



# UNIVERSITY OF SOUTH CAROLINA

AMENDMENT NO. 1 TO SOLICITATION

TO: ALL VENDORS

FROM: Charles Johnson, Procurement Manager

SUBJECT: SOLICITATION NUMBER: USC-RFP-2900-CJ

DESCRIPTION: Exclusive Agent for the Operation of The University of South Carolina's Domestic Trademark and Licensing Program

DATE: December 17, 2015

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This Amendment No.1 modifies the Requests for Proposals only in the manner and to the extent as stated herein.

Section VI. Financial Proposal 1. Minimum Required Commissions of the solicitation has been revised.

Vendor Questions and Answers

Attachment A. Financial Proposal in Section X. Attachments To Solicitation of the solicitation has been revised.

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BIDDER SHALL ACKNOWLEDGE RECEIPT OF AMENDMENT NO. 1 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

**Section VI. Financial Proposal 1. Minimum Required Commissions of the solicitation is Amended as follows:**

**1. Preferred minimum revenue sharing arrangement**

**The following is the preferred minimum commission sharing arrangement. Offeror may increase the percentages of annual revenue to be paid to the University in submitting its financial offer.**

**In the event that the University's football or men's basketball team is placed on NCAA probation, the University and the Agency (CONTRACTOR) agree to renegotiate in good faith the minimum commission structure.**

**Preferred minimum commission: 90% for the first \$2 M and 92.5% above \$2 M.**

**THE FOLLOWING QUESTIONS WERE RECEIVED FROM VENDOR A:**

QUESTION 1: In Attachment A, the University outlined the specific minimum required financial standards required of all bidders. Unfortunately, these minimum financial parameters preclude \_\_\_\_\_ from submitting a bid within these constraints. \_\_\_\_\_, accordingly, respectfully requests a waiver of this minimum requirement, so that we can submit a mutually beneficial financial proposal that will provide the best overall value, depth of services, and flexibility to the University. Please confirm that the University would be willing to accept alternative financial proposals beyond the minimum structure outlined in the RFP.

**ANSWER: These minimum financial commission rates have been changed to a preferred commission rate. Please refer to the revised Attachment A included in this amendment. This criterion will be evaluated based on an assumed gross revenue amount of \$4,000,000.**

QUESTION 2: Additionally, we are seeking clarification on two conflicting paragraphs regarding modifications to the Terms and Conditions/Offer. In the section entitled, "Submitting a Paper Offer or Modification", section 2 requests that the offer or modification be submitted with the proposal in a sealed envelope. However, the section called, "Contents of Offer" notes that offers including either modifications to any of the solicitation's contractual requirements or an offeror's standard terms and conditions may be deemed non-responsive and not considered for reward. Would you please clarify the appropriate time and format to submit modifications to the Terms and Conditions outlined within the RFP for consideration?

**ANSWER: “Submitting a Paper Offeror Modification” refers to the manner in which all responses are to be physically delivered to the appropriate address by the date and time specified in the Request for Proposals. “Contents of Offer” reminds offerors that modifications to the RFP’s contractual requirements or inclusion of an offeror’s standard terms and conditions in their response to the RFP is reason to deem their response non-responsive. Non responsive offers cannot be considered for award. In relation to the solicitation, questions or requests for modifications must be received by the deadline set forth in the solicitation document. Any questions or modifications related to any amendment should be submitted as soon as possible after the amendment is received.**

**ATTACHMENT A. FINANCIAL PROPOSAL IN SECTION X.  
ATTACHMENTS TO SOLICITATION HAS BEEN REVISED  
AND NOW READS AS FOLLOWS:**

**Attachment A  
FINANCIAL PROPOSAL**

The preferred minimum gross revenue sharing rates are listed below. Offers that differ (by increased or decreased proposed commission rates) will be scored accordingly.

Preferred minimum revenue sharing arrangement:

Gross Revenue	Commission paid to the University of South Carolina
Up to \$2,000,000	90%
Above \$2,000,000	92.5%

Offerors proposed revenue sharing arrangement:

Gross Revenue	Commission to be paid to the University of South Carolina
_____	_____ %
_____	_____ %
_____	_____ %

Printed Name \_\_\_\_\_

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

Date \_\_\_\_\_