

RFB 24-00
March 2, 2024
PROMOTIONAL PRIZE GIVEAWAY

SECTION 1. OVERVIEW AND BID PROCEDURES.

1.0 Introduction and Background. The purpose of this Request for Bids (RFB) is seeking to offer a chance at a top cash prize for an upcoming promotion and event that will last several weeks. For this promotion, and at the ending event, the Iowa Lottery will provide a total cash prize of \$1 million that will be split between 20 winning players. Each of these winners will be in person at an event. Through a game structure that is established and securely monitored for game consistency, each of the 20 players will win a cash prize through this game. The lowest cash prize will be \$10,000, with the winner of the event guaranteed to win a top prize of \$500,000. The Iowa lottery, a Division of the Department of Revenue office is currently located at 13001 University Avenue, Clive, IA.

2.0 Bid Proposal Timetable. The anticipated schedule for this bid is as follows:

<i>Event</i>	<i>Dates</i>
RFB Issued	March 2, 2024
Bid Proposals Due	10:00 a.m. March 8, 2024
Bid Award	On or before March 9, 2024

3.0 Submittal Procedure. One copy of the complete bid must be received at the Lottery office no later than **10:00 a.m. central time, March 8, 2024**. The bids may be delivered, mailed via USPS, e-mailed or faxed to the Bid Coordinator shown in Item 5.0 noted below.

4.0 Requests for Clarification or Inquiries. Vendors with questions concerning the bid may submit written inquiries to the Bid Coordinator noted in Section 5.0.

5.0 Contact Information. All inquiries concerning the bid should be directed to Terry Brown, Bid Coordinator. Contact information follows:

<i>Contact</i>	<i>Contact Information</i>
Bid Coordinator	Terry Brown,
Mail or hand delivery	Iowa Lottery , 13001 University Ave. Clive, IA 50325-8225
Telephone	515-725-7877
Facsimile Telephone	515-281-3182
E-mail address	tdbrown@ialottery.com

6.0 Bid Conference. A bid conference will not be held.

7.0 Addendum or Amendment to the RFB. In the event it becomes necessary to amend, addend, or delete any part of the RFB, any addendum or amendments shall be provided to all Vendors who received the original RFB and posted to www.ialottery.com under the "Vendor" tab.

8.0 RFB Terms and Conditions.

8.1 No bids will be accepted after the date and time specified in this section. A late bid shall NOT be accepted or considered.

8.2 The Bid must include a signed Proposal Compliance and Certification form, found as Appendix B, signed by an authorized individual or agent of the company.

8.3 Bids will be opened at 10:00 a.m. Central Time on the due date stated. The bids will remain confidential until the evaluation has been completed and a notice of intent to award a contract is

announced. See, Iowa Code Section 72.3. The bids will be available for inspection after the notice of intent to award a contract is announced. See, Iowa Code Chapter 22.

8.4 The Lottery reserves the right to request additional information from any Vendor to assist in understanding or clarifying the terms of any bid. Such additional information may be considered by the Lottery in the evaluation of a bid so long as the information does not materially alter the content of the Vendor's bid. A Vendor will not be permitted to modify or amend its bid if contacted by the Lottery for this reason.

8.5 Any information provided in the bid may be used by the Lottery to obtain additional criminal history and credit data on all persons identified in a Vendor's bid.

8.6 The Lottery reserves the right to obtain, from any and all sources, information concerning a Vendor or a Vendor's product, services, personnel or subcontractors which the Lottery deems pertinent to this bid and to consider such information in evaluating the Vendor's bid.

8.7 All bids shall be firm for a period of sixty (60) days to allow the evaluation committee to fully evaluate all bids and make awards deemed in the best interest of the Lottery and the State of Iowa.

8.8 By submitting a bid, the Vendor agrees to the terms and conditions contained within this bid document and the terms and conditions of the Contract. If any term or condition stated in the draft agreement requires further discussion, the Vendor may submit proposed alternate language to be considered as part of the Vendors bid response.

8.9 Following the contract award by the Lottery, each Vendor submitting a proposal will receive written confirmation of the Lottery's decision.

8.10 At any time prior to execution of a written contract, the Lottery reserves the right to reject any or all proposals received by reason of this bid document, in whole or in part for any reason.

8.11 The proposal shall be rejected outright and not evaluated for either of the following reasons:

- Failure of Vendor to deliver the proposal by 2:00 p.m. on the due date.
- Failure to include the required submittal form(s) signed by an officer of the company submitting the proposal.

8.12 Issuance of the RFB in no way constitutes a commitment by the Lottery to award the contract. This RFB is designed to provide Vendors with the information necessary for the preparation of competitive proposals. This bid process is for the Lottery's benefit and is intended to provide the Lottery with competitive information to assist in the selection of goods and services. It is not intended to be comprehensive and each Vendor is responsible for determining all factors necessary for submission of a comprehensive bid.

8.13 The Lottery is not responsible for any costs incurred by a Vendor which are related to the preparation or delivery of the bid proposal or any other activities carried out by the Vendor related to this RFB.

8.14 The Lottery reserves the right to waive minor deficiencies in a bid proposal. The decision as to whether a deficiency will be waived or will require the rejection of a bid will be solely within the discretion of the Lottery and the Board. Vendors are specifically notified that the failure to comply with or respond to any part of this RFB that requires a response may result in rejection of its bid.

8.15 In the event that a Vendor or someone acting on the Vendor's behalf attempts to discuss this bid orally or in writing with any Lottery Board member or any employee of the Lottery, or any employee or elected official of the State of Iowa, other than the bid coordinator designated above, the Vendor may be disqualified.

9.0 Construction of RFB with Laws and Rules. This RFB is to be construed in light of pertinent legal requirements including Iowa Code 99G and 531 Iowa Administrative Code. Changes in applicable laws and rules may affect the award process or the resulting contract. Vendors are responsible for ascertaining pertinent legal requirements and restrictions.

10.0 Award Preferences. In the event of a tie in the evaluation, preference will be given to an Iowa business.

11.0 Copyrights. By submitting a bid proposal, the Vendor agrees that the Lottery may make copies of the bid proposal for purposes of facilitating the evaluation or to respond to requests for public records, regardless of any copyright notification that may appear in the bid. The Vendor consents to such copying by submitting a bid proposal and warrants that such copying will not violate the rights of any third party. The Lottery will have the right to use ideas or adaptations of ideas that are presented in the bid proposals.

12.0 Proposals Property of the Lottery. All bid proposals become property of the Lottery and shall not be returned to the Vendor unless all bid proposals are rejected and no award is made. At the conclusion of the selection process, the contents of all bid proposals, including financial statements, if required, will be placed in the public domain and be open to inspection by interested parties unless restricted by a designation of confidentiality.

13.0 Public Records and Requests for Confidentiality.

13.1 All information submitted by a Vendor may be treated as a public record by the Lottery unless the Vendor properly requests that the information be treated as confidential information at the time its bid(s) are submitted. Public records will be copied by the Lottery as necessary to comply with Iowa's public record laws. By submitting a bid proposal, the Vendor grants the Lottery the right to make the required copies of the bid proposal.

13.2 Any request for confidential treatment of information must be included with the bid proposal and must enumerate the specific grounds in Iowa Code Chapter 22 and 99G which support treatment of the material as confidential and must indicate why disclosure is not in the best interests of the public. The request must also include the name, address, and telephone number of the person authorized by the Vendor to respond to any inquiries by the Lottery concerning the confidential status of the materials.

13.3 In the event the Lottery receives a request for the release of information that a Vendor has marked as confidential, the Lottery will provide a written notice via email and first class mail to the Vendor regarding the request as soon as practicable. Unless otherwise directed by a court of competent jurisdiction, the Lottery will release the requested information pursuant to Iowa Code Chapter 22.

13.4 Once a contract has been executed, the contract and all supporting documents in the Vendor's bid proposal including pricing shall be considered public and subject to disclosure pursuant to Iowa Code Chapter 22. All items marked as confidential except the pricing information shall be treated as confidential in accordance with Iowa Code Chapter 22.

13.5 The Vendor's failure to request confidential treatment of material pursuant to this section and the relevant laws and administrative rules will be deemed by the Lottery as a waiver of any right to confidentiality that the Vendor may have had.

13.6 The release of information by the Lottery to the public is subject to Iowa Code Chapter 22. Vendors are encouraged to familiarize themselves with these provisions prior to submitting a bid proposal.

14.0 Restrictions on Gifts and Activities. Iowa Code chapter 68B and 99G contains laws which restrict gifts which may be given to or received by state employees and requires certain individuals to disclose information concerning their activities with state government. Vendors are responsible for determining the applicability of this chapter to their activities and for complying with these requirements. In addition, Iowa Code Chapter 722.1 provides that it is a felony offense to bribe a public official.

15.0 Release of Claims. With the submission of a proposal, each Vendor agrees that it will not bring any claim or have any cause of action against the Lottery or the State of Iowa based on any misunderstanding concerning the information provided herein or concerning the Lottery's failure, negligent or otherwise, to provide the Vendor with pertinent information as intended by this Bid. Additionally, each Vendor releases each source of information of all claims, whether known or unknown, which the Lottery received while evaluating the bid proposal. This information could include but is not limited to the Vendor's criminal history, credit data, products, services, personnel or subcontractors.

16.0 News Release Prohibition. Vendors shall not issue any news releases or make any statement to the news media pertaining to this RFB or a bid proposal or contract or work resulting from this RFB without the prior written approval of the Lottery.

SECTION 2. SCOPE OF SERVICES

The Iowa lottery, a Division of the Department of Revenue, is seeking to offer a chance at a top cash prize for an upcoming promotion and event that will last several weeks. For this promotion, and at the ending event, the Iowa Lottery will provide a total cash prize of \$1 million that will be split between 20 winning players. Each of these winners will be in person at an event. Through a game structure that is established and securely monitored for game consistency, each of the 20 players will win a cash prize through this game. The lowest cash prize will be \$10,000, with the winner of the event guaranteed to win a top prize of \$500,000.

The Iowa Lottery is seeking an organization to provide a contingent top prize that is higher than the \$500,000 that is already committed to this promotion and event. Specifically, the Iowa Lottery is looking for an organization that is interested in providing for the following:

- **Game structure:** Interested organizations should propose a game structure that would provide the top player with the chance to win \$500,000 (the amount guaranteed by the Iowa Lottery), \$1 million, \$2 million, or \$5 million.
- **Payment structure risk:** It is important to note that \$500,000 of the prize paid out for this portion of the event is guaranteed by the Iowa Lottery. Interested organizations should be prepared and have the financial ability to pay the difference between the top prize guaranteed by the Iowa Lottery and the contingent top prize winning amount. In short, interested groups should be prepared to pay the contingent top prize of more than \$500,000 for the following: \$500,000 for a \$1 million prize won, \$1.5 million for a \$2 million prize won, and \$4.5 million for the top \$5 million prize won.
- **Price:** Interested organizations will be required to provide a price structure for the contingent top prize to include the game structure and prize coverage fee, an administration and security fee, and any travel related fees.

To be considered, one must meet the following qualifications:

1. Have employment and/or consulting experience with at least two North American lotteries
2. Be free of conflicts. Specifically, one must not currently have or within the last twenty-four months had an employment or contractual by relationship with Scientific Games International, Intralot or IGT Global Solutions Corporation.

Your proposal must include the following information:

1. A list of Lotteries you have worked for (either as an employee or as an independent contractor) within the last 10 years and a brief description of your responsibilities
2. The name, address and resume of each proposed consultant
3. Flat fee for the requested services

Lottery reserves the right to award the consulting work to more than one bidder.

Background Investigation. All employees of the Vendor awarded the contract that will be providing services to the Lottery must submit to a Lottery background investigation to be conducted by the Dept. of Public Safety, Division of Criminal Investigation (DCI) before any work shall begin. The background investigation will require the submission of a Class "O" background form found as Appendix C and two (2) fingerprint cards. The background forms and cards shall be provided by the Lottery and must be completed as quickly as possible after verbal award is given.

The Lottery may refuse to allow an employee of the Vendor from working on the project or terminate the resulting contract based upon the results of these background checks and disclosures. The Vendor is advised that any person who knowingly provides false or intentionally misleading information in connection with any investigation by the Lottery may cause a subsequent contract to be canceled.

SECTION 3. TERMS AND CONDITIONS OF THE CONTRACT.

3.1 Contract Award. The contract that the Lottery expects to award as a result of this RFP will be based upon the bid proposals submitted by the Vendors to this solicitation. The Lottery reserves the right to either award a contract without further negotiation with the selected Vendor or to negotiate contract terms with the selected Vendor if doing so is in the best interests of the Lottery.

3.2 Term. The term of the resulting contract will be from the date the bid is awarded through completion of project plus any applicable warranties.

SECTION 4. EVALUATION PROCEDURE.

4.1 Evaluation committee. An evaluation committee composed of Lottery employees will review the bids submitted. The committee will consider all information provided when making its recommendation and may consider relevant information from other sources. ***The Lottery will award the contract to the vendor submitting the best proposal. The lowest priced proposal is not necessarily the best proposal.***

4.2 Evaluation process. All bids received by the specified date and time will be reviewed for compliance with the requirements of the bid. If a bid fails to meet a mandatory requirement, the bid proposal will be eliminated from further consideration.

5. VENDOR RESPONSE

All Vendors submitting a bid response must provide the following information:

- 5.1** Vendors must submit a written detail of services to be provided.
- 5.2** Vendors must indicate the number of staff anticipated to provide services to the Lottery for DCI background purposes.
- 5.3** Vendors may provide two (2) references . This information should include the business name, contact person, telephone number and approximate date project was completed.
- 5.4** Vendor must state the number of years the company has been in business.
- 5.5** Vendor must submit a Cost Proposal similar in format found as Appendix A.
- 5.6** Vendor must complete Appendix B and return with bid.

**Appendix A
COST PROPOSAL 24-00**

ALL bids must include a cost proposal and responses to Section 5.

NOTICE TO VENDORS: All bids will be received at the Iowa Lottery until 2:00 p.m., Friday, March 13, 2020. Any deviation from the specifications must be identified. Vendors must submit a cost proposal similar to this format and responses to Section 5. Vendors may submit additional information if desired and/or additional pages. By submitting this bid, the Vendor agrees to provide the goods/services as described in the bid document.

Cost of Contract Negotiating and Drafting	\$
Cost of Reviewing and Developing Software Specifications	\$
Total Cost to do both:	

Business Name: _____

Address: _____

Authorized Signature: _____

Printed Name: _____

E-mail address: _____

Telephone: _____

Fax: _____

Date: _____

Federal ID # _____

Appendix B PROPOSAL COMPLIANCE AND CERTIFICATION STATEMENT

I certify that the contents of the Bid Proposal are true and accurate. I also certify that no false statements have knowingly been made in this Bid Proposal.

Certification of Independence

By submitting a Bid Proposal in response to this RFB, I certify the following:

1. The Bid Proposal has been developed independently, without consultation, communication or agreement with any employee or consultant to the Lottery who has worked on the development of this RFB, or with any person serving as a member of the evaluation committee.
2. The Bid Proposal has been developed independently, without consultation, communication or agreement with any other Vendor or parties for the purpose of restricting competition.
3. Unless otherwise required by law, the information found in the Bid Proposal has not been knowingly disclosed and will not be knowingly disclosed prior to the award of the contract, directly or indirectly, to any other Vendor.
4. No attempt has been made or will be made to induce any other Vendor to submit or not to submit a Bid Proposal for the purpose of restricting competition.
5. No relationship exists or will exist during the contract period between the Vendor and the Lottery that interferes with fair competition or as a conflict of interest.

Certification Regarding Debarment

6. I certify that, to the best of my knowledge, the Contractor/Company (shown in signature box) and all of its principals: (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal Agency or State Agency; (b) have not within a ten-year period preceding this Bid Proposal been convicted of, or had a civil judgment rendered against them for commission of fraud, or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction, violation of antitrust statutes or commission of embezzlement, theft, forgery, falsification or destruction of records, making false statements, or receiving stolen property; (c) are not presently indicted for or other criminally or civilly charged by a government entity (federal, state, or local) with the commission of any of the offenses enumerated in (b) of this certification; and (d) have not within a three year period preceding this Bid Proposal had one or more public transactions (federal, state, or local) terminated for cause.

This certification is a material representation of fact upon which the Lottery has relied upon when this transaction was entered into. If it is later determined that the undersigned knowingly rendered an erroneous certification, in addition to other remedies available, the Lottery may pursue available remedies including suspension, debarment, or termination of the contract.

Certification Regarding Registration, Collection, and Remission of Sales and Use Tax

7. Pursuant to Iowa Code sections 423.2(10) & 423.5(8) (2011) a retailer in Iowa or a retailer maintaining a business in Iowa that enters into a contract with a state agency must register, collect, and remit Iowa sales tax and Iowa use tax levied under Iowa Code chapter 423 on all sales of tangible personal property and enumerated services. The Act also requires Contractors to certify their compliance with sales tax registration, collection, and remission requirements and provides potential consequences if the certification is false or fraudulent.

By submitting a Bid Proposal the undersigned certifies the following: (check the applicable box)

_____ is registered with the Iowa Department of Revenue, collects, and remits Iowa sales and use taxes as required by Iowa Code chapter 432; or

_____ is not a "retailer" or a "retailer maintaining a place of business in this state" as those terms are defined in Iowa Code subsections 423.1(42) & (43).

By submitting a Bid Proposal and signing this statement, Contractor indicates understanding and acknowledges that the Lottery may declare the bid or resulting contract void if the above certification is false. The Contractor also understands that fraudulent certification may result in the Lottery or its representative filing for damages for breach of contract.

I have the authority to bind the Contractor indicated below to the specific terms and conditions and technical specifications required in this RFP and offered in the Bid Proposal.

Business Name:	
Authorized Signature:	
Printed Name:	
Title:	
Date:	

Appendix C
STATE OF IOWA
DEPARTMENT OF PUBLIC SAFETY
DIVISION OF CRIMINAL INVESTIGATION
CLASS "O" LOTTERY BACKGROUND
VENDORS

Completed application must be returned to the Iowa Lottery on or before _____ Date

You must be fingerprinted, using the supplied card(s), by a law enforcement agency, and the completed fingerprint card(s) must be returned with this application.

APPLICANT INFORMATION

(Print or Type)

(If additional space is needed, attach another sheet and identify question number.)

1. Full Name: _____
First
Middle
Maiden
Last
2. Home Address: _____
Street
City
State
Zip Code
3. Occupation: _____ Business: _____
4. Telephone Number: Home: _____ Work: _____
5. DOB: _____ Place of Birth _____ SSN: _____
6. Height: _____ Weight: _____ Eye Color: _____ Hair Color: _____ Sex: _____
7. Give all other names you have used or by which you have been known:

8. Name of Spouse: _____
First
Middle
Maiden
Last
9. Spouse DOB: _____ Spouse SSN: _____
10. Vehicles: 1. _____ 2. _____
Year & Make
Lic/State
Year & Make
Lic/State
11. List addresses (other than current address) where you lived during the last three years:

Dates: from/to	Number & Street or rural route	City	State

FOR OFFICIAL USE ONLY	Date Reviewed: _____	Vendor Employee _____
	Initials _____ I- _____	Lottery Employee _____
	Lottery # _____	Other: _____
	_____	DCI #: _____

12. Business or employment for the last five years:

Date: From/to	Employer or Business Name and Address	Type of Business	Position Held

13. Are you a U.S. Citizen? Yes No

If not, what is your Alien Registration Card Number: _____

14. If any answer is yes below, explain in Number 15:

- | | Yes | No |
|--|--------------------------|--------------------------|
| a. Have you ever used a name other than your current legal name or maiden name? | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Have you been convicted, or pled guilty, or no contest to any criminal offense – felony or misdemeanor? | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Are charges now pending against you on any criminal offense – felony or misdemeanor? | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Have you been convicted, pled guilty, or no contest to any alcohol or drug-related offense? | <input type="checkbox"/> | <input type="checkbox"/> |
| e. Do you have an addiction to alcohol or a controlled substance? | <input type="checkbox"/> | <input type="checkbox"/> |
| f. Have you been fined, suspended, or denied a license by a gaming authority? | <input type="checkbox"/> | <input type="checkbox"/> |
| g. Do you have any history of mental illness or acts of violence? | <input type="checkbox"/> | <input type="checkbox"/> |

15. Provide explanation for each “Yes” answer in Number 14. (Use additional sheets if necessary).

AUTHORIZATION FOR EXAMINATION AND RELEASE OF INFORMATION

I, _____, do hereby authorize a review, full disclosure and release of any and all records concerning myself to any duly authorized officer, agent or employee of the Iowa Division of Criminal Investigation, whether the records are of a public, private, or confidential nature, including but not limited to criminal history information, credit bureau report, law enforcement intelligence records, with the understanding that the information may be used in conducting a background investigation of myself.

I also release the providers and users of the information collected pursuant to this authorization from any liability under state or federal privacy laws and further release the State of Iowa, its officers, agents and employees from any liability which may be incurred as a result of the collections and use of the information.

(Place your initials in appropriate response.)

I am the applicant who is submitting this application form. Yes _____ No _____

I personally supplied the information contained in this form. Yes _____ No _____

I swear (or affirm) that the information contained in this form is true to the best of knowledge and belief.

Yes _____ No _____

LEGAL SIGNATURE OF APPLICANT

Date

