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MLC

State of New Hampshire

DEPARTMENT OF SAFETY
JAMES H. HAYES BLDG. 33 HAZEN DR.
CONCORD, N.H. 03305
(603) 271-2791

ROBERT L. QUINN
COMMISSIONER

EDDIE EDWARDS
ASSISTANT COMMISSIONER

STEVEN R. LAVOIE
ASSISTANT COMMISSIONER

May 25, 2023

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

Pursuant to MOP 150 VII (c), authorize the Department of Administrative Services to authorize a purchase order on behalf of the Department of Safety, Division of Fire Standards and Training and Emergency Medical Services, in the amount of $295,886.00 to Industrial Protection Services LLC (VC #162240-B001), for the purchase of self-contained breathing apparatus equipment. Effective upon Governor and Council approval. 85% Federal Funds and 15% Revolving Funds.

Funds are available in the current operating budget.

02-23-23-23700000-44570000 - Dept. of Safety - National Fire Academy Grant		FY2023
030-500331	Equipment – New Replacement	$251,503.10
02-23-23-23700000-40650000 - Dept. of Safety - Fire Standards & EMS Administr		
030-500331	Equipment – New Replacement	$ 44,382.90
	TOTAL	$295,886.00

EXPLANATION

This purchase is for self-contained breathing apparatus (SCBA), as shown in the below table, for instructor and students needed during training evolutions in the firefighter programs.

Quantity	Unit	Description
44	EA	Scott Air-Pak X3 SCBA with PASS 4500PSI, CGA, EZ Flow+
45	EA	Scott AV3000 HT Facepiece, 4-strap
44	EA	Scott Cylinder & Valve Assembly, CGA, 4.5, 30 Min
3	EA	Scott RIT-PAK III, 4.5, Large, AV, Hansen
6	EA	Scott Carbon Cylinder & Valve 4500, 60 Min

The Department of Administrative Services, through the Bureau of Purchase and Property, issued a Bid #249.23 on April 12, 2023 with a closing date of April 21, 2023. Ten (10) vendors were sourced using the NIGP electronic platform with an additional four (4) vendors directly sourced. There was only one bid provided by Industrial Protection Services, LLC.

On May 1, 2023, follow up emails were sent to all 10 vendors registered under NIGP Code 340-0700, breathing equipment for firefighters, as well as the 4 vendors who were directly sourced. Of the two responses received, IPS

was the only company able to provide the equipment. The other response was non-compliant because they are not authorized to sell this equipment in NH.

Respectfully submitted,

Robert L. Quinn
Commissioner of Safety

MEMORANDUM

To: RQ228542 / Bid #249-23

Date: May 3, 2023

From: Andrea Olsson

Subject: Single Bid for Bid 249-23, Firefighter Breathing Equipment

On 4/12/2023 Bid 249-23 was posted with a closing date of 4/21/2023 at 10:30am. Any questions or requests for change were to be received by 4/18/2023. There were 2 questions for this bid that were answered via posted addendum on 4/19/2023.

Ten (10) vendors were sourced using the NIGP electronic platform with an additional four (4) vendors directly sourced. There was only one (1) bid provided by Industrial Protection Services, LLC.

On Monday 5/1/2023 follow up emails were sent to all 10 vendors registered under NIGP Code 340-0700, breathing equipment for firemen as well as the 4 vendors who were directly sourced. Only two responses were received, indicating the following:

- The company is not authorized to sell this equipment in New Hampshire.
- The company does not provide breathing equipment.

Based on the limited number of vendors who provide firefighter breathing equipment and the lack of responses to the inquiry after bid closing, Industrial Protection Services, LLC appears to be the vendor who will fulfill the agency's needs in the most efficient manner.

Respectfully,

Andrea Olsson, Sr. Purchasing Agent

Andrea.I.Olsson@das.nh.gov

603-271-7272

STATE OF NEW HAMPSHIRE TRANSMITTAL LETTER

State of New Hampshire
Division of Procurement and Support Services
Bureau of Purchase and Property
25 Capitol Street, Room 102, State House Annex
Concord, NH 03301-6398

Date: 4/12/2023

Bid No.: 249-23

Date of Bid Closing: 04/21/23
Time of Bid Closing: 10:30 AM (EST)

PLEASE DIRECT ANY QUESTIONS REGARDING THIS BID TO Andrea Olsson: E-mail Andrea.I.Olsson@DAS.NH.GOV.
EMAIL YOUR BID TO: NH.Purchasing@DAS.NH.Gov

BID INVITATION FOR: FIREFIGHTER BREATHING EQUIPMENT

[Insert name of signor] Kevin Murphy, on behalf of Industrial Protection Services, LLC [Insert name of entity submitting bid (collectively referred to as "Vendor") hereby submits an offer as contained in the written bid submitted herewith ("Bid") to the State of New Hampshire in response to BID # 249 -23 at the price(s) quoted herein in complete accordance with the bid.

Vendor attests to the fact that:

1. The Vendor has reviewed and agreed to be bound by the Bid.
2. The Vendor has not altered any of the language or other provisions contained in the Bid document.
3. The Bid is effective for a period of 180 days from the Bid Closing date as indicated above.
4. The prices Vendor has quoted in the Bid were established without collusion with other vendors.
5. The Vendor has read and fully understands this Bid.
6. Further, in accordance with RSA 21-I:11-c, the undersigned Vendor certifies that neither the Vendor nor any of its subsidiaries, affiliates or principal officers (principal officers refers to individuals with management responsibility for the entity or association):
   a. Has, within the past 2 years, been convicted of, or pleaded guilty to, a violation of RSA 356:2, RSA 356:4, or any state or federal law or county or municipal ordinance prohibiting specified bidding practices, or involving antitrust violations, which has not been annulled;
   b. Has been prohibited, either permanently or temporarily, from participating in any public works project pursuant to RSA 638:20;
   c. Has previously provided false, deceptive, or fraudulent information on a vendor code number application form, or any other document submitted to the state of New Hampshire, which information was not corrected as of the time of the filing a bid, proposal, or quotation;
   d. Is currently debarred from performing work on any project of the federal government or the government of any state;
   e. Has, within the past 2 years, failed to cure a default on any contract with the federal government or the government of any state;
   f. Is presently subject to any order of the department of labor, the department of employment security, or any other state department, agency, board, or commission, finding that the applicant is not in compliance with the requirements of the laws or rules that the department, agency, board, or commission is charged with implementing;
   g. Is presently subject to any sanction or penalty finally issued by the department of labor, the department of employment security, or any other state department, agency, board, or commission, which sanction or penalty has not been fully discharged or fulfilled;
   h. Is currently serving a sentence or is subject to a continuing or unfulfilled penalty for any crime or violation noted in this section;
   i. Has failed or neglected to advise the division of any conviction, plea of guilty, or finding relative to any crime or violation noted in this section, or of any debarment, within 30 days of such conviction, plea, finding, or debarment; or
   j. Has been placed on the debarred parties list described in RSA 21-I:11-c within the past year.

This document shall be signed by a person who is authorized to legally obligate the responding vendor. A signature on this document indicates that all State of New Hampshire terms and conditions are accepted by the responding vendor and that any and all other terms and conditions submitted by the responding vendor are null and void, even if such terms and conditions have terminology to the contrary. The responding vendor shall also be subject to State of New Hampshire terms and conditions as stated on the reverse of the purchase order.

Authorized Signor's Signature _____ **Authorized Signor's Title** Partner

State of NH
Rockingham County
Kelly A Rogers

KELLY A. ROGERS
STATE OF
MY
COMMISSION
EXPIRES
SEPT. 21, 2027
NEW HAMPSHIRE
NOTARY PUBLIC