

MISSISSIPPI FORESTRY COMMISSION
660 NORTH ST., SUITE 300
JACKSON, MS 39202
MAY 2015

RFx Number: 3160000374

Smart Number: 1451-15-R-IFBD-00008

FOR SALE

Sealed bids will be received by the Mississippi Forestry Commission at its offices, 660 North St., Suite 300, Jackson, Mississippi 39202 until 2:00 p.m. Friday, May 1, 2015, and shortly thereafter opened for the sale of:

**-TEN GALVANIZED STEEL LOOKOUT TOWERS
TO BE SOLD AS A LOT
TO BE REMOVED FROM TOWER SITES-**

The successful bidder shall be required to remove the tower from the site within **180** calendar days of acceptance of the bid. The Mississippi Forestry Commission reserves the right to terminate the sale and the bidder relinquishes his bid amount if all the towers are not removed in the allotted time.

“THIS IS AN ALL OR NOTHING BID PACKAGE. THE BIDDER SHOULD UNDERSTAND HE/SHE IS BIDDING ON TEN (10) TOWERS.”

Bid proposals shall be accompanied by a Certified check, Cashiers check, or Money order, in the full amount of the bid, made payable to the Mississippi Forestry Commission.

The attached bid form should be used in submitting your bid.

Address bid proposal and all correspondence to the Purchasing Department, Mississippi Forestry Commission, 660 North St. Suite 300, Jackson, MS 39202.

Write **“Bid on Ten Fire Towers”** in the lower left hand corner of envelope.

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SPECIFIC CONDITIONS

- 1. Bidder is to bid on towers as a lot (package) of ten towers. The winning bidder must remove all ten towers no partial removals.**
- 2. The bidder assumes sole responsibility for any damage to any Mississippi Forestry Commission property that occurs either directly or indirectly from the removal of the towers, and accepts all responsibility for any liability issues. The bidder must clean the site of any debris that is from the removal of the tower.**
- 3. In addition, the bidder must describe and/or identify their planned course of action for the removal of said ten towers. This should include, but is not limited to, the name of the company or business that they intend to use to remove said towers or with whom they have communicated regarding the removal of said towers.**
- 4. The bidder must provide a performance bond from a certified bonding company for the amount of \$100,000 for the removal of the towers. In the event the bidder fails to remove all the towers in the required time, said performance bond will be used to complete the removal of said towers. However, even in the event that the performance bond is used, the bidder still has joint and several responsibilities for the removal of said towers.**
- 5. The bidder has a total of 180 days to remove all ten (10) towers from tower sites.**

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GENERAL 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 shall be submitted through the Mississippi Forestry Commission Purchasing Department. All prices and notations must be printed in ink or typewritten. No erasure marks permitted. Errors may be crossed out and corrections printed in ink or typewritten adjacent and must be initialed, in ink, by the person signing the bid.

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

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

1.4 Information and Descriptive Literature. 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.

1.5 Time of performance. The number of calendar days in which completion will be made after receipt of award as indicated in the bid specifications.

2. SUBMISSION OF BIDS

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

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 In case of error in the extension of prices in the bid, the unit price will govern. No bid shall be altered or amended after the specified time for opening bids.

5. DISCOUNT PERIOD

5.1 Time in connection with a 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.

6. AWARD

6.1 The Mississippi Forestry Commission will accept the highest bid.

6.2 The contract shall consist solely of these General Conditions, the Instructions and Special Conditions, the successful bidder's bid, and the written Bill of Sale.

7. INSPECTION

7.1 Final inspection of each and every site will be conducted by the Mississippi Forestry Commission at the conclusion of removal at each tower site. Final acceptance and rejections of compliance with specific conditions shall be made as promptly and practicable by the Mississippi Forestry Commission.

8. TAXES

8.1 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. 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.

9. GIFTS, REBATE, GRATUITIES

9.1 Acceptance of gifts from bidders is prohibited. No officer or employee of the Mississippi Forestry Commission, 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 Mississippi Forestry Commission 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.

9.2 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 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.

10. BID INFORMATION

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

11. DEFINITIONS

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

12. PRECEDENCE

12.1 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.

14. WAIVER

14.1 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.

15. CANCELLATION

15.1 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, towers not being removed and debris cleaned and removed. 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 initiate the use of provided performance bond to complete the contract.

17. APPLICATION

17.1 It is understood and agreed by the Bidder that any contract entered into as a result of this Invitation for Bids is solely for the convenience of the Mississippi Forestry Commission for the removal of said ten (10) Lookout Towers by the bidder receiving the award.

18. ADDENDA

18.1 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.

19. NONRESPONSIVE BIDS

19.1 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.

20. SPECIFICATION CLARIFICATION

20.1 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.

21. BID OPENINGS

21.1 Bid openings will be open to the public. The bid opening will serve only to open and read the bid price on each bid. No discussion will be entered into with any bidder as to the quality or provisions of the specifications and no award will be made either stated or implied at the bid opening.

21.2 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. The agency 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.

22. STATEWIDE BIDDING

22.1 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.

23. FIRM BID AMOUNT

23.1 The amount of the quoted bid shall be firm.

24. CONTRACT EXTENSION

24.2 The Mississippi Forestry Commission reserves the right to extend the term of a contract, when necessary, due to Force Majoure where the contractor does not have conditions to fulfill the contract in allotted time.

25. SUSPENSION AND DEBARMENT

25.1 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.

26. ASSIGNMENT

26.1 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.

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List of towers and contact information of location of towers

1. Mars Hill tower located in Winston County
2. Winston work center tower located in Winston County
3. Dekalb tower located in Kemper County
4. Kemper work center tower located in Kemper County
5. Leake work center tower located in Leake County
6. Sandtown tower located in Neshoba County
7. Oktibbeha County work center tower located in Oktibbeha County.
8. Attala County work center tower located in Attala County.

Contact person for location of the above towers:

Keith Beatty
East Central District Assistant District Forester
MS Forestry Commission
Office: 601-656-1381

9. Hancock tower located in Hancock County.
10. Gundlach tower located in Harrison County.

Contact Person for location of these two towers:

Mike Lee
District Forester
MS Forestry Commission
Office: 601-928-5261

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BID FORM

This bid is in full compliance with all Mississippi Forestry Commission instructions and specifications.

Company/ Individual

Official Signature

Address

Phone Number

City State Zip

Date

Bid on Lot of ten fire towers

\$ _____

Submit this bid copy with your check or money order. Enclosed is my check Number _____ in the amount of \$ _____ which is 100% of my bid.

Please attach a planned course of action for the removal of the ten (10) towers.

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