



**THIS IS NOT
AN ORDER**

REQUEST FOR BIDS/PROPOSALS COVERSHEET
THE UNIVERSITY OF SOUTHERN MISSISSIPPI
Procurement and Contract Services
118 College Drive #5003, Hattiesburg, Mississippi 39406-0001

Date: November 1, 2024

BID No. 25-18

THE UNIVERSITY OF SOUTHERN MISSISSIPPI is considering the purchase of the following item(s). We ask that you submit your bid and retain one copy for your files. Right is reserved to accept or reject any part of your bid. Your quotation will be given consideration if received in Bond Hall, Room 214 on or before:

2:00 p.m. CT

November 19, 2024

Buyer: Amber Floyd

Name: _____

Company: _____

Address: _____

City/State/Zip: _____

TERMS - Bidder should state terms of sale. Our terms are 2% ten days, net 45 days.

These terms will apply per Mississippi law.

AWARDING CONTRACT - Cash terms will not be used as a basis for awarding contracts; however, the University will accept cash discounts when earned.

NOTE: If you cannot quote on the exact material shown, please indicate any exception giving brand name and complete specifications of any alternate. If additional space is required, use a separate sheet or letter of transmittal.

ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL NET PRICE
		<p>BID 25-18 Respirometer</p> <p>RFx # 3160006975</p> <p>PROPOSAL MUST BE RETURNED TO THE UNIVERSITY IN ACCORDANCE WITH THE SPECIFICATIONS. RFP NUMBER AND DATE OF BID OPENING MUST BE SHOWN ON THE OUTSIDE OF THE ENVELOPE IF USING THAT METHOD.</p>		

We quote you as above - F.O.B. The University of Southern Mississippi.
Shipment can be made in _____ days from receipt of order. DATE _____
Return quotation to Procurement Services at above address.

Signature Required _____

**THE UNIVERSITY OF SOUTHERN MISSISSIPPI
PROCUREMENT SERVICES
118 COLLEGE DRIVE
#5003
HATTIESBURG, MS 39406-0001**

GENERAL TERMS, CONDITIONS AND INSTRUCTIONS FOR BIDS/PROPOSALS

- 1.) Failure to examine any drawings, specifications, and instructions will be at bidder's risk.
- 2.) Samples of items when called for 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 proposals. Each individual sample must be labeled with the bidder's name and manufacturer's brand name and number.
- 3.) As a public entity of the state, we use sealed bidding to ensure "fair and open competition" to ensure no one in the buying organization can influence the bidding process or steer the selection of a particular company by sharing competitive proposal information during the solicitation process. Generally, all proposals must remain sealed until they are opened publicly at the time stated in the notice—advance disclosure of the terms of a proposal may be cause for rejection of said proposal. Bidders should never send advanced copies of a sealed proposal via email or screenshots of electronic proposals. Bidders must submit sealed proposals to be opened at the time and place stated in the solicitation for the public opening of proposals and must not be revealed to the buyer before that time. Bids must be signed and sealed with the bidder's name and address on the outside of the envelope, and the date and time of the proposal opening, and the proposal file number shown in the lower-left corner of the packages, envelopes, express mailing labels, boxes, etc.
- 4.) At least one (1) signed original and one (1) signed copy of the proposal **MUST** be provided. The University **requires** a portable electronic virus/malware-free copy (thumb drive) of the proposal response from the responding Vendor to be included in the proposal response package. If an electronic copy is not included, the University reserves the right to request an electronic copy of the **exact** proposal response prior to review of the proposal.
- 5.) For your proposal to be considered, it must be received, and time stamped in our office by 2:00 P.M. of the proposal opening date. It is the responsibility of the vendor to ensure their proposal is received within the appointed time. If your proposal package is not received in Bond Hall, Room 214, by 2:00 P.M. of the proposal opening date, it will not be considered.
 - a. If you are delivering your proposal, you need to hand carry the proposal package to: The University of Southern Mississippi
Procurement Services (RFP #)
Bond Hall, Room 214
Hattiesburg, Mississippi

- b. If you are mailing your proposal package via U.S. Postal Service, mail to: The University of Southern Mississippi
Procurement Services (RFP #)
118 College Drive #5003
Hattiesburg, MS 39406-0001
- c. If you are express mailing your proposal package via Federal Express or UPS, or any other delivery service which requires the use of a physical address, deliver to:
The University of Southern Mississippi
Receiving Department
2609 West 4th Street
Hattiesburg, MS 39401
- 6.) Bids or proposals shall not be modified, corrected, altered, or amended after the specified closing time and the opening of such proposals, unless otherwise noted in the request for proposals or proposals.
- 7.) The University of Southern Mississippi reserves the right to reject any and all proposals, to waive any informality in proposals, and unless otherwise specified by the bidders, to accept any items on the proposal. If the bidder fails to state the time within which proposals must be accepted, it is understood and agreed that The University of Southern Mississippi shall have 90 days to accept. The University of Southern Mississippi reserves the right to make an award to this proposal on an all or none basis, or on a line-by-line basis, whichever serves the best interest of The University of Southern Mississippi.
- 8.) Contracts and purchases will be made or entered into with the lowest, responsible bidder meeting specifications.
- 9.) A written purchase order or contract award mailed or otherwise 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 not be assignable by the vendor in whole or in part without the written consent of The University of Southern Mississippi.
- 10.) Unless written exception is provided in the proposal response, the winning Vendor agrees to be bound by the USM Terms and Conditions, which are incorporated herein, and may be found at <https://www.usm.edu/procurement-contract-services/usm-terms-and-conditions.php>.
- 11.) Respondents are required to comply with all applicable local, State and Federal laws, codes, ordinances, and regulations in the provision of the materials required.
- 12.) Respondents must comply with Personally Identifiable Information (PII) data protection regarding State, Federal, and University regulations and policies.
- 13.) Legal Provisions to Which USM Cannot Agree

- a. Any provisions disclaiming implied warranties shall be null and void. See Mississippi Code Annotated Sections 11-7-18 and 75-2-719(4). The Vendor shall not disclaim the implied warranties of merchantability and fitness for a particular purpose.
 - b. Any limitation of liability for claims related to the following items:
 - i. Infringement issues;
 - ii. Bodily injury;
 - iii. Death;
 - iv. Physical damage to tangible personal and/or real property; and/or the intentional and willful misconduct or negligent acts of the Vendor and/or Vendor's employees or subcontractors.
 - c. Any requirements that the University pay interest, except for those in conjunction with USM's standard payment terms of Net 45 days. Payments made beyond 45 days are subject to late fees and interest.
 - d. Any terms and conditions in the purchase contract that conflict with the laws of the State of Mississippi. Any such instances shall require a revision of the terms and conditions to ensure compliance with Mississippi state law.
 - e. Any provision requiring USM to pay attorney's fees, prejudgment interest or costs associated with any legal action to or for the Vendor, except that which are ordered by a court of competent jurisdiction.
- 14.) Bid files can only be examined during normal working hours by interested parties, but only after the official award has been made.
- 15.) If purchase orders or contracts are canceled because of the awarded vendor's failure to perform or request for price increase, that vendor shall be removed from our bidders' list for a period of 24 months.
- 16.) No addendum will be issued within a period of two (2) working days prior to the time and date set for the proposal opening. Should it become necessary to issue an addendum within the two-day period prior to the proposal opening, the proposal date will be reset giving bidders ample time to answer the addendum.
- 17.) Alternate proposals, unless specifically requested or allowed, will not be considered.
- 18.) Bid openings will be conducted open to the public. However, they will serve only to open the proposals. No discussion will be held with any vendor as to the quality or provisions of the specifications, and no award will be made either stated or implied at the proposal opening. After the close of the proposal opening meeting, the proposals will be considered to be in the evaluation process and will not be available for review by bidders. Proposal openings are not required to be open to the public; however, the resulting award is open for public inspection.
- 19.) Prices quoted shall be firm for the term of the contract or for the stated time of acceptance.
- 20.) The bidder understands that The University of Southern Mississippi is an

equal opportunity employer and, therefore, maintains a policy which prohibits unlawful discrimination based on race, color, creed, sex, age, national origin, physical handicap, disability, or any other such discrimination; and the bidder, by signing this proposal, agrees during the term of agreement that the bidder will strictly adhere to this policy in its employment practices and provision of products or services.

- 21.) Bidders must upon request of The University of Southern Mississippi furnish satisfactory evidence of their ability to furnish products or services in accordance with the terms and conditions of these specifications. The University of Southern Mississippi reserves the right to make the final determination as to the bidder's ability.
- 22.) Questions or problems arising from proposal procedures should be directed to the Buyer listed on the solicitation at:

The University of Southern Mississippi
118 College Drive #5003
Hattiesburg, MS 39406-0001
Phone: (601) 266-4131
Bids@usm.edu

- 23.) All items must equal or exceed the specifications listed. The absence of detailed specifications or the omission of a detailed description shall be recognized as meaning that only the best commercial practices are to prevail, and that only first-quality materials and workmanship are to be used.
- 24.) It is the intent of the specifications to obtain a product that will adequately meet the needs of the user while promoting the greatest extent of competition that is practicable. It is the responsibility of the prospective bidder to review the entire Invitation to Bid packet and to notify The University of Southern Mississippi if the Specifications, Instructions, General, or Special Conditions are formulated in a manner which would unnecessarily restrict competition.
- 25.) It shall be incumbent upon the bidders to understand the specifications. Any requests for clarifications shall be in writing and shall be submitted to our Procurement Services office at least seven (7) business days prior to the time and date set for the proposal opening, unless otherwise noted in the proposal or proposal specifications.
- 26.) The minimum specifications are used to set a standard and in no case are used with the intention of discriminating against any manufacturer. Bidders should note the name and the manufacturer and model number of the product they propose to furnish and submit descriptive literature.
- 27.) Trade names, brand names, and/or manufacturer's information used in these specifications are for the purpose of establishing a level of quality, unless otherwise noted. Bids on products from other qualified manufacturers are acceptable, provided they are demonstrated as equal to those specified in construction, design, and suitability. Each bidder shall submit with his proposal

a complete brochure with pictures on each item and shall point out specifically any deviations from the specified items. Failure to do so may disqualify any proposal. Please proposal as specified or an approved equal.

- 28.) A copy of the manufacturer's standard guarantee/warranty shall accompany and become a part of this proposal.
- 29.) There are no federal or state laws that prohibit bidders from submitting a proposal lower than a price or proposal given to the U.S. Government. Bidders may proposal lower than U.S. Government contract price without any liability as The University of Southern Mississippi 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 University of Southern Mississippi must automatically be given to the U.S. Government.
- 30.) All invoices, unless noted otherwise, are to be billed to:

The University of Southern Mississippi
School Of Polymer Science and Engineering
118 College Drive #5050
Hattiesburg, MS 39046
Christy.harvey@usm.edu
- 31.) All equipment proposals shall be of current production and of the latest design and construction.
- 32.) Where all, or part(s), of the proposal is requested on a unit price basis, both the unit prices and the extension of the unit prices constitute a basis of determining the lowest responsible and responsive bidder. In cases of error in the extension of price, the unit price will govern.
- 33.) Should the University close due to inclement weather conditions, or any other unforeseen events on the proposal opening date, sealed solicitations will open the following business day at the same time and location.
- 34.) The University reserves the right to solicit Best and Final Offers (BAFOs) from Vendors, principally in situations in which proposal costs eclipse available funding, or the University believes none of the competing proposals presents a Best Value (lowest and best proposal) opportunity. Because of the time and expense incurred by both the Vendor community and the University, BAFOs are not routinely conducted. Vendors should offer their best pricing with the initial solicitation. Situations warranting solicitation of a BAFO will be considered an exceptional practice for any procurement. Vendors that remain in a competitive range within an evaluation may be requested to tender Best and Final Offers, at the sole discretion of the University. All such Vendors will be provided an equal opportunity to respond with a Best and Final Offer under a procedure to be defined by the University that encompasses the specific, refined needs of a project, as part of the BAFO solicitation. The University may re-evaluate and amend the original project specifications should it be deemed necessary in order

to improve the opportunity for attaining Best Value scenarios from among the remaining competing Vendors. All BAFO proceedings will be uniformly conducted, in writing, and be subject to solicitation by the University and receipt from the Vendors under a precise schedule.

- 35.) As an alternative to traditional sealed bids in envelopes, the University of Southern Mississippi is capable of receiving electronic proposal responses. While this option is available, it is not required, and we ask that all potential respondents keep in mind that with any electronic system there could be delays or glitches with the submission process; therefore the University highly encourages traditional sealed bids which are either mailed or submitted in person. Should a vendor choose to submit their response electronically, please follow the instructions below using the following website:
https://www.ms.gov/dfa/bid_proposal_search/Home/Sell. On this site you will find helpful links to procurement opportunities, as well as a link to supplier registration. If not already registered in this system, potential bidders will first need to click on 'Supplier Registration' and follow the steps outlined (a one-time process). Once registered, they can return to the original website and click on 'Procurement Opportunities' where they can either search by keyword for the proposal they desire to respond to or leave the search box blank and click 'Search' for a listing of all current bids and proposals for the various State of Mississippi offices.

AA/EOE/ADA



THE UNIVERSITY OF
SOUTHERN
MISSISSIPPI®

Respirometer

REQUEST FOR BIDS

October 7, 2024

A. Introduction / Objectives

The University of Southern Mississippi (USM) is looking to procure a respirometer capable of measuring polymer biodegradability according to ASTM D5338 and ASTM D6691.

B. Instructions to Vendors

The Request for Bids coversheet must be included in all sealed proposals for this proposal.

Each proposal must be submitted in a sealed envelope bearing on the outside the name "Respirometer" the name of the Vendor, the Vendor address, and the notification of opening on the specified date on the cover sheet.

C. Payment

The currency used for payment of costs will be in United States dollars.

The University requests to be invoiced annually for maintenance.

During any required implementation the University cannot be invoiced in advance of services not rendered or equipment not received. Therefore, the university prefers to be billed in installments based upon mutually agreed upon project implementation milestones completed.

State law requires that the University receive an **original invoice** from the Vendor and that payment of the invoice is processed **within 45 days of receipt** (Miss Code 31-7-305). The invoice should be on the Vendor's letterhead and/or include an original Vendor representative signature.

USM may choose to use a VISA® Purchasing Card for invoice payments in place of a check to pay for purchases from this solicitation. Unless exception is noted in the proposal response, the bidder, by submitting a response agrees, to accept the VISA® Purchasing Card as an acceptable form of payment and may not add additional service fees/handling charges to purchases made with the VISA® Purchasing Card.

D. Length of Agreement - Intentionally left blank.

E. Legibility and Organization: Proposals MUST be printed, written in English, legible, and appropriately structured. Each page needs to be numbered sequentially. Proposals MUST be bound.

F. Pre-Payments with Pro-Rata Refund

State law (Section 31-7-305 of the Mississippi Code Ann.) authorizes the issuance of payment after receipt of the invoice and receipt, inspection, and approval of the goods and/or services. The intent is that goods and services must be received, inspected, and accepted prior to payment. Pursuant to this requirement, where pre-payment has been authorized, all pre-payment contracts will require the following statement in the

Termination section: "Upon termination of this Agreement by Licensee or by Licensor, Licensor shall issue Licensee a refund of a proportionate share (based on the number of days in the term year before and after the termination) of the Annual Fees paid with respect to that term year."

G. Bid Specifications

i. Requirements

The following specifications are to ensure that the respirometer will perform the tasks necessary to satisfy the project's objectives. Any deviation from the following specifications must be explained and justified.

Bidder shall meet or exceed the following specifications:

- General
 - User friendly set up with analyzers, distributors, tubing, power supply are all placed in 1 control unit
 - All tubes inside a multicore cable
 - Can test solid or liquid samples separately or at once
 - Includes shaker apparatus for ASTM D6691 testing
 - Compliant with ASTM D6691 and D5338
 - Air supply pump included
 - Ability to run aerobic or anaerobic tests / solid and liquid samples
 - Peristaltic pumps to return the condensate into the vessels. Additional pumps prevent the condensate from reaching the sensors.
- Software
 - The software measures gas concentration, flow, pressure, humidity, temperature. According to these parameters then software calculates CO₂ or CH₄ production, O₂ consumption, etc.

ii. Customer Support

The vendor should be willing to help The University of Southern Mississippi resolve any technical issues associated with the system, not only in the warranty period but also out of the warranty with reasonable service fees and leading time. Online and on-call technical support for software and hardware for the lifetime of the system shall also be provided. Training includes system setup, operation, maintenance, and troubleshooting.

iii. Warranty

Bidder warrants that the machinery shall be free from defects in material and

workmanship under normal use and service with the obligation to repair or replace any parts, which are proven defective, with a minimum of one year from delivery with a warranty start date which commences post system installation and verification. Bidder shall also provide free software upgrades for the life of the instrument.

iv. Delivery

The vendor should quote the lead time required for delivery of the quoted equipment. Quoted prices should be F.O.B. Destination Freight Allowed. Onsite installation and system check is required and must be completed to the satisfaction of USM staff.

H. Additional Requirements

The University acknowledges that the specifications within this RFP may not be exhaustive. Rather, they reflect the known requirements that must be met by the proposed system. Vendors must specify what additional components may be needed and are proposed to complete each configuration.