



City of Pigeon Forge Fire Department

Tony L. Watson, Chief



Notice of Bid

The City of Pigeon Forge is receiving bids a red ½ ton pick-up truck for the Fire Department.

Specifications may be obtained from the Pigeon Forge Fire Department between the hours of 8:00am and 4:30pm, Monday-Friday, or by sending an email requesting “bid specifications for pick-up trucks” to mike.cooper@cityofpigeonforgetn.gov.

Bids must be received in a sealed envelope with bidder’s name and address on the outside, and marked “Bid on pick-up truck”.

Mailing address: Pigeon Forge Fire Department
PO Box 1350
Pigeon Forge, TN 37868

Bids will be received until 9:00am on Friday, September 8th, 2023, at which time they will be opened and read aloud.

The City of Pigeon Forge reserves the right to reject any or all bids, or to accept any bid(s) that best serves the City. Please see below our legal right to specify bid selections:

LEGAL RIGHT TO SPECIFY

The Fire Department (for the remainder of this section referred to as the “specifier”) chooses to exercise its Legal Right to Specify as determined by the U.S. Supreme Court’s affirmation of the decision handed down in the case of Whiten Corp. vs. Paddock, by the U.S. District Court of Massachusetts, the First Federal District Court, which in effect states:

- 1) That as trained professionals; specifiers make informed judgments on products that they feel best serve their needs. Also, that proprietary specifications (if chosen) DO NOT violate any antitrust laws. Technically, very few brands of material or equipment are exactly alike, and if the specifier wants to limit the specification to one source, he has the right to do so and enforce it.
- 2) Only the specifier has the responsibility and judgment for determining whether a proposed substitution is an “or equal”.
- 3) That from start to finish in the purchasing process, only the specifier can ultimately decide if another desirable product is available in lieu of the specification.
- 4) Finally, that the courts concluded “the burden is on the supplier or manufacturer, who has NOT been specified, to convince the specifier that their product is equal for the purpose of a particular project”.

The specifier has determined that this product specification shall represent the product to which all offerings shall be compared. Due to the fact that firefighting is an ULTRAHAZARDOUS, UNABOIDABLY DANGEROUS activity, only trained Fire Department personnel shall be allowed to make the final determining decision on the selection of the appropriate product to serve the Fire Department’s needs.