

# University of Arkansas at Fort Smith

5210 Grand Avenue  
Fort Smith, AR 72904



UNIVERSITY of ARKANSAS  
FORT SMITH.

## REQUEST FOR PROPOSAL

SOLICITATION INFORMATION			
Bid Number:	AX-24-001	Solicitation Issued:	July 18, 2023
Description:	EXCLUSIVE ATHLETIC APPAREL AND SPONSORSHIP AGREEMENT		
PROPOSALS MUST BE RECEIVED NO LATER THAN:			
August 11, 2023, 2:00 pm CST			
<p>Proposals <b>shall not</b> be accepted after the designated bid opening date and time. In accordance with Arkansas Procurement Law and Rules, it is the responsibility of vendors to submit proposals at the designated location on or before the bid opening date and time. Proposals received after the designated bid opening date and time <b>shall</b> be considered late and <b>shall</b> be returned to the Vendor without further review. It is not necessary to return "no bids".</p> <p>Received proposals will remain unopened until the date and time of bid opening.</p>			
DELIVERY OF RESPONSE DOCUMENTS			
Delivery Address:	One (1) hard copy and one (1) redacted copy should be mailed directly to UAFS, Attn: Rhonda Caton, 5210 Grand Avenue, Fort Smith, AR 72904. If using USPS, the mailing address is PO Box 3649, Fort Smith, AR 72913.		
	Shipping label or outer packaging should reference: <b>AX-24-001 Exclusive Athletic Apparel and Sponsorship Agreement</b>		
UAFS PROCUREMENT SERVICES CONTACT INFORMATION			
Issuing Officer:	Rhonda Caton	Issuing Officer's Contact Info:	Tel. 479-788-7073 Email <a href="mailto:rhonda.caton@uafs.edu">rhonda.caton@uafs.edu</a>

# INTRODUCTION

## SECTION 1

### INTRODUCTION

The Board of Trustees of the University of Arkansas, acting for and on behalf of the University of Arkansas at Fort Smith (“the University” or “UAFS”), is seeking competitive proposals for an Exclusive Athletic Apparel and Sponsorship Agreement

### OVERVIEW OF THE UNIVERSITY OF ARKANSAS AT FORT SMITH

The University of Arkansas at Fort Smith was established in 1928 as a junior college extension of the public-school system. Most of its history is that of a two-year institution that has operated under several names including Fort Smith Junior College, Westark Junior College, Westark Community College, and Westark College.

On December 15, 2000, the respective governing boards of Westark College and the University of Arkansas System entered into an agreement to merge Westark with the System as a four-year, baccalaureate institution. UAFS became a four-year university and joined the UA System on January 1, 2002.

UAFS offers a dynamic learning environment for over 5,000 students each semester. Small class sizes and applied learning opportunities support the student-centered education that has defined the University since its founding. UAFS offers 60 bachelor and associate degrees, 35 certificates, and a master’s program with state-of-the-art campus facilities utilized by every program to ensure the most up-to-date, hands-on training.

Students can also participate in more than 100 student organizations, such as Greek Life, intramural sports, academic societies, and cultural groups. For students who want to live in the thick of campus life, UAFS offers a residence hall with a full-service dining facility and an apartment complex for upper-level students.

UAFS is one of 18 academic institutions and affiliates governed by the University of Arkansas System Board of Trustees and administered by the president of the System. System offices are located in Little Rock. As a public university, UAFS is overseen by the Arkansas Division of Higher Education.

### UAFS ENROLLMENT

The University enrollment figures for the last five years are indicated below.

Fall 2018 - 6,557  
Fall 2019 - 6,264  
Fall 2020 - 5,887  
Fall 2021 - 5,444  
Fall 2022 - 5,359

Please visit <https://uafs.edu/> to learn more about the University.

## UAFS ATHLETICS

The Lions and Lady Lions compete in NCAA Division II baseball, women's volleyball, and men's and women's basketball, tennis, cross country, and golf.

UAFS is affiliated with the Lone Star Conference through 6/30/2024. The University of Arkansas at Fort Smith is set to join the Mid-America Intercollegiate Athletics Association (MIAA), making it the first Arkansas university to be a full-time member of the Kansas City-based association. Harding University, Ouachita Baptist University, and Southern Arkansas University are current associate members of the MIAA for the sport of men's tennis.

Full membership in MIAA will happen in the 2024-2025 academic year.

The University currently sponsors ten sports:

<u>Men's</u>	<u>Women's</u>
Basketball	Basketball
Baseball	Cross Country
Cross Country	Golf
Golf	Tennis
Tennis	Volleyball

UAFS became a Division II athletic institution in 2010 and has been a member of the Lone Star Conference (LSC) since July 2019. Since becoming an NCAA member, the Lions have won 13 conference championships and have had 18 NCAA postseason appearances.

The mascot is Numa the Lion, and the school colors are navy and white.

For more information on UAFS Athletics, visit <https://uafortsmithlions.com/>.

## **OVERVIEW AND REQUIREMENTS**

### **SECTION 2**

It is the intent of UAFS to enter into a multi-year agreement with a qualified and experienced athletic apparel, shoes, footwear, uniform, and equipment dealer to procure a full range of sports uniforms and related apparel from one distributor for all teams and athletic staff in the UAFS Athletic Department on an as-needed basis. It is the University's intent to make an award to a single distributor of team sports apparel. The Nike brand is the preferred brand of all UAFS sports. It is also the University's goal to provide a recurring source of self-generated revenue to support our growing Athletic Department.

Vendors are required to furnish UAFS, upon request and without charge, catalogs and price lists related to the products that will be available to UAFS under any resulting award. Selected Vendor must be able to provide stock items, which are considered products available for ordering at any time, through the life of the contract.

#### **GOALS**

In establishing an Exclusive Athletics Apparel and Sponsorship Agreement, UAFS desires to:

1. Have a direct relationship with the supplier without third-party vendor involvement in order to maximize operational cost savings.
2. Have an assigned company representative servicing the needs of the UAFS intercollegiate athletic programs in a timely and professional manner, and to act as a conduit in marketing the UAFS community as a whole.
3. Develop a consistency in apparel worn by all teams to appeal to prospective student athletes.
4. Promote and protect the brand and image of UAFS.
5. Minimize cost of supplies and materials purchased through an Athletic Apparel Agreement.
6. Obtain best quality product for durability, performance, and appearance.

#### **MINIMUM SERVICE QUALIFICATIONS**

The following minimum service qualifications must be able to be met:

1. Vendor shall be able to deliver stock, modified, and custom uniforms.
2. Vendor shall be able to deliver men's and women's cuts in uniforms, apparel, and all footwear.
3. Vendor shall be able to deliver both tall/long and plus sizes in both uniforms and apparel.
4. Vendor shall be able to deliver footwear in standard as well as wide/large sizes.
5. UAFS will ask for onsite services such as sizing/measuring. Verify that your company can supply such services.
6. Manufacturer must coordinate delivery dates with UAFS in a timely manner (stock items delivered within 4 weeks, modified items delivered within 6 weeks, and custom items delivered within 8 weeks).
7. Provide Vendor's limitations in relation to minimum orders, return and exchange policies, and any other policies pertinent to outfitting an intercollegiate athletics program.
8. UAFS will make purchases in the resulting contract against University purchase orders.
9. Along with offered discount pricing, UAFS will be interested in considering any additional financial incentives if offered by the Vendor. Some examples include, but are not limited to:
  - a) Signing bonus
  - b) Contract kick-off bonus, i.e. special pricing or offers for initial year of contract)
  - c) Incentives based on annual business thresholds
  - d) Bonuses based on Coach of the Year, Conference Tournaments, NCAA D2 Tournament appearances, etc.

10. Provide UAFS with any other additional information you deem important for evaluation purposes such as value-added or unique services.

## **PRICING LEVELS AND DISCOUNTS**

All discounts and pricing structures shall remain firm through the term of the contract and include standard delivery.

Contract prices may be subject to increase or decrease during the contract period in accordance with changes made by the manufacturer in their established nationally distributed price list or published catalog. Catalog or price lists may indicate increases or decreases in pricing, but the percentage discount originally accepted for award shall not be decreased during the contract period unless specific documentation from the manufacturer is provided showing that it cannot support the discount on the product without undue hardship. Reduction in discount from that originally accepted may result in deletion of item from award. Decision will be made on a case-by-case basis. Price decreases or discount increases are permitted and encouraged at any time.

## **PRODUCTS**

Items sought for athletic gear include, but are not limited to:

- Official game clothing
- Practice gear – shorts, t-shirts
- Competition shoes – cleats, turf, training, basketball, volleyball, track, slides
- Training shoes
- Team travel / warm-up suits
- Coaching gear – shorts, pants, polo shirts
- Coaching shoes
- Travel bags
- Socks, wristbands, sports bras
- Knee pads, protective gear & accessories, etc.
- Equipment, e.g. volleyballs, basketballs, baseballs, gloves, bats
- Services: screen printing, embroidery, etc.

UAFS recognizes that not all vendors may carry all of the items requested. We seek the best offer from each vendor, addressing as many of our outfitting needs as possible while helping UAFS athletics reach its most competitive level.

All equipment/apparel, accessories provided under this RFP must be new. Items which are used, demonstrators, obsolete, seconds, or which have been discontinued are unacceptable.

## **NIKE BRAND**

It is the University's intent to make an award to a single distributor of team sports apparel. The Nike brand is the preferred brand of all UAFS sports.

## **LICENSING & LOGOS**

UAFS partners with Collegiate Licensing Company (CLC) to help in the administration, protection, and marketing of its program. If Vendor is not currently licensed, visit <https://uafs.edu/giving/advancement/marketing-communications/licensing.php> to complete the licensing process.

There are official Athletics logos, UAFS primary colors, and university fonts. Official logos are legally protected trademarks and should only be reproduced from authorized original files provided by Marketing and Communications personnel.

**EMBROIDERY / SCREENPRINT**

All vendors must provide a proof of screen printing or embroidery to the UAFS representative prior to printing. Vendors must use the University athletic font, colors, and logos for all printed goods. The trademarked logos cannot be altered, reproduced, or used outside of UAFS. Apparel samples must be provided upon request.

**ATHLETICS DEPARTMENT / ROSTER SIZE**

SPORTS TEAM	NUMBER OF ATHLETES
Baseball	50
Men’s Basketball	17
Women’s Basketball	15
Men’s Cross Country	12
Women’s Cross Country	11
Men’s Golf	11
Women’s Golf	9
Men’s Tennis	7
Women’s Tennis	7
Women’s Volleyball	17
Cheer (32) & Pom (6)	38
Athletic Department Personnel/Coaching Staff (includes part-time assistant coaches)	22

**DELIVERY & SHIPMENT**

Delivery shall be FOB. Destination. All charges for transportation shall be paid by the successful Vendor. Successful Vendor must state expected delivery time with each quote and order. All deliveries will be made to the following address, unless specified otherwise:

UAFS  
 Attn: Team or Coach’s Name  
 5210 Grand Ave, Plant Op Rm 139  
 Fort Smith, AR 72904

Vendor agrees to provide return shipping labels to UAFS at no cost for items which need to be returned due to errors on behalf of Vendor.

Vendor agrees that failure to make timely delivery, inability to supply product as specified will be cause for UAFS to purchase required products from non-contract sources.

**WARRANTIES**

Vendors must include any warranty information with bid submissions. Successful Vendor will replace or repair any

defective product during the guarantee period, excluding any item which has been subjected to accident, alterations, abuse, misuse, or neglect by the University and its agents, or that is caused by normal wear and tear.

#### **CONTRACT TERM**

The term of the contract is expected to commence as soon as possible, and upon mutual agreement, may continue for up to a maximum seven-year period, unless terminated or amended pursuant to the terms of this RFP.

#### **INVOICES**

All invoices should be sent electronically to [accountspayable@uafs.edu](mailto:accountspayable@uafs.edu). The purchase order number must be referenced on the invoice, or the invoice will be returned to the Vendor.

If successful Vendor fulfills any order without an official University purchase order, Vendor runs the risk of not receiving payment in a timely manner.

Payment terms are Net 30 days.

#### **BEST RESPONSE REQUIRED**

Each vendor must present its best comprehensive proposal covering the areas outlined in this RFP.

Vendors are encouraged to be creative in proposing new and creative marketing strategies and sponsorship opportunities in order to maximize the proposed relationship. Proposals should describe the Vendor's suggested programs, assumptions, and expectations to achieve all party's financial and operational objectives.

Proposals must demonstrate an understanding of the scope of work and the ability to accomplish the tasks set forth and must include information that will enable the University to determine the Vendor's overall qualifications.

All vendors must review the RFP requirements carefully and develop a proposal that at a minimum meets the expectations outlined herein.

# PROPOSAL REQUIREMENTS

## SECTION 3

### PROPOSAL FORMAT

Vendor's proposal should include the following information in the order specified. If the Vendor fails to provide any of the following information, the University may, at its sole option, ask the Vendor to provide the necessary information, evaluate the proposal without the missing information, or consider the proposal to be nonresponsive.

1. **Introductory Cover Letter.** Include contact names and email addresses who will be the points of contact during this RFP process.
2. **Acknowledgement of any Addenda** issued that modifies, supplements, or interprets any portion of this RFP.
  - This RFP shall be modified only by an addendum written and authorized by the University. No verbal or written information.
  - The University reserves the right to issue an addendum no less than three (3) calendar days prior to the bid opening to extend the bid opening and may or may not include changes to the RFP.
  - All addenda so issued shall become part of the specification and bid documents.
3. **Exceptions.** List any specifications, requirements, terms, conditions, and provisions in the RFP that the Contractor will not conform to.
4. **Each proposer is asked to provide:**
  - Plan for implementation and installation as the exclusive athletic supplier for UAFS.
  - Provision for customer service, including assigned personnel, account inquiry, etc.
- a. **Customer service plan:** The UAFS Athletic Department seeks a driven customer service vendor and sales representative.
  - Provide a description of the customer service plan and delivery schedule proposed.
  - Provide a description of communication plan (number of visits to campus, response time to return calls or emails, etc.)
  - Provide information (names and locations) on those individuals assigned to work with the University including a description of the experience in providing support for this type of program.
- b. **Pricing levels and discounts:**
  - Vendor must propose any discounts to UAFS off the Manufacturer's Suggested Retail Price (MSRP). Include tiered or volume discounts.
  - If Vendor provides a discounted pricing structure, the proposal must indicate if there are any minimum purchase obligations or requirements.
  - Vendors are also to indicate if various pricing applies to standard sizes vs. extended sizes.
- c. **Sponsorships:** Vendors are encouraged to submit proposals which incorporate sponsorship and advertising as components of their offer. Sponsorship support, including discounts, free products and other considerations. In exchange for sponsorship support, Vendor may receive official sponsor designation in public address announcements, link to Vendor's Internet site from Athletic Department page, Vendor's logo in print materials, and tickets to athletic events. Proposer should specify any athletic product that Vendor will provide to the Athletic Department at no charge.



**d. Other:**

- List three references with your proposal. These references should be colleges and universities of similar size the bidder has worked with at the NCAA level.
- Provide the University with any other value-added information that would enhance the overall value of your proposal.

**FINAL AGREEMENT DOCUMENT-Bidder shall include with his proposal response any documents for which they expect the University to become a party to with respects to this service. The University shall review the same and make the necessary modifications, prior to mutual signatures.**

## GENERAL INSTRUCTIONS

### SECTION 4

**Issuing Officer.** The Issuing Officer is the sole point of contact in the selection process. Vendor questions regarding bid related matters should be made through the Issuing Officer. For questions on submission procedures, see **Clarification of RFP and Questions.**

**Bid Opening.** Submissions will remain unopened until the time and date of the bid deadline.

Note: No award will be made at the bid opening. Only names of respondents and a preliminary determination of proposal responsiveness will be made at the bid opening.

#### **Clarification of RFP and Questions**

- Any questions requesting clarification of information contained in this RFP **must** be submitted in writing via email to [rhonda.caton@uafs.edu](mailto:rhonda.caton@uafs.edu) by 4:00 p.m. Central Time on or before July 27, 2023.
- Vendor should reference “AX-24-001 Exclusive Athletic Apparel & Sponsorship Agreement” in the subject line of the email.
- Vendors’ written questions will be consolidated and responded to by the University and issued as an Addendum. The University’s consolidated written response is anticipated to be posted to the [Procurement Services](#) website by the close of business on August 2, 2023.
- Vendors may contact the Issuing Officer with non-substantive questions at any time prior to the bid opening.
- No oral statement by the University is part of any contract resulting from this solicitation and may not reasonably be relied on by any vendor as an aid to interpretation unless it is reduced to writing and expressly adopted by the University.

**Required Copies and Redacted Copy.** Vendor must submit:

1. One (1) hard copy of the proposal.
2. One (1) redacted (marked “REDACTED”) copy of the proposal, preferably on a flash drive.

**Proprietary Information.** UAFS will rely on a Freedom of Information Act (FOIA) exemption to withhold all information contained in any submitted bid document to the University until the notice of intent to award has been completed.

UAFS will also rely on an FOIA exemption to withhold the certified bid tabulation until after the notice of intent to award has been completed. After that time and pursuant to Arkansas statute, bid information will be available for public review upon FOIA request.

All proposers are hereby advised that any information that they may consider to be confidential or proprietary and would give a competitive advantage if disclosed, should be identified, along with a statement as to whether or not a claim of confidential or proprietary privilege is being asserted. If such information is later sought by a FOIA request, the Bidder will be allowed to justify its claim of privilege and UAFS will assess the validity of said claim in advance of any release.

#### **Acceptance of Requirements**

A prospective vendor must unconditionally accept all requirements of the RFP to be considered a responsive bidder.

A prospective vendor's bid may be rejected if vendor takes exception to any requirements of this RFP.

**Minority Business Policy**

Minority is defined by Arkansas Code Annotated § 15-4-303 as a lawful permanent resident of this State who is:

- African American
- American Indian
- Asian American
- Hispanic American
- Pacific Islander American
- Service-Disabled Veterans as designated by the United States Department of Veteran Affairs
- Women-Owned Businesses

**Equal Opportunity Policy**

In compliance with Arkansas Code Annotated § 19-11-104, the University is required to have a copy of the Vendor's Equal Opportunity (EO) Policy prior to issuing a contract award.

**Prohibition of Employment of Illegal Immigrants**

Pursuant to Arkansas Code Annotated § 19-11-105, prior to the award of a contract, selected Vendor **must** certify on the Office of State Procurement's website (in the link provided) stating that they do not employ or contract with illegal immigrants.

**Restriction of Boycott of Israel**

Pursuant to Arkansas Code Annotated § 25-1-503, a public entity shall not enter into a contract with a company unless the contract includes a written certification that the person or company is not currently engaged in and agrees for the duration of the contract not to engage in, a boycott of Israel.

See <https://uafs.edu/about/offices-and-services/finance-and-administration/procurement/terms.php> for a full listing of UAFS Procurement Terms and Conditions.

**SELECTION CRITERIA  
SECTION 5**

Proposals will be evaluated on criteria deemed to be in the University’s best interests, including, but not limited to:

<u>Criteria</u>	<u>Weight</u>
Customer service plan	40%
Pricing levels and discounts	30%
Sponsorships	20%
Other	<u>10%</u>
Total	100%

**AWARD: This contract will be awarded to the company receiving the highest overall score based on the selection criteria, and who is responsive and responsible to all other terms and conditions of this proposal.**

**ANTICIPATED SCHEDULE OF EVENTS  
SECTION 6**

<b>ID</b>	<b>Event Description</b>	<b>Date</b>
1	Release of RFP	July 18, 2023
2	Questions from bidders due	July 27, 2023; 4pm CST
3	Answers to questions posted*	August 2, 2023
4	RFP response deadline	August 11, 2023; 4pm CST
5	Notice of intent to award*	ASAP
6	Award commences	ASAP

\*Anticipated Dates.

## BID SIGNATURE / ACKNOWLEDGEMENT PAGE AX-24-001

### **THIS PAGE MUST BE COMPLETED AND SUBMITTED WITH YOUR PROPOSAL**

I, the undersigned duly authorized representative of the proposer, understand that the proposal must be signed by the proposer or an authorized representative of the proposer. Further, I acknowledge that I have read and understand all the proposal instructions, specifications, terms and conditions, and agree, on behalf of myself and the proposer to be bound by them.

**Receipts of the following Addenda are hereby acknowledged: (List all / any Addenda)**

ADDENDUM NO. \_\_\_\_\_

ADDENDUM NO. \_\_\_\_\_

ADDENDUM NO. \_\_\_\_\_

#### CONFIRMATION OF REDACTED COPY

- YES, a redacted copy of submission documents is provided.
- NO, a redacted copy of submissions is not provided. I understand a fully copy of non-redacted submission documents will be released if requested.

*Note: If a redacted copy of the submission documents is not provided with Prospective Vendor's response packet, and neither box is checked, a copy of the non-redacted documents, with the exception of financial data (other than pricing), will be released in response to any request made under the Arkansas Freedom of Information Act (FOIA).*

#### ILLEGAL IMMIGRANT CONFIRMATION

By signing and submitting a response to this *Bid Solicitation*, a Prospective Vendor agrees and certifies that they do not employ or contract with illegal immigrants. If selected, the Prospective Vendor certifies that they will not employ or contract with illegal immigrants during the aggregate term of a contract.

#### ISRAEL BOYCOTT RESTRICTION CERTIFICATION

By checking the box below, a Prospective Vendor agrees and certifies that they do not boycott Israel, and if selected, will not boycott Israel during the aggregate term of the contract.

- Prospective Vendor does not and will not boycott Israel.

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

\_\_\_\_\_  
Printed/Typed Name Date: \_\_\_\_\_

## ATTENTION BIDDERS – EO POLICY

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Act 2157 of 2005 of the Arkansas Regular Legislative Session requires that any business or person bidding, responding to a request for proposal, request for qualifications, or negotiating a contract with the State for professional or consultant services, submit their most current equal opportunity policy (EO Policy).

Although bidders are encouraged to have a viable equal opportunity policy, a written response stating the bidder does not have such an EO Policy will be considered the bidder's response and will be acceptable in complying with the requirement of Act 2157.

Submitting the EO Policy is a one-time requirement. The University of Arkansas at Fort Smith Procurement Department will maintain a database of policies or written responses from bidder.

**NOTE: This is a mandatory requirement when submitting an offer as described above.**

Please complete and return the attached form with your bid.

Should you have any questions regarding this requirement, please contact this office by calling (479)788-7073.

**REQUIRED EQUAL OPPORTUNITY POLICY INFORMATION (to be completed by businesses or person submitting response)**

**Check appropriate box:**

**EO Policy attached**

**EO Policy previously submitted to UAFS Procurement Department**

**Company or Individual Name:**

\_\_\_\_\_

**Title:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature** \_\_\_\_\_