

**RFP**  
**Studio Backdrop Design Services**  
**RFP No. 362-2021-0001**

Due to the COVID-19 pandemic and restrictive social distancing guidelines, a pre-proposal conference will not be held for this RFP for Studio Backdrop Design Services No, 362-2021-0001. The Texas Lottery is providing the following information to assist vendors in submitting a Proposal for these services. If there are any conflicts or contradictions between this document and the RFP, the RFP shall control.

- The Texas lottery is offering two (2) rounds of questions and answers. These are your opportunities to ask questions and we encourage you to do so regarding the requirements of the RFP. If you are unsure of language written in the RFP or need further clarification, this is your chance to receive the information you need. After proposals are received it is then the Texas Lottery's time to ask questions and/or seek clarification, if needed.
- Please note that any oral communication that would alter or amend the RFP as written, is not binding. Any and all changes or modifications to the RFP will be made in writing and posted on the ESBD and the Texas Lottery's website. These websites can be found in Section 1.4 of the RFP.
- You are encouraged to check these websites throughout this process and once more before submitting a proposal. Please note that there may be several RFP's posted on the TLC website at one time so be sure that you are viewing the correct RFP for updates.
- This RFP is open to any and all vendors who perform the services. To submit a Proposal, you do not have to be registered on the CMBL (Centralized Master's Bidders List), be HUB Certified, nor is there any approved vendor list.

- **Part 1, General Information.**

- Section 1.4 Schedule of Events. This section includes critical dates for this procurement. If there are any changes to these dates, up to the deadline for proposals, an Amendment will be posted on the ESB and Texas Lottery website.
- In Section 1.7, Because we are a State Agency, Proposals are subject to the Texas Public Information Act (aka Open Records Act). During the procurement process, we will not release any information contained in your proposal. However, after a contract is awarded, your entire proposal is subject to this Act and is considered public information.
- If there is any information in your proposal that is confidential and exempt from disclosure under the Texas Public Information Act, you must mark it as “Confidential”. Examples of confidential information may be financial information or information that you consider trade secret or proprietary.
- It is important that you mark every applicable page and/or section that you consider “Confidential” and, if possible, mark which exception of the Texas Public Information Act it falls under. The Public Information Act is located under Texas Government Code Ch. 552. On the Office of the Attorney General’s website is the Public Information Handbook which lists all the exceptions.
- If you have information that you consider confidential, respond to Section 1.7 and list the information, including a brief commentary or justification, in addition to marking individual sections/pages.

- **Part 2, Proposal Process**

- As stated in Section 2.1, Tammy Williams is the sole point of contact for this RFP. All questions should be directed to her, including any HUB questions.
- Section 2.4, Questions shall be submitted via e-mail by the deadline(s) in the Schedule of Events. Responses will be posted on the websites.
- Section 2.5 Proposals must be submitted in the format prescribed in this section.
  - If submitting hard copy 1 original, 1 cost proposal and 3 copies;
  - The original proposal should be **clearly marked as “Original”**.

- If submitting electronic 1 original and 1 cost proposal
- Be sure that your proposal contains responses to all Sections and Parts of the RFP, and
- Be sure your proposal numbering corresponds with that of the RFP. You may provide a blanket acknowledgement and acceptance for Parts 1, 2 and 3 unless a section requires a specific detailed answer.
- Parts 4 and 6 require a section by section response. That means for our 4.1, we're looking for a 4.1 in your response that corresponds to the RFP.
- There are provisions that do not invite a detailed response and it is acceptable to state that you agree and will comply.
- Section 2.5.4 The Proposer's Commitment (Attachment A), Historically Underutilized Business Participation (Attachment C-1) and the Background Information Certification (Attachment D-1) must be signed by an officer or agent of Proposer with the authority to contractually bind the Proposer and the original attachment must be included in the original Proposal.
- Section 2.5.7 If submitting a printed copy, you are required to submit an electronic copy, on a CD or USB drive, of the text portion of your proposal only, do not include **cost**.
- Section 2.5.8 Please note, copyrighted Proposals are unacceptable and may be rejected.
- Section 2.6 covers the format and contents for which your proposals must be organized which includes:
  - Letter of Transmittal
  - Executive Summary
  - Either a blanket acknowledgement of Part 1, 2, & 3 or a section by section response to 1, 2, & 3.
  - Section by Section Response for Parts 4 & 6
  - Sealed Cost Proposal – attach to original proposal only
  - Attachment A-Proposers Commitment
  - Attachment C-1- Historically Underutilized Business Participation
  - Attachment D-1-Background Information Certification
- Section 2.7- Letter of Transmittal, must state that the Proposal is valid for 180 days, an overview of why your company is most qualified and include a statement accepting the Terms and Conditions in Part 3 and/or any exceptions to such.

- Section 2.8 Executive Summary –should be a full and concise summary and not exceed 5 pages.
- Section 2.10 Cost Proposal – must be in the format included in Attachment H, in a separately sealed envelope as an attachment to the original Proposal. We only need the signed original. Disclosure of costs in the body of the written Proposal is cause for disqualification.
- The sealed envelope should only contain the Cost Proposal. Do not include any marketing materials or other information in your sealed Cost Proposal. The sealed Cost Proposal is not opened until after the Proposal is scored on its technical merit. Therefore, any additional materials that are included in the sealed envelope will not be evaluated.
- Section 2.11 Proposers may submit only 1 Proposal and 1 Cost Proposal, multiple proposals may result in disqualification.
- Section 2.12 Any RFP changes, modifications or cancellation will be posted on the websites.
- Section 2.15 Proposal Evaluation – Scoring Matrix is Attachment F and will be used for evaluation of Proposals in response to this RFP. Please note there is 1 pass/fail category (Financial Soundness).

Your Proposal essentially goes through 4 phases once it's submitted:

1. Initial assessment for compliance and completeness
2. It is reviewed for Financial Soundness (Attachment B)
3. It is reviewed and evaluated for its technical merit; and
4. The Cost Proposal is opened and reviewed.

If at any given time your Proposal is disqualified, you will receive a notice stating such.

### ○ **Part 3, Contractual Terms and Conditions**

- This Part describes the terms and conditions which apply to the procurement process and which will become part of the Contract executed pursuant to this RFP. Please read over this entire RFP document to ensure that you fully understand and will comply with all provisions.
- Any exceptions to the RFP should be clearly stated in the Letter of Transmittal providing specific and detailed reasons for each exception, together with suggested alternative language.
- The Contract resulting from the RFP will incorporate the RFP, any amendments, the Questions and Responses, the Contractor's Proposal, and Cost Proposal.

○ **Part 4, Required Information**

- Sections 4.1 - 4.3 Although these sections seem brief in the RFP, these sections require Proposers to gather, compile and submit a great deal of detailed documentation. Please read these sections thoroughly and provide all the information in your section- by -section response. **So, for 4.1 in the RFP we want to see 4.1 in your proposal.**
- Section 4.5 Conflict of Interest – In this section you are asked to disclose any actual, potential and/or perceived conflicts of interest. Please review this section and make any disclosures
- Section 4.6 Financial Soundness – This is a pass/fail category on the scoring matrix, it is critical that you provide Attachment B.
- Section 4.7 Background Investigations- TLC reserves the right to conduct an **in-depth background investigation on the Apparent Successful Proposer.**
  - Section 4.7.2 A background investigation may be conducted on “Contractually Defined Vendor Principals” – those who will be directly involved in selling or leasing the goods or performing the services subject to this RFP or resulting contract. This includes:
    - Partners, shareholders, officers, directors who are directly involved
  - Section 4.7.3 Background investigations may be conducted on vendor employees who meet one or more of the criteria under this section. This contract requires a background investigation of employees on site at Texas Lottery Commission.

Background investigations will include **finger printing**.

- The Apparent Successful Proposer **may** be required to complete all forms included in Attachment E (E-1, 2, 3 & 4) of the RFP by the prescribed time after the written announcement of the apparent successful proposer by the Texas Lottery.

If you feel that the information you are providing in Attachment E is confidential, please mark it as such.

- As mentioned before, we ask that **all** Proposers complete and submit Attachment D-1 with its Proposal. This is a certification that your company would not be denied a sales agent license under TGC §466.155, which is Attachment D in the RFP.

- **Part 5 - HSP**

- Proposers shall complete Attachment C-1 and submit with the Proposal

- **Part 6- Scope of Services or Technical**

- Part 6 requires a section by section response. This is your opportunity to tell us how you will perform the services described in each section. It's not enough to say you can do something, tell us **how** you will do it, provide examples of techniques that you've used for success. Proposers need to demonstrate their abilities to do the work requested.