



**The National Collegiate Athletic Association  
Request for Proposal  
Name Image and Likeness- Third-Party Administrator**

**Introduction.**

The National Collegiate Athletic Association is requesting proposals from potential third-party vendors to assist with the administration of activities related to the use of a student-athlete's name, image or likeness. This Request for Proposal is intended to describe the services to be performed, the characteristics and experiences of the preferred third-party and contains an overview of the terms under which services are to be provided. Although the national office is facilitating this request, no decisions have been made about whether third party administration would occur at the campus, conference, divisional, or Association levels.

Respondents to this RFP should detail their capabilities and should discuss general methods for fees and expenses including information on possible discounts based on the scope of work. Based on submissions, the NCAA may invite one or more bidders to present further via videoconference.

**Background.**

The NCAA is an unincorporated, not-for-profit 501(c)(3) educational organization. The NCAA national office is located in Indianapolis in White River State Park and consists of office space, a conference center and the NCAA Hall of Champions. There is also a Washington, D.C., office to assist with legislative and government affairs. The NCAA employs approximately 550 people.

The NCAA is a membership-driven organization dedicated to safeguarding the well-being of student-athletes and equipping them with the skills to succeed on the playing field, in the classroom and throughout life. The enduring values of the NCAA include student-athlete success, the highest levels of integrity and sportsmanship, the pursuit of excellence in both academics and athletics, and the supporting role that college sports play in the higher education mission and in enhancing the sense of community and strengthening the identity of member colleges and universities.

**Scope of Work.**

The NCAA Board of Governors Federal and State Legislation Working Group determined that regulation of a student-athlete's name, image and likeness use should be transparent, narrowly tailored and enforceable, and should facilitate the principle of fair competition among schools, including the integrity of the recruiting process. Further, the working group encouraged the three divisions to consider whether regulation in connection with newly permitted NIL activities should use the assistance of a third-party entity. Although the membership has yet to consider and act on final legislative concepts, proposals from potential third-party administrators are being considered at this time to provide ample time for development and implementation. Concepts appearing in this request for proposals ultimately may or may not be adopted, decisions may be delayed or this request for proposals may be cancelled in its entirety by the membership and the final scope of work, if still relevant, will be adjusted accordingly.

The scope of work for this function includes elements related to (1) disclosure and transparency; (2) monitoring and evaluation; and (3) education. While these elements are addressed separately in this RFP, they may be bid on separately, in combination or in total. Bid submissions should articulate a clear business model that includes use of a technology-based platform that is user-friendly and includes a mobile application.

## **1. NIL Platform.**

### Disclosure and Transparency.

The selected third-party or parties will provide a web based solution, including a mobile application that:

- a. Includes a platform for reporting NIL-related activities, including:
  - (1) All relationships in which student-athletes authorize the use of their NIL.
  - (2) Names of any professional service providers used for NIL initiatives.
  - (3) All businesses either owned or operated by student-athletes for which a student-athlete's NIL is used for promotional purposes.
  - (4) Additional disclosure requirements related to NIL transactions may be included in the future.
- b. Includes robust reporting features that provide high-level as well as detailed information in both dashboard and comprehensive formats.
- c. Includes a template or standard form to collect consistent information and reduce bureaucracy.
- d. Includes the opportunity for users to update information on a predetermined basis and for predetermined reasons as indicated by the NCAA.
- e. Allows for integration with current NCAA systems, including the NCAA's agent-certification system and initial eligibility platform.
- f. Identifies activities that may not align with the values of the NCAA, conferences or institutions.
- g. Includes an electronic function to allow student-athletes and others to execute attestations indicating that:

- (1) All relationships have been disclosed and all information provided is complete, true and correct.
  - (2) That no institutional staff member has been involved in the development, operation or promotion of a student-athlete's business activity.
  - (3) That no institutional staff member or booster made any promise of benefits related to a student-athlete's NIL-activity as a recruiting inducement.
  - (4) That all relationships comply with NCAA rules and applicable federal, state and local laws.
  - (5) That failure to disclose or fraudulent disclosure may impact student-athlete eligibility and/or result in negative consequences for others (e.g., boosters, professional services providers).
- h. Includes a service portal for users to ask questions and receive answers related to use of the platform. NCAA staff will provide guidance as appropriate and reserves oversight of efforts related to rules education.

#### Monitoring and Evaluation.

Monitoring and evaluation of NIL-related activities based on self-disclosed information will help promote appropriate behavior and deter behavior that is inconsistent with NCAA legislation and values. In addition, third-party administration may result in a reduced burden on institutional compliance staffs. After securing NCAA approval of the proposed processes consistent with NCAA provided guidance, third-party administrator responsibilities may include:

- a. Identification of potentially impermissible involvement of institutions and/or their boosters.
- b. Evaluate disclosed transactions and provide appropriate sunshine to mitigate schemes intended to induce an individual to attend a particular institution.
- c. Ensuring integrity by assuring that NIL compensation are genuine payments for use of NIL – independent of athletics participation or performance.

#### Education.

Educating student-athletes and other key stakeholders about NCAA rules is an important tool in reducing inadvertent violations. In addition, educating those involved in NIL-

related activities about the consequences of improper behavior may serve as a deterrent. The selected third-party will develop materials and resources designed to reach large numbers of stakeholders and promote an educational framework that facilitates national consistency in the information distributed electronically and in-person when appropriate. Educational efforts should include at least the following:

- a. Specific and authoritative education on NCAA legislation.
- b. High-level information and resource referrals related to:
  - (1) Business start-up strategies.
  - (2) Tax implications and other contractual obligations.
  - (3) Protecting intellectual property.
  - (4) Selecting professional service providers.
  - (5) Responsible social media engagement.

## **2. Technical Requirements.**

The NCAA requires a technology-based platform to facilitate the needs outlined in the scope of work. The platform must be user-friendly for a potentially wide range of users, including student-athletes, campus administrators, professional service providers and high school students and their families.

- a. Application hosting:
  - (1) The application shall be entirely web-based.
  - (2) The vendor shall perform application maintenance and upgrades.
  - (3) The application will be deployable to Linux servers running Apache 2.4.6 and Tomcat 8.5, which will run in the NCAA's hosting platform. The NCAA will provide all necessary access to the platform.
  - (3) The application shall use Oracle as the backend database. The NCAA shall provide specifics on the database architecture as necessary.
  - (4) The application will have the ability to process large data sets (e.g., over 100k records, 10gb of records) efficiently, handling key file types (e.g., PDF, Microsoft Office products, CSV, etc.) without file size restrictions.

b. Application:

- (1) Accessible on multiple platforms, laptop, iPad, tablets, mobile, including compatibility with mobile devices, such as Android and iPhone phones.
- (2) A responsive design.
- (3) The NCAA is seeking an Agile methodology for development of the application.
- (4) Will accommodate the NCAA's record retention policy.
- (5) Compatible with all modern browsers. (Chrome, Edge, Firefox, Safari, etc.).
- (6) Allow for customized branding so that the site will have an NCAA theme.
- (7) The vendor must notify the NCAA of updates and how they will impact business processes with opt-out/delay capabilities.
- (8) The vendor will write the application with the following technologies:
  - (a) Java 11.
  - (b) Vue.js.
  - (c) Spring Boot.
  - (d) Bootstrap.
  - (e) Data stored in an Oracle Database
  - (f) The application may be compiled to mobile apps via Apache Cordova and Quasar.

c. Integration with other systems:

- APIs will be available to upload, download and integrate with other NCAA systems, as determined throughout the discovery process.

d. Security:

- (1) Meet the NCAA security standards which includes, but not limited to, software encryption, industrial-strength firewalls, back-up, redundancy,

fail-over, malware protection, interruption, data encryption and security and personal information protection.

- (2) The vendor will submit solution security information, which will be reviewed by NCAA IT Management and Security Officer.
- (3) The application will authenticate users via the NCAA SSO custom authentication application.

e. System Availability and Support:

- (1) Continuous operations. Available 24 hours a day, seven days a week, NCAA approved and scheduled outages.
- (2) Application support SLAs.
  - Critical event (Tier 3 or 4 Incident) outage; outage or other severe issues: The vendor will acknowledge the event within two hours and provide a resolution estimate with four hours, unless the issue relates to the NCAA Hosting solution.
- (3) Call Center Support Documentation. The NCAA shall provide technical phone support for users of the application. The vendor shall provide all requested documentation from the NCAA Call Center Team in order to receive approval for the NCAA Call Center Team to accept responsibility of Tier 1 and 2 level support.
- (4) User Documentation. Provide online guidelines, videos and user guide documentation on application configuration, setup and functional operation.

### **Reporting and Analytics.**

It is important for the reporting framework to support custom reporting at both the dashboard and detail levels. It has not yet been determined how the collected information will be shared so the bids should assume reporting at both the oversight (e.g., NCAA national office) and user (e.g., institutions and conferences) levels. Sharing information also speaks to the ability to publish information with various avenues of access with their own rules:

1. National office.
2. Membership.

- Public.

The NCAA employs the Kimball method of data warehousing and business analytics which accommodates reporting and analysis at all levels according to the business-defined grain and star schema. The NCAA uses the Microsoft business intelligence stack (SQL Server, SQL Server Analytic Services (SSAS), SQL Server Reporting Services (SSRS), and SQL Server Integration Services (SSIS)) with a SharePoint distribution and rendering channel. Reporting and analytics should use this platform.

The following needs are present:

- a. Ability to leverage data from real-time processes, eliminating redundant data entry.
- b. Data feed(s) into uniform database for cumulative (sun-up to sun-down) or specific ad hoc reporting.
- c. Capture standard and business-defined key performance metrics across records in a manner that allows the NCAA to easily access, analyze and report on metrics at various levels of defined grains.
- d. Configurable analytics with ability to 'slice and dice' and present data in graphs, tables, pdf and Excel formats.
- d. Integrity of data throughout the lifecycle of the record, ensuring auditability and uniformity.

### **3. Other Requirements**

Important capabilities for a third-party administrator include:

- a. A deep understanding of and appreciation for, the role of college athletics in higher education.
- b. A comprehensive understanding of NIL-related opportunities available to student-athletes and a demonstrated ability to forecast emerging technologies and opportunities.
- c. An ability to anticipate potential abuses of established protocols and develop innovative processes designed to mitigate such abuses.
- d. Experience working with current and former student-athletes (or current and former professional athletes) on NIL-related activities.

- e. Detailed knowledge of negotiating, drafting and evaluating agreements related to use of NIL and rights of publicity.
- f. Experience managing a high volume of transactional agreements across a broad and varied constituent group.
- g. Experience educating athletes and other related stakeholders.
- h. An understanding of and experience working in a dynamic and demanding media relations environment.
- i. A proven track-record for developing innovative, technology-based solutions.
- j. A working knowledge of NCAA and other campus compliance issues (e.g., Title IX, Title VI) and an ability to operate effectively in a compliance-based environment.
- k. An understanding of the current and anticipated financial challenges in higher education and college athletics and a willingness to offer solutions and a financial framework that takes into account those challenges.
- l. A proven track-record of providing excellent customer services and commitment to a model of continual improvement.
- m. An ability to ascertain and respond to rapidly changing circumstances and service demands.
- n. Experience working with professional service providers (e.g., agents, brand managers etc.).
- o. Significant experience with and understanding of social media platforms, trends and engagement strategies.
- p. A working understanding of legal, financial and tax implications of this subject matter.
- q. An intentional and conscious commitment to a code of ethical practice and commitment to NCAA values.



### **Evaluation Criteria.**

The NCAA will evaluate all proposals based on the criteria listed below, in no specific order, and will weigh experience and references of each company.

1. Ability to provide the services outlined in the scope of work.
2. Ability to provide the highest level of customer service to NCAA members and others using the services of the third-party administrator.
3. Cost of services.
4. Ability to agree to the NCAA contract terms and conditions (Attachment A).
5. Any other criteria deemed relevant by the NCAA.

### **Proposal Format.**

In your proposal, please note and provide the following requested information. Please limit your proposal to a maximum of 25 pages, not including your financial statements.

1. A brief introduction to your firm. The necessary information shall include the name of the firm, address, telephone and contact person.
2. Company history. This shall include company history, financial information and litigation history.
3. Company profile and experience. This shall include information relating to how the firm plans to service the account and any other information that will assist in describing the depth of the firm.
4. Client service team. The names and experience of key staff assigned to work with the NCAA.
5. Client references. This should include at least three client references and contact information for each.
6. Proposed plan. Include your company's plan to address the scope of work, including timelines for development and implementation by no later than August 1, 2021.
7. Bids for one or more elements of the scope of work. It is acceptable to bid on the entire scope of work or any individual components thereof. If bidding on less than the full scope of work, please be clear on your intent.

8. Confidentiality of information. Please identify and discuss any experience you have had in handling competitively sensitive information, including any work that you have performed for industry associations, trade associations, or similar groups in connection with gathering, maintaining or analyzing competitively sensitive information. Summarize how you would apply that experience to the requirements of this RFP.
9. Dispute resolution. Please provide strategies or processes you will implement to address disputes related to decisions made by the third-party administrator.
10. Proposed fee structure. The NCAA is interested in evaluating a number of different fee structures and financial frameworks. Please include more than one fee structure and framework if you have multiple models.
11. Exceptions. Please indicate any exceptions you are requesting to the NCAA terms and conditions, as well as the reason for the request. You may include a redline version of these attachments. However, the redlines should be in a Microsoft Word document, separate from your proposal.
12. Financial statements. Independently audited financial statements for the previous three years should be included. Your financial statements are not included in the 25-page limit for your proposal.
13. Confidential information. Any material deemed to be confidential in the proposal should be clearly marked as such.
14. Supplier Diversity. The NCAA encourages diverse suppliers to participate in all competitive bid processes. If your company qualifies as a diverse supplier, please indicate your category (minority, women, LGBTQ, disabled or veteran), certifying agency and certification number.
15. Other. Any other information you deem relevant to your proposal.

**Please be aware that the NCAA and its members are NOT committed to any course of action as a result of its issuance of this RFP and/or its receipt of a proposal from you or other firms in response to it.**

**All information included herein is for the singular purpose of enabling the responding companies or individuals to prepare a summary of their industry experience, expertise and description of how they would meet the NCAA membership's needs and goals. All information provided by the NCAA should be treated as confidential. Responses shall not be returned and shall be deemed the property of the NCAA. All information designated by you in writing as confidential will be treated as confidential.**

**Timetable.**

Proposals must be submitted via email to Juanita Sheely, director of purchasing and procurement at [jsheely@ncaa.org](mailto:jsheely@ncaa.org). All proposals must be received by **5 p.m. eastern time Friday, October 2, 2020**, and should not be longer than 25 pages. Responses received after this date and time may not be accepted.

The NCAA may accept or reject all or parts of the proposal at its sole discretion. The NCAA reserves the right to request additional information and/or teleconference/webinar presentations with select firms or individuals.

All information will be analyzed, and a final decision made by late November 2020. Implementation of services will be determined following final decision. Please note that all materials submitted shall be at the expense of the firm submitting a proposal.

**RFP Process Schedule.**

<b>Milestone</b>	<b>Due Date</b>
RFP distributed	September 4
Intent to bid from respondents	September 11
Responses due	October 2
Finalists announced	October 23
Finalists virtual presentations	Week of November 2
Contract awarded	November 20

**RFP Inquiries.**

Questions and clarification inquiries pertaining to this RFP must be sent via email to [jsheely@ncaa.org](mailto:jsheely@ncaa.org).