### ATVs - Consolidating SWC248 into SWC242
#### Pre-Response April 21, 2022, Questions and Answers

<table>
<thead>
<tr>
<th>VENDOR QUESTION / COMMENT</th>
<th>STATE of TN RESPONSE</th>
</tr>
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</table>
| 1  | This procurement is for All-Terrain Vehicles (ATVs), which sometimes are known colloquially as "4-wheelers", "4x4", or "quads". ATVs have a straddle seat for the driver, no roof, and typically have handlebars. Utility-Terrain vehicles (UTVs) sometimes are known as "side-by-sides" or "SxS". UTVs typically have bucket or bench seats for 2 or more riders under a roof, and a steering wheel instead of handlebars. See revised specifications for seating.  
"Seating:  
Single, straddle seat.  
No tandem or side-by-side.  
No bucket or bench seat.  
No cabin enclosure or roof."  
Also see in the specifications the addition of example acceptable models.  
"Acceptable Manufacturer Models:  
• Can-Am Outlander or Renegade  
• Honda FourTrax  
• Kawasaki Brute Force  
• Kymco Maxxer  
• Polaris Sportsman  
• Suzuki KingQuad  
• Yamaha Grizzly or Kodiak  
Or equivalent" |
| 2  | No, this procurement will add ATVs to be managed under the umbrella of Statewide Contract 242, but will not replace or make any changes to the existing UTV contracts under Statewide Contract 242. |
| 3  | No, this procurement will add ATVs to be managed under the umbrella of Statewide Contract 242, but will not replace or make any changes to the existing contracts under Statewide Contract 242. |
| 4  | No, UTVs or any vehicle with a roof will not be awarded during this procurement. This procurement will not make changes to the existing UTV contracts under Statewide Contract 242. |
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<td>5  Can we bid electric or battery powered ATVs during this procurement?</td>
<td>No, at this time, the State will add only gasoline powered ATVs on Statewide Contract 242, not electric or battery powered.</td>
</tr>
</tbody>
</table>
| 6  Is this procurement only for parts and accessories? | No, this procurement is for All-Terrain Vehicles (ATVs), as well as ATV parts and ATV accessories. However, parts and accessories discounts will not be considered during evaluation. Please see the addition of parts and accessories in the specifications sheet:  
  ➢ ATV parts from manufacturer’s catalog  
  ➢ ATV accessories from manufacturer’s catalog  
  Please also see the below updates to the bid sheet attachment. |

The following **updates were made to the Bid Sheet:**

**“1. Instructions**

**Overview of Workbook**

You will note there are **three (3) tabs** in this file. The tabs are:

Tab 1 - Instructions. Please read all instructions carefully. Please fill in company and contact information for all highlighted in Green Cells below (Section 3)

Tab 2 - Mandatory bid sheet for ATVs. In the first column, please fill in the Manufacturer you are supplying. In the highlighted green cells, please enter the percentage discount per region.

Tab 3 - Mandatory sheet for parts and accessories. In the first column, please fill in the Manufacturer you are supplying. In the highlighted green cells, please enter the percentage discount per region. Please note that although this form is mandatory, **parts and accessories discounts will not be considered in the bid evaluation.**

**“2. Evaluation Process**

2.1. Single Award – Per Manufacturer’s Dealer Per Region

The State intends to award a contract to the lowest responsive and responsible Manufacturer’s Dealer in each region. (See Attachment – PURCHASING REGIONS AND COUNTIES OF TENNESSEE). Respondents awarded a contract may win awards in more than one region.

2.2. Award Criteria.  
An award shall be made to the responsive and responsible Manufacturer’s Dealer per region considering the following:  
- Lowest cost per region  
- Ability to Perform  
- Conformity to Specifications  
- Compliance with Bid Factors"
The following **Terms and Conditions were REVISED:**

<table>
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<tr>
<th>8.8. <strong>Catalog Refresh.</strong> Products available to the State from the SWC will be contained in Catalog Extracts from published catalogs, price lists or price schedules as defined herein will be maintained and distributed electronically to all state agencies. These Catalog Extracts will contain only the portion of the manufacturer’s product line that falls within the scope and intent of this Invitation to Bid and was selected for inclusion in the extract by the State of Tennessee. Products contained in these extracts and their prices will be updated with a manufacturer’s current “Catalog Extract” refresh quarterly when available with State approval. State approval will be required of all proposed additions or changes to these Catalog Extracts per the SWC Terms and Conditions Section 6.2. Price Changes, Section 7.1. Substitution Items Offered by Contractor, or Section 8.5. Additional Lines, Items or Options.</th>
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<td>8.9. <strong>Fixed Bid Percentage Requirements.</strong> Bid percentage (%) discount must be fixed for the entire term of the contract, unless contractor offers a higher percentage (%) discount and the change would be in the best interest of the State.</td>
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The following was **ADDED to Terms and Conditions:**

| 8.11. **Boycott of Israel.** The Contractor certifies that it is not currently engaged in, and covenants that it will not, for the duration of the Contract, engage in a Boycott of Israel, as that term is defined in Public Chapter No. 775. |

The following were **REMOVED from Terms and Conditions:**

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<th>3.24. <strong>Purchase of Materials for Highways or Roadways.</strong> Respondents must comply with Tenn. Code Ann. § 54-5-135 when purchasing materials used for highway or road construction, resurfacing, or maintenance.</th>
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<td>3.25. <strong>Energy Star Products.</strong> Any goods ordered by the State must be Energy Star certified and meet applicable Energy Star specifications for energy efficiency.</td>
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<td>3.26. <strong>Safety of Chemical Products.</strong> All respondents awarded a contract must maintain, for all of its chemical products available under this Contract, a Safety Data Sheet (“SDS”) on the chemical manufacturer’s website. A site operated by or on behalf of the manufacturer or a relevant trade association is acceptable so long as the information is accessible to the public, free of charge.</td>
</tr>
<tr>
<td>3.27. <strong>Professional Licensure.</strong> All persons, agencies, firms, or other entities that provide legal or financial opinions, which a respondent provides for consideration and evaluation by the State as a part of a response to this ITB, shall be properly licensed to render such opinions. Upon submitting the response, the respondent (and respondent employees and subcontractors, as applicable) must hold all necessary or appropriate business or professional licenses to provide the goods or services as required by the contract. The State may require any respondent to submit evidence of proper licensure.</td>
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