



# City of Pigeon Forge Fire Department

Tony L. Watson, Chief



## Notice of Bid

The City of Pigeon Forge is requesting bids from qualified vendors on **(2) 40' Conex Shipping Containers and (1) 20' Conex Shipping Container** for the City of Pigeon Forge Fire Department. Bid specifications may be obtained at the Pigeon Forge Fire Department Monday through Friday between the hours of 8:00 am to 4:30 pm, or at bids at [www.cityofpigeonforge.com/](http://www.cityofpigeonforge.com/). Proposals not meeting the requirements will be rejected.

The City of Pigeon Forge reserves the right to reject any or all bids or to accept the deemed most favorable to the city. We also reserve the right to accept any portion or all of a bid.

Bids must be good through July 1, 2023.

Bidder agrees by placing bid that no bills will be submitted to the Pigeon Forge Fire Department until all items on order are received and accepted by the Pigeon Forge Fire Department as correct.

Bids will be received by the City of Pigeon Forge until 1:30 pm February 13, 2023 at which time they will be opened and read aloud.

Any question on any item listed, please call Pigeon Forge Fire Department at (865) 429-7381.

All bids must be dated, signed and words "**Conex Shipping Containers**" shall be prominently displayed on the outside of the envelope.

Address all bids to:  
Pigeon Forge Fire Department  
Attn: Tony L. Watson  
P.O. Box 1350  
Pigeon Forge, TN 37868-1350

January 26, 2023



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## LEGAL RIGHT TO SPECIFY

The Pigeon Forge 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 specifications 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 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 conclude “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 fire firefighting is an **ULTRAHAZARDOUS, UNAVOIDABLY DANGEROUS** activity, only trained Fire Department personnel with specific knowledge in the area of Personal Protective Equipment shall be allowed to make the final determining decision on the selection of the appropriate product to serve the Pigeon Forge Fire Department’s needs.



**City of Pigeon Forge**  
**Fire Department**  
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**40' Conex Shipping Container**

**Purpose of Use:**

The City of Pigeon Forge is soliciting bids for the purchase of Conex storage containers. The Conex lockbox sizes needed include 20' and 40'.

**Product Specifications:**

(2) Standard (New or Used) 40' long Conex storage containers with a minimum height of 9' which shall include specifications listed below.

(1) Standard (New or Used) 20' long Conex storage containers with a minimum height of 9' which shall include specifications listed below.

**Required Specifications:**

Marine plywood flooring or equivalent, metal flooring preferred

Lockable double doors at one end.

Wind and Water Proof

All Containers must be matching colors

Fire Department must be able to inspect containers before purchase.

**Location of Deliveries:**

Prices quoted shall include set up and delivery to the Sevier County Fire Chief's Association Training Center located on Center View Road, in Sevierville, TN.

Deliver address will be provided at the time of placing an order.



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Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_

Zip: \_\_\_\_\_

Contact: \_\_\_\_\_

Contact Number: \_\_\_\_\_

### Bid Tabulations (2) 40' Conex Shipping Container

Unit Cost	
Total (Quantity 2)	

### Bid Tabulations (1) 20' Conex Shipping Container

Unit Cost	
Total (Quantity 1)	