

Best Practice

Standard Request For Proposal (RFP) Template

April 2007



THE *Open* GROUP

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Best Practice

Standard Request For Proposal (RFP) Template

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Any comments related to this document are welcome via rfp_template@naspl.org. Feedback and suggestions for improvement are encouraged and appreciated. All comments will be reviewed by the Global RFP Standards Task Group and the submitter will be notified of the Task Group's resolution.

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About the Collaborative Associations

World Lottery Association

The World Lottery Association (WLA) is an international member organization representing 144 lotteries from 74 countries on all five continents, with combined annual revenues in excess of US\$120 billion.

The aims and objectives of the WLA are to advance the collective interests of its members and to enhance the capability, common knowledge, and status of individual members by:

- Providing forums for the exchange of experience and information
- The establishment of codes of conduct and certification of standards for lottery operations in order to establish norms to which members may wish to aspire
- The establishment of programs to assist in technical and educational areas to be made available to member organizations who request such assistance
- The establishment of services in educational, statistical, informational, or administrative matters
- The convening of seminars, conventions, conferences, general meetings, special meetings, and working groups to further the aims of the WLA
- If so requested, to provide stimuli and organizational assistance in the establishment of working groups seeking to form multi-jurisdictional lotteries, national or international in scope
- Representing several or all members in conveying positions or opinions to authorities, private or public, wherever such members have authorized the WLA to speak on their behalf

The WLA shall promote alignment and harmonization of its aims and objectives with those of the five Regional Associations – AALE (Africa), APLA (Asia Pacific), CIBELAE (South America), EL (Europe), and NASPL (North America).

The WLA also represents 63 lottery industry suppliers as Associate Members.

In carrying out its aims and objectives, the WLA shall strive for territorial integrity, public order, and morality.

The WLA launched an initiative to standardize lottery procurements, in particular major technology procurements, aiming at lowering the cost of developing RFPs, lowering the cost of developing responses, and increasing transparency of the procurement process. This is to be achieved by establishing recommended formats, languages, and requirements for routine aspects of an RFP and the procurement process, allowing the lotteries and the bidders to focus resources on the products and services sought and offered, respectively.

The WLA vision is to provide the international lottery community with a recommended standard RFP according to which each relevant procurement should be conducted.

More information can be found at www.world-lotteries.org.

North American Association of State and Provincial Lotteries (NASPL)

NASPL has approved the creation of a standards initiative, which is dedicated to the adoption or creation of Technical Standards, Best Practices, and Certification Programs that will further the lottery objectives of integrity, security, interoperability, and profitability.

The NASPL Standards Initiative (NSI) was approved and funded by NASPL and the vendor community as a collaborative development effort with participation from the lotteries, gaming vendors, and retail associations. Project management and facilitation services for standards development and certification are provided by The Open Group in conjunction with NASPL.

The NSI Vision is to provide an interoperable lottery environment that is based on a set of open Technical Standards, approved Best Practices, and Certification Programs that, when implemented, will improve the quality and integrity of the lottery environment, and will provide increased efficiencies, resulting in reduced costs and increased profit margins for lotteries, vendors, and lottery retailers.

The NSI mission is to establish a resilient organizational structure, set of processes, and procedures that will engage all constituents (lotteries, vendors, and retail representatives) in an environment of open discussion and cooperative development.

Further information about NASPL is available at www.naspl.org.

The Open Group

The Open Group is a vendor-neutral and technology-neutral consortium, whose vision of Boundaryless Information Flow will enable access to integrated information within and between enterprises based on open standards and global interoperability. The Open Group works with customers, suppliers, consortia, and other standards bodies. Its role is to capture, understand, and address current and emerging requirements, establish policies, and share best practices; to facilitate interoperability, develop consensus, and evolve and integrate specifications and Open Source technologies; to offer a comprehensive set of services to enhance the operational efficiency of consortia; and to operate the industry's premier certification service, including UNIX certification. Further information on The Open Group is available at www.opengroup.org.

The Open Group publishes a wide range of technical documentation, the main part of which is focused on development of Technical and Product Standards, Best Practices, and Guides. Full details and a catalog are available at www.opengroup.org/bookstore.

Readers should note that updates – in the form of Corrigenda – may apply to any publication. For NASPL published documents, this information is available at www.opengroup.org/naspl/published.

QLot Consulting Group

QLot Consulting Group was established in 1998 and its exclusive focus is within the lottery industry. All of QLot's Principal Consultants have prior working experience with various lotteries and/or lottery suppliers. This brings detailed knowledge of literally all major processes, suppliers, technologies, and products applicable to the lottery industry.

QLot provides its clients – whether lotteries, governments, or suppliers – with well-informed, unbiased, and independent consulting and support services in all legislative/regulatory as well as technical and commercial areas, especially where computerized systems and/or agent networks are used.

QLot is strictly supplier-independent. Neither the company nor any of its consultants has any affiliations to any supplier of any products to the lottery industry or elsewhere.

QLot has consultants in Sweden, Germany, Czech Republic, Austria, Switzerland, and in the US. More information about QLot can be found at www.qlot.com.

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PART I: Introduction and Best Practice Requirements

1 Introduction

The Global RFP consists of two Best Practices, as follows:

1. First, the Best Practice for the RFP Process recommends the practices that take place in the lottery environment, and around which the RFP is developed and published, Proposals are evaluated, and a Contract awarded.
2. Second, the Best Practice for the Standard RFP Template (SRT) recommends the content, format, and policies that should be part of the published RFP. This Best Practice itself consists of two separate documents, as follows:
 - Standard RFP Template (SRT) (this document)
 - Guide to the Standard RFP Template (SRT Guide)

The SRT establishes the order in which the RFP should be structured and establishes the use of the compliance box to denote variations from the SRT standard text. The SRT does not dictate the language that must be used; rather it defines recommended standard text, but each jurisdiction is free to add or change requirements in the standard text. When changing text, the compliance box alerts the vendor to changes from the standard text. At points within the SRT, references are made to the options available in the RFP Process Best Practice document.

The Best Practice for the Global RFP has been developed and approved by NASPL and the WLA in association with The Open Group and QLot Consulting.

1.1 Best Practice Requirements

The best practice requirements for use of the SRT are defined Part I, Chapter 4 (Best Practice Requirements) and reiterated in Part I, Appendix A (Best Practice Requirements Checklist). It is imperative that lotteries intending to use the SRT consult those sections prior to utilization, so that all of the required elements of the Best Practice are understood and can be followed correctly.

Since each jurisdiction has laws, rules, regulations, and orders (“laws”) that control what the Lottery is required to do in that jurisdiction, instances will occur where these laws do not provide the Lottery with an option in handling the process of the procurement and will take precedence over these recommended best practices.

1.2 This Document

This document recommends the Best Practice for the Standard Request For Proposal (RFP) Template (SRT). It consists of two parts, as follows:

- Part 1: Introduction and Best Practice Requirements provides an introduction to the Best Practice, the best practice requirements for the use of the SRT and the SRT Guide, and a Best Practice Requirements Checklist (see Appendix A) that is intended to assist Lotteries in tracking the requirements of the Best Practice.
- Part 2: SRT contains all chapters, sections, subsections, and appendices that should appear in a published RFP, along with compliance boxes as defined in Section 1.1 (Terminology) and recommended standard text where applicable.

1.2.1 Purpose

Lack of approved best practices for RFP format and content, and lack of a standard RFP template, all impose a cost burden on lotteries when creating an RFP, and more significantly on vendors who are regularly responding to RFPs on an ongoing basis. Through the creation of a global Standard RFP Template, with standard text where appropriate, and a Guide to assist in the creation of those elements where standard text is not appropriate, the lottery industry – world-wide - will be able to reduce the risk and the investment involved in creating and responding to RFPs.

1.2.2 Scope

This Best Practice provides a Standard RFP Template (SRT) and a set of best practice requirements and recommendations for the content and format of any lottery-issued RFP associated with the procurement of gaming technology, products, or services.

There are several areas in the SRT where, due to the uniqueness of each procurement and lottery jurisdiction, recommended standard text is not appropriate and so not included. In those instances, the SRT Guide will provide general recommendations for content and additional specific guidelines or suggested text where appropriate, or reference appropriate text in the RFP Process Best Practice document.

1.3 General Background for the Global RFP Best Practice

A Best Practice provides a clear description of a set of processes, procedures, and guidelines that when practically applied to an operation brings a business advantage. A Best Practice has a record of success in providing significant advantage in cost, schedule, quality, integrity, performance, safety, environment, or other measurable factors that impact an organization. Various organizations identify and publicize Best Practices so that others – particularly internal business units, external business partners, or otherwise affiliated external organizations – can benefit from implementing the Best Practice and improving the operation of their business.

Best Practices can be applied to particular subject areas (such as new technologies or management theories), product sectors (such as software and hardware development), and vertical markets (such as the lottery industry). Best Practices are used frequently in the fields of healthcare, government administration, education, project management, hardware and software product development, and elsewhere. A commitment to using the Best Practice in any field is a commitment to using a prescribed method to ensure success.

This Best Practice represents a joint effort with the World Lottery Association (WLA) and NASPL, and applies to the lottery industry on a global scale. It has been approved by the NASPL and the WLA, and serves as a recommendation for adoption by the lottery industry. This Best Practice is a practice that when implemented is intended to improve the quality and integrity of the lottery environment, and to provide increased efficiencies, resulting in reduced costs and increased profit margins for lotteries, vendors, and lottery retailers.

This proposed Best Practice is not intended to increase the cost to the lottery and is not intended to be used by an oversight entity in a jurisdiction to require an additional layer of justification for changes in the text.

Typically, a NASPL Best Practice is described in terms of its:

- Purpose
- Components
- Constituents and their roles
- Prescriptive requirements
- Methods and techniques
- Tools
- Relationship to other Best Practices

The development of this Global RFP Best Practice involves the following stages:

1. In this case, the NSI and the WLA select a candidate practice to be developed through a joint initiative involving both organizations.
2. The Best Practices Working Group or the underlying Task Group – in this case the Global RFP Standards Task Group – develops a Best Practice document.
3. The Best Practice document is subject to a formal review process by members of a Review Board, which is typically composed of the NSI Steering Committee, the Best Practices Working Group, the NSI Retail Council (if appropriate), a subject area expert from the industry (if appropriate), and the NASPL membership. In this case it will also include WLA designated reviewers.
4. Final voting on review comments is open to the NSI Steering Committee and in this case the WLA designated reviewers.
5. The NASPL Executive Committee together with the WLA Executive Committee will act as an “Approvals Board” in that they determine whether the review and approvals process was carried out according to the documented procedures, which is the final step in “approving” the Best Practice for publication.
6. A set of conformance criteria and a conformance policy for the Best Practice are defined.

The approved Best Practice describes the practice in enough detail to enable it to be readily deployed by other organizations, assuming the availability of the necessary resources.

2 Business Context

This chapter describes the typical business environment, the business drivers, and the objectives driving this Best Practice as context.

2.1 Business Environment Summary

2.1.1 Business Scenario – General Description

This section describes the constituents in a typical lottery operation. The roles played by the constituents are not necessarily the same for every lottery. The constituents may take on different roles during the execution of business processes based upon local practice, how the lottery is organized, the budget allocated to the Lottery Organization, or any number of other factors. Therefore, in one jurisdiction a constituent may take a role that is taken by another constituent in another jurisdiction; for example, developing software or hardware for a lottery may be done by a vendor or by a Lottery Organization. These roles may actually change over time.

The key organizations and entities in the typical lottery business environment are illustrated in the following figure.

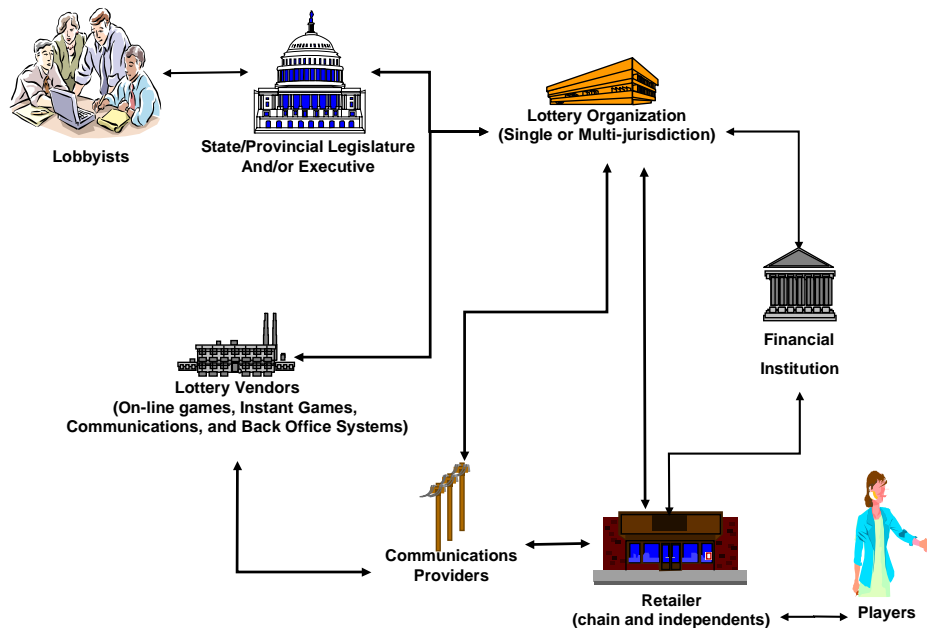


Figure 1: The Lottery Business Environment

Not all organizations will have all of these components and relationships. However, the figure illustrates a number of points typical of lottery enterprises, each of which has particular implications for the benefits of standards for the lottery industry.

The following list of constituents and the roles they play in the larger lottery environment is provided here to give a big picture view. The constituents involved in the RFP process and the roles they play are a subset of those in the larger lottery environment and are identified in more detail in subsequent sections.

Constituent	Role Played
Jurisdictional Executive or Legislature	<p>Authorize lottery operation under jurisdictional law.</p> <p>Direct use of lottery revenues (and by implication, lottery operating budgets).</p> <p>Monitor and audit lottery operations, sometimes impacting lottery development.</p> <p>May appoint Lottery Executive.</p>
Lottery Oversight Organization (e.g., Board of Directors, Lottery Commissioners)	<p>Oversee the Lottery Organization and their policies and procedures.</p> <p>Hire lottery executives.</p> <p>Approve major lottery contracts.</p>
Lottery Organization	<p>Conduct overall operation of the lottery.</p> <p>May operate lottery IT infrastructure.</p> <p>May develop games.</p> <p>Oversee lottery integrity and security, including validation of winners.</p> <p>Optimize profitability from games (current and future), selecting new games, stopping old games, developing new games, and managing the selection and implementation of game infrastructure through RFPs.</p> <p>Manage lottery retailers; including licensing, accounting, and game material inventory; e.g., instant game books.</p> <p>Manage vendors, including possible outsourcing of lottery operations.</p> <p>Develop marketing campaign.</p> <p>Manage large prize payouts individually or in conjunction with multi-jurisdictional organizations.</p>
Lottery Retailer/Agent	<p>Sell lottery tickets and games at retail location.</p> <p>Market lottery products.</p> <p>Validate and redeem tickets.</p> <p>Manage and account to lottery for sales including ticket books, report sales to lottery commission, redemption of unsold game books.</p> <p>Manage accounting of lottery contribution to store profit and loss.</p> <p>Optimize contribution of lottery sales (within lottery regulations) to store.</p>
Financial Institution (e.g., bank)	<p>Provide “sweep accounts” to facilitate transfers of funds from online and instant ticket purchases between the retailer/agent and the lottery.</p> <p>May provide interface between State Treasury and lottery.</p>

Constituent	Role Played
Player	In some jurisdictions where allowed, play online, instant, and video games, self-validate tickets, redeem tickets, and receive winnings.
Lottery System Vendor/Bidder	Provide lottery systems, components, games, and/or products. Deliver game design, marketing, retail support, and related services in many jurisdictions. May provide the networking component (possibly customized) of a lottery system. Operate lottery IT systems (under subcontract from Lottery Organization) in many jurisdictions. Provide maintenance, field, and technical service in some jurisdictions. Respond to Requests For Information (RFI), Requests For Proposals (RFP), and Requests For Software Changes (RFS).
Telecommunications Provider	Provide the networking component (possibly customized) of a lottery system.
Lobbyist	Impact lottery responsibilities and limitations (through legislature) within a jurisdiction, as permitted by jurisdictional law.

2.1.2 Operational Scenario

This section depicts a typical operational scenario, highlights the major processes, and illustrates the associated need for the Best Practice. It also identifies the constituents who will be carrying out the Best Practice.

Procurement is required for: new lottery gaming systems, the creation of new software and/or hardware for an existing system, the updating or enhancement of an existing system, or the provision of services related to the operation of a lottery.

The RFP process constitutes a set of processes and procedures where agreements based on the business requirements of a lottery for new products and on the capabilities of a vendor in delivering against those needs are established.

The constituents involved in this business environment and the operational scenarios that will be affected by this Best Practice are as follows:

- Lotteries and other Lottery-related Agencies:** The Lottery identifies business requirements and uses them to develop an RFP. The Lottery publishes the RFP. Bidders submit Proposals in response to the RFP. The Lottery then evaluates the Proposals, selects a Proposal for contract award, and notifies all vendors who have submitted a Proposal of the outcome of the evaluation. The Lottery then negotiates a Contract with the Successful Bidder(s).
- Bidders:** Once the RFP is published, the Bidders may submit questions through an optional Pre-Proposal Conference or individually to the Lottery to clarify RFP information and/or requirements. The Bidders then prepare a Proposal and submit it to the Lottery in accordance with the rules for Proposal Submission contained in the RFP. The Bidders will demonstrate their systems and services as requested by the Lottery. After Bidder selection, the Bidder may, if permitted by the Lottery, then solicit and receive feedback from the

Lottery on the reasons why their Proposal was/was not selected for contract award; they may use this feedback to improve their response processes for future RFPs. If selected, the Successful Bidder will then negotiate a Contract with the procuring lottery.

Vendors provide solutions for many lotteries; therefore, standardization of the RFP format and content, including common response requirements, results in a reduction of the need for per-lottery customizations and improves the efficiency of the Bidder's Proposal response, as well as their delivery mechanisms if they are awarded a Contract.

Lotteries may buy different systems or components from different vendors over time. Standardization of the RFP format and content where appropriate eliminates the need to "reinvent the wheel" for each separate procurement.

Many Lottery Organizations outsource portions of their operations to vendors. Thus, these vendors play a dual role of both supplier of equipment and consumables and also of operator. While some vendor-lottery relationships are simplified – e.g., maintenance – the vendor may also take on some of the integration and operational burdens of the Lottery Organization; e.g., integration with third-party back-office systems. Thus, generalizing the SRT so that it can be utilized for any procurement request – operational services, development and installation of full gaming systems, instant tickets, marketing services, equipment, or product solutions – will reduce the time and investment required by lotteries to develop a brand new RFP for every procurement request.

Lotteries are not ordinarily competitive, so agreeing upon an SRT with standard text as a starting point is of benefit to all lotteries in terms of reduced RFP development costs.

Specific RFP content and processes are controlled by the lottery issuing the RFP, and vendors should not have influence over these issues, other than to work with the NSI or WLA in the standards efforts to agree common requirements and best practices; see Chapter 7 (Conformance Overview). Bidders compete on the technical and fiscal content of their responses; there should be no competitive advantage created for any vendor in the RFP content and processes themselves. Thus, standardization should reduce the cost to vendors of responding to RFPs while leveling the playing field for all.

There are important practical business factors that will necessarily affect any procurement activity in the lottery industry. The business environment for the RFP process is:

- **Competitive** – Bidders compete for business based on their response to the RFP.
- **Diverse** – Since there is no enforcement of a common method among lotteries, every jurisdiction's operation executes slightly differently and according to its own method of choice and interpretation. This Best Practice will provide commonality between jurisdictions where possible.
- **Time, Cost, Innovation, and Quality-sensitive** – The Successful Bidder's Proposal will be selected on delivery date, price, innovation, quality, and ability to meet the requirements stated in the RFP.
- **Local and Culturally-specific** – Geographical differences contribute to diversity within different jurisdictions. This includes diversity in participants, methodologies, languages, legal frameworks, modes of operation, and cultural protocols.

- **Resource-heavy** – Considerable resources are required from both the Lottery publishing the RFP and evaluating the Proposals, and the Bidder preparing a Proposal.

It is imperative that the Best Practice supports this business environment.

2.1.2.1 Operational Functions and Processes

The key functions and processes that require best practice support are further identified in the table below. The specific needs within each business function or process requiring best practice support are also described.

Function/Process Name	Best Practice Needs
Creating and Publishing the RFP	Need to standardize on the format, content, and policy requirements, and on standard text where appropriate, when drafting and publishing the RFP
RFP Response	Need to standardize on the format of the response.

2.1.2.2 Operational Topology

The topology of the environment to which this Best Practice applies typically represents distributed and separate locations with variable overlap, and sometimes complete overlap, between some of these entities:

- Lottery Organization
- Regulatory Authority
- Procurement Office
- Bidder Organization
- Standards Initiative

2.1.2.3 Operational Location Information

The following matrix shows the *primary* constituents participating in each of the functions or processes related to this Best Practice. This demonstrates the need for integration of different requirements when creating and adopting this Best Practice.

Functions/ Processes	Constituents Identified by Locations				
	Regulatory Authority	Lottery Organization	Procurement Office	Bidder	Standards Initiative
Creating and Publishing the RFP	X	X	X		X
RFP Response	X	X	X	X	X

2.2 Business Rationale

The above provides some context for the business environment and requirements for this Best Practice and illustrates the variety of requirements and points of implementation that need to be considered to reach full business value. This section describes the business drivers, objectives, and benefits of implementing this Best Practice.

2.2.1 Business Drivers, Objectives, and Benefits

This section outlines some of the business objectives for introducing the Best Practice and some of the benefits that could be attained once the Best Practice has been adopted.

Lack of approved best practices for RFP format and content, and lack of standard RFP templates, all impose a cost burden on lotteries when creating an RFP and more significantly on vendors who are regularly responding to RFPs on an ongoing basis.

2.2.1.1 *Reduced Costs to Lotteries in Developing RFPs*

Developing an RFP is very costly to all constituents. There is a significant amount of time and resources spent in creating and publishing the RFP. Cost and resources involved in the creation of the RFP are reduced significantly through the use of a common template, standard terminology, standard RFP text where appropriate, a common set of best practices to be followed when creating the RFP, and where appropriate a common and standard set of requirements to be included in the RFP itself (e.g., requirements for proposal submission, bidder certification, communication during the RFP process, etc.).

2.2.1.2 *Reduced Vendor Cost in Responding to RFPs*

Responding to an RFP, as vendors do on a regular basis, is a risky financial investment for vendors. If a vendor wins the Contract, that investment can be recouped; if not, it is extremely costly. RFPs based on a standard template with standard text where applicable reduce the time and resources spent by vendors on understanding the RFP and interpreting its requirements. This also enables vendors to more easily convert the RFP for one jurisdiction to another and allows the vendor instead to focus on understanding and responding to the portion of the RFP that deals with the new functionality, innovation, and value-add.

2.2.1.3 *Reduced Cost to Lotteries in Evaluation of Proposals*

Currently, lotteries spend a great deal of time, resources, and a significant investment in independent third-party consultants for the interpretation and evaluation of Bidder Proposals. Requiring the vendors to use the prescribed standard response method defined within the standard RFP template reduces the time spent by lotteries in interpreting the response components, and instead allows them to focus on evaluating the merits of the proposed technology and related services (if applicable), and the proposed price of each Bidder's Proposal.

2.2.1.4 *Reduced Investment Risk through Establishment of Standards and Certification as RFP Requirements*

There are many business benefits for establishing RFP criteria that promote common standards and best practices. By agreeing through a standards organization – such as the NSI or the WLA – on which certifications, Technical Standards, or Best Practices should be part of the standard RFP requirements, the lotteries are able to reduce their risk of procuring solutions that do not conform to certification requirements associated with the use of approved Technical Standards and Best Practices.

3 Best Practice Overview

This section provides an overview of the Best Practice.

3.1 Overview

This Best Practice for the Standard RFP Template is designed to be used as the basis for any lottery procurement and offers a common approach and benefit in the following major areas:

- The Standard RFP Template (SRT) is designed to provide lotteries with an approved standard template, which includes standard text where appropriate, and provides a specific format to be followed along with a standard set of chapters, sections, and subsections to be included in the sequence specified.
- The SRT Guide provides lotteries with a set of guidelines that should be followed when deriving RFP text for those instances where either standard text does not exist or when deviation from the standard text is necessary due to jurisdictional variances or legislative requirements.
- The inclusion of Standard Compliance Boxes in each section and subsection of the RFP is an integral part of the Best Practice. These boxes indicate to the Bidder:
 - The significance of the section or subsection
 - The type of response that is required from the Bidder
 - Whether the text in the section or subsection is standard text from the SRT or whether it has been altered when issuing the actual RFP
- Inherent in the SRT is a standard response mechanism for Bidders to follow when submitting their response to the RFP (the Proposal). Bidders are required to respond using the same format as the RFP, including responding with similar Compliance Boxes in each section and subsection of the Proposal. The Proposal Compliance Boxes indicate whether the Bidder has responded to the requirements of those sections and subsections and whether they have met them fully or not.

3.2 Constituents and Roles

This Best Practice applies only to lotteries and can be used whenever a lottery-issued RFP is required.

Although this Best Practice does not explicitly apply to Bidders, if lotteries use the Standard RFP Template and meet the Best Practice Requirements when issuing their RFPs, then Bidders will be required (via the RFP) to respond in a standard way with a standard format to those RFPs.

3.3 Relationship with Other NSI Documents

In addition to this Best Practice for the Standard RFP Template, there is another Best Practice related to the RFP – the Best Practice for the RFP Process – which addresses the best practices for some of the major processes that take place at the Lottery and which are associated with the RFP:

- RFP Development
- Communication during the RFP Process (including RFP Publication)
- Proposal Evaluation (including Site Visits/Demonstrations)
- Notification of Successful Bidder and Contract Award
- Establishing Common RFP Requirements

4 Best Practice Requirements

This section defines the best practice requirements for the Standard RFP Template (SRT) and the Standard RFP Template Guide, which must be adhered to as part of conformance to the Best Practice. The best practice requirements for each component are contained within the component subsections. It is important to note that all of the prescriptive terms found in this chapter must be interpreted according to the definitions in Section 4.1 (Prescriptive Terminology).

4.1 Prescriptive Terminology

This section provides the meaning of the prescriptive terms “must”, “should”, “may”, “must not”, and “should not” which must be used when describing and interpreting the best practice requirements specified in this chapter.

These definitions apply only to the best practice requirements contained in this chapter (Chapter 4). Where these terms are used in the SRT and SRT Guide, the generally-accepted definitions of the terms apply.

It is important to note that jurisdictional policy and legislation take precedence over the best practice requirements set out in this document.

Must	Indicates an absolute, mandatory requirement of the Best Practice that has to be implemented in order to conform to the Best Practice.
Should	Indicates a recommendation that ordinarily must be implemented. To conform to the Best Practice, an acceptable justification must be presented if the requirement is not satisfied.
May	Indicates an optional requirement to be implemented at the discretion of the practitioner, and which has no impact on conformance to the Best Practice.
Must not	Indicates an absolute preclusion of the Best Practice, and if implemented would represent a non-conformity with the Best Practice.
Should not	Indicates a practice explicitly recommended not to be implemented. To conform to the Best Practice, an acceptable justification must be presented if the requirement is implemented.

It is particularly worth noting that the term “should” is sometimes used in cases where there may be jurisdictional requirements that preclude the best practice from being classified as a “must” for everyone.

4.2 Components

The components that make up this best practice are:

- Use of the Standard RFP Template (SRT)
- Use of the Standard RFP Template Guide (SRT Guide)

4.2.1 Standard RFP Template (SRT)

This section defines the best practice requirements that pertain to use of the Standard RFP Template (SRT).

4.2.1.1 Best Practice Requirements

The Lottery must:

- Use Chapters 1 through 6 and all applicable appendices of the SRT as the base document when developing an RFP
- Use Appendix A of the SRT for all technical requirements of the RFP
- Include an RFP Standard Compliance Box in each section and subsection of the RFP as described in Section 1.1 (Terminology) of the SRT
- Inform Bidders whether or not the language used in the RFP is standard text by indicating YES or NO in the box marked “Standard Text” of the RFP Standard Compliance Box
- Include every chapter, section, and subsection specified in the SRT and in the sequence specified in the SRT
- Validate that the standard definitions found in the Glossary of Terms in Section 1.4 (Glossary of Terms) of the SRT apply in their jurisdiction and, for those terms that do not apply, insert the applicable definition in the Glossary and mark the definition or term NEW.
- Provide a Compliance Table in Appendix C containing all section and subsection numbers and their respective Significance as described in Section 1.14.5 (Compliance Table) of the SRT

The Lottery must not:

- Change the content of Section 1.1 (Terminology) of the SRT in any way

For every section or subsection of the SRT that is not applicable to the RFP being issued, or that does not apply in the Lottery’s jurisdiction, the Lottery must not remove this section or subsection, but instead should:

- Assign the following values to the RFP Standard Compliance Box: Significance: NOT APPLICABLE; Response Type: NONE; Standard Text: NO
- Include the following text: “This section is not applicable to this RFP.”

If there are additional sections or subsections that are not included in the SRT, but which the Lottery wants to add to their actual RFP, the Lottery must:

- Add the section or subsection at the end of the appropriate sections, subsection, or chapter, thereby preserving the existing outline numbering scheme of the SRT

Where standard text exists in the SRT, the Lottery should:

- Use standard text if appropriate wherever it exists in the SRT
- Add specific information to the actual RFP wherever the notation *<variable>* or *<variable: lottery to add specific text>* is included in the SRT

As needed, the Lottery should consult the SRT Guide for recommendations on RFP content which may include, but is not limited to, the following situations:

- Guidance on what is recommended to be contained in the sections or subsections where standard text is not provided
- Guidance when deleting and/or replacing standard text in the actual RFP, to ensure that the replacement text aligns with the recommendations
- Guidelines and/or sample text for consideration when replacing variable tags that say *<variable: refer to SRT Guide>* in the SRT
- Guidance on any jurisdictional variances that may apply to their jurisdiction to incorporate sample text or the guideline suggestions into the corresponding section of the RFP
- Guidance on jurisdictional variances sections which do not appear in the SRT, but may be required in a particular jurisdiction (e.g., Affirmative Action)

If English is not the local language, the Lottery should issue the RFP in English in addition to the version issued in the local language.

5 Methods, Techniques, and Additional Considerations

This section describes in detail the methods and techniques that support the Best Practice. These methods and techniques are provided as guidance for adoption of the Best Practice. The use of any of the specific methods, techniques, or additional considerations described within this section is not required for a business practice to be considered conformant with this Best Practice, unless such use is specified in the requirements in Chapter 4.

There are no methods, techniques or additional considerations defined in this version of the Best Practice.

6 Tools to Support the Best Practice

This section describes the tools that support execution of this Best Practice. These tools are provided as guidance for adoption of the Best Practice. The use of any of the specific tools described within this section is not required for a business practice to be considered conformant with this Best Practice, unless such use is specified in the requirements in Chapter 4.

There are no tools defined in this version of the Best Practice.

7 Conformance Overview

Defining conformance and creating a certification policy and program for this Best Practice is the next step in establishing an effective Best Practice. Without the associated conformance criteria and certification processes, there is no assurance that a practitioner has implemented practices according to the approved Best Practice.

Certification provides formal recognition of conformance to an industry Best Practice or Technical Standard specification, which allows:

- Suppliers and practitioners to make and substantiate clear claims of conformance to a Technical Standard or Best Practice
- Buyers to specify and successfully procure from vendors who conform to a Best Practice or provide solutions that conform to a Technical Standard

Following the approval of this Best Practice, the Global RFP Standards Task Group will work with The Open Group to establish conformance criteria and define an associated Certification Program for this Best Practice. Conformance assessment is the act of determining the conformance of an implementation to a specification, or the adherence of a business operation to a best practice or process definition. There are many techniques for assessing such conformance, including the use of a standardized test method, quality assessment by industry experts, and vendors' claims of conformance made within a defined legal framework. The techniques to be used will be chosen during the process of defining the Certification Program.

Following implementation of the Certification Program, practitioners wishing to have their business practices certified as conformant to the Best Practice will be able to apply for certification of their business practices, at which time a conformance assessment will be performed.

APPENDICES

A Best Practice Requirements Checklist

	Requirement	Level	Practitioner	Reference
Standard RFP Template (SRT)				
1	The Lottery must use Chapters 1 through 6 and all applicable appendices of the SRT as the base document when developing an RFP.	Must	Lottery	4.2.1.1
2	The Lottery must use Appendix A of the SRT for all technical requirements of the RFP.	Must	Lottery	4.2.1.1
3	The Lottery must include an RFP Standard Compliance Box in each section and subsection of the RFP as described in Section 1.1 (Terminology) of the SRT.	Must	Lottery	4.2.1.1
4	The Lottery must inform Bidders whether or not the language used in the RFP is standard text by indicating YES or NO in the box marked “Standard Text” of the RFP Standard Compliance Box.	Must	Lottery	4.2.1.1
5	The Lottery must include <u>every</u> chapter, section, and subsection specified in the SRT and <u>in the sequence</u> specified in the SRT.	Must	Lottery	4.2.1.1
6	The Lottery must validate that the standard definitions found in the Glossary of Terms in Section 1.4 (Glossary of Terms) of the SRT apply in their jurisdiction and, for those terms that do not apply, insert the applicable definition in the Glossary and mark the definition or term NEW.	Must	Lottery	4.2.1.1
7	The Lottery must provide a Compliance Table in Appendix C containing all section and subsection numbers and their respective Significance as described in Section 1.14.5 (Compliance Table) of the SRT.	Must	Lottery	4.2.1.1
8	The Lottery must not change the content of Section 1.1 (Terminology) of the SRT in any way.	Must not	Lottery	4.2.1.1

	Requirement	Level	Practitioner	Reference
9	For every section or subsection of the SRT that is not applicable to the RFP being issued, or that does not apply in the Lottery’s jurisdiction, the Lottery <u>must not</u> remove this section or subsection, but instead should assign the following values to the RFP Standard Compliance Box: Significance: NOT APPLICABLE; Response Type: NONE; Standard Text: NO.	Should	Lottery	4.2.1.1
10	In addition to above, for every section or subsection of the SRT that is not applicable to the RFP being issued, or that does not apply in the Lottery’s jurisdiction, the Lottery should include the following text: “This section is not applicable to this RFP.”	Should	Lottery	4.2.1.1
11	If there are additional sections or subsections that are not included in the SRT, but which the Lottery wants to add to their actual RFP, the Lottery must add the section or subsection at the end of the appropriate sections, subsection, or chapter, thereby preserving the existing outline numbering scheme of the SRT.	Must	Lottery	4.2.1.1
12	Where standard text exists in the SRT, the Lottery should use standard text if appropriate wherever it exists in the SRT.	Should	Lottery	4.2.1.1
13	Where standard text exists in the SRT, the Lottery should add specific information to the actual RFP wherever the notation <variable> or <variable: lottery to add specific text> is included in the SRT.	Should	Lottery	4.2.1.1
14	As needed, the Lottery should consult the SRT Guide for recommendations on RFP content.	Should	Lottery	4.2.1.1
15	If English is not the local language, the Lottery should issue the RFP in English in addition to the version issued in the local language.	Should	Lottery	4.2.1.1

PART II: Standard RFP Template (SRT)

1 General Information Regarding the RFP and Proposal Submission

1.1 Terminology

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Each numbered section and subsection in the RFP is immediately followed by an RFP Standard Compliance Box, as follows:

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	[YES/NO]

The following definitions apply to the box marked “Significance”:

INFORMATION	The section or subsection contains information, which does not require any specific response. It should be noted that the information may provide vital information relevant to other sections in this RFP and that the information constitutes an integral part of this RFP.
MANDATORY	The section or subsection and its requirements must be responded and adhered to. Failure to do so will result in disqualification of the Proposal.
IMPORTANT	The section or subsection and its requirements are considered essential to the Lottery and should be adhered to. Failure to meet the stated requirements is not cause for disqualification of the Proposal, but may have a negative impact on the evaluation of the Proposal.
DESIRED	The section or subsection and its requirements are desired by the Lottery. Meeting the stated requirements may have a positive impact on the evaluation of the Proposal.
SPECIFIED OPTION	The section or subsection and its requirements apply only to the technical and pricing components. A Specified Option must be proposed by the Bidder based upon the quantities and hypothetical acquisition timing provided in the RFP. The only difference between a Specified Option and a required base product and/or service is that the Lottery may opt not to obtain the Specified Option, while all base products and/or services must be delivered.

The Lottery will reject a Bidder's Proposal if a Specified Option is not included. The Lottery makes no commitment to procure Specified Options, or choose the quantity or timing for acquisition of Specified Options should they choose to procure them.

INVITED OPTION

The section or subsection and its requirements apply only to the technical and pricing components. An Invited Option is identified as being of specific interest to the Lottery. Bidders are not obligated to include Invited Options in their Proposals; however, if specifications are presented, corresponding pricing must also be presented based upon the quantities and hypothetical acquisition timing provided in the RFP. For the corresponding pricing, "to be determined" or an equivalent non-response must not be used. The Lottery makes no commitment to procure Invited Options, or choose the quantity or timing for acquisition of Invited Options should they choose to procure them.

NOT APPLICABLE

The section or subsection is not applicable to this RFP.

The following definitions apply for the box marked "Response Type":

NONE

The section or subsection does not require any response at all.

ACCEPTANCE

The section or subsection contains information and only requires YES or NO. Any qualified acceptance should be marked NO.

FULL

The section or subsection requires the Bidder to provide a full and dedicated response, including all information required to allow the Lottery to judge the Bidder's compliance with the requirement.

The purpose of the following parameter is to allow Bidders to easily identify when the Standard Text has been used and therefore a standard response can be given.

The following definitions apply for the box marked "Standard Text":

YES

The section or subsection contains Standard Text with no changes OR the paragraph contains Standard Text except for the replacement of the variables indicated in the SRT as <variable> with text that is specific to the RFP; for example, dates, contact information, etc.

NO

The section or subsection contains text that is not Standard Text from the SRT.

It should be noted that regardless of whether YES or NO is used in the box marked "Standard Text", the requirements contained in the main text of the section will always prevail.

subsection, or chapter to which the additional feature relates, and must retain the existing outline numbering scheme of the RFP.

In case the use of additional sections or subsections does not adequately support the Bidder’s needs, additional information may also be provided in one or several appendices as applicable, with a clear reference to the relevant appendix(ces) under each applicable section or subsection heading.

All sections or subsections that have been added by the Bidder in the Proposal and that do not appear in the RFP must include the following Proposal Standard Compliance Box:

Significance	Compliance	Comment
[OFFERED INFORMATION/ OFFERED OPTION]	N/A	[Free text...]

The box marked “Significance” must contain the significance assigned by the Bidder per the following:

OFFERED INFORMATION This section or subsection contains information that was not requested by the Lottery, but which the Bidder feels is important information to convey in their response.

OFFERED OPTION (Applies only to the Proposal.) An Offered Option is an option which has not been specified or invited in the RFP but which the Bidder wishes to offer to the Lottery. The Lottery makes no commitment to procure Offered Options, or choose the quantity or timing for acquisition of Offered Options should they choose to procure them.

1.2 Introduction

Significance	Response Type	Standard Text
INFORMATION	NONE	YES

The <variable: name of organization>, of the <variable: jurisdiction> (hereinafter referred to as the “Lottery”), is issuing this Request For Proposal (RFP) to invite interested Bidders to submit Proposals for the delivery and/or implementation of Lottery-related products and/or services.

The technical requirements of this RFP are set out in Appendix A. The technical requirements must be delivered and/or implemented no later than <variable: date>.

An electronic copy of the text of this RFP is provided by the Lottery at the URL referenced in Section 1.8 (Official RFP Website) in the following read-only format(s): <variable: format(s); recommendation: PDF>.

1.3 Lottery and RFP Objectives

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

1.4 Glossary of Terms

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Definitions that are Standard Text from the SRT and are not modified in any way are marked STANDARD. All other definitions are marked NEW.

TERM	DEFINITION	[STANDARD/NEW]
Back-office System	Data processing systems used to support the central business operation of the Lottery, as distinct from gaming systems or systems employed by the retailer at the point-of-sale.	STANDARD
Bidder	Any entity that has expressed interest in the RFP and may wish to respond or has responded to the RFP, up to the point in time when the Lottery announces the contract award. The entity can be a Consortium, a Joint Venture, an individual company, or any other form of single- or multi-member organization.	STANDARD
Bid Bond	Guarantee of the availability of the products and/or services offered by the Bidder for a certain period of time following Proposal Submission.	STANDARD
Consortium	An association or a combination of businesses, financial institutions, or investors, for the purpose of engaging in common project(s).	STANDARD
Consumables	Play slips, ticket stock, printer paper, printer ribbons, ink supply, toner, and any other operational supplies required by retailers to operate their terminals. The term "Consumables" does not include point-of-sale promotional items or instant tickets.	STANDARD
Contract	The written agreement resulting from the successful Proposal and subsequent negotiations, which incorporates, among other things, this RFP and the Bidder's Proposal, and all modifications hereto and thereto.	STANDARD
Contract Manager	The manager of a party responsible for the Contract on behalf of the respective organization.	STANDARD

TERM	DEFINITION	[STANDARD/NEW]
Contractor	The Bidder with whom the Lottery executes a Contract pursuant to this RFP. Once the Lottery and the Successful Bidder sign the Contract, the latter becomes the Contractor.	STANDARD
Customer Site	Site used by or belonging to a customer of the Bidder.	STANDARD
Evaluation Committee	A committee established by the Lottery to oversee the activities of the Proposal Evaluation process. The Evaluation Committee manages and is responsible for determining the Proposals that best meet the combined criteria of the RFP (e.g., the Lowest and Best Proposals) and making a contract award recommendation to the Lottery Executive and/or Lottery Oversight Organization.	STANDARD
Gaming System	The set of software and hardware components required in order to deploy a particular game or set of games. Such components include game terminals, communications channels, and game host computers at the Lottery Central Office.	STANDARD
Intellectual Property Rights	Any rights with respect to inventions, discoveries, or improvements, including patents, patent applications and certificates of invention; trade secrets, know-how, or similar rights; the protection of works of authorship or expression, including copyrights and future copyrights; and trademarks, service marks, logos, and trade dress; and similar rights under any laws or international conventions throughout the world, including the right to apply for registrations, certificates, or renewals with respect thereto, and the rights to prosecute, enforce, and obtain damages.	STANDARD
Internal Control System (ICS)	The audit system and its associated processes that performs auditing of the gaming system component to ensure the integrity, security, and accuracy of gaming transactions.	STANDARD
Joint Venture	A partnership or conglomerate; see Consortium.	STANDARD
Letter of Transmittal	A written notification from a Bidder to a Lottery that accompanies each Proposal volume in response to an RFP published by the Lottery.	STANDARD
Litigation Bond	Statement to discourage frivolous legal actions by permitting the Lottery to recover damages resulting from a Bidder initiating a frivolous lawsuit.	STANDARD

TERM	DEFINITION	[STANDARD/NEW]
Lottery Central Office	The main physical location that houses the Lottery's central computer systems to (and from) which all lottery transactions flow and are recorded in a secure manner. Typically, all administrative and data processing staff are located here to monitor and maintain the computer systems to ensure continuous lottery operation.	STANDARD
Lottery Executive	The person(s) in charge of running the Lottery and making executive decisions on a day-to-day basis. Reports to the Lottery Oversight Organization.	STANDARD
Lottery Organization (Lottery)	All those responsible for the overall operation of the Lottery, which includes the director and other management personnel, and operational and technical personnel including the lottery development office. Together, they are responsible for overseeing lottery integrity, optimizing profitability from games (current and future), system procurement, managing retailers and vendors, and for marketing and payouts.	STANDARD
Lottery Oversight Organization	Oversees the Lottery Organization and their policies and procedures, hires Lottery Executive, and approves major lottery contracts. (For example, Board of Directors, Lottery Commissioners.)	STANDARD
Major Part	A product, system, or service provided, which is important for an implementation and/or operation of the Lottery.	STANDARD
Material Change	Any event which, following Generally Accepted Accounting Principles (GAAP) or International Accounting Standards (IAS), would require a disclosure in the annual report of a publicly traded corporation.	STANDARD
Party, Parties	The Lottery and the Bidder or Contractor, each being a Party, jointly referred to as Parties.	STANDARD
Person	An individual, a partnership, a Joint Venture, a registered limited liability partnership, an association, a corporation, a limited liability company, a trust, an unincorporated organization or any other entity, business or enterprise, authorized to do business in the Lottery's jurisdiction.	STANDARD
Proposal	All materials submitted by a Bidder in response to the RFP.	STANDARD
Proposal Clarification	To resolve ambiguities and improve the understanding of the Proposal Evaluation Committee regarding an individual Bidder's Proposal. The responses of individual Bidders to Lottery requests for clarification are considered part of the deliberative process of clarifying the offerings in a Proposal.	STANDARD

TERM	DEFINITION	[STANDARD/NEW]
RFP	References this “Request For Proposal” document including all appendices and subsequent amendments.	STANDARD
Standard Text	The suggested text provided in the latest officially approved and released Standard RFP Template (SRT) upon which this RFP is based.	STANDARD
Statement of Non-Collusion	Certification that the Bidder has neither directly nor indirectly entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the Proposal.	STANDARD
Subcontractor	Person(s) to whom the Bidder entrusts a portion of the execution of the Contract.	STANDARD
Successful Bidder	The Bidder to whom the Lottery awards a Contract pursuant to this RFP, subject to any further negotiation and Contract signing. (Non-winning Bidders may be termed “Unsuccessful Bidders”).	STANDARD
System	A collection of hardware, software, facilities, and procedural elements which provides useful services and which produces useful outputs. In this RFP there are numerous references to systems, inclusive of references to systems that are subsystems of other referenced systems. The immediate context and adjectives or labels define which systems are being discussed. When used without other qualification, “System” refers to the comprehensive gaming system as per the objective of this RFP proposed by the Bidder.	STANDARD
Terminal	Machine designated to facilitate mainly Lottery product sales or validations at a point-of-sale.	STANDARD

1.5 Schedule

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The milestones and significant dates for the RFP, Proposal Submission, and contract award include, but are not limited to, the following:

Event	Date
Notice of Intent to Issue an RFP	<variable; refer to SRT Guide>
RFP Publication	<variable; refer to SRT Guide>
Bidder Expression of Interest	<variable; refer to SRT Guide>
Bidder’s Written Questions (First Round)	<variable; refer to SRT Guide>

Event	Date
Lottery Written Responses (First Round)	<variable; refer to SRT Guide>
Pre-Proposal Conference	<variable; refer to SRT Guide>
Lottery's Written Responses to Pre-Proposal Conference Questions	<variable; refer to SRT Guide>
Deadline for Proposal Submission	<variable; refer to SRT Guide>
Proposal Opening	<variable; refer to SRT Guide>
Announcement of Proposal Received	<variable; refer to SRT Guide>
Evaluation Period	<variable; refer to SRT Guide>
Notification for Bidder Demonstrations and/or Site Visits	<variable; refer to SRT Guide>
Bidder Demonstrations and/or Site Visits	<variable; refer to SRT Guide>
Evaluation Committee Recommendation	<variable; refer to SRT Guide>
Notification of Successful Bidder	<variable; refer to SRT Guide>
Contract Negotiation	<variable; refer to SRT Guide>
Contract Executed	<variable; refer to SRT Guide>
Projected Contract Conversion Date	<variable; refer to SRT Guide>
Debriefing	<variable; refer to SRT Guide>

Specified dates that have a time associated with them are <variable: timezone & time>.

1.6 Issuing Office

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The RFP is issued by the <variable: name> Lottery.

The Lottery is the single Issuing Office with regard to all procurement and contractual matters relating to the products and/or services described in this RFP.

The Issuing Office is the only office authorized to clarify, modify, amend, alter, or withdraw specifications, requirements, terms, and conditions of the RFP, and any Contract entered into as a result of the RFP.

The location of the Issuing Office is <variable: address>.

1.7 Procurement Officer and Point of Contact

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Procurement Officer, acting on the Lottery's behalf, is the sole point of contact with respect to all contractual matters relating to the procurement of the products and/or services described in this RFP.

All communications concerning this RFP, including but not limited to submission of questions, requesting copies of amendments or answers, and submission of Proposals, must be addressed to the Procurement Officer at the address identified in Section 1.6 (Issuing Office):

Name <variable>
Title <variable>
Telephone <variable>
Fax <variable>
Email <variable>

In case the Procurement Officer cannot be reached and urgent contact needs to be made with the Lottery, the following secondary Point of Contact may be used:

Name <variable>
Title <variable>
Telephone <variable>
Fax <variable>
Email <variable>

1.8 Official RFP Website

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery's official procurement website with respect to this RFP is <variable: URL>.

This website is the only valid source of information concerning this procurement process. It is the responsibility of the Bidders to ensure that they have received and taken into consideration all information provided on this website.

1.9 Bidder Contact with the Lottery

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Upon RFP Publication, the restrictions on Bidder communications described in this section are instituted to protect the integrity of the procurement process.

Other than the Procurement Officer, as specified in Section 1.7 (Procurement Officer and Point of Contact), Bidders and their agents must not make unsolicited contact with any Lottery personnel or Proposal Evaluation Committee member, to the Lottery or public official of the jurisdiction regarding the RFP or the Proposals.

Bidders should not represent themselves to Lottery staff or Lottery retailers as having the endorsement of the Lottery, nor as the Lottery's next supplier of gaming system products and/or related services.

Bidders who are currently doing business with the Lottery may continue to do so; however, any communication regarding the RFP, not otherwise permitted in the RFP, is prohibited.

The Lottery will disqualify Bidders for intentionally causing a material violation or circumvention of the requirements of this section.

1.10 Bidder Expression of Interest

Significance	Response Type	Standard Text
DESIRED	ACCEPTANCE	YES

The Lottery requires each interested Bidder to notify the Lottery about their interest in this RFP.

Each interested Bidder should notify the Lottery about their interest in this RFP and the related procurement process in order to automatically receive notice about information, updates, and addenda released by the Lottery with respect to this RFP.

The Bidder should notify the Issuing Office at the location given in Section 1.6 (Issuing Office), by the date stated in Section 1.5 (Schedule), stating the Bidder's interest in this RFP and providing the following information:

- Name of prospective Bidder company
- A contact person for all matters relating to the RFP or Proposal including name, title, address, telephone, fax, and email

A form for this purpose is provided in Appendix B to this RFP.

While the Lottery will undertake to promptly and diligently notify all registered potential Bidders about new information related to this RFP, it is the Bidder's responsibility to verify that they have received all applicable information in accordance with Section 1.8 (Official RFP Website).

1.11 RFP Clarification Questions

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

It is the responsibility of each Bidder to examine the entire RFP and seek clarification in writing per Section 1.11.1 and Section 1.12 (Pre-Proposal Conference).

This RFP clarification procedure provides the only means by which a Bidder may request clarification of the RFP or additional information on the business, contractual, procedural, and technical requirements of the procurement.

The Lottery will conduct *<variable: number>* round(s) of clarification questions to allow Bidders to be clear on the RFP terms, conditions, and requirements, and the associated Proposal Submission and Proposal Evaluation processes. The Bidder should consult Section 1.5 (Schedule) to determine the milestones and dates for submitting written questions.

1.11.1 Submission of RFP Clarification Questions

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	YES

Bidders may submit written questions regarding the RFP to the Issuing Office according to the schedule specified in Section 1.5 (Schedule).

Bidders must submit written questions relevant to the RFP to the Issuing Office via email in PDF and Microsoft Word formats. *<variable: additional forms of submission as required, e.g., fax, mail, overnight courier, or hand-delivered>* In case of discrepancy, the Lottery will recognize only the *<variable: version; recommendation: email>*.

An RFP inquiry from a Bidder:

- Must be written in generic (i.e., non-proprietary) terms inasmuch as all responses to inquiries will be available to Bidders
- Must not contain price data
- Must cite a specific RFP section number and title (if any)

The Lottery will reject a Bidder's Proposal if the inclusion of pricing information has any adverse effect on competition or otherwise prejudices the procurement process.

1.11.2 Response to RFP Clarification Questions

Significance	Response Type	Standard Text
INFORMATION	NONE	YES

The Lottery will respond to written questions by the dates specified in Section 1.5 (Schedule). An electronic copy of all written questions, together with the Lottery's written responses, will be provided to all Bidders that have expressed an interest in the RFP as per Section 1.10 (Bidder Expression of Interest). Specific Bidders will not be identified in the Lottery's written responses.

The Lottery may combine questions that are duplicative into one comprehensive question and provide a written response to that combined question.

The Lottery will:

- Provide all of the questions and responses electronically in the following read-only format(s): *<variable: format(s); recommendation: PDF>*
- Post the questions and responses to the Lottery's website as referenced in Section 1.8 (Official RFP Website)

All questions and answers will be formalized as amendments to the RFP; see Section 1.13 (Amendments to the RFP). Any other modification of the requirements of the RFP, except by the issuance of amendments, will not be recognized.

1.12 Pre-Proposal Conference

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	YES

The Lottery *<variable: will/will not; if not, then delete remainder of this section>* hold a Pre-Proposal Conference in association with this RFP.

The Pre-Proposal Conference will be held at the date, time, and location specified below:

Date: *<variable>*

Time: *<variable>*

Location/Address: *<variable>*

Each individual wishing to attend the Pre-Proposal Conference should register their intent to attend with the Procurement Officer no later than *<variable: number; recommendation: five (5)>* days prior to the conference. Individuals not registered in accordance with this requirement may be refused admittance to the Pre-Proposal Conference.

Attendance at the Pre-Proposal Conference is recommended, since the information presented may be significant.

Bidders should raise any questions they may have about the RFP or the procurement during the Pre-Proposal Conference. However, Bidders should not rely on any informal verbal responses to questions at the conference. Remarks and explanations given by the Lottery at the Pre-Proposal Conference will not qualify the provisions of the RFP, unless the RFP is amended in writing. The Lottery will orally respond, to the best of its ability and knowledge, to questions presented at the Pre-Proposal Conference. However, the Lottery will not be bound to its preliminary verbal answers given at the Pre-Proposal Conference.

The Lottery will issue its official answers to the verbal questions asked during the Pre-Proposal Conference in writing within <variable: number; recommendation: 10> days and within <variable: number; recommendation: 20> days before the deadline for Proposal Submission. The Lottery will post the official answers to the Lottery’s website as referenced in Section 1.8 (Official RFP Website). The Lottery will ensure that there is a mechanism (such as an acknowledgement form or email notification) for verification of receipt of electronic and written communication with the Bidders.

Official answers that materially change the requirements of the RFP will be formalized as amendments to the RFP; see Section 1.13 (Amendments to the RFP).

1.13 Amendments to the RFP

Significance	Response Type	Standard Text
INFORMATION	ACCEPTANCE	YES

An amendment to the RFP will be issued, for example, in order to:

- Make changes to the requirements of the RFP
- Correct defects or ambiguities in the RFP
- Change the date, place, or time of critical milestones published in the RFP

Amendments to the RFP will be clearly identified as such. Only modifications made as written and posted amendments to the RFP by the Issuing Office and/or in accordance with Section 1.11 (RFP Clarification Questions) and Section 1.12 (Pre-Proposal Conference) are considered valid and applicable amendments of this RFP.

All amendments to this RFP will be uniquely identified and posted to the website specified in Section 1.8 (Official RFP Website), which is the sole official source of all amendments to this RFP.

The Lottery or its designated tendering system will notify all Bidders that have expressed an interest in the RFP as per Section 1.10 (Bidder Expression of Interest) when amendments to the RFP have been posted to the website.

A complete list of all amendments applicable to this RFP as well as the amendments themselves will be provided by the Lottery upon request prior to the deadline for Proposal Submission specified in Section 1.5 (Schedule).

The Bidder is solely responsible for obtaining all relevant information posted on the website and, by responding to this RFP, will be considered to have obtained all such posted amendments.

1.14 Responsive Proposal Submission Criteria

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

This section of the RFP contains the instructions for responding to the RFP and the requirements for information that must be included in the Bidder’s Proposal. A Proposal submitted in response to this RFP is expected to provide the Lottery with the necessary information and evidence that will make it possible for the Bidder’s Proposal to be recommended by the Evaluation Committee. A Proposal must be fully responsive to the requirements stated in the RFP.

Bidders must submit their Proposal as two (2) volumes in separate packages. The two (2) volumes must be identified as follows:

1. The Technical Proposal volume, which must include:
 - Letter of Transmittal – see Section 1.15 (Letters of Transmittal)
 - The Technical Proposal (the entire response except pricing information)
 And, if required by the Lottery:
 - Bid Bond – see Section 1.16 (Bid Bond)
 - Litigation Bond – see Section 1.17 (Litigation Bond)
2. The Price Proposal volume, which must include:
 - Letter of Transmittal – see Section 1.15 (Letters of Transmittal)
 - The Price Proposal

Each of the separate volumes listed above must:

- Be submitted in ring binders
- Be submitted on standard size white paper
- Allow a minimum of 20mm (¾”) margins on all sides
- Use a font type no smaller than 11 point

Each volume – that is, either the Technical Proposal or Price Proposal, either of which may consist of more than one physical package if necessary – must be submitted separately sealed and clearly marked with:

- The Bidder’s name and address
- The reference number *<variable: reference>* of this RFP

- The contents of the package (e.g., “Technical Proposal: 2 Binders, 1 CD-ROM”)
- The sequence number of the package; i.e., “pack X of Y” where Y signifies the total number of packages in the Bidder’s Proposal

Both packages must be specifically addressed to the Issuing Office at the location provided in Section 1.6 (Issuing Office).

Both packages must be sent to and received by the Issuing Office by the time and date specified in Section 1.5 (Schedule).

Bidders must submit one (1) original of each document.

The original of each document must be signed in ink by an officer or agent of the Bidder with authority to contractually bind the Bidder.

Bidders must submit *<variable: number>* hard copies of each document.

Bidders must submit *<variable: number>* electronic copies of their Technical Proposal on CD-ROM/DVD in the following read-only format(s): *<variable: format(s); recommendation: PDF>*.

A checklist is provided to assist Bidders in preparing their Proposals in accordance with the Proposal Submission criteria; see Appendix J.

1.14.1 Proposal Delivery Location and Process

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Proposals must be delivered to the Point of Contact at the address indicated in Section 1.7 (Procurement Officer and Point of Contact) no later than the date and time specified in Section 1.5 (Schedule). The Procurement Officer will issue a receipt for each Proposal received before the deadline for Proposal Submission specified in Section 1.5 (Schedule). The receipt will indicate the date and time of the receipt of the Proposal.

Only a receipt issued by the Issuing Office will be accepted as proof of the date and time of filing of the Proposal. A courier receipt signed by the Procurement Officer will constitute a valid receipt. No other receipt or other evidence will be accepted. For personally delivered Proposals, the person delivering the Proposal will be given the receipt.

1.14.2 Late Proposals

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Proposals pursuant to this RFP must be submitted and received by the Procurement Officer as of the published date and time specified in Section 1.5 (Schedule). The Lottery will note the official date and time of receipt of all Proposals. The Lottery will reject Proposals that are not

submitted by the specified date and time, and no receipt shall be issued for any such Proposals. The Lottery will return late Proposals that have been rejected to the Bidder unopened.

1.14.3 Proposal Language

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Bidders must submit their Proposals in <variable: language(s)> language. The Contract will be written in <variable: language(s)>. In case of conflicting text between different language versions of any document, the <variable: language> version shall prevail.

1.14.4 Pricing Information

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Bidder must only include pricing information in the Price Proposal. The Bidder must not include pricing information in any portion of the Technical Proposal, including responses to clarification questions. The Lottery will reject the Bidder’s Proposal for inclusion of pricing information anywhere other than in the Price Proposal.

The Bidder should avoid including No Charge (N/C) or statements to the same effect anywhere other than in the Price Proposal. The Lottery will reject the Bidder’s Proposal for inclusion of such statements.

1.14.5 Compliance Table

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

A Compliance Table is provided in Appendix C with all section numbers and their respective significance completed.

The Compliance Table aligns with the following format and will cover all of the sections and subsections in the RFP:

		Compliance			
Section	Significance	FULL	MODIFIED	N/C	Comments
[number]	[Mandatory...]	[X]			[text]

The Bidder must complete the Compliance Table provided in Appendix C by filling in the Compliance sections for each entry in the table as defined in Section 1.1.1 (Marking of Proposal Sections).

If the Bidder has complied fully with the requirements specified in the section or subsection of the RFP, the Compliance area of the table must indicate FULL.

If the Bidder has largely complied with the requirements specified in the section or subsection of the RFP, but with minor modifications, the Compliance area of the table must indicate MODIFIED.

If the Bidder has not complied with the requirements defined in the section or subsection of the RFP, the Compliance area of the table must indicate NO and the Bidder should provide the reason for non-compliance in the associated Comment box.

Bidders must submit the completed Compliance Table as part of the Technical Proposal.

1.15 Letters of Transmittal

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

A Bidder submitting a Proposal in response to the RFP must submit a Letter of Transmittal as required in Section 1.14 (Responsive Proposal Submission Criteria). Each separate Letter of Transmittal must be signed by an officer or agent of the Bidder with authority to contractually bind the Bidder to the terms and offerings in the Proposal. Pricing information must not appear in any portion of any Letter of Transmittal. Each Letter of Transmittal must include a clear Bidder's statement of compliance with the requirements of the RFP for the duration of the Acceptance Period, identified in Section 1.28 (Acceptance Period).

1.16 Bid Bond

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Lottery *<variable: requires/does not require; if not, then delete remainder of this section>* a Bid Bond.

A Bid Bond must be submitted with the Letter of Transmittal, in compliance with Section 1.14 (Responsive Proposal Submission Criteria).

The Bid Bond must be issued in the amount of *<variable: currency & monetary representation>* and be in form and substance, and issued by an issuer, acceptable to the Lottery. The Bid Bond must guarantee the availability of the products and/or services offered for the duration of the Acceptance Period, identified in Section 1.28 (Acceptance Period).

The Lottery will return the Bid Bond to Unsuccessful Bidders immediately upon the execution of the Contract. The Lottery will retain the Bid Bond of the Successful Bidder until the Contract is executed and the Lottery is furnished with an acceptable *<variable: Performance Bond or Performance Security>*. The Bid Bond will be forfeited to the Lottery if the Successful Bidder

fails to submit in a timely manner the Performance Bond or other security, as required, or fails to execute the Contract when required to do so by the Lottery.

1.17 Litigation Bond

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Lottery *<variable: requires/does not require; if not, then delete remainder of this section>* a Litigation Bond.

The Bidder must provide a Litigation Bond in the amount of *<variable: currency & monetary representation>*. The Litigation Bond shall remain in effect for *<variable: number>* years from the deadline for Proposal Submission. The Litigation Bond must be in the form of a policy or certificate issued by a surety company licensed to do business in the *<variable: jurisdiction>*. In lieu of a Litigation Bond, a Bidder may file securities or an irrevocable Letter of Credit in the form required by *<variable: statutes>*.

1.18 Public Records and Request for Confidentiality

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

If a Proposal includes any information that constitutes a trade secret of the Bidder, or that constitutes security-related information that cannot be disclosed without compromising the security interests of the Bidder (or of the Lottery if the Bidder receives the contract award), such information must be clearly marked as “CONFIDENTIAL”.

An entire page or paragraph in which such information appears should not be marked “CONFIDENTIAL” unless the entire page or paragraph consists of such confidential information. Only the confidential portion(s) should be so identified and marked.

The Bidder must defend the confidentiality of its trade secrets through the judicial process.

The Lottery will hold in confidence all material contained in sections that are marked “CONFIDENTIAL” in accordance with jurisdictional law.

All disclosure is determined by jurisdictional law.

1.19 Property of the Lottery

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

All matters set forth in a Bidder's Proposal including, without limitation, technical and financial information, may be subject to disclosure after contract award. All submitted Proposals will

become the property of the Lottery upon receipt and may be returned only at the option of the Lottery. The Lottery will strive to keep all Proposal information confidential in accordance with Section 1.18 (Public Records and Request for Confidentiality), unless compelled by jurisdictional law to release some or all information. The Lottery reserves the right to use any and all information contained in a Proposal to the extent permitted by jurisdictional law.

1.20 Incurred Costs Associated with the Proposal

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Neither the Lottery nor the jurisdiction will be liable for any of the Bidder's costs associated with any activity related to this RFP, other than as may be explicitly set out in this RFP.

1.21 Proposal Content and Format

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Bidders should provide the Lottery with information, evidence, and demonstrations in a manner that will enable the Lottery to award a Contract that best serves the stated interests of the Lottery and its jurisdiction.

Bidders should prepare their Proposals providing a straightforward and detailed description of their ability to satisfy the requirements of this RFP. Emphasis in each Proposal should be on completeness and clarity of content.

At a minimum, Proposals must be fully responsive to the requirements stated in this RFP.

Proposals must be submitted in the format described in Section 1.14 (Responsive Proposal Submission Criteria), Section 1.22 (Response to Technical and Non-Price Requirements), and Section 1.23 (Price Proposal).

All proposed hardware, software, and services must be included in the final delivered system unless otherwise specified (with the exception of options not selected by the Lottery).

The Lottery reserves the right to award a lower evaluation score or reject a Proposal for failure by a Bidder to provide the appropriate information or materials in response to each stated requirement or request for information.

1.22 Response to Technical and Non-Price Requirements

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Technical Proposal must contain and respond to all of the information required in Appendix A (Technical Specifications).

All pages of the Technical Proposal must be numbered.

The Technical Proposal must be complete. The Lottery will reject a Technical Proposal that does not provide all of the mandatory information requested.

The Technical Proposal should provide all of the information concerning the particular subject area that the Bidder believes would be helpful to the Lottery in determining its ability to meet the specifications or perform the requirements.

In the Bidder's description of its system or related services, the Bidder must state whether a Major Part will be provided by a subcontractor or consultant. If so, the Bidder must state the name of the subcontractor or consultant and state the function or service that will be performed by that subcontractor or consultant.

1.22.1 Technical Specifications

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	YES

The Technical Specifications set forth in Appendix A (Technical Specifications) must be regarded by the Bidder as mandatory, unless otherwise labeled in the box marked "Significance" of the RFP Standard Compliance Box, as described in Section 1.1 (Terminology).

The Bidder may propose additional services, products, product components, or features not required in Appendix A (Technical Specifications); i.e., Offered Options. If an additional service, product, product component, or feature is proposed, it should be clearly labeled in the box marked "Significance" as an OFFERED OPTION in the Proposal Standard Compliance Box.

1.23 Price Proposal

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Price Proposal must contain all of the information required in Chapter 5 (Pricing).

1.24 Multiple Proposals from a Single Bidder

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Each Bidder must submit one (1) Proposal only. Within the single Proposal, the Bidder may identify Offered Options, including unsolicited products, services, features, or substitutions that the Bidder believes may be appealing and useful to the Lottery.

1.25 Proposal Opening

Significance	Response Type	Standard Text
INFORMATION	ACCEPTANCE	YES

The Evaluation Committee will open the Technical Proposals at *<variable: location>* on the date set out in Section 1.5 (Schedule). The Proposal opening is *<variable: public/not public; refer to SRT Guide>*.

Price Proposals will not be opened at this time; they will remain sealed until after the evaluation of the Technical Proposals.

1.26 Proposal Clarification Process

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery may request clarification from Bidders for the purpose of resolving ambiguities or questioning information presented in the Proposals. The Lottery may request clarification on one or more statements made by a Bidder in its Proposal at any point during the Proposal Evaluation process.

When the Lottery requests clarification from a Bidder, the Issuing Office will prepare a written request, which will:

- Consist of a list of questions
- Be sent in writing via email to the contact person representing the Bidder
- Also be sent by fax, mail, overnight courier, or hand-delivered to the contact person representing the Bidder
- Include a deadline for the Bidder to submit a response
- Include appropriate references to the RFP or the Bidder's Proposal

The Bidder must send a response within the time indicated in the written request. If this proves to be unfeasible, the Lottery and the Bidder may agree a modification of the deadline.

The Bidder's response:

- Must address only the information requested
- Must be submitted to the Issuing Office in writing via email
- May also be submitted to the Issuing Office by fax, mail, overnight courier, or hand-delivered, as directed by the Lottery
- Must not include any pricing information, unless the request for clarification relates specifically to the Bidder's Price Proposal

The Bidder must keep confidential all information that is exchanged as part of the Proposal clarification process.

The Proposal clarification process does not permit withdrawal, revision, or additions to the technical elements of the Proposal after Proposal Submission, nor any change to the financial terms quoted; it should be understood that a Proposal clarification request is not a negotiation.

1.27 **Modification/Withdrawal of a Proposal**

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Bidder may modify or withdraw a Proposal by written notice received prior to the deadline for Proposal Submission specified in Section 1.5 (Schedule).

The Bidder may modify or withdraw a Proposal in person before *<variable: time of day>* on the date for Proposal Submission.

The Lottery will not consider verbal telephone requests to modify or withdraw a Proposal.

After the deadline for Proposal Submission, the Bidder must not modify a Proposal, except to the extent of a Bidder's response to a request for clarification pursuant to Section 1.26 (Proposal Clarification Process).

1.28 **Acceptance Period**

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Proposals must remain valid until *<variable: date>*. The Lottery will reject a Bidder's Proposal that is not valid for the duration of the Acceptance Period. Bidders will be strictly held to the terms in their Proposals. The contents of the RFP and the Proposal will become contractual obligations in the event of contract award. The Lottery will cancel a contract award for failure of the Successful Bidder to accept these obligations.

1.29 Disclosure Prohibition

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	YES

Information provided in a Proposal must be held in confidence by the Bidder and not be revealed or discussed with parties other than the Bidder except as required by jurisdictional law. The Lottery will disqualify the Proposal if the disclosure has had a material impact on competition or otherwise prejudices the procurement process.

The Lottery will ensure that the Proposals remain confidential until the procurement process under this RFP is formally concluded by the Lottery.

1.30 Material/Non-Material Deviations

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Each Bidder must submit a Proposal that meets all mandatory requirements of this RFP.

Material requirements of the RFP are those designated as MANDATORY in the box marked “Significance” of the RFP Standard Compliance Box. The Lottery will reject as non-responsive any Proposal that does not meet all material requirements of this RFP, that fails to provide all required information, documents, or materials, or that includes language that is conditional or contrary to terms, conditions, and requirements.

The Lottery reserves the sole right to determine whether a Proposal meets the material requirements of the RFP. Further, the Lottery reserves the right to waive mandatory requirements and inform all Bidders of such in writing, where it is deemed to be in the best interests of the Lottery.

The Lottery reserves the right to waive or permit cure of non-material deviations, both in the Proposal form and in the Proposal contents, if in the judgment of the Lottery the best interests of the jurisdiction will be served and such waiver or cure will not be prejudicial to competition. The Lottery's waiver or permitting cure of a non-material deviation will not excuse the proposing Bidder from full compliance with the Contract requirements if the proposing Bidder is awarded the Contract.

1.31 Disqualification for Business Incapability

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	YES

The Bidder must have financial and business stability and the wherewithal to perform and support the Lottery.

If, at any time prior to the signing of a Contract, the Lottery reasonably determines that the Bidder does not possess adequate financial ability or requisite stability to carry out the obligations of the Contract, the Lottery reserves the right to disqualify that Bidder from further consideration.

If, at any time after Contract execution, the Lottery reasonably determines that the Successful Bidder does not possess adequate financial ability or business stability to continue to carry out the obligations of the Contract, the Lottery reserves the right to terminate the Contract.

1.32 Effect of a Proposal

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

A Proposal does not confer upon the Bidder any rights to the award of a Contract.

1.33 Rejection/Selection of Proposals

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	YES

The acceptance of a Proposal will not diminish the Lottery's right to negotiate specific Contract terms, including price, with the apparent Successful Bidder.

Issuance of the RFP in no way constitutes a commitment by the Lottery to award any Contract.

The Lottery reserves the right to:

- Reject any or all Proposals or any portion of all Proposals received in response to the RFP if the Lottery determines that it is in the best interests of the Lottery to do so
- Reject any Proposal which is conditional or incomplete
- Continue the Proposal Evaluation process and select the Proposal which offers the best value to the Lottery, even if all Bidders fail to meet one or more of the mandatory requirements
- Advertise for new Proposals
- Arrange to receive or itself perform and obtain the products and/or services requested in the RFP
- Abandon the solicitation of such requested products and/or services
- Award in whole or in part a Contract deemed to be in the best interests of the Lottery

The Lottery will notify in writing those Bidders who submit a Proposal in response to the RFP, but who are not awarded the Contract (the Unsuccessful Bidders).

1.34 Shortlist

Significance	Response Type	Standard Text
INFORMATION	NONE	YES

The Lottery <variable: will/will not; if not, then delete remainder of this section> announce a shortlist of potential Bidders.

Subject to the initial evaluation of the received Proposals, the Lottery may, at its discretion, announce a shortlist. The shortlist will announce those Proposals that the Lottery will continue to evaluate.

The Lottery will inform on an individual basis, regarding their own Proposal only, those Bidders whose Proposals are not being further evaluated.

1.35 Independent Price Determination

Significance	Response Type	Standard Text
IMPORTANT	FULL	YES

By submission of a Proposal, the Bidder must certify – and in the case of a joint Proposal, each party thereto must certify as to its own organization – that in connection with the Proposal:

1. The prices in the Proposal have been arrived at independently, without consultation, communication, or contract for the purpose of restricting competition as to any matter relating to such prices with any other Bidder or with any competitor.
2. Unless otherwise required by jurisdictional law, prior to contract award the prices which have been quoted in the Proposal have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder directly or indirectly to any other Bidder, any competitor, or to any person not representing the Bidder.
3. No attempt has been made or will be made by the Bidder to induce any other person or entity to submit or not submit a Proposal for the purpose of restricting competition.

The Lottery will disqualify the Proposal if failure to notify has had a material impact on competition or otherwise prejudices the procurement process.

1.36 Change of Ownership/Financial Condition

Significance	Response Type	Standard Text
IMPORTANT	FULL	YES

If the Bidder (including the parent or holding company of the Bidder) experiences a material change in its ownership or financial condition after its Proposal has been submitted and prior to the execution of the Contract with the Successful Bidder, the Bidder must notify the Issuing Office in writing at the time the change occurs or is identified.

The Lottery will disqualify the Proposal if the breach has had a material impact on competition or otherwise prejudices the procurement process.

1.37 News Releases and Advertising

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

News releases pertaining to this RFP or the services, study, data, or project to which it relates must not be made without prior written approval by the Lottery, and then only in accordance with explicit written instructions from the Lottery.

By submitting a Proposal, the Bidder agrees not to use the Lottery's name, logos, images, nor any data or information related to this procurement process, or the Contract resulting thereof, as a part of any press releases or commercial advertising without prior written approval by the Lottery.

The results of the RFP process must not be released without prior approval of the Lottery, and then only to designated persons and/or media organizations. The Lottery will not unreasonably withhold approval for such releases.

1.38 Demonstrability of Proposed System

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	YES

The Lottery requires that a system configuration of the type proposed by the Bidder (i.e., all equipment, software, and manufacturing capabilities) at a minimum be capable of being demonstrated by the Bidder upon request in order to indicate the Bidder's ability to meet the Lottery's requirements. While functions and features demonstrated or benchmarked at the request of the Evaluation Committee need not be identical to those of this RFP, common functionality and operations are expected.

A Bidder submitting a Proposal must be able to provide a site(s) to demonstrate its proposed system and its ability to meet the requirements of the RFP.

The Lottery reserves the right to reject a Bidder's Proposal for failure to propose demonstrable products.

If requested, Demonstrations may consist of any or all of the following:

- A simulation at Lottery headquarters or the Bidder's facilities
- The observation of operations at another lottery
- A presentation at some other appropriate venue

For such Demonstrations, the Lottery reserves the right to specify or limit the geographic locations of Bidder Demonstrations.

It is not required that every software and hardware item in the proposed configuration already be operational in some Lottery setting; however, the Lottery does not intend to acquire configuration items which are at the specifications or concept stage only. In this regard, the Lottery requires that a gaming system configuration of the type proposed must be capable of being demonstrated by the Bidder upon request. The Lottery will not accept discontinued, out-of-date, or unsupported products.

1.39 Hiring and Other Business Relationships with Lottery Staff

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

During the period from RFP Publication until contract award, and for a 12-month period following contract award, Bidders must not make any employment offer (officially or unofficially) or propose any business arrangement whatsoever to any employee of the Lottery. The Lottery will reject a Bidder’s Proposal or terminate any subsequent Contract for making such an offer or proposition.

1.40 Debriefing

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

An Unsuccessful Bidder will be given the opportunity for a Debriefing with the Lottery. The Issuing Office will schedule any Debriefing after the Contract has been executed with the Successful Bidder.

The Debriefing may be held as a personal meeting or as a phone conference, according to the preference of the respective Unsuccessful Bidder. In the Debriefing, the Lottery will provide feedback relevant to the Bidder’s own Proposal only, including, but not limited to:

- Results with respect to the evaluation criteria
- Positive/strong areas of the Proposal, in the Lottery’s judgment
- Negative/weak areas of the Proposal, in the Lottery’s judgment

The duration of the Debriefing will not exceed two (2) hours, unless the Lottery agrees otherwise.

2 Lottery Background

2.1 History

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.2 General Information

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.2.1 Lottery Organization (Including Organization Chart(s))

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.2.2 Legal Status

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.2.3 Lottery Ethics and Integrity

Significance	Response Type	Standard Text
INFORMATION	NONE	YES

A Lottery operation is an extremely sensitive enterprise because of the nature of the lottery industry and its status as a highly public entity. Therefore, it is essential that its operation, and the operation of other enterprises which would be linked to it in the public mind, avoid not only

actual impropriety but also the appearance of impropriety. This is guided by the Lottery's Code of Ethics.

The current version of the Lottery's Code of Ethics can be found in Appendix G to this RFP.

2.3 Roles Pursuant to this RFP

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.3.1 The Lottery

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.3.2 Lottery Board/Commission

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.3.3 Other Entities

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4 Current Business Overview

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4.1 Current Market

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4.1.1 Competition

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4.2 Current Lottery Business

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4.3 Product Description and Sales Performance

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4.4 Online Games

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4.5 Instant/Scratch Games

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4.6 Other

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.4.7 Lottery Sales/Financial Results

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.5 New Games and Concepts

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.6 Lottery Retailers

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.6.1 Other Distribution Channels

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.7 Lottery Back-Office System

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.8 Lottery Internal Control System (ICS)

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.9 Lottery Operations

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.10 Online Communications Network

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.11 Jurisdictional Game Groups

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.12 Marketing

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.13 Responsible Gaming

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

2.14 Lottery Certification

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3 Terms and Conditions

3.1 Introduction

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

This chapter describes the terms and conditions that apply to the procurement process and which will become part of the Contract executed pursuant to this RFP.

3.2 Scope of the Contract

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.3 Elements of the Contract

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contract between the Lottery and the Successful Bidder must include as integral parts thereof:

1. The Contract
2. Clarifications and amendments to this RFP
3. This RFP
4. The Bidder's Proposal clarifications
5. The Bidder's Proposal, including appendices
6. Other documents that the Lottery clearly designates as such (e.g., specification documents, etc.)

In the event of a conflict in language between any of the documents referred to above, the provisions and requirements set forth or referenced in the RFP and its amendments must govern.

The Contract elements listed above constitute the entire Contract between the Lottery and the Bidder, and representations, verbal or written, not included in such Contract elements are not

binding on either the Lottery or the Contractor. In particular, the Lottery makes no representation of any kind regarding expected sales volumes or revenues, other than as expressly set out in this RFP.

3.4 Governing Law

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Applicable provisions of all applicable laws and administrative procedures, regulations, or rules of <variable: jurisdiction> shall govern the development, submission, and evaluation of all Proposals received in response hereto and shall govern any and all claims and disputes which may arise between persons submitting a Proposal hereto and the Lottery.

The Contractor must read and be familiar with the applicable law, rules, and regulations.

Lack of knowledge of the law or applicable administrative procedures, regulations, or rules by any Contractor shall not constitute a cognizable defense against their effect.

With respect to any legal actions or proceedings arising under the RFP or the Contract, a Contractor must, by submission of a Proposal, consent to the venue and jurisdiction of courts of the jurisdiction, which is the place of the publication of the RFP, the place where a Contract will be executed, and the principal place where the obligations of the Contractor to the Lottery are to be performed.

3.5 Term of the Contract

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contract resulting from this RFP will be in effect from the Contract signing date, and for a period of <variable: duration>, or such shorter period as the Lottery may determine, and upon termination to finish out the business week-in-progress. The causes for early termination of the Contract are as provided in this Contract.

The Lottery reserves the right to extend the Contract at its sole option up to a maximum of <variable: number> renewals of <variable: duration> each, provided that any such option to extend is exercised by the Lottery at least <variable: duration in days> prior to the end of the initial Contract period, or any extension thereof, or at a time mutually agreed by both parties. The price terms for any extensions may be at a rate of compensation to be renegotiated by the parties. Any extensions must be exercised by <variable: date> and have an ending date of <variable: date>.

3.5.1 Emergency Extension

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery reserves the right to reactivate or further extend the initial Contract, or any renewal thereof, at the rates and upon the terms and conditions then in effect on thirty (30) days' notice for <variable: number> thirty (30)-day periods if a different contractor is chosen for a subsequent contract, and the changeover to the new contractor's system does not occur by the time of the expiration of the original Contract or subsequent extension(s).

Exercising these rights shall not be construed as obligating the Lottery to repeat the procurement process for any subsequent contract or as conferring any right or expectation for the Contractor to continue operating the system after the expiration of any such emergency extension period.

3.6 Termination of the Contract/License

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery may terminate the Contract prior to the expiration date in accordance with the provisions of this section (Section 3.6) of the RFP.

3.6.1 Termination for Default

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Default is defined as the failure of the Contractor to fulfill the obligations of the Contract including the Proposal.

The Lottery may terminate the Contract or any portion(s) of the Contract entered into as a result of this RFP, and be relieved of the payment of any consideration to the Contractor for the terminated portions of the Contract except as otherwise provided herein, if the Contractor fails to perform to the Lottery's satisfaction any material requirement of the Contract, or is in material violation of any specific provision, or materially modifies the system (hardware or software) without the prior written consent of the Lottery, and fails to remedy the failure or violation within <variable: duration in days> (or more if authorized by the Lottery) after written notice from the Lottery of such failure or violation.

In the event of a termination for default, the Lottery shall have the right to obtain replacement products and/or services, on an emergency or interim basis, for the products and/or services that the Contractor agreed to provide under the Contract. Except as otherwise provided below, the Lottery shall have the right to collect from the Contractor the difference between the compensation to be paid to the Contractor as set forth in the Contract and the actual costs to the Lottery, including any added administrative costs, of obtaining and utilizing replacement

products and/or services on an emergency or interim basis. The Lottery may collect monies it is due as a result of a termination under this subsection by offsetting the amount from any payments due to the Contractor. The Contractor must not be liable to the Lottery for reimbursement of any costs incurred by the Lottery of obtaining replacement products and/or services if a termination pursuant to this section arises from causes beyond the control and without the fault or negligence of the Contractor, including an event of *force majeure*.

3.6.2 Termination for Cause

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery may immediately terminate any Contract issued as a result of this RFP for any of the following reasons by providing written notice to the Contractor:

1. The Contractor furnished any statement, representation, warranty, or certification in connection with this RFP or the resultant Contract which is materially false, incorrect, or incomplete.
2. The Contractor becomes financially unstable or is not able to obtain the financing necessary to perform the Contract.
3. The Contractor or subcontractor, or an officer or owner of a five (5) percent or greater share of either, is convicted of a criminal offence incident to the application for or performance of any contract or subcontract whether in this jurisdiction or in another jurisdiction, or is convicted of a criminal offence which at the sole discretion of the Lottery reflects on the Contractor’s integrity.
4. The Contractor commits an ethics or integrity violation as defined in the Contract.
5. A court of competent jurisdiction finds that the Contractor has failed to adhere to any material laws, ordinances, rules, regulations, or orders of any public authority having jurisdiction.
6. The Lottery determines that the public operation of the system could place the integrity of the Lottery in jeopardy.
7. Any of the directors or administrators of the Contractor have been convicted of a criminal offence that in the Lottery’s judgment may affect his/her professional capacity or professional ethics.
8. The Contractor or any officer or director thereof has been guilty of professional negligence or misconduct such that, in the Lottery’s reasonable judgment, continuation of the Contract will be likely to have a negative impact on the Lottery’s image.
9. The Contractor is wound up, liquidated, becomes bankrupt or insolvent, a substantial portion of its assets is seized by a creditor or becomes subject to judicial process, or the Contractor takes such action or fails to take action such as to endanger, in the Lottery’s reasonable judgment, the Contractor’s continued corporate existence or ability to carry out the Contract.

The Lottery and the jurisdiction in which the Lottery operates must not be liable for any costs incurred if termination is for any of the causes stated above.

In the event of a termination for cause, the Lottery shall have the right to obtain replacement products and/or services, on an emergency or interim basis, for the products and/or services that the Contractor agreed to provide under the Contract. Except as otherwise provided below, the Lottery shall have the right to collect from the Contractor the difference between the compensation to be paid to the Contractor as set forth in the Contract and the actual costs to the Lottery, including any added administrative costs, of obtaining and utilizing replacement products and/or services on an emergency or interim basis. The Lottery may collect monies it is due as a result of a termination under this subsection by offsetting the amount from any payments due to the Contractor.

3.6.3 Termination for Convenience

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.7 End of Contract Conversion

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

The continuity of services to the Lottery customers is of utmost importance to the Lottery, especially during a conversion period from one contractor to another. The Contractor must cooperate fully and in good faith in such conversion, which may or may not involve other contractors. <variable: lottery to add specific text; refer to SRT Guide>

3.8 Severability

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Each provision of the Contract shall be deemed severable from all other provisions of the Contract and, if one or more of the provisions of the Contract is declared invalid, the remaining provisions of the Contract shall remain in full force and effect.

3.9 Prime Contractor Responsibilities

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contractor must be the prime contractor, and as such, is responsible for all contractual activities performed under the Contract whether or not the Contractor performs them.

The Contractor must be the sole point of contact with regard to contractual matters, including payment of any or all charges under the Contract. The Contractor is an independent contractor. No principal/agent relationship or employer/employee relationship should be contemplated or created by the parties to the Contract, except as expressly provided.

Should the Contractor utilize subcontractors to fulfill any of its obligations under the Contract, the Contractor shall be fully and solely responsible for the subcontractors' performance, compliance with the terms and conditions of the Contract, and compliance with the requirements of any and all applicable laws.

The Contractor is responsible for informing the subcontractor of any and all contractual and other obligations arising from the Contract with the Lottery and being relevant for the subcontractor's duties.

The Contractor must provide a listing of all subcontractors the Contractor proposes to use that are directly related to his obligations under the Contract.

In such case where the Contractor chooses to use subcontractors, the Lottery must have the right to communicate with the subcontractor in all matters related to the performance of the Contract. The Lottery will keep the Contractor informed in case of such direct communication.

3.10 Subcontractor Approval

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

Any proposed subcontracts must be subject to the prior approval of the Lottery, except those subcontracts listed in the Proposal.

The Bidder must appoint alternates to any subcontractors not approved by the Lottery.

3.11 Assignment

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contract must not be assigned, transferred, conveyed, sublet, or otherwise disposed of without previous written approval of the Lottery, which approval must not be unreasonably withheld. Any purported assignment in violation of this section must be null and void. Further,

the Contractor must not assign the right to receive moneys due under the Contract without the prior written consent of the Lottery.

3.12 Background Investigations during the Contract Term

Significance	Response Type	Standard Text
MANDATORY	FULL	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.13 Lottery Approval of Staffing/Subcontractors

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery may disapprove any employee or subcontractor of the Contractor who is assigned to the Lottery Contract, either at Contract inception or at any time during the Term of the Contract.

Neither the Contractor nor the Lottery shall engage or allow the engagement of unfit or unqualified persons or persons not skilled in the tasks assigned to them with respect to the Contract and the parties shall at all times employ sufficient personnel for carrying out work to full completion in the manner and time prescribed by the Contract. The Contractor shall be responsible to the Lottery for the acts and omissions of the Contractor’s employees or subcontractors.

Any person employed by the Contractor shall, at the written and reasonable request of the Lottery, be removed forthwith by the Contractor from work relating to the Contract. The Contractor’s subcontractors are in this respect considered Contractor employees.

3.14 Covenant Against Contingent Fees

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contractor warrants that no person or selling agency has been employed or retained to solicit or secure a Contract pursuant to this RFP upon a Contract or understanding for a commission, percentage, brokerage, or contingent fee, excepting disclosed employees or disclosed established commercial or selling agencies retained by the Contractor for the purpose of securing business. For breach or violation of this warranty, the Lottery shall have the right to terminate any Contract in accordance with the termination clause, and at its sole discretion, to deduct from any Contract any price or consideration, or otherwise recover the full amount of any such commission, percentage, brokerage, or contingent fee.

3.15 Accounting Records

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.16 Right to Audit

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery reserves the right to audit all Contractor and subcontractor facilities, processes, and/or procedures, as they relate to the Contract, using Lottery employees, its designees, or other employees of the jurisdiction as provided by law.

The Contractor and all its subcontractors under the Contract are required to maintain records and supporting evidence pertaining to the fulfillment of the Contract obligations in accordance with generally accepted accounting principles and other procedures specified by the Lottery.

These records must be made available to the Lottery and its designees during the Term of the Contract and any extension thereto. These records must be retained for <variable: number> years from the date of final payment of the Contract.

The Lottery reserves the right, at its sole discretion, to perform additional audits, which may include but are not limited to the following: financial/compliance, security, economy/efficiency, program results, or limited scope audits, where appropriate. Additionally, the Lottery reserves the right to inspect any of the Contractor's third-party auditor's reports and management letters.

Unless the audit would be impaired, any audit by the Lottery will only be conducted with reasonable prior notice to the Contractor, and subject to all security, quality, and other procedures which may be in force at the Contractor site. In the case of an audit indicating non-compliance with the terms of the Contract, the Lottery may <variable: consequences of non-compliance>.

3.17 Audit Requirements

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.18 Non-Exclusive Rights

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Nothing in this RFP and the subsequent Contract shall grant or be interpreted as either party granting any exclusive rights to the other party unless explicitly stated.

3.19 Right of Use/USUFRUCT

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

If, for any reason other than breach of Contract by the Lottery (including a material adverse change in the Contractor's financial condition), the Contractor should lose its ability or refuse to perform the requirements of the Contract, the Lottery must be entitled to acquire the right to use the equipment, facilities, software, source and object code program instructions, and documentation for those items owned by the Contractor and which are necessary to provide contractual services. Such right must be limited to the right of the Lottery to possess and make use of such contractual items solely for the use and benefit of the Lottery in operating, maintaining, altering, and improving the operational characteristics of the programs and systems being used by the Lottery under the Contract. Such use must be limited in time to the duration of and scope for programs, systems, and other items being used by the Lottery under the Contract.

In such an event, all software programs, documentation, operating instructions, facilities, hardware, and the like, including modifications or alterations thereof, must be kept in confidence, except to the extent that they are public records under jurisdictional law, and must be returned together with all copies to the Contractor when their use has been completed.

3.20 Bidder Ethics and Integrity

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

In accordance with the Lottery's Code of Ethics, the Contractor is expected to establish and enforce a Code of Ethics for all its employees, independent vendors, and subcontractors to equally meet the Lottery's objectives in this regard; refer to Section 2.2.3 (Lottery Ethics and Integrity). Further to the general ethical requirements, the following requirements are of particular importance for the Lottery:

The Contractor is therefore obligated to meet high standards for ethics and integrity under this Contract including, but not limited to the following:

1. The Contractor must accept no pay, remuneration, or gratuity of any value for performance on or information derived from this project from any party other than the

Lottery or the Contractor as described in the Contract, or from any party under contract to the Lottery or seeking to contract with the Lottery with respect to this project.

2. The Contractor and employees must not offer or give any gift, gratuity, favor, entertainment, loan, or any other thing of material monetary value to any Lottery employee, director, or any other person or organization associated with the Lottery, and, if offered, the Lottery employee director, or any other person or organization associated with the Lottery may not accept them.
3. The Contractor and employees of the Contractor must not disclose any business-sensitive or confidential information gained by virtue of this Contract to any party without the consent of the Lottery.
4. The Contractor and employees must take no action in the performance of this Contract to create an unfair, unethical, or illegal competitive advantage for itself or others.
5. For violation of the above provisions, the Lottery may terminate the Contract, receive restitution from the Contractor, or take any other appropriate actions against the Contractor.

3.21 Disputes Under the Contract

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

All disputes arising under or relating to this Contract must be resolved in accordance with this section.

A “Dispute” means a material disagreement between the Lottery and the Contractor as to the required performance under the Contract, including a dispute as to the Lottery’s liability for or amount due upon any claim by the Contractor arising under or relating to the Contract.

The parties must endeavor in good faith to resolve all Disputes by mutual agreement.

The complaining party must commence the effort to resolve a dispute by giving written Notice of Dispute to the other party specifying the issue(s) for resolution in reasonable detail.

The responding party must reply in writing to the complaining party within five (5) working days of receiving a Notice of Dispute. If the responding party acknowledges responsibility, the reply must indicate the steps to be taken to resolve the issue(s) and a reasonable timeframe for resolution. If the responding party does not acknowledge responsibility, the parties must proceed with further efforts to resolve the Dispute as provided below.

The parties’ Contract Managers must meet promptly, but in any event not later than ten (10) working days, following the complaining party’s receipt of the responding party’s reply, and exchange all relevant information reasonably necessary to resolve the issue(s). If such meeting does not result in a resolution of the Dispute, or if the responding party has acknowledged responsibility but has not taken steps to resolve the Dispute within a reasonable timeframe, then the Lottery Executive and the Contractor’s site responsible must meet as soon as practicable, but not later than ten (10) working days following the meeting between Contract Managers, to

discuss and attempt to reach a mutually satisfactory resolution of the Dispute. If the Dispute is not resolved during the meeting between the Lottery Executive and the Contractor’s Site Director, or if an agreed resolution is not implemented within a reasonable timeframe thereafter, the complaining party may commence formal proceedings in <variable: refer to SRT Guide> to resolve the Dispute, provided, however, that the complaining party must first have provided twenty (20) days written notice to the responding party of its intent to initiate such proceedings. Nothing to the contrary stated herein must preclude the parties from, alternatively, agreeing to attempt resolution of the Dispute by means of any type of alternative dispute resolution procedures, including mediation and arbitration.

Pending a final resolution of a Dispute, the Contractor must proceed diligently and in good faith with the performance of its obligations under the Contract, and the Lottery must compensate the Contractor pursuant to the terms of the Contract.

3.22 Cooperation of the Parties

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contractor and the Lottery agree to cooperate fully, to work in good faith, and to mutually assist each other in the performance of the Contract. In this regard, the parties will meet to resolve problems associated with the Contract. Neither party will unreasonably withhold its approval of any act or request of the other to which its approval is necessary or desirable.

Should the Lottery obtain systems, equipment, materials, or processes from a source other than the Contractor, that would require the Contractor to cooperate or make changes in order to permit compatibility, then the Contractor must cooperate with the other source under the Lottery's direction. Such cooperation may include, but is not limited to, providing the necessary interfaces and platforms. The Contractor will be reimbursed for its costs at a price negotiated between the Lottery and the Contractor.

3.23 Equipment and Software Corrections, Changes, Upgrades, and Expansion

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.23.1 Services within Original Scope

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.23.2 Deliverables and Services Not Originally Defined

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.24 Management of Software and Documentation

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.25 Liquidated Damages Provisions

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.26 Ownership of Materials and Intellectual Property

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.27 Title to, and Use of, Third-Party and Contractor Intellectual Property Rights

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

To the extent that the Contractor utilizes or relies upon the Intellectual Property Rights of a third party in fulfilling its obligations under the Contract, the Contractor must provide the Lottery with assurance that the Lottery deems necessary that the use of such third party's Intellectual Property Rights is permissible.

While the Lottery and the Contractor agree that all Intellectual Property Rights associated with any product and/or service provided by (or developed by) the Contractor under the Contract are and may remain the property of the Contractor, the Contractor must agree to grant a license to the Lottery to make use of any such Intellectual Property Rights on an indefinite basis with

respect to Lottery business activities. Compensation for the use of such licensed works, if any, must be clearly defined in the Price Proposal.

3.28 Patents, Copyrights, Trademarks, and Trade Secrets

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contractor will take all possible measures to avoid any patent, copyright, trademark, and/or trade secret infringements during any phase developing, designing, or operating the system.

The Contractor will ensure that no violations or infringement of copyrights, patents, trademarks, and/or trade secrets are to be committed by its own employees, by any subcontractor, any of the subcontractor’s employees, or generally any person acting under the control or acting by toleration of the Contractor.

The Contractor will ensure that all materials integrated in the system – among others, software, databases, photographs, works of painting, audio and video works, music, and generally all works falling under the scope of the law protecting copyright, patents, trademarks, and/or trade secrets – are only used with the express consent of the author of the works. Lawful and correct use includes, if requested, the payment of usage or reproduction rights, the integration of the author’s or producer’s name, as requested for by law, and generally the respect of all the author’s moral rights on the work.

The Contractor will assume all liability and will hold the Lottery harmless from any liability resulting from any infringement that occurs as the result of the Contractor’s or subcontractor’s actions.

3.29 Intellectual Property Indemnification

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contractor agrees to indemnify and save harmless and to defend all legal or equitable actions brought against the jurisdiction, any agency, officer, and/or employee of the jurisdiction, for and from all claims of liability which may result from the Lottery’s use of any Intellectual Property Rights under licenses granted by the Contractor, and for any claims resulting from the Contractor’s use of third-party Intellectual Property Rights. The Lottery agrees to give the Contractor prompt notice of all such claims of liability.

If the Lottery promptly notifies the Contractor in writing of a third-party claim against the Lottery that any deliverable infringes upon the Intellectual Property Rights of any third party, the Contractor will defend such claim at its expense and will pay any costs or damages that may be finally awarded against the Lottery. If any deliverable is, or in the Lottery’s opinion is likely to be, held to be infringing, the Contractor must at its expense and option either: (a) procure the right for the Lottery to continue using it, (b) replace it with a non-infringing equivalent, or (c) modify it to make it non-infringing.

If the actions in clauses (a), (b), and (c) are not commercially practicable, the infringing deliverable may be returned and the Lottery will be refunded the fees paid for such deliverable, as well as any applicable liquidated damages. The Contractor will make every reasonable effort to explore options (a), (b), and (c) prior to returning the fees paid, paying the applicable damages, and receiving the deliverable from the Lottery. The foregoing remedies constitute the Lottery's sole and exclusive remedies and the Contractor's entire liability with respect to infringement.

3.30 Indemnification

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contractor must agree to defend, indemnify, and hold harmless the Lottery and the jurisdiction in which it operates, its agencies, officers, and employees, from any and all claims of any nature, including all costs, expenses, and attorneys' fees, which may in any manner result from or arise out of the negligent or more culpable act in the performance of its obligations under the Contract, except for claims resulting from or arising out of the jurisdiction's sole negligence. The legal defense provided by the Contractor to the Lottery and the jurisdiction under this provision must be free of any conflicts of interest, even if retention of separate Legal Counsel for the jurisdiction is necessary. The Contractor also agrees to defend, indemnify, and hold the Lottery and the jurisdiction harmless for all costs, expenses, and attorneys' fees incurred in establishing and litigating the indemnification coverage provided herein. This obligation shall continue after the termination of the Contract.

3.31 Confidential Information

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

The Contractor is advised to also refer to the requirements in Section 1.18 (Public Records and Request for Confidentiality).

<variable: lottery to add specific text; refer to SRT Guide>

3.32 Taxes, Fees, and Assessments

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.33 Advertising

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Contractor must not use the Lottery's name, logo, slogan, image, or any data arising or resulting from this RFP or the Contract as a part of any commercial advertising without the prior written consent of the Lottery.

3.34 Force Majeure/Delay of Performance

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

A *force majeure* occurrence is an event or effect that cannot be reasonably anticipated or controlled and without the fault or negligence of the non-performing party. As herein used, *force majeure* means acts of war; terrorism; action of the elements; governmental interference; rationing; or any other cause which is beyond the control of the party affected and which, by the exercise of reasonable diligence, said party is unable to prevent delays arising as a result thereof or to predict and through advance planning avoid such delays.

Neither the Contractor nor the Lottery shall be liable to the other for any delay in or failure of performance under the Contract resulting from this RFP due to a *force majeure* occurrence. Any such delay in or failure of performance must not in and of itself give rise to any liability for damages; however, the Lottery may elect to terminate the Contract for cause should its operations, in its sole judgment, be materially threatened by reason of extended delay or failure of performance.

Force majeure shall extend the period for Contractor performance to such extent as reasonably determined by the Lottery or mutually agreed by the parties to be necessary to enable complete performance by the Contractor if reasonable diligence is exercised after the cause of delay or failure has been removed.

3.35 Warranties

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.36 Insurance

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.37 Compensation Procedures and Mechanisms for Use During the Contract

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

3.38 Notice

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

All notices and communications must be in writing and must be effective when received by the addressee. Until notified otherwise, notices and communications concerning a Contract Award must be addressed as follows: *<variable: address>*.

3.39 Acceptance Testing

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	NO

<variable: lottery to add specific text; refer to SRT Guide>

4 Bidder Corporate Information

4.1 Introduction

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	YES

The information requested in this section applies to the bidding entity as well as any subsidiary in any way contributing to the Proposal or to the performance of the Contract. In the case of the Bidder being a Consortium, a Joint Venture, or any other multi-member organization, the information requested in this section shall be provided for all members.

The Bidder must also provide an overview and a chart of the structure of the bidding entity including the identification of all shareholders and/or partners and subcontractors.

The Bidder must submit its corporate information as part of the Technical Proposal. Corporate information must be complete. The Lottery will disqualify the Proposal if failure to provide all mandatory information has had a material impact on competition or otherwise prejudices the procurement process.

4.1.1 Corporate Background Overview

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must provide the following general information in the Technical Proposal:

1. The name and address of the Bidder submitting the Proposal
2. Type of business entity (e.g., corporation, partnership, etc.)
3. Place of incorporation, or other form of organization, if applicable
4. The name, address, telephone number, and email address of the Bidder's contact
5. Name and location of the major offices, production plants, and other facilities that relate to the Bidder's performance as proposed in its Proposal
6. The names, addresses, and functions of any and all subcontractors, associated companies, or consultants that have been or will be involved in any phase of the project
7. The name, address, telephone number, and email address (if available) of the Bidder's accounting or auditing firm

8. The name(s) of any and all law firms and/or individuals representing the Bidder within the Lottery’s jurisdiction
9. The names, addresses, and dates of birth of all persons or entities who own over five percent (5%) of the shares of the Bidder, and the names, addresses, and dates of birth of all officers and directors; if the Bidder is a subsidiary, the Bidder must disclose the information required above for its parent and/or holding company
10. Any substantial change of ownership in the Bidder or the parent and/or holding company of the Bidder that occurred within the last year. Also, any pending changes should be disclosed to the extent permitted by jurisdictional law and by regulatory agencies.

The Bidder is fully responsible for all aspects of the Proposal and, if applicable, the resulting Contract. In the case of the Bidder being a Consortium, a Joint Venture, or any other single- or multi-member organization, all members of such organization shall responsibly perform according to the Contract and one organization of the group shall be the responsible single point of contact.

4.1.2 Applicable Experience

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder is required to demonstrate corporate experience, technical capability, and financial means to support the Contract.

The Bidder shall describe, in detail, its current and historical experience with lottery gaming systems and/or services; that is, descriptions and references of gaming industry engagements of comparable complexity and sensitivity that have been conducted by the Bidder over the past *<variable: number; recommendation: five (5)>* years.

Each experience statement shall include the following details:

- Name of lottery or gaming enterprise(s) and estimated contract value, reflecting the estimated total revenue during the full contract period
- Term of the contract including effective dates
- Reason for contract end, if the contract is no longer in effect
- Types of services directly provided by the Bidder under the contract and whether the Bidder was a prime contractor or subcontractor
- Types and number of systems or components provided by the Bidder

The descriptions must include names, titles, addresses, and telephone numbers that may be contacted to verify qualifying experience. The Lottery may check the references with other lottery venues to ensure that the proposed products and/or services are in place and operational. If the experience is provided by a teaming partner or a subcontractor that will provide a Major Part, then experience information for that entity must be included.

4.1.3 Contract Performance

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must be a business in good standing with its customers and the business community. The Bidder must state whether any of the following have occurred:

1. If, during the last five (5) years, the Bidder has had a contract terminated for default or cause, the Bidder must submit full details including the other party's name, address, and telephone number.
2. If, during the last five (5) years, the Bidder, a subsidiary or intermediate company, parent company, or holding company was the subject of any order, judgment, or decree of any federal or jurisdictional authority barring, suspending, or otherwise limiting the right or license of the Bidder to engage in any business, practice, or activity or, if trading in the stock of the company, has ever been suspended, the Bidder must submit full details along with date(s) and explanation(s).
3. The Bidder must list all contract delivery or performance issues for the last five (5) years, where such issues ultimately led to payment of liquidated damages, any sort of penalties, contractual payment deductions, or any other material compensation, goodwill, or consideration in any form, where the accumulated value of such occurrences exceeded *<variable: minimum amount>* during any 12-month period. Each incident listed must be briefly described including incident nature, jurisdiction, date(s) or period, and value. Equal incidents can be accumulated and summarized per jurisdiction provided the total occurrence count of such incident is given. It should be noted that items listed under this section are for due diligence purposes only and will not be reason for rejection of a Proposal.

If the experience is provided by a teaming partner or a subcontractor that will provide a Major Part, then the same performance information as above must be included for that entity.

4.1.4 Capability to Provide Proposed Equipment and Technical Infrastructure

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must have the capacity to provide the technical hardware and equipment specified in the RFP.

1. **Manufacturing Plans.** The Bidder must describe its resources, capability, capacity, and plans for producing (through current inventory, manufacturing, purchasing, or modification) the equipment proposed to meet the requirements of the RFP. The availability of additional plants and secondary sources must be addressed.
2. **Manufacturing Quality.** The Bidder's Proposal must address manufacturing quality practices, and in particular whether the Bidder is certified under the ISO series or other recognized quality practices standards.

4.1.5 Software Development and Support Capabilities

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must describe its capability to deliver by addressing the following:

1. Software Development Plans: The Bidder must describe its capability, capacity, and plans for developing and maintaining software proposed to meet the requirements of the RFP and for the fulfillment of the Contract.
2. Software Quality. The Bidder's Proposal must address software engineering quality practices, and in particular whether the Bidder is certified under recognized quality practice standards; for example, the ISO series, CMMI, TÜV, the NASPL Standards Initiative QA Best Practices.

4.1.6 Research and Development Program

Significance	Response Type	Standard Text
IMPORTANT	FULL	YES

The success of the Lottery depends on the availability of new products, gaming features, and services. The Bidder must be capable of supporting the Lottery in this mission.

The Bidder must describe its resources, capability, capacity, and plans for maintaining a research and development effort in the following area(s) of interest: *<variable: lottery to add specific text; refer to SRT Guide>*

4.2 Bidder Certification Requirements

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must respond with certified technology solutions and certified best practices for the areas listed in this section. A certified solution or best practice is one that has achieved certification in the designated Certification Program *<variable: specify certification program name and version>*.

The Bidder must submit the applicable Certification Certificate(s) as part of their Proposal. It is the responsibility of the Bidder to ensure that the Certification Certificate(s) is current and covers the systems and best practices requested by the Lottery, in accordance with the policies of the respective Certification Programs.

Certified solutions and best practices in the following area(s) are required:

- *<variable: refer to SRT Guide>*

If the Bidder’s technology solution or best practice is not already certified, the Bidder must obtain the relevant certifications by <variable: timeframe>.

4.3 Financial Data

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must provide the following information as evidence of the Bidder’s financial responsibility and stability for performance of the Contract. The Lottery reserves the right to require any additional information necessary to determine the financial integrity and responsibility of the Bidder.

1. The Annual Reports of the Bidder for the three (3) most recent years, or for as long as available if less than three (3) years
2. The audited financial statements for the last three (3) years, or for as long as available if less than three (3) years
3. For all publicly-held companies, all financial reports filed within the past 12 months with the governmental entity regulating the stock exchange where the company’s stock is traded
4. All financial reports filed within the past 12 months with a governmental entity where the Bidder is located or is conducting business
5. If the Bidder is a subsidiary of another company, the information required under paragraphs 1, 2, 3, and 4 above for the parent and/or holding company of the Bidder
6. Any quarterly reports of the Bidder or its parent/holding company to its shareholders within the past 12 months
7. If the Bidder will finance the project from internal sources, the specific resources that will be available and which resources are not available (e.g., committed to other projects, etc.)
8. If the Bidder is a subsidiary, and will rely on the financial resources of the parent/holding company to perform the requirements of the Contract, the parent/holding company's certification of the availability of its resources to the Bidder
9. If borrowing will provide any or all of the capital necessary for the Bidder to fulfill the requirements of the Contract, a Letter of Transmittal from a creditor

If the Bidder is a subsidiary of another Corporation, and does not prepare separate financials, then the above information must be supplied for the parent Corporation.

The Bidder should also highlight any major commitments and/or contingencies that are likely to impact, negatively or positively, upon its ability to fulfill the contract obligations.

Members of the Bidder’s firm with interests in other similar or related firms must explain in a letter to be submitted with the financial statements the extent of their investment and relationship with such firm(s).

The Lottery will disqualify a Bidder’s Proposal for failure to submit the requested financial statements.

4.3.1 Parent Corporation Resources and Subsidiaries

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

If a Bidder or subcontractor is a subsidiary of a parent entity and the Bidder or subcontractor does not have its own, separate financial statements, the Bidder or subcontractor may satisfy its financial responsibility submission requirements by submitting the consolidated financial statements of its parent entity, if the consolidated financial statements include the activity of the Bidder or subcontractor. If a Bidder or subcontractor submits the consolidated financial statements of its parent, the parent must serve as financial guarantor of the Bidder or subcontractor with respect to the Contract. For purposes of this subsection relating to consolidated financial statements, federal income tax returns must not be used as a substitute for certified financial statements.

If the Bidder is a subsidiary and will rely on the financial resources of the parent to perform this Contract, the parent must certify, in writing and in a form acceptable to the Lottery, the availability of its resources to the Bidder. Parent entities that serve as financial guarantors of subsidiary firms must be held accountable for all terms and conditions of the RFP and the resulting Contract and must execute the Contract as guarantor.

4.3.2 External Funding

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must list and provide details of all third-party financial vehicles and/or instruments that the Bidder plans to use to fulfill the Contract obligations.

4.3.3 Bank Ratings and References

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must provide a bank reference at the Bidder’s primary banking location. The reference must include bank name, contact person, full contact details, as well as a description of the extent of the Bidder’s business with the bank.

4.4 Disclosure of Litigation and Business Relationships

Significance	Response Type	Standard Text
IMPORTANT	FULL	YES

The Lottery has a strong interest in the Bidder's current and continuing ability to produce secure, high-quality products and/or services. The Bidder must include, as part of their Technical Proposal, a complete disclosure of any pending civil or criminal litigation, administrative or regulatory proceedings, or indictment involving the Bidder that may affect the ability to produce and/or deliver the desired products and/or services. The Bidder must also disclose any such pending litigation for any of its employees or subcontractors.

The Bidder must state whether owners (unless a public company), officers, or primary partners have ever been convicted of a criminal offence. The Bidder may also be required to identify employees or subcontractors working on their account that have been convicted of a criminal offence. The Bidder must also disclose any civil or criminal litigation or indictment involving any of its joint ventures, strategic partners, prime contractor team members, and/or subcontractors, if this subcontracting party comprises at least ten percent (10%) of the financial quotation of the Bidder's Proposal.

The Bidder must also declare any and all ongoing business relationships with any Lottery employee, director, or any other person or organization being associated with the Lottery. The Lottery will reject a Bidder's Proposal or terminate any subsequent Contract for failure to disclose any such relationship.

This is a continuing disclosure requirement. Any such matter commenced after the Bidder has submitted a Proposal in response to the RFP and with respect to the Successful Bidder after the execution of a Contract must be disclosed to the Lottery in writing within ten (10) calendar days after it has been filed or upon establishing the relationship. The Lottery will disqualify the Proposal if failure to disclose has had a material impact on competition or otherwise prejudices the procurement process.

4.5 Subcontractors

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

For any subcontractor that provides a Major Part, such Bidder must disclose all of the information required by Section 4.1.2 (Applicable Experience) for such subcontractors as if the subcontractor itself were the Bidder.

4.6

Conflict of Interest

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

A conflict of interest may exist whether or not a financial interest is involved, and a conflict of interest would include, but would not be limited to, a director, officer, employee, retailer, or existing contractor of the Lottery, or any member of his/her immediate family having control or a significant influence in the Bidder and/or obtaining financial gain with the award of any Contract to the Bidder.

The Bidder must disclose in its Proposal the nature and extent of any real or apparent conflict of interest that would arise from the award of a Contract to the Bidder. The Bidder must give written notice of the cause and circumstances of any conflict of interest and indicate the portion of the services affected by the conflict of interest.

The Bidder must disclose the following information by either providing the information requested or by confirming that they have read the request and declare that it is not applicable. The Lottery will terminate the Contract or disqualify the Proposal for failure to disclose any such information.

1. List any conflict of interest with the products, promotions, and goals contemplated by the Lottery that could result from other projects in which the Bidder or any of the staff members designated to work on this project are involved.
2. The name, contact details, and current position title of any Lottery employee, director, or any other person being associated with the Lottery, or any member of the Evaluation Committee (if known), having any direct or indirect affiliation with the Bidder.
3. The name, title, and affiliation with the Bidder of any Lottery employee, director, or any other person or organization being associated with the Lottery, or any member of the Evaluation Committee, and who owns, directly or indirectly, an interest of five percent (5%) or more in the Bidder’s company or any of its branches or affiliates.
4. The name, title, and affiliation to the Bidder of any employee, agent, lobbyist, previous employee of the Lottery, or other person, who has received or will receive compensation of any kind in connection with this procurement.

5 Pricing

5.1 Introduction

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

This section describes the key elements of the Lottery’s policy on pricing. The Bidder’s Price Proposal must contain all of the information required in this chapter.

5.2 Price Proposal Requirements

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

A Price Proposal must be complete. The Lottery will reject a Price Proposal that does not provide all of the mandatory information requested.

5.2.1 Pricing Format

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must submit pricing in the format specified in Appendix H to this RFP.

5.2.2 Base Price

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The base price must be stated using the format specified in Appendix H to this RFP.

The base price stated by the Bidder must be for providing a system and equipment that at a minimum meets all of the terms and conditions, technical specifications, and other requirements of the RFP.

The base price must include all items and/or features required by the RFP and proposed by the Bidder unless the Bidder specifically states that an item or feature will be provided as a separately priced option; see Section 5.3 (Pricing of Options).

The base price must include every expenditure required in this RFP and to fulfill the subsequent Contract. No other payments or reimbursements of any form are due other than those explicitly specified herein or in the Contract.

5.3 Pricing of Options

Significance	Response Type	Standard Text
IMPORTANT	ACCEPTANCE	[YES/NO]

The Bidder is encouraged to propose options regarding innovative functions, features, services, and solutions.

The Bidder must present all optional items as separate line items in the Price Proposal. Unless identified as priced at an additional cost, all options will be considered to be included as part of the base price.

Options are required to be deliverable products and/or services during the Term of the Contract.

5.3.1 Specified Options

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must submit a price for providing Specified Options in the format specified in Appendix H to this RFP. Any item for which there is no additional fee (i.e., it is included in the base price) must be shown as No Charge (N/C).

The Lottery may select Specified Options at its sole discretion.

5.3.2 Invited Options

Significance	Response Type	Standard Text
INVITED OPTION	FULL	YES

If the Bidder includes Invited Options in the Technical Proposal, then the Bidder must also submit prices for Invited Options in the format specified in Appendix H to this RFP. Any item for which there is no additional fee (i.e., it is included in the base price) must be shown as No Charge (N/C).

The Lottery may select an Invited Option at its sole discretion, which may be implemented at the discretion of the Lottery over the Term of the Contract.

The Lottery requests prices for the items/features listed below: *<variable: lottery to add specific text >*

5.3.3 Offered Options

Significance	Response Type	Standard Text
OFFERED OPTION	FULL	YES

If the Bidder includes Offered Options in the Technical Proposal, then the Bidder must also submit prices for Offered Options in the format specified in Appendix H to this RFP. Any item for which there is no additional fee (i.e., it is included in the base price) must be shown as No Charge (N/C); see Section 1.14.4 (Pricing Information).

The Lottery reserves the right to waive the Bidder's right to request additional compensation for an Offered Option (if it is selected as the Successful Bidder and the Lottery desires the Offered Option) for failure to specifically exclude an Offered Option from the base price.

6 Proposal Evaluation

6.1 Introduction

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

This section describes the Proposal Evaluation process that will be used to determine which Proposal provides the greatest overall benefits to the Lottery. The objective of the Proposal Evaluation process is to select the Bidder that can provide gaming system products and related services that best meet the needs of the Lottery as set forth in the RFP.

The ability of the Lottery to evaluate a Bidder's Proposal is dependent upon the completeness of the Proposal. The Lottery will reject the Bidder's Proposal or unfavorably evaluate the Proposal for failure of a Bidder to provide information requested by the RFP.

6.2 Evaluation Committee

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery intends to conduct a comprehensive, fair, and impartial evaluation of Proposals received in response to this RFP. In making this determination, the Lottery will be represented by an Evaluation Committee. The Evaluation Committee will evaluate each Proposal that is properly submitted based on the information and material contained in that Proposal and make recommendations for contract award to the Lottery Oversight Organization. No other information, other than information in the Proposal and information obtained under Section 1.26 (Proposal Clarification Process), Section 6.3 (Information from Other Sources), or Section 6.4 (Demonstrations and Site Visits), will be accepted or used for evaluation by the Evaluation Committee. The Lottery Oversight Organization will then consider the recommendation and make their decision regarding the Evaluation Committee's recommendation.

6.3 Information from Other Sources

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Lottery and the Evaluation Committee may obtain, from sources other than the Bidder, information concerning the Bidder, the Bidder's capabilities, and the Bidder's performance under other contracts that the Lottery or the Evaluation Committee deems pertinent to the RFP, and may consider such information in the Proposal Evaluation process. This may include, but is

not limited to, the Chairperson of the Evaluation Committee engaging consultants and additional experts from outside the Evaluation Committee to better inform the Evaluation Committee's findings, as well as references from other lotteries.

Information obtained from such sources mentioned above must be kept confidential, unless required otherwise by jurisdictional law.

6.4 Demonstrations and Site Visits

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Prior to completion of the Proposal Evaluation process, the Lottery may require the Bidder to discuss and demonstrate its proposed system, including retailer terminals and communications technologies, and to explain how its components would be applied to the specifications described in the RFP. The Bidder's Demonstration must show the Bidder's general ability to meet the requirements of the RFP. Demonstrations must include a simulation of the proposed equipment, and may consist of a simulation of other components of the proposed system.

The Bidder's participation in and arrangement of any Demonstrations, Site Visits, and/or oral presentations is voluntary, but does constitute part of the evaluation criteria. No part of the Demonstrations will serve to relieve the Bidder of any acceptance testing or operational performance as required under the Contract.

The Bidder must not modify, alter, or revise its Proposal in its Demonstration and must not include any pricing information. The Lottery will reject a Bidder's Proposal if any attempt is made by the Bidder to modify, alter, or revise its Proposal or to mention pricing information during the Demonstration.

The site of the Demonstration(s) will be selected by the Lottery. The Demonstration(s) will be scheduled by the Issuing Office. The Lottery will inform the Bidders in good time about the site, types of Demonstrations required, and proposed schedule.

If required, the Lottery may, at its sole discretion, conduct Site Visits with Bidders whose Proposals are correctly submitted, meet all mandatory requirements, and are otherwise competitive.

The Bidder must bear all costs for any Demonstrations, Site Visits, and/or oral presentations, except for all expenses of the Evaluation Committee, which will be borne by the Lottery, although if permitted by jurisdictional law, the Lottery may be reimbursed its travel expenses but only at the jurisdiction's regularly published rate for travel expenses.

6.5 Evaluation Steps

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Proposal Evaluation process and contract award process will consist of the following steps:

- Phase 1: Proposal Submission Requirements Review
- Phase 2: Technical Proposal Evaluation, including Demonstrations and/or Site Visits
- Phase 3: Price Proposal Evaluation
- Phase 4: Determine the Best Overall Proposal
- Phase 5: Final Decision on Contract Award Recommendation

6.6 Evaluation of Technical Proposals (or Evaluation Categories)

Significance	Response Type	Standard Text
INFORMATION	ACCEPTANCE	YES

Each of the technical (non-price) factors in the RFP should be evaluated by the Evaluation Committee. The evaluation method to be used is summarized below:

<variable: lottery to add specific text>

6.7 Evaluation of Options

6.7.1 Specified Options

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Specified Options are defined in Section 1.1 (Terminology) of the SRT.

Specified Options will be evaluated as part of the Technical Proposal on the same terms as all other mandatory requirements and included in the overall evaluation.

6.7.2 Invited Options

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Invited Options are defined in Section 1.1 (Terminology) of the SRT.

Invited Options may be given additional consideration in the evaluation of the Technical Proposals. An Invited Option may have a positive impact on the evaluation of the Bidder’s Proposal, but will in no circumstance have a negative impact.

The Lottery may evaluate the Proposal more favorably in general if at least some Invited Options are available.

6.7.3 Offered Options

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Offered Options are defined in Section 1.1.1.1 (Marking of Additional Sections or Subsections) of the SRT.

Offered Options may be given additional consideration in the evaluation of the Technical Proposals. However, the appearance of strong solutions for optional items may have a positive impact on the evaluation of the Bidder’s Proposal, but will in no circumstance have a negative impact.

6.8 Evaluation of Price Proposals

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

Evaluation of the Price Proposals will take place only after the Technical Proposal evaluation has been finalized, and will involve only Proposals that are considered acceptable based on the requirements in Section 1.14 (Responsive Proposal Submission Criteria) and are compliant with mandatory requirements.

6.9 Evaluation Committee Recommendation

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

<variable: lottery to add specific text; refer to SRT Guide>

6.10 Negotiation and Recommendation

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The final ranking and recommendation(s) of the Evaluation Committee will be presented to the Lottery Executive (and/or the Lottery Oversight Organization) for their consideration. The

Lottery Executive will signify a decision with regard to the Evaluation Committee's Recommendation according to the general voting rules and procedures of the Lottery Oversight Organization.

If appropriate, the Lottery will begin to negotiate a Contract with the Successful Bidder approved by the Lottery Oversight Organization. Contract negotiations shall not address changes to material terms and conditions, services, products, options, or pricing for performance of the Contract, unless for the clear benefit of the Lottery.

Bidders must be held to the terms submitted in their Proposals but may be required to reduce costs depending upon aspects of the proposed program that may be determined by the Lottery to be unnecessary. The Lottery will cancel any contract award for the Bidder's failure to meet these obligations.

Should the Lottery be unable to reach agreement with the Successful Bidder, the Lottery will then undertake discussions with the second most preferred Bidder, and so on. Negotiations may continue at the sole option of the Lottery until a Contract is reached or all Proposals are rejected.

A Technical Specifications

This section describes the technical specifications the requesting Lottery requires of the proposed system to be submitted for consideration.

A.1 Summary-Level Responses

A.1.1 Overview

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must provide an overview of the whole system.

A.1.2 Flexibility of the System

Significance	Response Type	Standard Text
IMPORTANT	FULL	YES

The Bidder should provide a factual discussion, supported by the responses elsewhere in the Proposal, making it clear how the system is flexible and can grow, and can be tailored to the business needs and rules of the Lottery. Flexibility and adaptability are critical as the gaming environment can be expected to evolve over the course of the Contract.

A.1.3 Tested and Certified Equipment

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

The Bidder must submit proof with the Proposal that the proposed equipment has been inspected for safety and approved by a reputable testing laboratory, and that all proposed equipment is in compliance with regulations applicable for devices of the class proposed in the jurisdiction of the Lottery (e.g., FCC, CE, TUEV, etc.).

Alternatively, if the devices proposed are new, and not yet inspected and/or certified, the Bidder must commit in the Proposal that it will submit a document showing certification as of the Contract signing.

The Bidder must also reference Section 4.2 (Bidder Certification Requirements) to ensure that any additional certification requirements specified in those sections are met in full.

A.1.4 New and Unused Equipment

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

The Bidder must commit that all proposed transaction processing computers, networking equipment, retailer terminals, diagnostic equipment, etc. are new and unused unless explicitly allowed otherwise by the Lottery. Equipment proposed must be compliant with current electronic technology manufacturing standards and be of current manufacture by the Bidder or his suppliers. All hardware models installed must represent the then-current equivalent or better equipment in case a proposed device is phased out or replaced.

A.1.5 Block Diagrams

Significance	Response Type	Standard Text
IMPORTANT	FULL	YES

The Bidder's Proposal should include block diagrams at the component level as well as configuration tables for hardware and system software components (manufacturer and model number, release numbers, etc.).

A.1.6 System Hardware and System Software Upgrades

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

All system hardware and system software must be replaceable at any time by more modern models or versions simply by means of system upgrades. All system hardware and system software must be fully supported by the respective manufacturer or supplier at all times during the Contract and for a period of 12 months thereafter. In case support for any hardware module, component, or system software is discontinued by the manufacturer or supplier, the Contractor must replace, if required by the Lottery, the respective hardware modules, components, or system software modules at its own cost prior to the support being discontinued. The Contractor must without delay inform the Lottery of any such support discontinuation that he may become aware of.

A.2 Detailed Technical Responses

A.2.1 Central System Configuration [OLGS, ITGS, Internet System, etc.]

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.1 Hardware and System Software for Main Site

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.2 Hardware and System Software for Back-Up Site

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.3 Hardware and System Software for Remote Logging

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.4 Hardware and System Software for Internal Control System

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.5 Hardware and System Software for the Training System

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.6 Hardware and System Software for the Development System

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.7 Other Hardware and System Software

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.8 Gaming Quantitative Performance Criteria

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Number of Terminals
2. Average Sales Transactions per Second
3. Maximum Number and Sizes of Concurrent Instant Games

A.2.1.9 Operating Hours

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.10 Maintenance Requirements for Hardware and System Software

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Main Site and Back-up Site including LAN
2. Remote Logging
3. Internal Control System
4. Training and Development System
5. Other Hardware and System Software

A.2.1.11 System Failover Scenarios for Operations

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.1.12 Disaster Recovery Plan

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.2 Communications Network Requirements

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.3 Sales Channel and/or Terminals

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.3.1 Retailer Online Terminal

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Hardware [including number of training, test, and spare terminals]
2. Software
3. Other Features

A.2.3.2 Retailer Instant Ticket Validation Hardware and Software

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Hardware
2. Software
3. Other Features

A.2.3.3 Self-Service Terminals

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Hardware
2. Software
3. Other Features

A.2.3.4 Other Player Terminals

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Mid-Range Terminals
2. In-Lane Terminals
3. Player-Activated Terminals
4. Win Checkers

A.2.3.5 Peripherals (Multimedia Screens, Printers, etc.)

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.3.6 Retailer Consumable Supplies

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.3.7 Maintenance Requirements

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Online Terminals
2. Instant Ticket Validation Terminals
3. Self Service Terminals
4. Other Player Terminals
5. Peripherals

A.2.3.8 Alternative Sales Channels (Internet, iTV, Mobile Phones, etc.)

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.4 Marketing and Games Support Services

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Marketing Plan
2. Instant/Scratch Games Support
3. Research and Game Design
4. Corporate Account Support
5. Promotions Support
6. Playstations, Signs and Displays

A.2.5 Software Application and Data Management

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.5.1 Application/Gaming Software

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. General Approach and Description
2. Security and Control Features
3. Drawing Controls

4. Accounting Features [e.g., Integrated Online and Instant, etc.]
5. Instant Ticket Validation, Logistics, and Inventory Control
6. Tel-Sell
7. Reporting Features and Samples
8. Promotional Capabilities
9. Additional Games and Features [e.g., Rapid Draw Keno, Subscription, Player Loyalty, etc.]

A.2.5.2 Internal Control System (ICS) – Application Software

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.5.3 Game Management Terminals/User Interface

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.5.4 Data Management/Files

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.5.5 Management Information System/Data Warehouse Requirements

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.6 Staffing, Services, and Marketing

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.6.1 Staffing

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Bidder's Personnel and Subcontractors
2. Project and Implementation Staff
3. Operations Staff
4. Résumés and Qualifications

A.2.6.2 Services

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Software Development, Version Control, Quality Control Testing, and Support Services
2. Training Requirements [Retailer, Staff, Program/Plan, Materials, etc.]
3. Retailer Hotline System and Service
4. System Operation Supplies [Media, Computer Room Paper, Toner, etc.]
5. Telemarketing, Warehousing, and Delivery
6. Data Center Operations and Field Service Support

A.2.7 Facilities

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.1 Main Site Specifications

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.2 Back-Up/Secondary Site Specifications

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.3 Offices and Data Center Requirements

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.4 Service Center

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.5 Warehouse(s)

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.6 Fire Protection

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.7 Power and Power Back-Up Equipment

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.8 Testing Facilities

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.7.9 Security for All Facilities

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.8 Security Plan

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.8.1 Physical Security

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.8.2 Data Security

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.8.3 Problem Notification

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.8.4 Reports

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.8.5 Business Recovery Plan

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.9 Implementation

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.9.1 Implementation Plan

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

1. Start-up/Conversion Strategy
2. Formal implementation Plan
3. Installation and Acceptance Testing
4. Project Reporting and Monitoring

A.2.9.2 Conversion Support

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate NOT APPLICABLE as defined to Section 1.1 (Terminology)>

A.2.10 Other Lottery Requirements

Significance	Response Type	Standard Text
[MANDATORY/IMPORTANT...]	[NONE/ACCEPTANCE...]	NO

<variable: lottery to add specific text or indicate *NOT APPLICABLE* as defined to Section 1.1 (Terminology)>

B Bidder Expression of Interest

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

See Section 1.10 (Bidder Expression of Interest).

Bidder Expression of Interest

To: Procurement Officer (title and address)

Re: (RFP number and title)

The Lottery is hereby advised that (name of Bidder) intends to submit a Proposal in response to the Request For Proposals referenced above.

(Name of Bidder) understands that the purpose of this RFP requirement is to provide the Lottery with information relating to the number of Proposals it may expect to receive in response to this RFP. We further understand that only those Bidders that have submitted an expression of interest to the Lottery within the time limitation set forth in the RFP will receive further communications from the Lottery with respect to this RFP, and only those Bidders will be entitled to submit Proposals.

(Name of Bidder) hereby names the following person as its designated contact person for communications to and from the Lottery with respect to this RFP:

Name

Title

Company

Mailing Address

.....

Delivery Address

.....

Email

Telephone

Fax

Signature

C RFP Compliance Table

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

See Section 1.14.5 (Compliance Table).

		Compliance			
Section	Significance	FULL	MODIFIED	N/C	Comments
[number]	[Mandatory...]	[X]			[text]

D Lottery Organization Chart

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

See Section 2.2.1 (Lottery Organization).

E Lottery Financial Statement

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

See Section 2.4.7 (Lottery Sales/Financial Results).

F Telecommunications Network Architecture

Significance	Response Type	Standard Text
INFORMATION	NONE	NO

See Section 2.10 (Online Communications Network).

G Code of Ethics

Significance	Response Type	Standard Text
MANDATORY	ACCEPTANCE	YES

See Section 2.2.3 (Lottery Ethics and Integrity).

H Pricing Format

Significance	Response Type	Standard Text
MANDATORY	FULL	YES

See Section 5.2.1 (Pricing Format).

I Additional Appendices

The Lottery may add additional appendices to the RFP as appropriate. Examples include:

- Listing of Current Lottery Retailers
- Online Games Sales Information
- Current Gaming System
- Minimum Standards
- Non-Discrimination/Affirmative Action Information/Forms
- Sample Management and Administrative Reports
- Brochures of Current Games and Ticket Samples
- Bid Bond and Litigation Bond Forms
- Sample Contract
- Specification (system, hardware, software and other specifications – e.g., retail counter measurements for terminals, etc. – in existence within the current organization as applicable)
- Other Required Forms (e.g., Bidder Personnel Staffing Form, Conflict of Interest and Disclosure Form, Business Entity Disclosure Form, etc.)

J Proposal Submission Checklist (Sample)

This Appendix contains a sample checklist that is intended to assist Bidders in preparing their Proposals in accordance with the Proposal Submission criteria. Note that the Lottery may have additional requirements for Proposal Submission.

Bidders may not need to satisfy all requirements in order for their Proposal to be considered by the Lottery. However, if mandatory requirements are not met, the Lottery will reject the Proposal.

Bidders must submit the following information with their Proposal in accordance with the requirements in the RFP:

RFP Reference	Requirement	Proposal Reference	Lottery Verification
Section 1.10	Bidder Expression of Interest		
Section 1.14	Technical Proposal (Package 1)		
Section 1.14	Additional copies of Technical Proposal		
Section 1.14	Electronic copies of Technical Proposal		
Section 1.14	Letter of Transmittal (Package 1)		
Section 1.14	Corporate Information (Package 1)		
Section 1.14/1.23/5.2/6.8	Price Proposal (Package 2)		
Section 1.14	Additional copies of Price Proposal		
Section 1.14	Letter of Transmittal (included in Package 2)		
Section 1.14	Additional copies of Letter of Transmittal		
Section 1.14	Statement of Non-Collusion (Package 2)		
Section 1.14	Additional copies of Statement of Non-Collusion		
Section 1.14/1.16	Bid Bond (Package 2)		
Section 1.14	Additional copies of Bid Bond		
Section 1.14/1.17	Litigation Bond		
Section 1.17	Additional copies of Litigation Bond		
Section 1.18	Identification of confidential material		
Section 4.4	Summary of pending litigation, investigations, and convictions (Bidder)		

RFP Reference	Requirement	Proposal Reference	Lottery Verification
Section 4.4	Summary of pending litigation, investigations, and convictions (Employees/Subcontractors)		
Section 1.22	Identification and function of subcontractors or consultants		
Section 5.3.1	Identification and pricing of Specified Options		
Section 5.3.2	Identification and pricing of Invited Options		
Section 5.3.3	Identification and pricing of Offered Options		
Appendix A	Description of desirable functions, features, or capabilities		
Section 4.2	Bidder certification		
Section 4.3	Annual Reports for three (3) most recent years		
Section 4.3	Parent/holding company Annual Reports for three (3) most recent years		
Section 4.3	Audited financial statements for last three (3) years		
Section 4.3	Parent/holding company audited financial statements for last three (3) years		
Section 4.3	Reports required by Securities & Exchange Commission		
Section 4.3	Parent/holding company reports for Securities & Exchange Commission		
Section 4.3	Regulation of exchange documentation		
Section 4.3	Quarterly reports to shareholders for current fiscal year		
Section 4.3	Parent/holding company quarterly reports to shareholders for current fiscal year		
Section 4.3	Availability of resources		
Section 4.3	Parent/holding company certification of availability of resources to Bidder		
Section 4.3	Creditor's Letter of Transmittal		
Section 4.1.3	Declaration of terminations/suspensions (Bidder)		
Section 4.1.3	Declaration of terminations/suspensions (Employees/Subcontractors)		

RFP Reference	Requirement	Proposal Reference	Lottery Verification
Section 5.3	Pricing of Options		
Section A.1.3	Certification of safety inspection and testing of proposed equipment		
Section 1.38	Indication that proposed equipment is capable of demonstration		