIC) system. The bid form and all attachments must be identified with the name of the bidder.

- **E.** Failure to submit a bid on the Bid Form provided will be considered cause for rejection of bid. You may attach other sheets if the space provided is inadequate.
- **F.** The Department of Revenue reserves the right to decide, on a case-by-case basis, whether to reject a bid with exceptions, modifications or additions outside the parameters set by this RFQF, including specifications, as nonresponsive.

8.3 Bid Labeling and Mailing Address

Each bid submitted must be mailed or hand delivered (strongly encouraged) and labeled as follows:

Mail to:	Deliver to:
Mississippi Department of Revenue	Mississippi Department of Revenue
Attention: Bid Coordinator	Attention: Bid Coordinator
RFQ # 3140001820	RFQ # 3140001820
Post Office Box 22828	500 Clinton Center Dr
Jackson Mississippi 39225	Clinton MS 39056
SEALED QUOTE – DO NOT OPEN	SEALED QUOTE – DO NOT OPEN

8.4 Submission Format

The bid packet must be sealed and must contain the following:

- A. Bid Cover Sheet
- **B.** Certification to sign on behalf of the company
- C. Bid Form
- **D.** References
- E. Acknowledgement of amendments or modifications
- **F**. Secretary of State Acknowledgement

9.0 Late Submission

A bid received at the place designated in the solicitation for receipt of bids after the exact time specified for receipt will not be considered unless it is the only bid received, or it is received before award is made and was sent by registered or certified mail not later than the fifth calendar day before the date specified for receipt of bids. It must be determined by the Department of Revenue that the late receipt was due solely to mishandling by the Department of Revenue after receipt at the specified address. The only acceptable evidence to establish the date of mailing of a late bid is the U.S. Postal Service postmark on the wrapper or on the original receipt from the U.S. Postal Service. If the postmark does not show a legible date, the contents of the envelope or package shall be processed

as if mailed late. "Postmark" means a printed, stamped, or otherwise placed impression, exclusive of a postage meter impression, that is readily identifiable without further action as having been supplied and affixed by the U.S. Postal Service on the date of mailing. Bidders should request postal clerks to place a hand cancellation postmark (often called a bull's eye) on both the receipt and the envelope or wrapper.

The only acceptable evidence to establish the time of receipt at the office identified for bid opening is the time and date stamp of that office on the bid wrapper or other documentary evidence of receipt used by that office.

10.0 Reverse Auction

All qualified bidders are required to participate in the reverse auction process. Bidders must ensure technical requirements are met.

Acceptable Internet Browser(s)

- Microsoft Internet Explorer (IE) version 11
- Firefox versions 51 or lower
- Google Chrome versions 49 and above (will need to download and install a Chrome Extension called "IE Tab Extension")

Unsupported Internet Browser(s)

- Microsoft Internet Explorer (IE) version 10 or below
- Microsoft Edge
- Google Chrome
- Safari
- Firefox version 52 and above

Note: Pop-up blocker must be turned off

Java

• Reverse Auction requires Java version 6.30 or higher. Java can be downloaded from following Web site.

https://www.java.com/en/download/

Login Procedure

Vendors must be registered in MAGIC in order to receive a User ID and password to log in. Vendors who are new to MAGIC may visit the Vendor Information page on DFA's website, or register online, Vendor Registration.

To log into MAGIC, open the URL: https://portal.magic.ms.gov/irj/portal. Enter User ID and password. The password is case sensitive.

Section III How to Create an RFx Response



Create an RFx Response

Work Instruction
Transaction Code(s):

Purpose

Use this procedure to submit an RFx Response.

Trigger

Perform this procedure when your company would like to respond to a RFx invitation.

Menu Path

N/A

Transaction Code

Helpful Hints

Attachments should include blue print, Statement of work, Material list, or other informational documents needed to help select an RFx response.

RFx Response is a bid to complete work or provide products to the State of Mississippi.

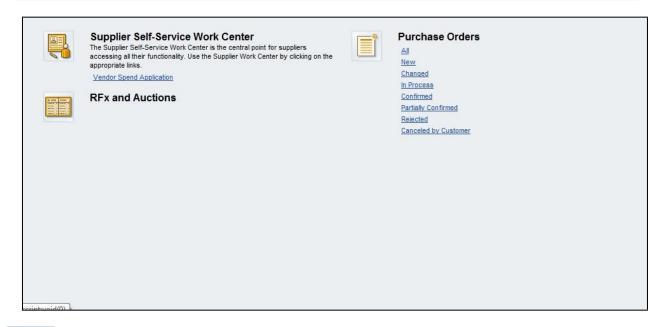


Procedure

1. Start the transaction.

Work Center Overview - State of Mississippi - MAGIC Portal - Windows Internet Explorer

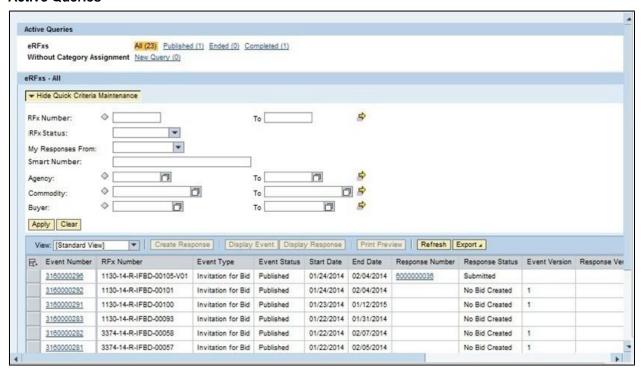
Procedure





2. Click RFx and Auctions Icon. .

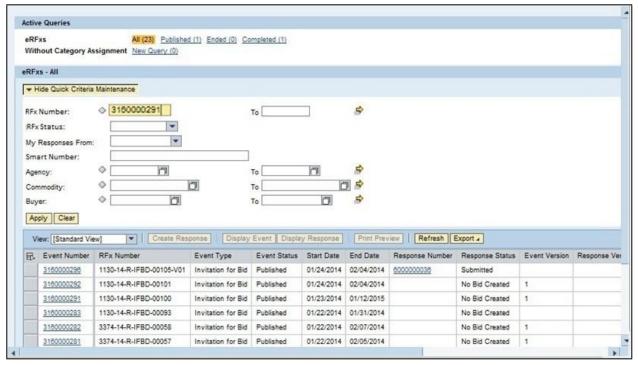
Active Queries



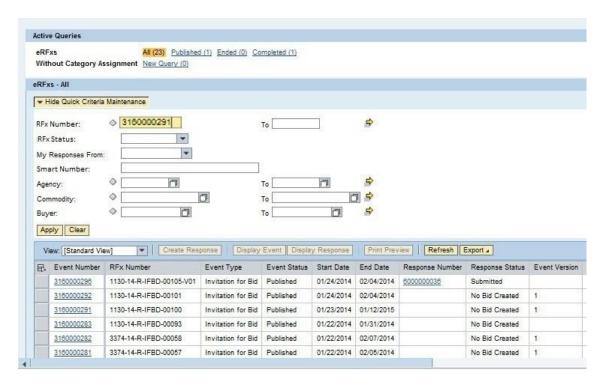
3. As required, complete/review the following fields:

Field R/O/C Description		
RFx Number:	Required	Example: 3160000291

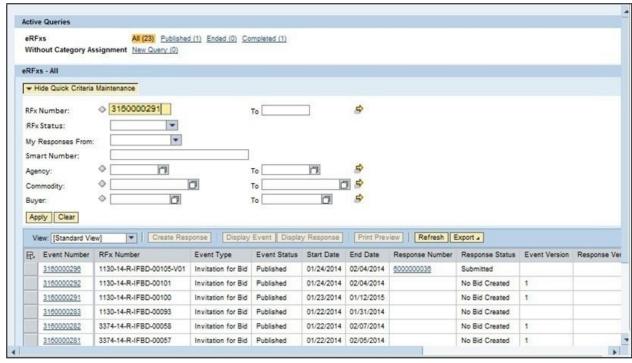
Active Queries



4. Click Apply Apply to apply the search criteria.

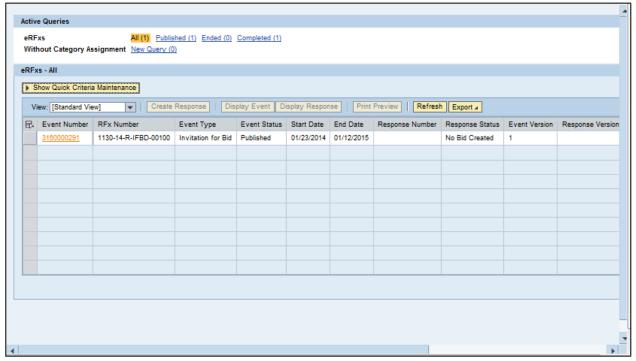


Active Queries



5. Click Hide Quick Criteria Maintenance Hide Quick Criteria Maintenance

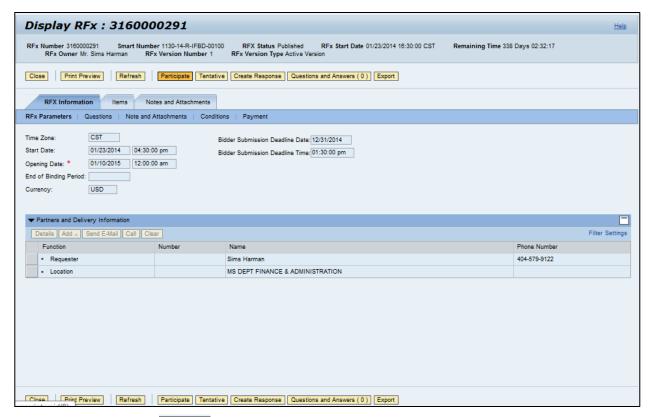
Active Queries



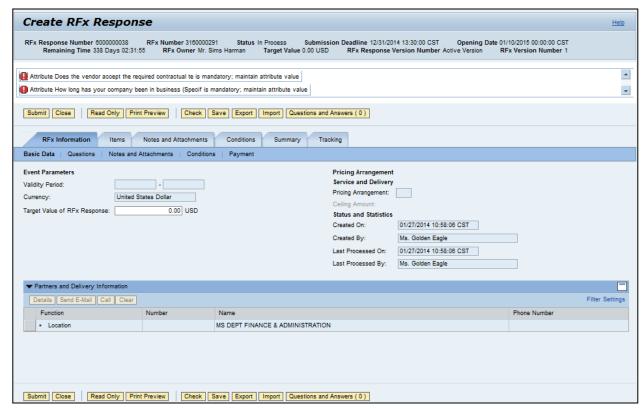
3160000291

6. Click 3160000291.

Display RFx 3160000291



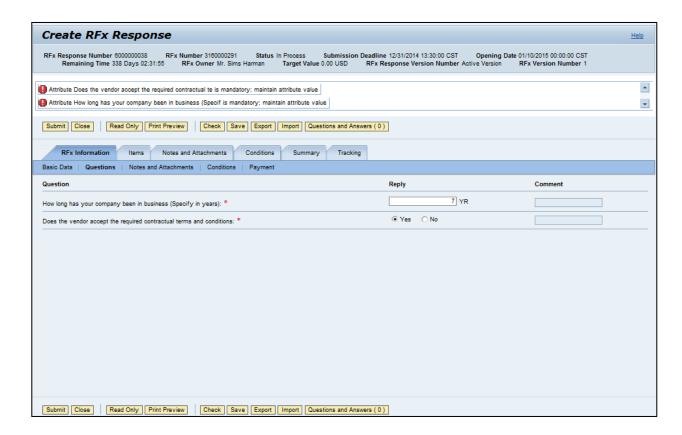
- **7.** Click Participate Participate. This step is required and notifies the SoMs your intent to create a RFx response.
- **8.** Click Create Response Create Response .



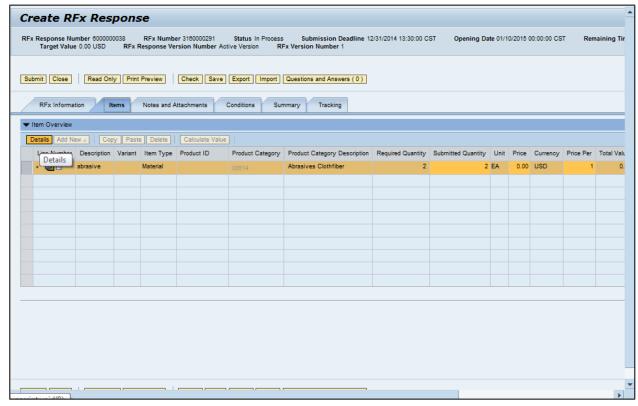
- **9.** Click Questions Questions to view the required buyer questions.
 - **10.** As required, complete/review the following fields:

Field	R/O/C	Description
How long has your company been in business (Specify in years):	Required	Example: 7

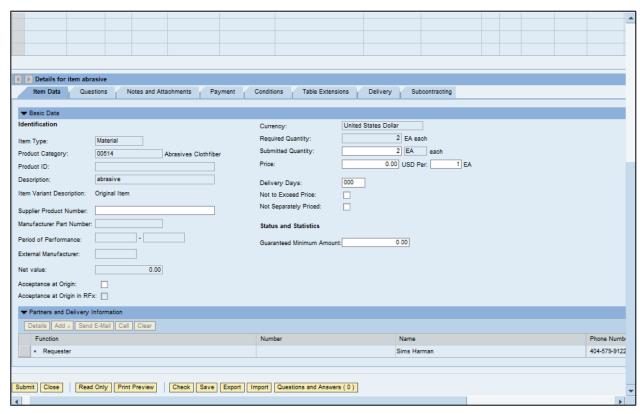
11. Click Yes Yes.



- 12. Click Notes and Attachments . Notes and Attachments
- 13. Click Items . Items

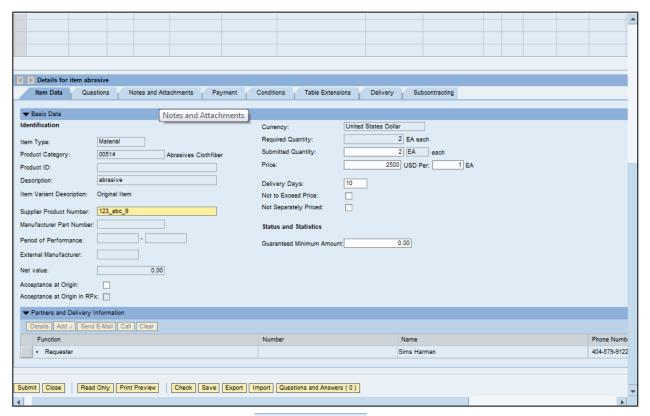


14. Click Details button Details .

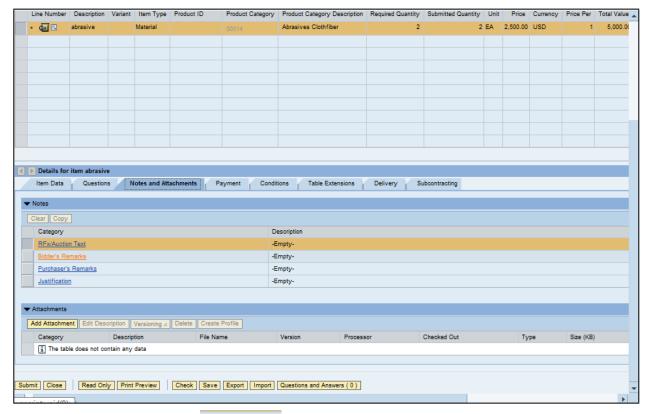


15. As required, complete/review the following fields:

Field R/O/C Description		
Price:	Required	Example: 2500
Delivery Days:	Required	Example: 10
Supplier Product Number:	Required	Example: 123_abc_9

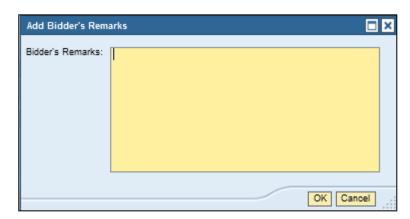


16. Click Notes and Attachments tab Notes and Attachments



17. Click Bidder's Remarks Bidder's Remarks . .

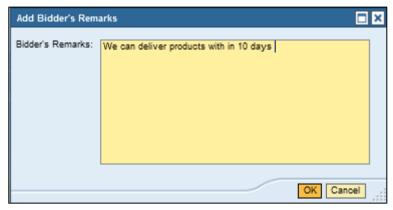
Add Bidder's Remarks



18. As required, complete/review the following fields:

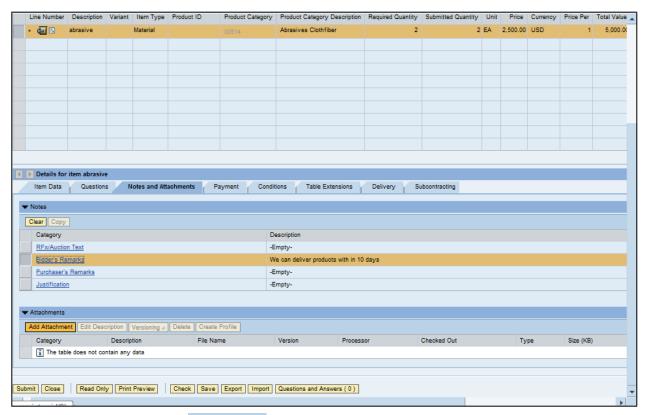
Field R/O/C Description		
Bidder's Remarks:	Required	Example: We can deliver products with in 10 days

Add Bidder's Remarks



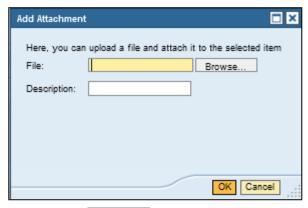
19. Click OK OK.

Create RFx Response



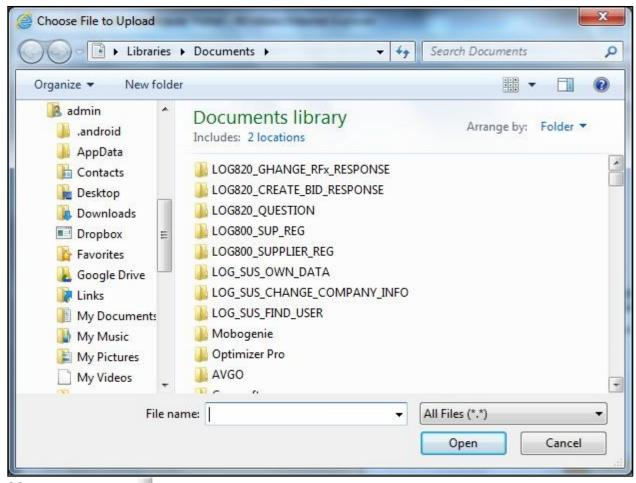
20. Click Add Attachment Add Attachment

Add Attachment



21. Click Browse...

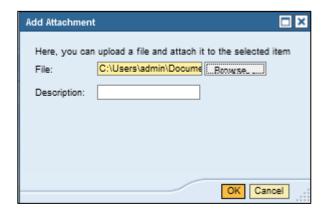
Choose File to Upload



- 23. Click Book2.xlsx

24. Click Open Open

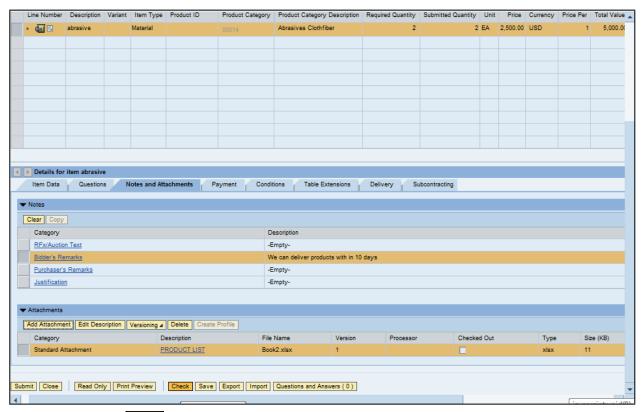
Add Attachment



25. As required, complete/review the following fields:

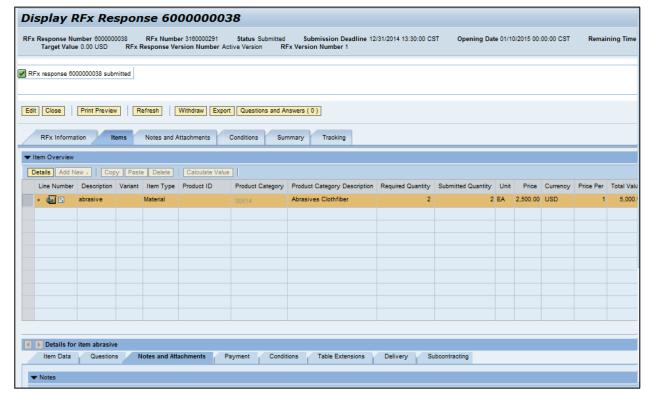
Field R/O/C Description		
Description:	Required	Example: Product List

26. Click OK OK .



- 27. Click Check Check .
- 28. Click Submit Submit

End of simulation.



29. End of simulation.

Result

You have successfully submitted an RFx response to the State of Mississippi.

Section IV

Special Instructions

The following section provides a DFA MAGIC Reverse Auction Bidder's Training Guide. It includes detailed instructions on how to access the reverse auction event, including how to gain access to the system utilized and what technical requirements may be involved. However, no supplier may be prohibited from participating in person by paper through surrogate bidding.

MAGIC Reverse Auction Bidders Training Guide



The MAGIC Reverse Auction Bidders Training Guide provides instructions for vendors to participate in Reverse Auctions. Vendors have the ability to submit bids electronically and view real time bid ranking. The identity of participating bidders will not be displayed to other bidders throughout the online auction process. However, bidders will be able to see the current best bid.

Contents

Technical Requirements

Login Procedure

View Available Reverse Auctions

Search for Auction(s)

Display Auction Details

Display Line Items

Display Notes and Attachments

Participating in a Live Auction

Live Auction Cockpit

Chat and System Messages

Pausing and/or Resuming an Auction

Technical Requirements

Bidders are responsible for ensuring technical requirements are

met. Acceptable Internet Browser(s)

☐ Microsoft Internet Explorer (IE) version 11

☐ 🖫 « Google Chrome versions 49 and above (will need to download and install a Chrome Extension called "IE Tab Extension")

Unsupported Internet Browser(s)

☐ Head Google Chrome

☐ Vo 🐠 Safari

☐ ■ Firefox

Note: Pop-up blocker must be turned off.

<u>Java</u>

Reverse Auction requires Java version 6.30 or higher. Java can be downloaded from following Web site. https://www.java.com/en/download/



Login Procedure

Vendors must be registered in MAGIC in order to receive a User ID and password to log in. Vendors who are new to MAGIC may visit the <u>Vendor Information page</u> on DFA's Web Site, or register online, <u>Vendor Registration</u>.

To Log into MAGIC, open the following URL: https://portal.magic.ms.gov/irj/portal. Enter User ID and Password. The password is case sensitive.



View Available Reverse Auctions

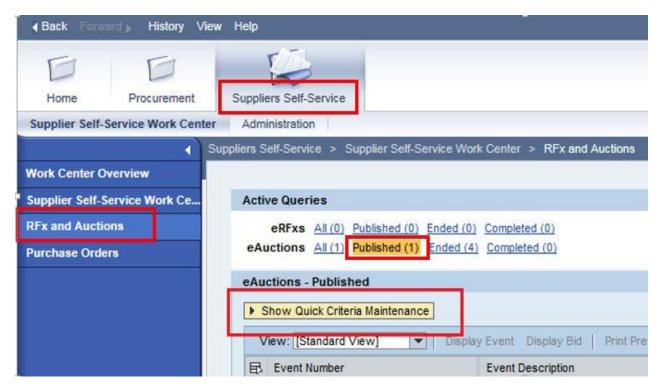
Search for Auction(s)

Listed below are the steps to search for a bid response.

- 1.) Bidders must first respond to the RFx (RFQF) to be able to participate in the Reverse Auction. Instructions for creating a response to an RFx are available here, RFx Response -Supplier Self Service.
 - The RFx (RFQF)—Bid Specifications will provide details for qualifying criteria.
 Only bidders qualified through the RFx (RFOF) will be invited to participate in Reverse Auctions.
- 2.) To search for auctions, click on the **Suppliers Self-Service** tab.
- 3.) Select **RFx and Auctions** in the navigation menu on the left of the screen.
- 4.) Select the **Published** link on the eAuctions line of the Active Queries section.

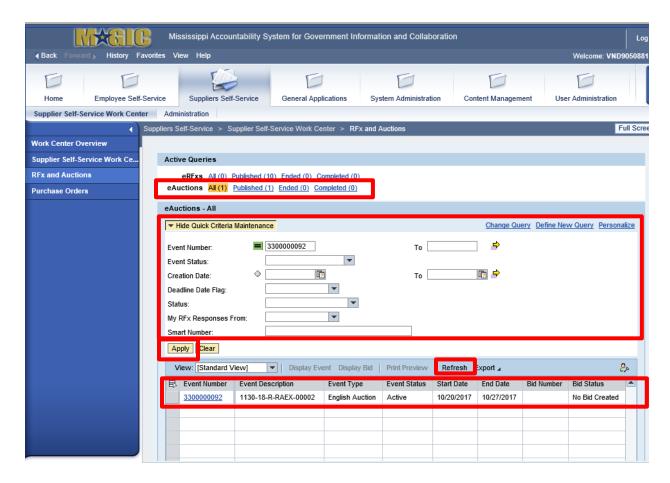
Note: If the search fields are not visible, click the Show Quick Criteria Maintenance button to expand the search criteria.





- 5.) Enter the search criteria. To find all available bid opportunities, skip to step (f).
 - A. Select **All** or **Published** to search for available Events (eAuctions).
 - B. Enter the appropriate *Quick Criteria Maintenance* fields: **Event Number** (Auction number) or complete any optional relevant search criteria.
 - C. Click on **Apply** to view all Auctions based on your search criteria.
 - D. To generate an updated search using the same selection criteria, click **Refresh** or skip to step (7).
- 6.) Click **Apply** to find available bid opportunities.
- 7.) In the results list, click on the **Event Number** to open the Auction details in a separate window. (Pop-up blocker must be turned off.)





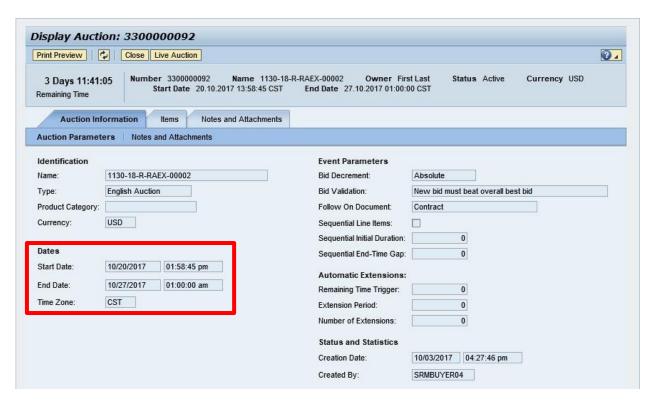
Display Auction Details

Listed below are the steps view the auction details and information regarding the auction.

 The Auction Details screen will be displayed. It is important to review the details prior to the Auction begin time. Bidding will not be available prior to the Auction Start Date / Time.

The table below list the fields and a brief description of the information available on the Auction Parameters sub-tab of the Auction Information tab.





Section	Field Name	Description
Identification	Name	Smart Number with details related to the RFx
	Туре	English Auction is the standard for State of Mississippi
	Product Category	The 5 digit NIGP code (optional)
	Currency	US Dollar (USD)
Dates	Start Date	Begin Date and Time for the Live Auction
	End Date	Date and Time of Live Auction completion
	Time Zone	Central Standard Time (CST)
Event	Bid Decrement	The amount/percentage by which the next bid must decrease
Parameters		relevant to the current lowest bid.
	Bid Validation	Logic used to determine if the bid is valid.
	Follow On Document	Contract or Purchase Order
	Sequential Line Items	Enables sequential line item functionality to stagger end
		times.
	Sequential Initial Duration	The amount of time in between each line item end time.
	Sequential End-Time Gap	The time between item end times.
Automatic	Remaining Time Trigger	The time period before the end of the auction where an

Extensions		extension can be triggered due to bid activity.
	Extension Period	Number of minutes, for which the auction will be extended if a
		bidder submits an offer within the Remaining Time Trigger period.
	Number of Extensions	The number of times an auction can be extended by bid
		activity within the Remaining Time Trigger.
Status and	Creation Date	The date and time the auction was created.
Statistics	Created By	The UserID of the Agency Buyer who created the auction.

Display Line Items

Listed below is information regarding the line items associated with the auction.

1.) Click the **Items** tab to view the line items.



If the items are in **Lots**, the main items will be listed with individual lot items below.

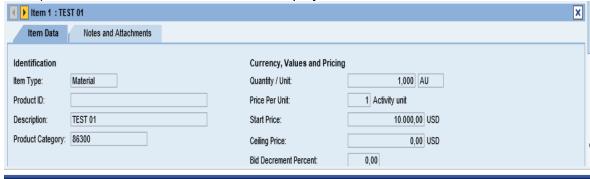


2.) To view additional details for a line item, select the desired line and click the Details button.





3.) The details for the line item will be displayed.



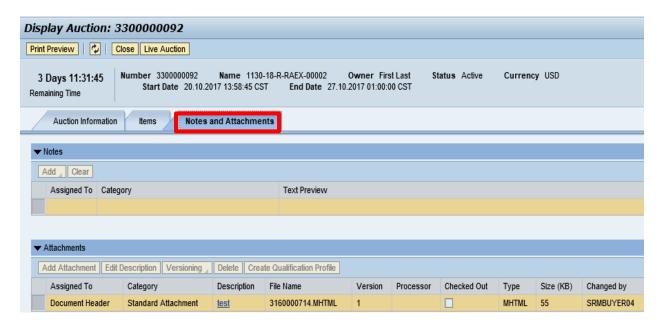
The table below list the fields and a brief description of the information available for each line item

Section	Field Name	Description
Identification	Item Name	Type of item (Material)
	Product ID	11 digit material number
	Description	Detailed description of the item
	Product Category	The 5 digit NIGP code
Currency,	Quantity /Unit	The number of items / the Unit of Measure (i.e. EA for
Values, and		each)
Pricing	Price Per Unit	The individual price based on the Unit of Measure
		indicated.
	Start Price	Starting bid price of the item (Bids higher than the start
		price will not be accepted.)
	Ceiling Price	Ceiling Price is not used.
	Bid Decrement Percent	Bid decrement amount if percentage option is selected.
	Bid Decrement	Bid decrement amount if dollar amount option is
		selected.



Display Notes and Attachments

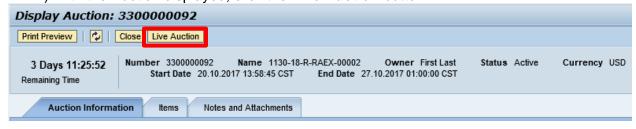
Click the **Notes and Attachments** tab to view supporting documents and/or notes associated with the auction.



Participating in a Live Auction

After completing the steps above to find a desired auction, the steps below can be used to participate in the Live Auction process.

1.) With the Auction displayed, click the **Live Auction** button.



2.) A pop-up window will appear containing Terms and Conditions to participate in the Live Auction. Review all terms and conditions. If you agree, click **Accept**. If you click **Decline** you will not be allowed to participate in the Live Auction.



If the agency did not establish Terms and Conditions this screen will not be displayed.



MAGIC Reverse Auction Bidders Guide

3.) If any pop-ups appear asking for a confirmation to run the JAVA application, click **Run**.

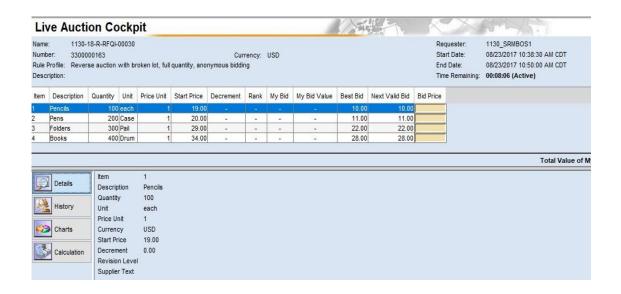


4.) The Live Auction bidding screen will be displayed. If you receive any error messages, please ask your company's system administrator to verify your computer's technical requirements.

Live Auction Cockpit

The Live Auction Cockpit will be displayed when the JAVA application has run.

Listed below is information regarding key items for the Live Auction Cockpit. The steps for submitting a response are located on the next page.



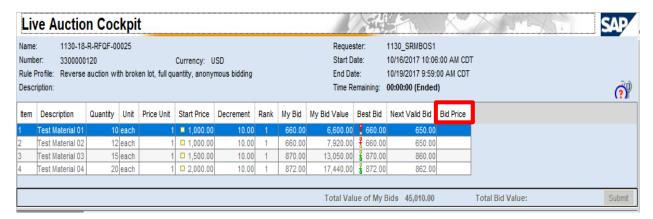
Field Name	Description
Start Date	Date and Time the Live Auction starts
End Date	Date and Time the Live Auction ends
Time Remaining	The time remaining for the Live Auction
Description	Line item description
Quantity	Line item quantity
Unit	Line item unit
Price Unit	Line item price per unit
Start Price	The initial price for the line item.
Best Bid	The lowest bid that has been submitted, to date, for that line item. This field will be blank until the first bid has been submitted.
Next Valid Bid	The next price that is allowed to be bid for that line item. It is determined by subtracting the decrement amount from the best bid amount.
Bid Price	Your bid for the item. Your bid should be equal or less than the next valid bid field.
	For instructions on how to enter your bid price, see the next page.

Submitting a Bid Response

The steps below must be completed for each separate line item you wish to bid on.

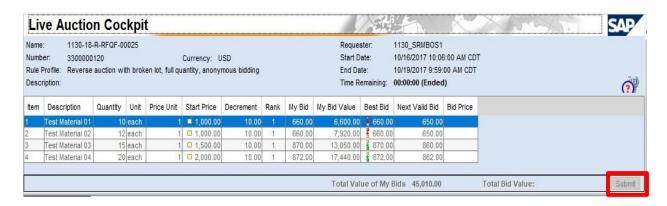
- 1. Click desired line item.
- 2. Enter the price in the **Bid Price** field(s) for the items you wish to bid on.



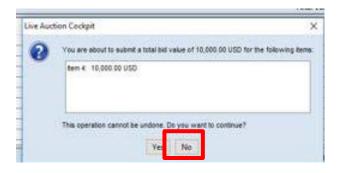


MAGIC Reverse Auction Bidders Guide

3. Click the **Submit** button. The submit button may be submitted after each line item price is entered or after you enter the price for all line items you wish to bid on.



4. A confirmation pop-up window will be displayed. The bid value (by line item) will be display the total of the Unit Price times the Quantity for that item. If the bid amount(s) are correct, click **Yes**. If the bid amount(s) are incorrect, click **No** and repeat the steps above to enter the correct bid amounts.



5.) A confirmation of a successful bid submission will be displayed in the Chat Window. Note: Erroneous bids may be deleted by the agency during the live auction.

Chat and System Messages

06/07/2017 10:27:40 AM CDT [System]: Your bid for line item 1 has been successfully submitted 06/07/2017 10:27:40 AM CDT [System]: Your bid for line item 2 has been successfully submitted 06/07/2017 10:27:40 AM CDT [System]: Your bid for line item 3 has been successfully submitted

6.) Repeat steps 1-5 for each desired line item.





Chat and System Messages

The Chat and System Messages area is used for viewing chat messages from an agency buyer and information messages automatically generated by MAGIC.

Below are helpful hints in using the chat feature:

A bidder CAN:	Send a message to an agency buyer.
	Type the message in the message box and click Send .
	See broadcast messages from the agency buyer to ALL bidders.
	See messages regarding the status of the auction (e.g. paused,
	resumed, or extended)
A bidder CANNOT:	Send a message to other bidders of the auction.
	See messages sent to an agency by other bidders.
	See messages sent to other bidders from the agency buyer.



Pausing and/or Resuming an Auction

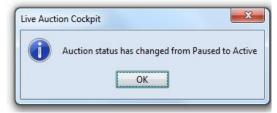
If necessary, the agency buyer can pause the Live Auction bidding. In such cases, the auction status will be changed from "Active" to "Paused". A system alert will appear on the screen.



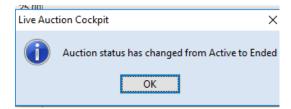
The countdown clock will not stop running while the auction is paused. The time remaining and end date / time are not affected or extended automatically.



When the agency buyer resumes the auction the auction status will be changed from "Paused" to "Active". A system alert will appear on the screen.



Once the auction has ended, a notification will display.



Attachment A Specifications for Reach Truck Fork Lift

Narrow Aisle Reach Truck

Compliance

Com	рпансе	
Yes	No	Narrow Aisle Reach Truck - Quantity: 2
Yes	_ No	Base Capacity: 3,500 pounds
Yes	_ No	Net capacity with side shifter at 270 inches: 2200 pounds (should meet
		or exceed)
Yes	_ No	_ Mast: 270" Maximum Fork Height
Yes	_ No	_ 119" Collapsed Height
Yes	No	_ 71" Free Lift
Yes	No	_ Tilt: 3 degrees forward, 4 degrees back
Yes	No	_ Voltage: 36 volts
Yes	No	Minimum aisle requirement: 9 feet (108 inches)
Yes	No	_ 34" ID/45" OD Outriggers
Yes	No	_ Easy access diagnostics
Yes	_ No	_ Multi-task controller
Yes	No	_ Power steering
Yes	No	_ Overhead guard
Yes	No	48" load backrest
Yes	No	_ 42" forks
Yes	No	_ Battery compartment rollers
Yes	_ No	_ Side shifter w/hydraulics
Yes	_ No	_ Tilting fork carriage
Yes	_ No	_ Key Switch
Yes	_ No	_ Horn
Yes	_ No	_ Emergency Power Disconnect
Yes	_ No	_ 350 amp battery connector
Yes	_ No	High speed lift cut out 12" from maximum lift (for safety)
Yes	_ No	Battery compartment size to accommodate a Model 18-125-15 battery
Yes	No	2 Model 18-125-15 batteries (2 for each forklift)
	•	

Attachment B Bid Cover Sheet

The Department of Revenue is seeking to purchase two (2) Reach Truck Fork Lifts that are best suited to the intended use at the Liquor Distribution Center.

Bids are to be submitted as listed below, on or before 12:00 noon CST on April 23, 2019.

PLEASE MARK YOUR ENVELOPE:

Mississippi Department of Revenue Attention: Bid Coordinator RFQ #: 3140001820 500 Clinton Center Drive Clinton, MS 39056 SEALED BID – DO NOT OPEN

NAME OF COMPANY
QUOTED BY
SIGNATURE
ADDRESS_
CITY/STATE/ZIP
TELEPHONE
FAX NUMBER
EMAIL ADDRESS
NAME AND PHONE NUMBER OF COMPANY REPRESENTATIVE TO BE CONTACTED BY AGENCY SEEKING TO OBTAIN SERVICES PURSUANT TO THIS IFB
Name:
Phone Number:
FEIN # (if company, corporation or partnership):
SS # (if individual):

In addition to providing the above contact information, please answer the following questions regarding your company:	
What year was your company started?	
How many qualified employees do you employee?	

Attachment C Certification

By signing below, the company representative certifies that he/she has authority to bind the company, and further acknowledges and certifies on behalf of the company:

- 1. That he/she has thoroughly read and understands the terms and conditions, instructions and specifications for the Invitation for Bid, RFQ # 3140001820 and Attachments.
- **2.** The company meets all requirements and acknowledges all certifications contained in the Invitation for Bid, RFQ # 3140001820 and Attachments.
- **3.** The company agrees to all provisions of the Invitation for Bid, RFQ # 3140001820 and Attachments.
- **4.** The company will perform the services required at the prices quoted on the bid form.
- 5. The company represents that it has not retained a person to solicit or secure a State contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except as disclosed in the contractor's bid or proposal.
- **6.** That, to the best of its knowledge and belief, the cost or pricing data submitted is accurate, complete and current as of the submission date.
- 7. That the company has, or will secure, at its own expense, applicable personnel who shall be qualified to perform the duties required to be performed under this Invitation for Bid.

[Flease execute and return with Bia Material	18.]
Company:	Signature:
Date:	Title:
Printed Name:	

Attachment D Bid Form

RFQ number: 3140001820

Gentlemen:	
Pursuant to the advertisement for bids to be receive	ed, I/We
located at	
do submit our bid form for RFQ #collusion on the part of any person, firm or corpora	
Reach Truck Fork Lift (2)(Must include 2 batteries for each Reach Truck	
Total Bid	
Exceptions and/or Deviations? Yes	No
If "Yes", please list on an accompanying document	t.
RFQ number: 3140	
Company:	Signature:
Address:	Printed name:
	Title:
Phone:	Date:
E-mail Address	

Attachment E References

REFERENCE #1	
Name of Company:	
Contact Person:	
Address:	
City/State/Zip:	
Telephone Number:	
Cell Number:	
E-mail:	
Alternative Contact Person (optional):	
Telephone Number:	
Cell Number:	
E-mail:	
REFERENCE #2	
Name of Company:	
Contact Person:	
Address:	
City/State/Zip:	
Telephone Number:	
Cell Number:	
E-mail:	
Alternative Contact Person (optional):	
Telephone Number:	
Cell Number:	
E-mail:	
2	
DEFEDENCE #4	
REFERENCE #3	
Name of Company:	
Contact Person:	
Addres:	
City/State/Zip:	
Telephone Number:	
Cell Number:	
E-mail:	
Alternative Contact Person (optional):	
Telephone Number: Cell Number:	
Cell Nilmber	

E-mail:

REFERENCE #4 Name of Company: Contact Person: Address: City/State/Zip: Telephone Number: Cell Number: E-mail: Alternative Contact Person (optional): Telephone Number: Cell Number: E-mail:
REFERENCE #5 Name of Company: Contact Person: Address: City/State/Zip: Telephone Number: Cell Number: E-mail: Alternative Contact Person (optional): Telephone Number: Cell Number: E-mail:
REFERENCE #6 Name of Company: Contact Person: Address: City/State/Zip: Telephone Number: Cell Number: E-mail: Alternative Contact Person (optional): Telephone Number: Cell Number:

E-mail:

Attachment F Acknowledgement of Amendments

Please sign and print at the appropriate statement.

I acknowledge receipt of all amendments associated with RFQ # 3140001820. They are as follows: 1. 2. **Printed Name Company Name** Signature There were no amendments associated with RFQ # 3140001820. **Printed Name Company Name**

Signature

Attachment G Secretary of State Acknowledgement

	, acknowledges	s that we
(Vendor Nam		
8	are registered with the Secretary of State's Office (Attach proof)	e.
8	are not registered with the Secretary of State's O	ffice.
We,		
,	(Vendor Name)	
W	will register before the start of the contract and pr	rovide proof.
W	will not register.	
Signature		Date
Printed Name		