



U N I V E R S I T Y O F  
**SOUTH CAROLINA**

AMENDMENT NO. 4 TO SOLICITATION

TO: ALL VENDORS

FROM: Charles Johnson, Procurement Manager

SUBJECT: SOLICITATION NUMBER: USC-RFP-1885-CJ  
MASTER PLAN REVIEW FOR THE UNIVERSITY OF SOUTH CAROLINA, UNIVERSITY  
HOUSING FACILITIES

DATE: February 24, 2011

This Amendment **No.4** modifies the Best Value Bid only in the manner and to the extent as stated herein.

BIDDER SHALL ACKNOWLEDGE RECEIPT OF AMENDMENT **NO. 4** IN THE SPACE PROVIDED BELOW AND RETURN IT WITH THEIR BID RESPONSE. FAILURE TO DO SO MAY SUBJECT BID TO REJECTION.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Name of Offeror

\_\_\_\_\_  
Date

## **A VENDOR HAS ASKED THE FOLLOWING QUESTION:**

It appears an architect would be well suited to provide many of the services solicited by this proposal. As a follow up to the question raised in Amendment No. 2 ( I am copying here and my question is below):

QUESTION: Under Section VI. Award Criteria, the RFP indicates that the “Offeror’s Business Proposal” is one of the Evaluation Factors for which the offers will be evaluated: “Offers will be evaluated using only the factors stated below. Evaluation Factors are stated in the relative order of importance...Once evaluation is complete, all responsive offerors will be ranked from most advantageous to least advantageous.”

It is our understanding that submitting the requested information would be a violation of **South Carolina Code of Laws, Section 40-3-300**, as stated below:

“Architects shall not enter into a contract for professional services on any basis other than direct negotiation thereby precluding participation in any system requiring a comparison of compensation. Provided, however, an Architect may state compensation to a prospective client in direct negotiation where architectural services necessary to protect the public health, safety and welfare have been defined.”

Please provide documentation for USC’s reason for being able to require compensation, or a “Business Proposal,” as part of the selection / evaluation criteria so that we are not in violation of the State’s Department of Labor, Licensing and Regulations by meeting the requirements of your request.

ANSWER: Based upon the application requirements, the procurement of Master Plan Review for the USC University Housing Facilities is being solicited as Goods and Services rather than as Construction. This solicitation is not restricted to architects but instead is open to any interested vendors that meet the qualifications set forth in the solicitation to respond to.

**Question: If an Architect does submit, and in order to avoid violation of the SC Registration Law Section 40-3-300 noted above, submits a fee range based on prior work on similar projects would that firm be disqualified as non-responsive?**

**ANSWER: In its Business Proposal, Offeror must provide a thorough and detailed presentation of all costs to be incurred by the University during the project (contract) including reimbursables necessary to perform to the contract. Reimbursables must be shown as a separate line item. Travel cost shall be in accordance with the University of South Carolina travel policy.**

**If an offeror submits a proposal and in its business proposal, it provides a fee range for its proposed services based on its prior work on similar projects in lieu of a single fee for its proposed services, the University will consider the high end of the offeror’s fee range for its proposed services in the University’s evaluation of the offeror’s business proposal.**