



**State of South Carolina**  
**Request for Proposals**  
**Amendment Number One**

Solicitation: 04212020DRAWMACHRF  
 Date Issued: 04/30/2020  
 Procurement Officer: Petrina F. Marsh, CPPB  
 Phone: 803.737.2808  
 E-Mail Address: [Petrina.Marsh@sclot.com](mailto:Petrina.Marsh@sclot.com)  
 Mailing Address: SC Education Lottery  
 ATTN: Petrina F. Marsh  
 PO Box 11949  
 Columbia, SC 29211-1949

DESCRIPTION: **Lottery Draw Machines and Other Related Services**

USING GOVERNMENTAL UNIT: **South Carolina Education Lottery**

SUBMIT YOUR OFFER ON-LINE TO THE FOLLOWING ADDRESS: [Petrina.Marsh@sclot.com](mailto:Petrina.Marsh@sclot.com)

SUBMIT OFFER BY (Opening Date/Time): **05/15/2020 11AM ET** (See "Deadline For Submission Of Offer" provision)

QUESTIONS MUST BE RECEIVED BY: **04/28/2020 11AM ET** (See "Questions From Offerors" provision)

NUMBER OF COPIES TO BE SUBMITTED: SEE PAGE 3

AWARD & AMENDMENTS	Award will be posted on May 28, 2020. The award, this solicitation, any amendments, and any related notices will be posted at the following web address: <a href="https://www.sceducationlottery.com/Lottery/Procurement">https://www.sceducationlottery.com/Lottery/Procurement</a>
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You must submit a signed copy of this form with Your Offer. By submitting a bid or proposal, you agree to be bound by the terms of the Solicitation. You agree to hold Your Offer open for a minimum of ninety (90) calendar days after the Opening Date.

NAME OF OFFEROR (Full legal name of business submitting the offer)	OFFEROR'S TYPE OF ENTITY: (Check one)
AUTHORIZED SIGNATURE (Person signing must be authorized to submit binding offer to enter contract on behalf of Offeror named above.)	<input type="checkbox"/> Sole Proprietorship
TITLE (Business title of person signing above)	<input type="checkbox"/> Partnership
PRINTED NAME (Printed name of person signing above)	<input type="checkbox"/> Corporate entity (not tax-exempt)
DATE SIGNED	<input type="checkbox"/> Tax-exempt corporate entity
	<input type="checkbox"/> Government entity (federal/state/local)
	<input type="checkbox"/> Other _____
	(See "Signing Your Offer" provision.)

Instructions regarding Offeror's name: Any award issued will be issued to, and the contract will be formed with, the entity identified as the offeror above. An offer may be submitted by only one legal entity. The entity named as the offeror must be a single and distinct legal entity. Do not use the name of a branch office or a division of a larger entity if the branch or division is not a separate legal entity, *i.e.*, a separate corporation, partnership, sole proprietorship, etc.

STATE OF INCORPORATION  
(If offeror is a corporation, identify the state of Incorporation.)

TAXPAYER IDENTIFICATION NO.  
(See "Taxpayer Identification Number" provision)

**COVER PAGE**

**PAGE TWO**

(Return Page Two with Your Offer)

<p>HOME OFFICE ADDRESS (Address for offeror's home office / principal place of business)</p>	<p>NOTICE ADDRESS (Address to which all procurement and contract related notices should be sent.) (See "Notice" clause)</p> <p>_____</p> <p>Area Code - Number - Extension Facsimile</p> <p>_____</p> <p>E-mail Address</p>
<p>PAYMENT ADDRESS (Address to which payments will be sent.) (See "Payment" clause)</p> <p>_____ Payment Address same as Home Office Address</p> <p>_____ Payment Address same as Notice Address</p> <p align="center">(check only one)</p>	<p>ORDER ADDRESS (Address to which purchase orders will be sent) (See "Purchase Orders and "Contract Documents" clauses)</p>

ACKNOWLEDGMENT OF AMENDMENTS							
Offeror acknowledges receipt of amendments by indicating amendment number and its date of issue. (See "Amendments							
Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date	Amendment No.	Amendment Issue Date

~~PREFERENCES – A NOTICE TO VENDORS (SEP. 2009): On June 16, 2009, the South Carolina General Assembly rewrote the law governing preferences available to in-state vendors, vendors using in-state subcontractors, and vendors selling in-state or US end products. This law appears in Section 11-35-1524 of the South Carolina Code of Laws. A summary of the new preferences is available at [procurement.sc.gov/preferences](http://procurement.sc.gov/preferences). ALL THE PREFERENCES MUST BE CLAIMED AND ARE APPLIED BY LINE ITEM, REGARDLESS OF WHETHER AWARD IS MADE BY ITEM OR LOT. VENDORS ARE CAUTIONED TO CAREFULLY REVIEW THE STATUTE BEFORE CLAIMING ANY PREFERENCES. THE REQUIREMENTS TO QUALIFY HAVE CHANGED. IF YOU REQUEST A PREFERENCE, YOU ARE CERTIFYING THAT YOUR OFFER QUALIFIES FOR THE PREFERENCE YOU'VE CLAIMED. IMPROPERLY REQUESTING A PREFERENCE CAN HAVE SERIOUS CONSEQUENCES. {11 35 1524(E)(4)&(6)}~~

**END OF PAGE TWO**

**REQUEST FOR PROPOSALS  
SOLICITATION NUMBER 04212020DRAWMACHRFP  
RESPONSES TO QUESTIONS RECEIVED PRIOR TO THE DEADLINE  
FOR OFFERORS TO SUBMIT QUESTIONS BY APRIL 28, 2020**

1. General: Is it permissible to offer multiple machines versions?

**Response: An Offeror may propose multiple versions of draw machines, whereas each machine version must meet the requirements of this RFP.**

**PART III. SCOPE OF WORK/SPECIFICATIONS**

2. Section 3.3.1 - Mixing Chamber suggests very specific requirements of a 1" top and 3/4" sides. Will other machine models, that are currently in use with other lotteries, be considered if submitted?

**Response: No.**

3. Section 3.3.2 - Cabinet Base requires that the base be made from "marine plywood". This plywood is not a good material to fabricate cabinetry. It is designed for constant submersion in water. It is perfect for boats and piers. To give it superior rot resistance due to water exposure it often contains toxic chemicals. Will the South Carolina Lottery accept cabinets fabricated from "Cabinet grade" plywood?

**Response: No.**

4. Section 3.4 and 3.5 - Given that the completed draw machine units will be delivered in a leased vehicle, and that the vendor is responsible for delivery, installation and removal and disposal of packaging, can the vendor select the appropriate packaging, which may or may not include individual cartons/crates as noted in 3.4?

**Response: Yes. See Section 3.4 amended as follows.**

**3.4 PACKAGING**

**Each draw machine shall be packaged ~~separately in its own carton and~~ in a manner that prevents any contents from being damaged during the delivery and installation process, to include but not be limited to those incurred during the transportation, shipment, unpacking/uncrating, and/or installation of any new draw machine and other related machine/electrical components.**

5. General: Will the same studio be utilized for the new equipment? Are any visual changes being made to the show?

**Response: Yes. Any new equipment acquired as a result of this RFP will be utilized at SCEL's existing draw studio. The Lottery does not contemplate any physical or visual changes to be made to the draw studio at this time.**

6. Is there any delivery date flexibility due to the unknown Covid 19 impacts over the next few months?

**Response: Yes. If an Offeror, at the time of submitting their Proposal, has any knowledge and/or reasonable suspicion that they will not be able to comply with the delivery date requirements as provided in Section 3.1(8) of this RFP, then the Offeror must describe in their Proposal how COVID-19's impact has or will likely necessitate the required date of delivery to be rescheduled and provide SCEL with a date they anticipate will fulfill the delivery of draw machines.**

**In the event that after the Contractor has been awarded, and there is a delay in fulfilling the delivery date requirements set forth in this solicitation as a result of the pandemic, then a new delivery date shall be mutually agreed upon and established between SCEL and the Contractor.**

**NUMBERS 7-9 ARE REVISIONS TO THE ORIGINALLY POSTED SOLICITATION, NOT IN RESPONSE TO ANY SPECIFIC QUESTIONS SUBMITTED BY POTENTIAL OFFERORS.**

7. On Page Two of the solicitation, the clause entitled "PREFERENCES – A NOTICE TO VENDORS (SEP. 2009)" does not apply and is stricken in its entirety in accordance with Section 11-35-1524(E)(5)(b) of the SC Consolidated Procurement Code.

~~PREFERENCES – A NOTICE TO VENDORS (SEP. 2009): On June 16, 2009, the South Carolina General Assembly rewrote the law governing preferences available to in-state vendors, vendors using in-state subcontractors, and vendors selling in-state or US end products. This law appears in Section 11-35-1524 of the South Carolina Code of Laws. A summary of the new preferences is available at [procurement.sc.gov/preferences](http://procurement.sc.gov/preferences). ALL THE PREFERENCES MUST BE CLAIMED AND ARE APPLIED BY LINE ITEM, REGARDLESS OF WHETHER AWARD IS MADE BY ITEM OR LOT. VENDORS ARE CAUTIONED TO CAREFULLY REVIEW THE STATUTE BEFORE CLAIMING ANY PREFERENCES. THE REQUIREMENTS TO QUALIFY HAVE CHANGED. IF YOU REQUEST A PREFERENCE, YOU ARE CERTIFYING THAT YOUR OFFER QUALIFIES FOR THE PREFERENCE YOU'VE CLAIMED. IMPROPERLY REQUESTING A PREFERENCE CAN HAVE SERIOUS CONSEQUENCES. [11-35-1524(E)(4)&(6)]~~

8. In Part II.B., clause 2.26 on page 17, entitled "CLARIFICATION (NOV 2007)," is stricken in its entirety in accordance with the SC Consolidated Procurement Code as amended on May 17, 2020.

~~**2.26 — CLARIFICATION (NOV 2007)**~~

~~Pursuant to Section 11-35-1520(8), the Procurement Officer may elect to communicate with you after opening for the purpose of clarifying either your offer or the requirements of the solicitation. Such communications may be conducted only with offerors who have submitted an offer which obviously conforms in all material aspects to the solicitation. Clarification of an offer must be documented in writing and included with the offer. Clarifications may not be used to revise an offer or the solicitation. [Section 11-35-1520(8); R.19-445.2080] [02-2B055-1]~~

9. In Part II.B., clauses numbered 2.28, 2.29, and 2.30 on pages 17-18 are stricken in their entirety as preferences do not apply in accordance with Section 11-35-1524(E)(5)(b) of the SC Consolidated Procurement Code as follows.

**~~2.28 — PREFERENCES — A NOTICE TO VENDORS (SEP 2009)~~**

~~On June 16, 2009, the South Carolina General Assembly rewrote the law governing preferences available to in-state vendors, vendors using in-state subcontractors, and vendors selling in-state or US end products. This law appears in Section 11-35-1524 of the South Carolina Code of Laws. A summary of the new preferences is available at [www.procurement.sc.gov/preferences](http://www.procurement.sc.gov/preferences). ALL THE PREFERENCES MUST BE CLAIMED AND ARE APPLIED BY LINE ITEM, REGARDLESS OF WHETHER AWARD IS MADE BY ITEM OR LOT. VENDORS ARE CAUTIONED TO CAREFULLY REVIEW THE STATUTE BEFORE CLAIMING ANY PREFERENCES. THE REQUIREMENTS TO QUALIFY HAVE CHANGED. IF YOU REQUEST A PREFERENCE, YOU ARE CERTIFYING THAT YOUR OFFER QUALIFIES FOR THE PREFERENCE YOU'VE CLAIMED. IMPROPERLY REQUESTING A PREFERENCE CAN HAVE SERIOUS CONSEQUENCES. [11-35-1524(E)(4) &(6)] [02-2B111-1]~~

**~~2.29 — PREFERENCES — SC/US END PRODUCT (SEP 2009)~~**

~~Section 11-35-1524 provides a preference to vendors offering South Carolina end-products or US end-products, if those products are made, manufactured, or grown in SC or the US, respectively. An end-product is the tangible project identified for acquisition in this solicitation, including all component parts in final form and ready for the use intended. The terms "made," "manufactured," and "grown" are defined by Section 11-35-1524(A). By signing your offer and checking the appropriate space(s) provided and identified on the bid schedule, you certify that the end-product(s) is either made, manufactured or grown in South Carolina, or other states of the United States, as applicable. Preference will be applied as required by law. Post award substitutions are prohibited. See "Substitutions Prohibited — End Product Preferences (Sep 2009)" provision. [02-2B112-1]~~

**~~2.30 — PREFERENCES — RESIDENT CONTRACTOR PREFERENCE (SEP 2009)~~**

~~To qualify for the RCP, you must maintain an office in this state. An office is a nonmobile place for the regular transaction of business or performance of a particular service which has been operated as such by the bidder for at least one year before the bid opening and during that year the place has been staffed for at least fifty weeks by at least two employees for at least thirty five hours a week each. In addition, you must, at the time you submit your bid, directly employ, or have a documented commitment with, individuals domiciled in South Carolina that will perform services expressly required by the solicitation and your total direct labor cost for those individuals to provide those services must exceed fifty percent of your total bid price. [11-35-1524(C)(1)(iii)] Upon request by the procurement officer, you must identify the persons domiciled in South Carolina that will perform the services involved in the procurement upon which you rely in qualifying for the preference, the services those individuals are to perform, and documentation of the your labor cost for each person identified. If requested, your failure to provide this information promptly will be grounds to deny the preference (and, potentially, for other enforcement action). [02-2B113A-1]~~