

**MISSISSIPPI FORESTRY COMMISSION**  
**3139 Highway 468 West**  
**Pearl, MS 39208**

RFx NUMBER: 3140003402

SMART RFx NUMBER: 1451-23-R-RFQF-00003

**NOTICE REQUEST FOR QUALIFYING QUOTES FORMAL**

The Mississippi Forestry Commission is requesting Qualifying Quotes (RFQF) at its office at 3139 Highway 468 West, Pearl, MS 39208 for the following items:

***Collapsible Backpack Pumps for Fire Operations***

The purpose of this RFQF is to advertise this competitive procurement for Solicitation of formal quotes.

Responses may be received electronically at <http://portal.magic.ms.gov> or via sealed envelopes at the Mississippi Forestry Commission, 3139 Highway 468 West, Pearl, MS 39208 until 2:00p.m. Tuesday, March 14, 2023. All responses will be taken in for the purpose of participating in a Reverse Auction (date to be set after quotes are received and reviewed)

For non-registered vendors needing assistance to register in MAGIC, contact the MAGIC Help Desk at (601) 359-1343.

Instruction on how to be set up in Magic is on Page 2 of the solicitation.

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***Collapsible Backpack Pumps for Fire Operations***

**INSTRUCTIONS ON HOW TO SIGN UP FOR MAGIC**

To register in MAGIC as a vendor, here are the steps:

[www.dfa.ms.gov](http://www.dfa.ms.gov)

Direct Links

Vendor Services

MAGIC Vendor Services

State of Mississippi Supplier Registration – complete and submit online. If you need help with the product code just give me a call.

To register for Paymode (Direct Deposit/EFT), here are the steps:

[www.dfa.ms.gov](http://www.dfa.ms.gov)

Direct Links

Vendor Services

Paymode – join now (requires an email and password) – complete and submit online. The vendor has to complete this because it pertains to their banking information and no one at Forestry is to assist the vendor.

Reverse Auction quick reference guide can be viewed at the following site:

<http://www.dfa.ms.gov/media/6203/magic-bidders-reverse-auction-quick-reference-guide.pdf>

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***Collapsible Backpack Pumps for Fire Operations***

**GENERAL BID CONDITIONS:**

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. PREPARATION OF BIDS**

1.1 Bids and/or Quotes may be submitted through the State of Mississippi's e-procurement system (MAGIC) or in person to the Mississippi Forestry Commission. 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.

1.2 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.

1.3 If a bidder is unwilling or unable to participate through MAGIC, a Mississippi Forestry Commission representative can enter the Vendor's bid(s) manually (i.e. Surrogate bidding).

1.4 Bidders participating in person by surrogate bidding must so indicate in their response to the initial Request for Quote-Formal (RFQF).

1.5 Failure to examine any drawings, specifications, and instruction will be at bidder's risk.

1.6 Price each item separately. Unit prices shall be shown. Bid prices must be net.

1.7 It is understood that reference to available specifications shall be sufficient to make the terms of such specifications binding on the bidder.

1.8 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 the Mississippi Forestry Commission will not satisfy this provision.

1.9 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.

1.10 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.

## 2. SUBMISSION OF BIDS

2.1 When submitting a bid electronically, the authorized signature may be typed or be an electronic signature.

2.2 Bids and modifications or corrections received after the closing time specified will not be considered.

2.3 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.

2.4 Bidders submitting paper responses should submit responses to the Mississippi Forestry Commission by the response deadline.

## 3. ACCEPTANCE OF BIDS

3.1 The Mississippi Forestry Commission 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 Mississippi Forestry Commission reserves the right to modify or cancel in whole or in part any Invitation for Bids.

If a bidder fails to state the time within which a bid must be accepted, it is understood and agreed that the Mississippi Forestry Commission shall have 60 days to accept.

## 4. ERROR IN BID

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

## 5. AWARD

5.1 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 Mississippi Forestry Commission 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 Mississippi Forestry Commission Invitation for Bids.

5.2 Unless the bidder specified otherwise in the bid, the Mississippi Forestry Commission may accept any item or group of items of any kind.

5.3 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 Mississippi Forestry Commission.

## 6. INSPECTION

6.1 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 Mississippi Forestry Commission 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.

## 7. TAXES

7.1 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.

## 8. BIDDERS

8.1 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 of Mississippi 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.

## 9. BID INFORMATION

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

## 10. DEFINITIONS

10.1 The use of the word agency in any Bid Invitation solicitation or specification shall be intended to mean state agencies only.

## 11. PRECEDENCE

11.1 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.

## 12. WAIVER

12.1 The Mississippi Forestry Commission 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.

## 13. CANCELLATION

13.1 Any contract or item award may be canceled with or without cause by the Mississippi Forestry Commission with the giving of 30 days written notice of intent to cancel. Cause for the Mississippi Forestry Commission to cancel may include, but is not limited to, delivery on time and/or no notice of delay in delivery time. Should the contract be canceled by the Mississippi Forestry Commission for failure to perform, the contractor will be disqualified from bidding for a period of twenty-four (24) months. The contractor may cancel a contract for cause with a thirty (30) day written notice of intent to cancel. In the event of cancellation of contract for any cause, whether failure to perform or cancellation by contractor, the Mississippi Forestry Commission will proceed to the next lowest vendor.

## 14. NONRESPONSIVE BIDS

14.1 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 alternate 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.

## 15. SPECIFICATION CLARIFICATION

15.1 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 bid opening. Such clarification will be answered only in response to a written request.

## 16. PRE-QUALIFICATION PROCESS

16.1 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. The Mississippi Forestry Commission 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, the Mississippi Forestry Commission will review the submissions to qualify bidders and determine a starting price for reverse auction items.

16.2 The Invitation for Bids/RFQF shall be advertised in accordance with Section 3.106.05.4 of the Mississippi Procurement Manual. The Mississippi Forestry Commission 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.

16.3 Responses to the RFQF will be reviewed by the Mississippi Forestry Commission for responsiveness to specifications. Price quotes received will be evaluated in conjunction with other market research to determine the starting price for the Auction.

16.4 The Mississippi Forestry Commission 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.

16.5 Once qualified, the Mississippi Forestry Commission 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.

16.6 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.

## 17. STATEWIDE BIDDING

17.1 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.

## 18. FIRM BID AMOUNT

18.1 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.

## 19. CONTRACT

19.1 The contract will be for a one-year period from time of award

## 20. CONTRACT EXTENSION

20.1 Automatic contract renewals or extensions are not allowed. Contracts must be extended or renewed with the proper documents signed or approved by the Mississippi Forestry Commission.

20.2 The Mississippi Forestry Commission reserves the right to extend the term of a contract, when necessary, to continue a source of supply whenever new or replacement contracts are not completed prior to the expiration date. Such extensions are dependent upon the agreement of the Contractor and shall not exceed three (3) months.

## 21. SUSPENSION AND DEBARMENT

21.1 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.

## 22. ASSIGNMENT

22.1 The Contractor shall not assign or subcontract in whole or in part, its right or obligations under this agreement without prior written consent of the Mississippi Forestry Commission.

## 23. INDEMINIFICATION

23.1 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.

## 24. LIVE AUCTION

24.1 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 the Mississippi Forestry Commission 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 the Mississippi Forestry Commission.

24.2 The Auction time may be extended at the discretion of the Mississippi Forestry Commission. Examples of reasons to extend an auction include, but are not limited to, technical difficulties experienced by the Mississippi Forestry Commission or bidder, the need to pause the Auction, or bids placed within the last few moments of bidding.

24.3 Communication with bidders participating electronically during the Auction may be done via the Live Chat Feature. The Mississippi Forestry Commission has the ability to send messages to particular bidders or broadcast to all bidders. Bidders can ONLY communicate with the Mississippi Forestry Commission, not other bidders.

24.4 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.

## 25. FORCE MAJEURE

25.1 If the Mississippi Forestry Commission 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. The Mississippi Forestry Commission 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 Mississippi Forestry Commission as a result of a Force Majeure Event. Each bidder shall be required to ensure the delivery and receipt of its bid by the Mississippi Forestry Commission prior to the new date and time of the live auction or bid opening.

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***Collapsible Backpack Pumps for Fire Operations***

**GENERAL SPECIFICATIONS**

**Collapsible Backpack Pump to include, but not limited to:**

1. ☐ Removeable/Replaceable inner bladder.
2. ☐ Minimum 5-gallon water capacity.
3. ☐ High visibility protective outer bag resistant to punctures.
4. ☐ Must include padded shoulder harness straps with chest cinch strap.
5. ☐ Minimum 4" filler port with watertight lid.
6. ☐ Two (2) storage pockets, one for hand pump and one for extra equipment.
7. ☐ Dual action hand pump to expel water on push and pull stroke.
8. ☐ Adjustable stream nozzle.
9. ☐ Minimum 48-inch-long hose with connection to hand pump on one end, and quick connect/disconnect for bladder on the other end.

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The above are the minimum specifications for new unused Collapsible Backpack Pump for Fire Operations. All bids must be equal in performance and quality pursuant to the bid specifications above, which are not intended to exclude any manufacturer's standard deviation. Any reference to manufacture's make or series of equipment stated in the specifications is intended only to establish an acceptable standard and is not intended to limit the bidding. The Mississippi Forestry Commission is acting under the authority of Section 31-7-13, Miss. Code of 1972 Amended, and reserves the right to reject any and all bids.

**The number of units purchased will be determined by price. This is a grant funded project and we will use the entire grant to purchase as many units as we possibly can. Using retail market price, we base our estimated purchase to be between 450 and 650 units. Once quotes are received we can narrow down the number of units to be purchased.**

For concerns or questions please contact: Randy Giachelli  
601-850-8912

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***Collapsible Backpack Pumps for Fire Operations***

**Quote as per the above specs:** \_\_\_\_\_ **Each**

The quote is in full compliance with all Mississippi Forestry Commission instructions and specifications.

\_\_\_\_\_  
Company/Individual

\_\_\_\_\_  
Official Signature

\_\_\_\_\_  
Address

\_\_\_\_\_  
Contact Person

\_\_\_\_\_  
City

\_\_\_\_\_  
State

\_\_\_\_\_  
Zip

\_\_\_\_\_  
Business Phone

\_\_\_\_\_  
Email

\_\_\_\_\_  
Date

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