

032011CFFB.GDS
Competitive Fixed Price Bid for Graphic Design Service Providers
Questions and Answers

Question 1

Q: We were considering entering a bid for this until we found the clause that said selected vendors must submit a check for \$5,000 for a SLED background check. With no guarantee of work, this seems highly unreasonable just to be placed on a qualified vendors list. Let me know if I have misunderstood this.

A: Near the bottom of page 21 is the following clause:

“LOTTERY VENDORS (SCEL): If selected, Providers must provide an attestation certifying that the Offeror and its employees, if any, are in compliance with and will not violate or induce a person to violate Title 8, Chapter 13 of the South Carolina Code of Laws, as amended (the Ethics Act) or Title 59, Chapter 150 of the South Carolina Code of Laws, as amended, (the South Carolina Education Lottery Act). The Offeror is responsible for reviewing and understanding the obligations, requirements, and prohibitions contained in these Acts.”

Offerors must include the following statement as an attestation with their submission: “I certify that I and my employees, if any, are in compliance with and will not violate or induce a person to violate Title 8, Chapter 13 of the South Carolina Code of Laws, as amended (the Ethics Act) or Title 59, Chapter 150 of the South Carolina Code of Laws, as amended, (the South Carolina Education Lottery Act).”

The submission of the attestation is deemed a substitute for the \$5000.00 deposit requirement for criminal background check(s) for the purposes of this procurement.

After the clause, the two codes sections in the Lottery Act relating to Lottery Vendors, §§ 59-150-130 and 59-150-140, are provided as information only.