

M – E – M – O – R – A – N – D – U – M

TO: Freelance Graphic Design Service Providers
(Who Wish to be Considered for Addition to the Qualified Provider List)

FROM: Petrina Marsh, SCEL Senior Procurement Specialist

DATE: Wednesday, July 1, 2015

RE: **SCEL's Fixed Price Bid for Freelance Graphic Design Service Providers**

In April 2014, the South Carolina Education Lottery advertised for Freelance Graphic Design Service Providers in a Fixed Price Bid through the South Carolina Business Opportunities website (SCBO). The maximum contract period is for three years with the total expenditures limited to fifty thousand (\$50,000.00) dollars. Two years and nine months remain in the contract period.

After the first year, providers who wish to be considered for addition to the Qualified Provider List (QPL) must complete the same process as those placed on the list in the original solicitation. (PAGE 16)

QUESTIONS MUST BE RECEIVED BY: Thursday, July 9, 2015, at 11 a.m. ET
SUBMIT OFFER BY (Opening Date/Time): Friday, July 17, 2015, at 3 p.m. ET.
(Not a public bid opening)
NUMBER OF COPIES TO BE SUBMITTED: One (1) original hard copy by mail or electronic copy via email to Procurement@sclot.com.
AWARD WILL BE POSTED: Friday, July 31, 2015

Fixed Price Bid for Freelance Graphic Design Service Providers

Quotation/Solicitation Number: **FPB GD FY14**

Email Address: Procurement@sclot.com

Bid Document Link:

<http://www.sceducationlottery.com/images/pdf/Procurement/FPBGDFY14.pdf>

Amendment 1 Link:

http://www.sceducationlottery.com/images/pdf/Procurement/FPBGDFY14_QuestionsandAnswers.pdf

PLEASE NOTE: Change Order in Compliance with the Iran Divestment Act:

As of January 28, 2015, in compliance with the Iran Divestment Act (Code of Laws of South Carolina, 1976, §§ 11-57-10 *et seq.*), the Budget and Control Board has requested that all procurements with a value above one thousand dollars (\$1,000.00) include three clauses. The following clauses appear in the solicitation document:

- 1) The first clause under instructions to offerors creates the bidder's certification he is not on the Iran Divestment Act List. See clause [02-2A077-1] on page 8, under Instructions to Offerors.
- 2) The second clause: a) creates a duty to advise the buyer if, after award but before a renewal a contractor is added to the list; and 2) prohibits subcontracting with persons on the list. Clause [07-7A072-1] appears on page 20, under Section VII TERMS AND CONDITIONS -- A. GENERAL.
- 3) The final clause, under Section VII. TERMS AND CONDITIONS -- B. SPECIAL appears on page 25. The clause modifies an existing clause used where the contract term includes renewal options.

Offerors will need to return copies of:

- 1) pages **1** and **2** completed and signed;
- 2) the information listed on pages **14**, **15** and **16**;
- 3) the **BIDDING SCHEDULE** on page **27**; and
- 4) sign the **attestation** on page **27** certifying that the Offeror and its employees are in compliance with the Ethics Act, the South Carolina Education Lottery Act, and the Iran Divestment Act.

NOTE: The **AWARD CRITERIA** is provided on page **17**. Text of the applicable Code Sections dealing with Lottery vendors; background investigation; disclosure; vendor noncompliance; criminal record; restrictions; contingency contracts; and Lottery vendor performance bond; residency; public official ownership interest; resident vendor preference is found on pages **22 – 25**. Text of the **Ethics Act** is found at the following link: <http://www.scstatehouse.gov/code/statmast.php>.

Lottery vendors; background investigation; disclosure; vendor noncompliance; criminal record; restrictions; contingency contracts.

Qualified Providers may be added every three (3) months, in January, April, July, and October, starting in the second year, i.e. April 2015.

Any Offerors who wished to be considered for addition to the Qualified Provider List must acknowledge they have read any amendment to this solicitation (1) by signing and returning the amendment, (2) by identifying the amendment number and date in the space provided for this purpose on Page Two of the solicitation document, (3) by letter, or (4) by submitting a bid that indicates in some way that the bidder received the amendment. In addition to completing and returning the information on pages 1 and 2, potential Offerors must also submit the information required in Sections IV. Information for Offerors to Submit and VIII. Bidding Schedule/Cost Proposal.

The initial contract period is for one (1) year, with the option of two (2) one-year (1) renewals. The maximum contract period is for three (3) years. The total combined expenditures are limited to fifty thousand (\$50,000.00) dollars. If the fifty thousand (\$50,000.00) dollar limit is reached prior to expiration of the three-year (3) term, the contract will terminate immediately.

Being placed on the QPL does not guarantee any level of usage of Provider's services. Failure of a Provider to receive business from SCEL shall not be grounds for a contract controversy under Section 11-35-4230 of the South Carolina Consolidated Procurement Code.

As the need arises, SCEL will contact one or more the Providers on the QPL and inform them of the specific services needed or desired and request a proposal at the predetermined hourly rate along with an estimated number of hours, a proposed timeline or schedule, and the total price. SCEL may also request a Not To Exceed Price for each request for services.