



MISSISSIPPI DEPARTMENT OF CORRECTIONS INVITATION FOR BID (IFB)

MISSISSIPPI DEPARTMENT OF CORRECTIONS
ATTN: KIMBLEY HENDRIX, BID COORDINATOR
301 NORTH LAMAR STREET
JACKSON, MS 39201
TELEPHONE: 601-359-5600
Procurement@mdoc.state.ms.us

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| <p>IFB#: 3160004570</p> <p>ONE (1) COMMERCIAL TRUCK DRIVING SIMULATOR</p> | <p>BIDS MUST BE RECEIVED BY: Wednesday, December 15, 2021 NO LATER THAN 2:00 P.M. CST</p> <p>BIDS WILL BE OPENED: Wednesday, December 15, 2021 AT 2:00 PM. CST</p> <p>(AT LOCATION LISTED ABOVE)</p> |
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**Mississippi Department of Corrections
Invitation for Bid (IFB)
Commercial Truck Driving Simulator**

**SECTION I
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.

1.0 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 Corrections (“MDOC”). 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 the 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, an MDOC 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 Invitation for Bid.
- 2.5** Failure to examine any 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 descriptive literature and specifications covering the product offered. Reference to literature submitted with a previous bid or on file with MDOC 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, 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 as stated in the bid specification.

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 IFB in MAGIC, bidder must ensure all questions have been answered within the IFB and all proposed items in bid have a response.
- 3.4** Bidders submitting paper responses should submit responses to the MDOC by the response deadline.

4.0 ACCEPTANCE OF BIDS

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

5.0 ERROR IN BID

If a vendor is participating in a Live Auction, the vendor can notify MDOC in the event of an erroneous bid via the chat message feature. Erroneous bids, where the mistake is apparent to MDOC, 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** Contract and purchase will be made or entered into with the lowest and best 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** Unless the bidder specified otherwise in the bid, the State may accept any item or group of items of any kind.
- 7.3** 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 or purchase without further action by either party. The contract or purchase 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 or purchase 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. 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 bidder 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, REBATES, GRATUITIES:

10.1 Acceptance of gifts from bidders is prohibited. No officer or employee of the MDOC, 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 or purchase 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 or purchase 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

MDOC 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 purchase; or failure to perform to contract or purchase conditions. The Bidder 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 Bidder within a period of 30 days following the date of expiration or cancellation. Cancellation by the State does not relieve the Bidder of any liability arising out of a default or nonperformance. If a contract or purchase is canceled by the State due to a Bidder's request for increase in prices or failure to perform, that Bidder will be disqualified from bidding for a period of 24 months. The Bidder may cancel a contract or purchase for cause with the giving of 30 days' written notice of intent to cancel. Cause for the Bidder 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 MDOC. 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 MDOC 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 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 NONRESPONSIVE 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 or purchase on the basis of pricing only will be disqualified from bidding for a period of 24 months.

19.0 SUBSTITUTIONS DURING CONTRACT

During the term of a contract or purchase, if adequate documentation is provided that supports the claim that the contract or purchase item(s) are not available, items which meet the minimum specifications may be substituted if approved by MDOC and the substitutions are deemed to be in the best interest of the State.

20.0 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 the MDOC. The MDOC reserves the right to specify a time frame in which clarification request shall be made.

21.0 PRE-QUALIFICATION PROCESS:

21.1 The purpose of this IFB is to advertise the competitive procurement for solicitation of bids from potential bidders to participate in the Reverse Auction. MDOC 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 MDOC will review the submissions to qualify bidders and determine a starting price for Reverse Auction items.

21.2 This Invitation for Bid shall be advertised in accordance with Section 3.106.05.4 of the Mississippi Procurement Manual. The MDOC shall advertise for 14 consecutive days in accordance with Section 31-7-13(c)(i)(1) of the Miss. Code Ann. Responses to this IFB will be due on the 8th working day after the last day of advertisement.

21.3 Responses to this IFB will be reviewed by the MDOC for responsiveness to specifications. Price quotes received will be evaluated in conjunction with other market research to determine the starting price for the Reverse Auction.

21.4 The MDOC 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. Note: MDOC reserves the right to extend the auction date if necessary to complete prequalification.

21.5 Once qualified, the MDOC 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.

21.6 It is requested that bids be submitted on the basis of statewide distribution. Bidders must maintain adequate distribution capabilities and adequate stock of all items to insure prompt delivery.

22.0 FIRM BID PRICE

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

23.0 CONTRACT EXTENSION

23.1 Automatic contracts, purchase renewals or extensions are not allowed. Contracts must be extended or renewed with the proper documents signed or approved by the MDOC.

23.2 The MDOC reserves the right to extend the term of a contract, when necessary, to continue a source of supply whenever new or replacement contracts or purchases 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.

24.0 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.

25.0 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 the MDOC. Any purchase order issued pursuant to this invitation for bid and the monies which may become due hereunder are not assignable except with the prior written approval of the MDOC.

26.0 INDEMINIFICATION: Bidder 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 Bidder'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, Bidder may be allowed to control the defense of any such claim, suit, etc. In the event Bidder defends said claim, suit, etc., Bidder shall use legal counsel acceptable to the State; Bidder 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. Bidder shall not settle any claim, suit, etc., without the State's concurrence, which the State shall not unreasonably withhold.

27.0 LIVE AUCTION

For Reverse Auction Instructions, please go to Reverse Auction Quick Reference Guide located at <https://www.dfa.ms.gov/media/8508/magic-bidders-reverse-auction-quick-reference-guide.pdf>.

- 27.1** 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 MDOC 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 MDOC.
- 27.2** The Auction time may be extended at the discretion of the MDOC. Examples of reasons to extend an auction include, but are not limited to, technical difficulties experienced by the MDOC or bidder, the need to pause the Auction, or bids placed within the last few moments of bidding.
- 27.3** Communication with bidders participating electronically during the Auction may be done via the Live Chat Feature. The MDOC has the ability to send messages to particular bidders or broadcast to all bidders. Bidders can ONLY communicate with the MDOC, and no other bidders.
- 27.4** 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.

28.0 FORCE MAJEURE: If the MDOC 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 MDOC 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 MDOC as a result of a Force Majeure Event. Each bidder

shall be required to ensure the delivery and receipt of its bid by the MDOC prior to the new date and time of the live auction or bid opening.

SECTION II INSTRUCTIONS AND SPECIAL CONDITIONS

1.0 PURPOSE

MDOC is seeking to obtain a commercial truck driving simulator that is best suited to the intended use for the Vocational/Workforce Training Program located at the Mississippi State Penitentiary (MSP) in Parchman, Mississippi. The purpose of the IFB is to solicit quotes from interested parties meeting bid requirements and specifications, in order to determine the qualified vendors, which will participate in the Live Reverse Auction.

2.0 SCOPE OF SERVICE

The specifications set forth herein as “Attachment A” represent the minimum requirements of MDOC. The bidder may propose options above and beyond these specifications that best suit MDOC’s interest as determined by the agency. The bidder agrees to begin delivery within 60 days 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.

3.0 GENERAL TERM OF PURCHASE

3.1 Delivery

The awarded bidder shall deliver upon order to the following location:

Mississippi State Penitentiary
590 Parchman Road 12
Parchman, MS 38738
662 745-6611

4.0 PROCUREMENT TIME LINE

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| Invitation for Bid Issue Date: | Tuesday, November 9, 2021 |
| First Publication | Tuesday, November 9, 2021 |
| Second Publication | Tuesday, November 16, 2021 |
| Deadline for Submission of Questions | Tuesday, November 23, 2021 by 2:00 p.m., CST |
| Anticipated Posting of Written Answers to Questions | on or before Wednesday, December 1, 2021 |
| Bid Packet Submission Deadline | Wednesday, December 15, 2021 by 2:00 p.m., CST |
| Bid Opening | Wednesday, December 15, 2021 at 2:00 p.m., CST |
| Surrogate Bid Entry Deadline | Wednesday, December 22, 2021 by 2:00 p.m., CST |
| Qualification of Bidders | Thursday, December 16, 2021 |
| Email Qualified Bidders | Tuesday, December 28, 2021 |
| Protest Deadline | Friday, January 7, 2022 |
| Reverse Auction | Wednesday, January 19, 2022 at 10:00 a.m., CST |
| Bid Evaluations | Wednesday, January 26, 2022 |
| Notice of Intent to Award | Wednesday, February 2, 2022 |
| Contract Approval | Tuesday, March 1, 2022 |
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5.0 REFERENCES

As part of its bid, each bidder must furnish contact information of at least four current references (Attachment D). The reference information should include the contact person, address and phone number for each contract 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 bidder over the past two-year period. Failure to list a qualifying client may result in rejection of prospective bidder’s bid. MDOC will contact these clients as references to evaluate the quality of the bidder’s past work and management capabilities. Reference information must be provided as part of the packet submitted for consideration.

References must report the vendor to be of good reputation in providing applicable services. Although MDOC requires the provision of a minimum of four (4) references, bidder may submit as many references as desired. References will be contacted in order listed until at minimum two references have been interviewed. Bidders are encouraged to submit additional references to ensure that at least two references are available for interview. It is the responsibility of the bidder to verify before submitting their bid that contact information is correct and current for each reference. MDOC will not seek to correct erroneous contact information or track down references.

MDOC staff must be able to contact two (2) references for a bid to be found responsive. In addition, the bidder must have a minimum score of six (6) on the Reference Score Sheet in Attachment E and F from reference interviews by MDOC with two (2) references for a total minimum score of twelve (12).

6.0 BUSINESS LONGEVITY

Each bidder 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.

7.0 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 MDOC. 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.

The bidder understands that the MDOC is an equal opportunity employer and maintains a policy that prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, or any other consideration. The bidder will strictly adhere to this policy in its employment practices and provision of services.

8.0 REGISTRATION WITH MISSISSIPPI SECRETARY OF STATE

By submitting a bid, the bidder certifies it is registered to do business with the State of Mississippi through Secretary of State or, if not already registered, that it will do so within seven (7) business days of being notified by MDOC that it has been awarded the contract. Please complete the Secretary of State Acknowledgement form included in Attachment H.

9.0 PROCUREMENT METHODOLOGY

9.1 Bidder Rules of Procurement: All bids shall be binding for a minimum of sixty (60) 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.

9.2 Procedure for Answering Questions:

A. All questions concerning this IFB or the bid process must be submitted by Tuesday, November 23, 2021 by 2:00 p.m., CST to:

procurement@mdoc.state.ms.us

- B.** Questions and requests for clarification must be submitted via email during normal business hours by the deadline reflected in Section II, 4.0, Procurement Time Line. Questions received after this time will not be considered.
- C.** All questions and answers shall be treated as amendments to the IFB. See Section II, 9.4 below. Therefore, all questions received by MDOC in a timely manner will be answered and issued in the form of amendments to each vendor that received the IFB. Additionally, the questions and answers will be published on the MDOC website (www.mdoc.state.ms.us) in a manner that all bidders will be able to view by the date and time reflected in Section II, 4.0, Procurement Time Line.
- D.** It shall be incumbent upon all Bidders to understand the provisions of the scope of services and to obtain clarification by the time reflected in Section II, 4.0, Procurement Time Line. Bidders are responsible for following up to see that any correspondence or communications are properly received.
- E.** MDOC will not be bound by any verbal or written information that is not contained within this IFB unless formally noticed and issued by:

Kimbley Hendrix
Procurement@mdoc.state.ms.us

9.3 Amendment or Withdrawal

No bids shall be modified after the specified time for the opening. If a bid is withdrawn after opening, the bidder will be removed from the list of eligibles for a period of six (6) months. A bidder may withdraw a bid prior to the time set for the opening by simply making a request in writing to MDOC; no explanation is required. No partial withdrawals are permitted after the time and date set for the opening; only complete withdrawals are permitted. No late bids, modifications or withdrawals will be considered unless receipt would have been timely but for the action or inaction of MDOC personnel directly involved with the procurement activity.

9.4 Amendments to the IFB

Amendments to the IFB will be identified as such. Amendments will reference the portions of the IFB that it amends. Amendments will be sent to all prospective bidders that received this IFB. Each bidder shall acknowledge receipt of amendments by completing and signing the Acknowledgement of Amendments form included in **Attachment G** hereto. The Bid Coordinator for MDOC will post the Amendment by number on MDOC's website www.mdoc.state.ms.us in a manner all bidders will be able to view. Respondents shall rely only on communication from the Bid Coordinator of MDOC in submitting bids and obtaining amendments. MDOC 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 G**, Acknowledgements of Amendments, and include as part of its bid packet.

9.5 Bid Acceptance Period

The original bid form, cover sheet, references and all acknowledgement forms, shall be signed and submitted in a sealed envelope or packet to the address noted in Section II 10.1 Procedure for Submitting Bids, 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 IFB. 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. MDOC 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, MDOC 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.

9.6 Prequalification of Suppliers

Supplier should include specifications, literature, samples, etc. with their quotes. Upon completion of the quote evaluation, the MDOC will email the vendor or vendors who have submitted and meet all requirements outlined in the IFB to participate in the Reverse Auction process.

9.7 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

9.8 Award Notice

Suppliers should be advised no award will automatically result from a reverse auction. MDOC will review the results of the auction and make a determination. After the MDOC 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. MDOC 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 MDOC 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 Office of Purchasing, Travel and Fleet Management (*OPTFM*).

9.9 Right to Protest

Protest of Award: Any actual or prospective bidder or contractor who is aggrieved in connection with this solicitation or the outcome of the Invitation for Bids may file a protest with Deputy Executive Commissioner, Karei McDonald. The protest shall be submitted in writing within seven (7) days after such aggrieved person or entity knows or should have known of the facts giving rise thereto. All protests must be in writing, dated, signed by the Bidder or an individual authorized to sign contract or purchase on behalf of the protesting Bidder, and contain a statement of the reason(s) for protest, citing the law(s), rule(s) or regulation(s), and/or procedure(s) on which the protest is based. The written protest letter shall contain an explanation of the specific basis for the protest. The protesting Bidder must provide facts and evidence to support the protest. A protest is considered filed when received by Karei McDonald, via either U.S. mail, postage prepaid, or personal delivery.

9.10 Opening Procedures

Bids will not be opened publicly. Bids will be made available for inspection only after award of contract.

9.11 Bid Ownership

All bids become MDOC property. Bids will be made available for inspection only after award of contract. For this reason, proprietary material should be clearly labeled as such. The classification of an entire Bid as proprietary or trade secret is not acceptable and may result in rejection of the Bid. Request to review proprietary information will be handled in accordance with state law and applicable procedures. All disclosures of Bid information to interested parties will be made in compliance with MDOC policies and procedures established in accordance with the Mississippi Public Records Act of 1983 defined in Section 26-61-1 et seq., of the Mississippi Code and exceptions found in Section 25-61-9 and 79-23-1.

9.12 Partial Bids Prohibited

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

9.13 Exceptions and Deviations

Bidders taking exception to any part or section of the solicitation shall indicate such exceptions on the Bid form and shall fully describe said exception. Failure to indicate any exception will be interpreted as the proposer's intent to comply fully with the

requirements as written. Conditional or qualified bidders, unless specifically allowed, shall be subject to rejection in whole or in part.

9.14 Conflict of Interest

All bids must be accompanied by a statement disclosing (1) any involvement, financial or otherwise, that an employee, officer, or agent of MDOC may have in the proposing organization, and (2) any involvement, financial or otherwise, that any employee, officer of any other governmental agency may have in the proposing organization. Disclosure statement form included in **Attachment I**.

9.15 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 opened 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, 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 proposer 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.

10.0 SUBMISSION PROCEDURES

10.1 Procedures for Submitting Bid

A. Bids must be written and formatted based on the forms furnished by MDOC, or they may not be considered. Letters will not be considered a part of your Bid. Facsimile transmissions will not be accepted. Failure to submit a bid on the Bid Form in the manner specified will be considered cause for rejection of Bid.

B. Bids should be typed and single-sided; not handwritten. Failure to submit a bid on the Bid Form in the manner specified will be considered cause for rejection of Bid. The Bid shall be signed by a company official with authorization to bind bidder to its provisions and submitted in a sealed envelope or package labeled **BID PACKET** to 301 N. Lamar Street, Jackson, MS 39201 no later than Wednesday, December 15, 2021 by 2:00 p.m., CST.

C. Unless submitted in the Mississippi Accountability System Government Information and Collaboration (MAGIC) system, a packet must be delivered by the time indicated for submission in Section II, 4.0 of the Procurement Time Line. It must be labeled as

noted in (E.) below. If submitted in MAGIC documents must be signed and scanned in as an attachment.

D. MDOC reserves the right to decide, on a case-by-case basis, whether to reject with exceptions, modifications or additions outside the parameters set by this IFB, including specifications, as nonresponsive.

E. Sealed bids should be hand delivered (strongly encouraged) or mailed and labeled as follows:

IFB#: 3160004570
Opening Date: Wednesday, December 15, 2021 at 2:00 p.m., CST
Mississippi Department of Corrections
Attn: Kimbley Hendrix
301 N. Lamar Street
Jackson, MS 39201
SEALED BID – DO NOT OPEN

F. The parties submitting bids are responsible for ensuring they are delivered by the required time assuming all risk of delivery. MDOC will not be responsible for mail delays or lost mail. Delays due to system down time or weather will be reviewed on a case by case basis and the proposer should notify MDOC's Bid Coordinator of such occurrences. Bids and modifications or corrections thereof received after the closing time specified will not be considered. Any bids or responses received subsequent to the specified date and time shall remain sealed and be maintained as part of the procurement file

10.2 SUBMISSION FORMAT

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

- A. Attachment A - Specifications for Commercial Driving Simulator
- B. Attachment B - Bid Cover Sheet
- C. Attachment C - Bid Form
- D. Attachment D - References
- E. Attachment E - Reference Score Sheet # 1
- F. Attachment F - Reference Score Sheet # 2
- G. Attachment G - Acknowledgement of Amendments
- H. Attachment H – Secretary of State Acknowledgement
- I. Attachment I - Conflict of Interest Disclosure Statement
- J. Attachment J - Live Reverse Auction Participation

10 LATE SUBMISSION

No late bids, modifications or withdrawals will be considered unless receipt would have been timely but for the action or inaction of MDOC personnel directly involved with the procurement activity. Late bids or responses shall remain sealed and be maintained as part of the procurement file.

11 REVERSE AUCTION

An email will be sent with 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 (Section I, 27). However, no supplier may be prohibited from participating in person by paper through surrogate bidding.

**SECTION III
BID PACKAGE**

Commercial Driving Simulator

Be sure to answer and complete each question as requested. All responses must follow the instructions provided.

ATTACHMENT A
SPECIFICATIONS FOR COMMERCIAL TRUCK DRIVING SIMULATOR

One (1) Doron 550TRUCKplus driving simulator cab with concrete/dump truck controls or equivalent:

Please place a check “Yes” or “No” to indicate compliance to the specifications for each listed criterion.

Compliance

| | | |
|--------|-------|---|
| Yes___ | No___ | TrueSteer™ digital servo steering system or equivalent |
| Yes___ | No___ | Three (3) 55” flat screen displays with at least 225° total field-of-view |
| Yes___ | No___ | One (1) instructor’s console |
| Yes___ | No___ | Instructor selected vehicle failures including engine temperature, low air pressure, engine oil pressure, check engine, transmission warning, low fuel, and others |
| Yes___ | No___ | Demo and replay modes |
| Yes___ | No___ | Driver performance tracker |
| Yes___ | No___ | Remote controlled side-view mirror adjustment |
| Yes___ | No___ | Pre-recorded Audio Scenario Description Feature |
| Yes___ | No___ | Pre-loaded library of Truck Driving and CDL scenarios |
| Yes___ | No___ | Heavy duty manual transmissions |
| Yes___ | No___ | Scenarios with various driving terrains, traffic and parking obstacles, various road surfaces, various weather conditions, various times of day and night, urban areas, rural areas, and industrial sites |
| Yes___ | No___ | Surround sound which generate realistic operational sounds |
| Yes___ | No___ | Radio/intercom for communication between instructor and student |
| Yes___ | No___ | Comprehensive user guide |
| Yes___ | No___ | On-site Instructor training |
| Yes___ | No___ | On-site installation |
| Yes___ | No___ | Minimum One (1) year warranty |
| Yes___ | No___ | First year on-site domestic preventative maintenance service support |

**ATTACHMENT B
BID COVER SHEET**

The Mississippi Department of Corrections is seeking a vendor is seeking to obtain **one (1)** Commercial Driving Simulator for the Vocational/Workforce Training Program at MSP. MDOC is seeking to obtain a commercial truck driving simulator to purchase by using the Reverse Auction Process. The Invitation for Bid is the first step in the Reverse Auction Process. The purpose of the IFB is to solicit quotes from interested parties meeting bid requirements and specifications, in order to determine the qualified vendors, which will participate in the Live Reverse Auction.

Bids are to be submitted as listed below, on or before Wednesday, December 15, 2021 by 2:00 p.m., CST,

PLEASE MARK YOUR ENVELOPE:

**IFB#: 3160004570
Opening Date: 2:00 p.m., CST, Wednesday, December 15, 2021
Mississippi Department of Corrections
ATTN: Kimbley Hendrix
301 N. Lamar Street
Jackson, MS 39201
SEALED BID – DO NOT OPEN**

Name of Company: _____

Quoted By: _____

Signature: _____

Address: _____

City/State/Zip Code: _____

Company Representative: _____

Telephone: _____

Fax: _____

Email: _____

| | |
|---|--|
| FEI/FIN # (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 employ? _____

**ATTACHMENT C
BID FORM**

Pursuant to this IFB to be received, I/We _____
 _____ located at _____
 do submit our bid form for IFB #_____. This bid is made without collusion on
 the part of any person, firm or corporation.

| Company | Company Representative | Telephone Number |
|---------|------------------------|------------------|
| | | |

QUOTE:

This quote is for one (1) Commercial Driving Simulator and will not be used to award the purchase. The quote will be used to help determine the starting price for the Reverse Auction.

All pricing for one (1) Commercial Driving Simulator should include all associated costs for the items with no additional or hidden fees.

| Item Description | Quantity | Price Per Unit |
|---------------------------------|----------|----------------|
| 1. Commercial Driving Simulator | 1 | |

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 this IFB and Attachments thereto;
2. That the company meets all requirements and acknowledges all certifications contained in this IFB and attachments thereto;
3. That the company agrees to all provisions of this IFB and Attachments thereto;
4. That the company will provide the equipment required at the prices quoted above;
5. 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;

6. The Bidder represents that its workers are licensed, certified and possess the requisite credentials to provide commercial driving simulators and training; and,
7. **NON-DEBARMENT:** By submitting a bid, the bidder certifies that it is not currently debarred from submitting bids for contract or purchase issued by any political subdivision or agency of the State of Mississippi and that it is not an agent of a person or entity that is currently debarred from submitting bids for contract or purchase issued by any political subdivision or agency of the State of Mississippi.
8. **INDEPENDENT PRICE DETERMINATION:** The bidder certifies that the prices submitted in response to the solicitation have been arrived at independently and without, for the purpose of restricting competition, any consultation, communication, or agreement with any other bidder or competitor relating to those prices, the intention to submit a bid, or the methods or factors used to calculate the prices bid/offered.
9. **PROSPECTIVE CONTRACTOR/BIDDER'S REPRESENTATION REGARDING CONTINGENT FEES:** The prospective bidder represents as a part of such Bidder's bid that such Bidder *has not* retained any person or agency on a percentage, commission, or other contingent arrangement to secure this contract or purchase.
10. **REPRESENTATION REGARDING CONTINGENT FEES:** Bidder represents that it *has not* retained a person to solicit or secure a State contract or purchase upon an agreement or understanding for a commission, percentage, brokerage, or other contingent fee, except as disclosed in the Bidder's bid.
11. **REPRESENTATION REGARDING GRATUITIES:** Bidder represents that it has not violated, is not violating, and promises that it will not violate the prohibition against gratuities set forth in Section 6-204 (Gratuities) of the *PPRB OPSCR Rules and Regulations*.

Company Name: _____

Printed Name of Representative/Title: _____

Date: _____

Signature: _____

Note: Failure to sign the bid form may result in the bid being rejected as non-responsive. Modifications or additions to any portion of this bid document may be cause for rejection of the bid.

**ATTACHMENT D
REFERENCES**

REFERENCE #1

Name of Company: _____

Dates of Service: _____

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: _____

Dates of Service: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Telephone Number: _____

Cell Number: _____

E-mail: _____

Alternative Contact Person (optional): _____

Telephone Number: _____

Cell Number: _____

E-mail: _____

REFERENCE #3

Name of Company: _____

Dates of Service: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Telephone Number: _____

Cell Number: _____

E-mail: _____

Alternative Contact Person (optional): _____

Telephone Number: _____

Cell Number: _____

E-mail: _____

REFERENCE #4

Name of Company: _____

Dates of Service: _____

Contact Person: _____

Address: _____

City/State/Zip: _____

Telephone Number: _____

Cell Number: _____

E-mail: _____

Alternative Contact Person (optional): _____

Telephone Number: _____

Cell Number: _____

E-mail: _____

**ATTACHMENT E
COMMERCIAL TRUCK DRIVING SIMULATOR
Procurement Reference Score Sheet # 1
(Return with packet unsigned)**

TO BE COMPLETED BY AGENCY STAFF ONLY

Company Name: _____

Reference Name: _____

Person Contacted, Title/Position: _____

Date/Time Contacted: _____

Service From/To Dates: _____

| | | |
|---|-----|----|
| Able to provide the requested services (equipment) when you called? | Yes | No |
| Satisfied with the services provided? If no, please explain. | Yes | No |
| Vendor was easy to work with? | Yes | No |
| Were the services completed on time and within budget? | Yes | No |
| Vendor listened when you had an issue and readily offered a solution? (If never had an issue, please check here ____.) | Yes | No |
| Would you enter into a contract with them again? | Yes | No |
| Would you recommend them? | Yes | No |

Offeror must have a minimum of 6 “yes” answers on the questions above from two references (total of 12 “yes” answers) to be considered responsive and for its proposal to be considered.

Score: Pass/Fail

| | | |
|---|-----|----|
| Do you have any business, professional or personal interest in the vendor’s organization? If yes, please explain. | Yes | No |
|---|-----|----|

A “yes” to the above question may result in an automatic disqualification of the provided reference; therefore, resulting in a score of zero as responses to previous questions become null and void.

Notes: _____

Called by: _____

Signature

Title

Date

**ATTACHMENT F
COMMERCIAL TRUCK DRIVING SIMULATOR
Procurement Reference Score Sheet # 2
(Return with packet unsigned)**

TO BE COMPLETED BY AGENCY STAFF ONLY

Company Name: _____

Reference Name: _____

Person Contacted, Title/Position: _____

Date/Time Contacted: _____

Service From/To Dates: _____

| | | |
|---|-----|----|
| Able to provide the requested services (equipment) when you called? | Yes | No |
| Satisfied with the services provided? If no, please explain. | Yes | No |
| Vendor was easy to work with? | Yes | No |
| Were the services completed on time and within budget? | Yes | No |
| Vendor listened when you had an issue and readily offered a solution? (If never had an issue, please check here ____.) | Yes | No |
| Would you enter into a contract with them again? | Yes | No |
| Would you recommend them? | Yes | No |

Offeror must have a minimum of 6 “yes” answers on the questions above from two references (total of 12 “yes” answers) to be considered responsive and for its proposal to be considered.

Score: Pass/Fail

| | | |
|---|-----|----|
| Do you have any business, professional or personal interest in the vendor’s organization? If yes, please explain. | Yes | No |
|---|-----|----|

A “yes” to the above question may result in an automatic disqualification of the provided reference; therefore, resulting in a score of zero as responses to previous questions become null and void.

Notes: _____

Called by: _____

Signature

Title

Date

**ATTACHMENT G
Acknowledgement of Amendments**

Please sign and print at the appropriate statement.

I acknowledge receipt of all amendments associated with IFB # 3160004570

They are as follows:

- 1. _____
- 2. _____
- 3. _____

Printed Name _____ Company Name _____

Signature _____

There were no amendments associated with IFB # 3160004570

Printed Name _____ Company Name _____

Signature _____

ATTACHMENT H
Secretary of State Acknowledgment

_____, acknowledges that we
(Vendor Name)

_____ are registered with the Secretary of State's Office.
(Attach proof)

_____ are not registered with the Secretary of State's Office.

We, _____
(Vendor Name)

_____ will register before the start of the contract and provide proof.

_____ will not register.

Signature

Date

Printed Name

ATTACHMENT I
Conflict of Interest Disclosure Statement

Conflict of Interest – Involvement, financial or otherwise, that an employee, officer, or agent of DOR may have in the proposing organization; and any involvement, financial or otherwise, that any employee, officer of any other governmental agency may have in the proposing organization.

_____, acknowledges that we
(Vendor Name)

_____ do not have a conflicting interest to report.

_____ do have a conflicting interest (please disclose below).

Describe the Nature of the Conflicting Interest:

Signature

Date

Printed Name

ATTACHMENT J
Live Reverse Auction Participation

_____ I/we certify that we request to participate in the Live Reverse Auction, via Surrogate Bidding. I/We understand that we 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.

_____ I/we certify that we will participate in the Live Auction via MAGIC.

Company: _____ Signature: _____

Address: _____ Printed name: _____

_____ Title: _____

Phone: _____ Date: _____

E-mail Address: _____