

Commonwealth of Massachusetts

Massachusetts State Lottery Commission
(MSLC)

REQUEST FOR RESPONSE (RFR)

for

ADVERTISING SERVICES

RFR #LOT 1216
ADVERTISING SERVICES

Release Date: Saturday, June 16, 2012

Response Due Date: Wednesday, August 15, 2012 - 1:00 PM

GENERAL INFORMATION

General Information - The terms of 801 CMR 21.00: Procurement of Commodities and Services is incorporated by reference into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00. Additional definitions may also be identified in this RFR. All terms, conditions, requirements, and procedures included in this RFR must be met for a Response to be determined responsive. If a Bidder fails to meet any material term, condition, requirement or procedure, its Response may be deemed unresponsive and disqualified.

Unless otherwise specified in this RFR all communications, responses, and documentation must be in English, all measurements must be provided in feet, inches, and pounds, equipment must be new and of current manufacturing models and unused, and all cost proposals or figures in U.S. Currency. All Responses must be submitted in accordance with the specific terms of this RFR. No electronic Responses may be submitted in response to this RFR. The MSLC will not assume nor be liable for any costs incurred by the Bidder in preparing and/or submitting a response to this RFR.

TERMS AND CONDITIONS

Access to Security-Sensitive Information. - This solicitation contains security-sensitive information which, pursuant to MGL c. 4, s. 7, cls. 26(n), is generally exempt from public disclosure under the Commonwealth's public records laws and must, for public safety purposes, be safeguarded from widespread public disclosure. This security-sensitive information is in the form of blueprints, plans, policies, procedures, schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, and/or any other records relating to the security or safety of persons (pursuant to M.G.L. c. 66A) or buildings, structures, facilities, utilities, transportation, information technology or other infrastructure located within the commonwealth.

Qualified prospective bidders that are interested in accessing this information for the purpose of preparing a bid response must, before being allowed to access the information, sign a confidentiality agreement, thereby agreeing to:

1. restrict the use of these sensitive records for any other purpose than as authorized and for the purpose of putting together a bid proposal;
2. safeguard the information while it is in their possession (consistent with Section 6 of the Commonwealth Terms and Conditions); and
3. return such records and materials to the Commonwealth upon completion of the project.

Alternatives- A response which fails to meet any material term or condition of the RFR, including the submission of required attachments, may lose points or be deemed unresponsive and disqualified. Unless otherwise specified, bidders may submit responses proposing alternatives which provide equivalent, better or more cost effective performance than achievable under the stated RFR specifications. These alternatives may include related commodities or services that may be available to enhance performance during the period of the contract. The response should describe how any alternative achieves substantially equivalent or better performance to that of the RFR specifications.

The MSLC will determine if a proposed alternative method of performance achieves substantially equivalent or better performance. The goal of this RFR is to provide the best value of commodities and services to achieve the procurement goals of the department. Bidders that propose discounts, uncharged commodities and services or other benefits in addition to the RFR specifications may receive a preference or additional points under this RFR as specified.

Contractors may also propose alternatives for equivalent, better or more cost effective performance than specified under the contractor's original response to enable the department to take advantage of enhanced technologies, commodities or services which become available during the term of the contract.

Arrearages- By submitting a response to this solicitation, each bidder represents that it is not in arrears in the payment of any obligations due and owing the State, including the payment of taxes and employee benefits, and that it shall not become so in arrears during the term of the Master Contract if selected for Master Contract award.

Best Value Selection and Negotiation- The Procurement Management Team (PMT) may select the response(s) which demonstrates the best value overall, including proposed alternatives that will achieve the procurement goals of the department. The PMT and a selected bidder, or a contractor, may negotiate a change in any element of contract performance or cost identified in the

original RFR or the selected bidder's or contractor's response which results in lower costs or a more cost effective or better value than was presented in the selected bidder's or contractor's original response.

Bidder Communication- Bidders are prohibited from communicating directly with any employee of the procuring department or any member of the PMT regarding this RFR except as specified in this RFR, and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this RFR. Bidders may contact the contact person for this RFR in the event this RFR is incomplete or the bidder is having trouble obtaining any required attachments electronically through Comm-PASS.

Business Profile/Change in Financial Condition- The MSLC reserves the right to request, at MSLC expense through the reporting system in place at the time, a business profile and financial condition report on any corporation, parent company, directors, principals, officers, partnerships or sole proprietorships involved in submitting a response to this RFR.

In addition, the MSLC reserves the right to obtain, from sources other than the vendor, information concerning the vendor, the vendor's capabilities and the vendor's performance under other contracts which the MSLC deems pertinent to this RFR and to consider such information when making an award.

Vendors shall be required to immediately inform the Executive Director of the MSLC in writing of any major change in the financial condition or organization of the company. Misrepresentation or failure of the Vendor to notify the MSLC shall be grounds for contract award cancellation and/or termination.

Comm-PASS- If this RFR has been distributed electronically using the Comm-PASS system, RFR attachments that are referenced are incorporated by reference into the RFR and are available as separate files within the Forms tab and Specifications tab of the Comm-PASS Solicitation record. OSD Forms are also available at www.mass.gov/osd under the Related Links section. While Comm-PASS offers optional, value-added, automated Comm-PASS Subscription Service on an annual-fee basis, all bidders are solely responsible for obtaining and completing the required attachments that are identified in this RFR and for checking Comm-PASS for any addenda or modifications that are subsequently made to this RFR or attachments. The Commonwealth and its subdivisions accept no liability for and will provide no accommodation to bidders who fail to check for amended RFRs/Requests for Quotes (RFQs) or any other procurement opportunities and subsequently submit inadequate or incorrect responses. Bidders are advised to check the Last Changed Date field on the Summary page or the Amendment History within the Other Information tab of RFRs for which they intend to submit a response in order to ensure that they have the most recent RFR files. Bidders may not alter (manually or electronically) the RFR language or any RFR component files. Modifications to the body of the RFR, specifications, terms and conditions, or which change the intent of this RFR are prohibited and may disqualify a response.

Comm-PASS Subscription Service- The Comm-PASS Subscription Service is sponsored by the Operational Services Division. This service offers a prospective bidder a secure, web-based desktop that contains tools to track and manage postings including solicitation announcements, Request for Responses (RFRs), and Contracts that match the subscriber-designated set of categories and sub-categories on the Commonwealth's Procurement Access and Solicitation System (Comm-PASS).

Comm-PASS Basic Service will provide a subscriber with:

- Secure web-based desktop within Enhanced Comm-PASS for document management.
- A customizable profile reflecting the bidder's product/service areas of interest.
- Refined commodity and service categories and sub-categories.
- Full-cycle, automated email alert whenever a solicitation of interest is posted or updated.
- Access to Online Bidder Forums to allow for virtual attendance and participation.
- Tools to submit bids electronically to an encrypted lock-box.

Every public purchasing entity within the borders of Massachusetts may post their solicitations on Comm-PASS at no charge. Comm-PASS has the potential to become the sole site for reviewing and responding electronically to public solicitations in Massachusetts. Fees for the Comm-PASS Subscription Service are based on costs to operate, maintain and develop the Comm-PASS system.

Conflict of Interest- Prior to the award of any contract, the vendor shall certify in writing to the procuring agency that no relationship exists between the vendor and the procuring or contracting agency that interferes with fair competition or is a conflict of interest, and no relationship exists between the vendor and another person or organization that constitutes a conflict of interest with respect to a state contract. No official or employee of the Commonwealth who exercises any function or responsibility in the review or approval of the undertaking or carrying out of this project shall, prior to the completion of this project, voluntarily acquire any personal interest, either directly or indirectly, in this contract or proposed contract.

The bidder shall provide assurance that it presently has no interest and shall not acquire any interest, either directly or indirectly, which will conflict in any manner or degree with the performance of its services hereunder. The bidder shall also provide assurances that no person having any such known interests shall be employed during the performance of this contract.

Contract Award- The Contract will be awarded to the Vendor with the lowest overall cost that has met all mandatory performance and business specifications provided it is the “best value” for the Commonwealth of Massachusetts. A procurement will be considered in the best interest, or the “best value” when it: 1) supports the achievement of required performance outcomes; 2) generates the best quality and economic value; 3) is performed timely; 4) minimizes the burden on administrative resources; 5) expedites simple or routine purchases; 6) allows flexibility in developing alternative procurement and business relationships; 7) encourages competition, encourages the continuing participation of quality Vendors; and 8) supports Commonwealth and Department procurement planning and implementation. [801 CMR 21.01 (1)]

The PMT may select the response(s) which demonstrates the best value overall, including proposed alternatives which will achieve the procurement goals of the department. The PMT and a selected bidder, or a contractor, may negotiate a change in any element of contract performance or cost identified in the original RFR or the selected bidder’s or contractor’s response which results in lower costs or a more cost effective or better value than was presented in the selected bidder’s or contractor’s original response.

Contract Documents - The contract between the MSLC and the successful Vendor will include as integral parts thereof:

- **Commonwealth Terms and Conditions (See Attachment A)**
- **Standard Contract Form (See Attachment B)**
- **This RFR and amendments thereto**
- **Vendors response and amendments thereto**

In the event of a conflict in language between any of the above mentioned documents, the provisions and requirements set forth or referenced in the Commonwealth Terms and Conditions and this RFR with the amendments shall govern. In the event that an issue is addressed in the response that is not addressed in the RFR, no conflict in language shall be deemed to occur.

Contract Expansion- If additional funds become available during the contract duration period, the department reserves the right to increase the maximum obligation to some or all contracts executed as a result of this RFR or to execute contracts with contractors not funded in the initial selection process, subject to available funding, satisfactory contract performance and service or commodity need.

Costs- Costs which are not specifically identified in the bidder’s response, and accepted by a department as part of a contract, will not be compensated under any contract awarded pursuant to this RFR. The Commonwealth will not be responsible for any costs or expenses incurred by bidders responding to this RFR.

Electronic Communication/Update of Bidder’s/Contractor’s Contact Information- It is the responsibility of the prospective bidder and awarded contractor to keep current the email address of the bidder’s contact person and prospective contract manager, if awarded a contract, and to monitor that email inbox for communications from the PMT, including requests for clarification. The PMT and the Commonwealth assume no responsibility if a prospective bidder’s/awarded contractor’s designated email address is not current, or if technical problems, including those with the prospective bidder’s/awarded contractor’s computer, network or internet service provider (ISP) cause email communications sent to/from the prospective bidder/awarded contractor and the PMT to be lost or rejected by any means including email or spam filtering.

Electronic Funds Transfer (EFT)- All bidders responding to this RFR will be required to participate in the Commonwealth Electronic Funds Transfer (EFT) program for receiving payments, unless the Bidder can provide compelling proof that it would be unduly burdensome. EFT is a benefit to both contractors and the Commonwealth because it ensures fast, safe and reliable payment directly to contractors and saves both parties the cost of processing checks. Contractors are able to track and verify payments made electronically through the Comptroller’s Vendor Web system. A link to the EFT application can be found on the [OSD Forms](#) page (www.mass.gov/osd). Additional information about EFT is available on the [VendorWeb](#) site (www.mass.gov/osc). Click on MASSfinance.

Successful Bidders will be required to enroll in EFT as a contract requirement by completing the *Authorization for Electronic Funds Payment Form*. Because the *Authorization for Electronic Funds Payment Form* contains banking information, this form, and all information contained on this form, shall not be considered a public record and shall not be subject to public disclosure through a public records request. If the Bidder is already enrolled in the program, the bidder will be able to indicate so in its response. The requirement to use EFT may be waived by the PMT on a case-by-case basis if participation in the program would be unduly burdensome on the Bidder. If a Bidder is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in its response. The PMT will consider such requests on a case-by-case basis and communicate the findings with the Bidder.

Emergency Standby Commodities and/or Services- Due to a declaration of a state of emergency where the safety and well-being of Commonwealth citizens are at risk, the Commonwealth of Massachusetts may request specific commodities and/or services from its contractors. Contractors may be called upon to supply and/or deliver to the MSLC on a priority basis such commodities and/or services currently under contract. Such accommodations may be requested from a contractor during an actual emergency. To accommodate such requests, contractors may be requested and must make every effort to service these requests from regular sources of supply at the rates set forth in any standard contract resulting from this RFR.

Environmentally Preferable Products and Services- The MSLC and the contractor(s) may negotiate during the contract term to permit the substitution or addition of Environmentally Preferable Products (EPP's) when such products are readily available at a competitive cost and satisfy the MSLC's performance needs.

Environmental Response Submission Compliance- In an effort to promote greater use of recycled and environmentally preferable products and minimize waste, all responses submitted should comply with the following guidelines:

- All copies should be printed double sided.
- All submittals and copies should be printed on recycled paper with a minimum post-consumer content of 30% or on tree-free paper (i.e. paper made from raw materials other than trees, such as kenaf). To document the use of such paper, a photocopy of the ream cover/wrapper should be included with the response.
- Unless absolutely necessary, all responses and copies should minimize or eliminate use of non-recyclable or non re-usable materials such as plastic report covers, plastic dividers, vinyl sleeves and GBC binding. Three ringed binders, glued materials, paper clips and staples are acceptable.
- Bidders should submit materials in a format which allows for easy removal and recycling of paper materials.
- Bidders are encouraged to use other products which contain recycled content in their response documents. Such products may include, but are not limited to, folders, binders, paper clips, diskettes, envelopes, boxes, etc. Where appropriate, bidders should note which products in their responses are made with recycled materials.
- Unnecessary samples, attachments or documents not specifically asked for should not be submitted.

Estimated Provisions- The Commonwealth makes no guarantee that any Commodities or Services will be purchased from any Contract resulting from this RFR. Any estimates or past procurement volumes referenced in this RFR are included only for the convenience of Bidders, and are not to be relied upon as any indication of future purchase levels.

Freight- Unless otherwise specified, all products and services shall be "FOB Destination". The MSLC will not assume any separate freight, mileage, travel time or any other associated charges in addition to the bid price. Any charges of this nature must be included in the bid price.

HIPAA: Business Associate Contractual Obligations - Bidders are notified that any department meeting the definition of a Covered Entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) will include in the RFR and resulting contract sufficient language establishing the successful bidder's contractual obligations, if any, that the department will require in order for the department to comply with HIPAA and the privacy and security regulations promulgated thereunder (45 CFR Parts 160, 162, and 164) (the Privacy and Security Rules). For example, if the department determines that the successful bidder is a business associate performing functions or activities involving protected health information, as such terms are used in the Privacy and Security Rules, then the department will include in the RFR and resulting contract a sufficient description of business associate's contractual obligations regarding the privacy and security of the protected health information, as listed in 45 CFR 164.314 and 164.504 (e), including, but not limited to, the bidder's obligation to: implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the protected health information (in whatever form it is maintained or used, including verbal communications); provide individuals access to their records; and strictly limit use and disclosure of the protected health information for only those purposes approved by the department. Further, the department reserves the right to add any requirement during the course of the contract that it determines it must include in the contract in order for the department to comply with the Privacy and Security Rules. Please see other sections of the RFR for any further HIPAA details, if applicable.

Information Technology - All IT systems and applications developed by, or for Executive department agencies or operating within the Massachusetts Access to Government Network (MAGNet), must conform with the Enterprise Information Technology Policies, Standards and Procedures promulgated by the Commonwealth's CIO. Non-conforming IT systems cannot be deployed unless the purchasing agency and their contractor have jointly applied for and received in writing from the Commonwealth's CIO or his designee, notice that a specified deviation will be permitted. The Enterprise Information Technology Policies, Standards and Procedures, with the exception of the Enterprise Public Access Policy For e-Government Applications and the Enterprise Public Access For e-Government Applications Standards, are available at mass.gov/itd. The Enterprise Public Access Policy For e-Government Applications and the Enterprise Public Access For e-Government Applications Standards are available in hard copy from the purchasing agency. Purchasing agencies may also obtain a current copy of these documents, on behalf of their contractor, by contacting the Information Technology Division's CommonHelp group at commhelp@state.ma.us or 1 (866) 888-2808.

Please Note: Given the pace of information technology innovation, purchasing agencies and their contractors are encouraged to contact the Information Technology Division's CommonHelp group at commhelp@state.ma.us or 1 (866) 888-2808 to signal a system or application design and development initiative. Such advance notice helps to ensure conformance with the relevant Enterprise Technology Policies, Standards and Procedures.

Contractor delivery of IT systems and applications that fail to conform to the Commonwealth's Enterprise Information Technology Policies, Standards and Procedures, absent the Commonwealth CIO's grant of written permission for a deviation, shall constitute breach of any contract entered as a result of this Request for Response and any subsequent Request for Quotes. The

Commonwealth may choose to require the contractor, at his own cost, to re-engineer the non-conforming system for the purpose of bringing it into compliance with Commonwealth Enterprise Information Technology Policies, Standards and Procedures.

Information Technology - Clarification of Language in Section 11, Indemnification of the Commonwealth Terms and Conditions. Required for the following object codes within the "Expenditure Classification Handbook" as issued by the Office of the Comptroller:

CODE	TITLE
U01	Telecommunications Services Data
U02	Telecommunications Services Voice
U03	Software and Information Technology (IT) Licenses
U04	Information Technology (IT) Chargeback
U05	Information Technology (IT) Professionals
U06	Information Technology (IT) Cabling
U07	Information Technology (IT) Equipment
U08	Information Technology (IT) Equipment TELP Lease-Purchase
U09	Information Technology (IT) Equipment Rental or Lease
U10	Information Technology (IT) Equipment Maintenance and Repair
U75	Advance Administrative Expenses
U98	Reimbursement for Travel Expenses for IT Professionals

Pursuant to Section 11, Indemnification of the Commonwealth Terms and Conditions, the term "other damages" shall include, but shall not be limited to, the reasonable costs the Commonwealth incurs to repair, return, replace or seek cover (purchase of comparable substitute commodities and services) under a contract. "Other damages" shall not include damages to the Commonwealth as a result of third party claims, provided, however, that the foregoing in no way limits the Commonwealth's right of recovery for personal injury or property damages or patent and copyright infringement under Section 11 nor the Commonwealth's ability to join the contractor as a third party defendant. Further, the term "other damages" shall not include, and in no event shall the contractor be liable for, damages for the Commonwealth's use of contractor provided products or services, loss of Commonwealth records, or data (or other intangible property), loss of use of equipment, lost revenue, lost savings or lost profits of the Commonwealth. In no event shall "other damages" exceed the greater of \$100,000, or two times the value of the product or service (as defined in the contract scope of work) that is the subject of the claim. Section 11 sets forth the contractor's entire liability under a contract. Nothing in this section shall limit the Commonwealth's ability to negotiate higher limitations of liability in a particular contract, provided that any such limitation must specifically reference Section 11 of the Commonwealth Terms and Conditions.

Insurance- Vendor shall maintain, throughout the term of the contract the type of insurance as set forth below:

Workers Compensation Insurance for officers, employees and agents employed in connection with this contract in accordance with applicable law, including the laws of the Commonwealth of Massachusetts as well as the laws of any other state where the Contractor maintains its principal place of business with a limit of at least two hundred thousand dollars (\$200,000) per occurrence with an annual aggregate of one million dollars (\$1,000,000).

Vehicle Liability Insurance covering owned, non-owned, substitute and hired vehicles in accordance with applicable laws, including, but not limited to, the automobile insurance laws of the Commonwealth of Massachusetts, and any other states where the Contractor maintains its principal place of business with a combined single limit annual aggregate of one million dollars (\$1,000,000).

Commercial General Liability Insurance for all damages arising out of bodily injury or death, or damage to personal or real property incurred with respect to work performed under this contract. Said insurance shall provide for bodily injury and property damage coverage liability limits of one million dollars (\$1,000,000) per person with an annual aggregate of three million dollars (\$3,000,000) per event.

The vendor shall provide certificates of insurance evidencing such coverage to the MSLC within 10 days of the date of execution of the contract by the vendor and the MSLC. Failure to provide and maintain such insurance shall be deemed a breach of contract, and may, at the sole discretion of the MSLC operate as an immediate termination hereof. Each policy of insurance shall expressly provide 60 days prior notice by the insurer to the MSLC of any intent to cancel, failure to renew or material change in the coverage identified above. The automobile liability insurance and the commercial general liability insurance policies shall identify the MSLC as an additional insured. All insurance shall be maintained from an insurance carrier authorized to conduct business in the Commonwealth of Massachusetts.

Invest in Massachusetts- The MSLC encourages investment in our local economy and is committed to advancing the creation and preservation of jobs in the Commonwealth. As a result, Bidders **must** submit an *Invest in Massachusetts Data Form* (the "IMD Form"). Bidders, regardless of their certification status, are required to complete Parts I and II of the IMD Form in order to be deemed responsive and eligible for consideration. Bidders who are able to and do certify in Part III of the IMD Form that 50% or more of the work-hours performed in connection with any contract arising out of its RFR Response will be performed in Massachusetts will receive toward their overall score an additional 5% of the Bidder's total Business, Technical and Cost evaluation points.

Please be advised, however, that inability to provide such certification shall not preclude any Bidder from being awarded a contract if such Bidder receives the most overall points throughout the entire evaluation process.

Mandatories and Desirables- Mandatory specifications in this RFR are identified with the words "must", "shall", "will", "mandatory", or "is required". However, Vendors must assume that every specification included herein is a mandatory specification, unless it is clearly indicated to be otherwise. A mandatory specification is one that must be met in order for a response to be considered responsive. Any response, which fails to meet a mandatory specification of the RFR, will be deemed non-responsive and will be disqualified. Desirable specifications are designated with the words, "is desired", "desirable", and "highly desirable". Unless there is an explicit indication to the contrary stated in this RFR, Vendors may receive evaluation points for "desirable" goods and services.

Minimum Bid Duration- Bidder responses/bids made in response to this RFR must remain in effect for 90 days from the date of bid submission.

News Releases- The successful Vendor shall not issue any news releases, advertising or promotional materials pertaining to the performance of the contract without prior approval by the Executive Director of the MSLC.

Ownership of Responses- All documentation, materials, data, etc., submitted in response to this RFR shall become the property of the MSLC and will not be returned to the Bidder. Bidders are cautioned that ideas, techniques, information, etc., submitted as part of the Bidders response may be used by the MSLC without separate payment to the Bidder or Sub-Contractors.

Payments- Payment shall be made for services only after such services have been delivered and accepted by the MSLC. Payments shall be made only in arrears. No advance payments can be made to Vendors. Payment will be made 45 days after acceptance and following receipt of invoice.

Pricing: Federal Government Services Administration (GSA) or Veteran's Administration Supply – The MSLC reserves the right to request from the successful bidder(s) initial pricing schedules and periodic updates available under their GSA or other federal pricing contracts. In the absence of proprietary information being part of such contracts, compliance for submission of requested pricing information is expected within 30 days of any request. If the contractor receives a GSA or Veteran's Administration Supply contract at any time during this contract period, it must notify the MSLC contract manager.

Pricing: Price Limitation – The bidder must agree that no other customer of similar size and similar terms and conditions shall receive a lower price for the same commodity and service during the contract period, unless this lower price is immediately effective for the MSLC. The bidder must also agree to provide current or historical pricing offered or negotiated with other governmental or private entities at any time during the contract period upon request of the contract manager.

Prime Contractor Responsibility- The MSLC requires a single point of responsibility for performance of any Contract that may result from this RFR. Subcontractors may be used, but the Prime Contractor must accept full responsibility for the subcontractor's performance. All subcontractors must be identified by the Prime Contractor and the Prime Contractor must describe the type of contractual arrangement that will exist with all subcontractors. The Prime Contractor shall be responsible for meeting all of the terms of the Contract resulting from the RFR. Prior approval of the department is required for any subcontracted service of the contract. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors. Subcontractors are required to meet the same state and federal financial and program reporting requirements and are held to the same reimbursable cost standards as contractors.

Public Records- All responses and information submitted in response to this RFR are subject to the Massachusetts Public Records Law, M.G.L., c. 66, § 10, and to c. 4, § 7, cl. 26. Any statements in submitted responses that are inconsistent with these statutes shall be disregarded.

Reasonable Accommodation- Bidders with disabilities or hardships that seek reasonable accommodation, which may include the receipt of RFR information in an alternative format, must communicate such requests in writing to the contact person. Requests for accommodation will be addressed on a case by case basis. A bidder requesting accommodation must submit a written statement which describes the bidder's disability and the requested accommodation to the contact person for the RFR. The PMT reserves the right to reject unreasonable requests.

Rejection of Bids- The MSLC may reject any and all bids in response to this RFR if it deems it is in its best interest to do so. The MSLC may also reject any and all bids for any of the following reasons:

- a) fails to adhere to one or more of the provisions established in this RFR;
- b) fails to submit its bid at the time or in the format specified herein, or to supply the minimum information requested herein;
- c) fails to meet unconditionally all of the mandatory performance and business specifications of this RFR;
- d) fails to state in writing its acceptance of the mandatory terms and conditions in Attachment A of this RFR as they appear in Attachment A without change or alteration;
- e) fails to submit its bid, to the required address, before or on the deadline date established by the Procurement Calendar;

- f) materially misrepresents its services or provides demonstrably false information in its bid;
- g) fails to submit costs on the Cost Table (Attachment C), or to guarantee the costs for 90 days;
- h) refuses to provide clarification, if requested by the Procurement Committee; or
- i) fails to sign a Contract within ten (10) business days of receipt of the Contract for signing.

Restriction on the Use of the Commonwealth Seal- Bidders and contractors are not allowed to display the Commonwealth of Massachusetts Seal in their bid package or subsequent marketing materials if they are awarded a contract because use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law.

Revisions to this RFR- If it becomes necessary to revise any part of this RFR, or if additional data is necessary to clarify any of its provisions, a supplement will be mailed or faxed to Vendors who have obtained a copy of the RFR directly from the MSLC and not by any other means or subscriptions.

RFR Cancellation- The MSLC reserves the right to cancel this bid at any time before a Contract has been executed and approved, in which event the MSLC will reject any and all bids received in response to this RFR. Should the bid be canceled, all expenses related to preparation of response to this RFR remain the responsibility of the Vendor.

Service Representative - The selected Vendor must assign (a) service representative(s) which the MSLC may contact regarding the service performance during the contract term. The MSLC reserves the option to require this individual(s) be replaced if it finds that the individual(s) is not responsive or compatible.

Small Business Purchasing Program (SBPP) - Vendor (Procurements between \$50,000.00 and \$150,000.00 only)
Small Business Preference – Special consideration will be given to eligible small businesses responding to this procurement who participate in the Small Business Purchasing Program (SBPP). To determine eligibility and to participate in the SBPP, please review the requirements and general program information at www.mass.gov/sbpp. The Department intends to provide SBPP eligible bidders with a 10% preference in the evaluation process.

Supplier Diversity Program (SDP) Plan - Massachusetts Executive Order 524 established a policy to promote the award of State Contracts in a manner that develops and strengthens Minority and/or Women Business Enterprises (M/WBEs). As a result, M/WBEs are strongly encouraged to submit bid responses to this RFR, either as prime vendors, joint venture partners or subcontractors. All Bidders, regardless of their certification status, are required to submit a completed SDP Plan Form as part of their response for evaluation. It is required that Supplier Diversity Program (SDP) participation accounts for no less than 10% of the total points in the evaluation. Higher evaluation points may be awarded to SDP Plans that show more commitments for use of certified vendors in the primary industry directly related to the scope of the RFR, subcontracting expenditures and partnerships for the purpose of contracting with the Commonwealth.

The PMT **requires** bidders to make a significant commitment to partner with certified Minority- and Women-Owned Businesses in order to be awarded a contract. A Supplier Diversity Office (SDO), formerly known as SOMWBA, certified Bidder may not list itself (or an affiliate) as being a Supplier Diversity Program (SDP) partner to its own company. In addition, a narrative statement can be included to supplement the SDP Plan Form providing further details of the SDP commitments. The submission of this narrative statement does not replace the requirement of the SDP Plan Form. Bidders must submit one form for each M/WBE SDP Relationship. **Please note that no bidder will be awarded a contract unless and until they agree to commit to at least one (1) of following three (3) SDP Components selected by the PMT:**

1. **Subcontracting:** If Bidder commits to Subcontracting in their SDP plan, then they must commit to subcontract a specific dollar amount, or a minimum percentage of dollars earned through an awarded contract, with a SDO certified company. Although this is only one of several options to meet the requirements for participation in the Affirmative Market Program, Bidder's submission of subcontracting commitments may be weighted most heavily. The PMT will set timelines for progress reviews (either quarterly or semi-annually) for the purpose of compliance and tracking of submitted commitments. Please note that all subcontracting partnerships require inclusion of that contract between the Bidder and the M/WBE subcontractor in the Bidder's bid package.
2. **Ancillary Uses of Certified M/WBE Firm(s):** If a Bidder commits to Ancillary Uses of certified M/WBE Firm(s) in their SDP plan, then they must include dollar or percentage expenditure commitments for use of these firm(s) with or without the use of written commitments between the Bidder and the M/WBE Firm(s). A description of the ancillary uses of certified M/WBEs, if any, must be included on the SDP Plan Form.
3. **Growth & Development:** If a Bidder commits to Growth and Development in their SDP plan, then they must submit a plan for education, training, mentoring, resource sharing, joint activities, and assistance that would increase industry capacity and the pool of qualified SDO certified companies.

Once an SDP Plan is submitted, negotiated and approved, the PMT will then monitor the contractor's performance.

Resources available to assist Prime Bidders in finding potential M/WBE partners can be found at:

[SDP Procurement Resources and Guides](#) or www.mass.gov/sdp

Supplier Diversity Program Subcontracting Policies- Prior approval of the agency is required for any subcontracted service of the contract. Agencies may define required deliverables including, but not limited to, documentation necessary to verify subcontractor commitments and expenditures with Minority- or Women-Owned Business Enterprises (M/WBEs) for the purpose of monitoring and enforcing compliance of subcontracting commitments made in a bidder's Supplier Diversity Program (SDP) Plan. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors.

Taxes, Fees, Assessments, Etc. - Vendors must pay all taxes, fees and assessments associated with furnishing the products as part of the contract.

Trademarks, Patents, Etc- Unless otherwise clearly stated in this RFR, any reference to a particular trademark, trade name, patent, design, type, specification, producer or supplier is not intended to restrict this RFR to any manufacturer or proprietor or to constitute an endorsement of any good or service, and the MSLC may consider clearly identified offers of substantially equivalent goods and services submitted in response to such reference.

The Procurement Management Team ("PMT") reserves the right to modify, amend or cancel the terms of this RFR at any time.

Section I - General Overview and Purpose of Procurement

General Overview:

The Massachusetts State Lottery Commission (MSLC) was created in 1971 as a mechanism to generate local aid revenues for the 351 cities and towns of the Commonwealth. Since selling its first ticket in 1972, the MSLC has generated over \$86 billion in sales, awarded more than \$58.8 billion in prizes, and returned nearly \$19 billion in net profit to the Commonwealth in unrestricted local aid, and paid \$4.9 billion in commissions and bonuses to its statewide network of retailers.

The MSLC launched its inaugural offering, a weekly jackpot game called "The Game" on March 22, 1972. In May 1974, Massachusetts revolutionized the U.S. lottery industry when it became the first state to sell instant tickets as an alternative to weekly jackpot games. Today with three in-state draw games, a regional draw game, two multi-state jackpot games, two monitor games and the industry's most robust instant ticket portfolio, the Massachusetts State Lottery Commission is one of the most successful lotteries in the world.

Purpose of Procurement:

The Opportunity: The MSLC is issuing this Request for Responses (RFR) to obtain proposals from qualified vendors to provide a range of advertising services that are strategically designed to increase the sale of Massachusetts Lottery games and maximize the net profit returned to the Commonwealth for cities and towns.

The Selected Bidder will work in partnership with MSLC staff in the development and execution of a marketing/advertising plan that aims to: generate brand awareness and build excitement for all MSLC games amongst current and prospective players; assist the MSLC's 7,400 plus retailers in selling more Lottery products through strong and effective retail advertising programs; and, engage audiences to help positively influence public attitudes and perceptions of the Lottery.

The Selected Bidder shall be required to perform services as specified in this RFR and shall fully understand the MSLC's history and background, and support the Lottery's vision, mission, core values and goals.

The Selected Bidder must be able to perform the functions of a full-service advertising agency, including, but not limited to: branding, creative concepting, production, planning, buying and placement of digital, print and out-of-home advertising, as well as the development and activation of social media based advertising and promotions.

The MSLC needs a highly-creative advertising partner to elevate the overall Massachusetts Lottery brand and to support new game launches by developing innovative campaigns and initiatives that serve to engage new, existing and lapsed players.

The Challenge: The MSLC continues to aggressively pursue its mission of generating local aid revenues available to the cities and towns of Massachusetts. In FY11, the Lottery returned \$887 million in net profit to the Commonwealth, \$802.2 million of which went directly back to cities and towns. Adjustments to the existing game offerings, the introduction of new games and strategic marketing initiatives undertaken at the Lottery have set the organization on pace for a record performance in FY12. As the MSLC marks its fortieth year of operation, it is necessary to refresh the organization's image in the eyes of the playing public, demonstrating to existing, lapsed and new audiences that Lottery games are exciting, innovative and a lucrative source of entertainment.

Given the increased competition that the Lottery expects to face from other entertainment and gaming entities vying for disposable income dollars, including the three casinos and slot facility to be licensed/built in Massachusetts over the course of the next several years, it is imperative that the Lottery utilize creative solutions to broaden its player base by attracting new/younger audiences, effectively market its products to remain top-of-mind with consumers, and to maintain relevancy in an already crowded and evolving retail marketplace.

Advertising Sensitivity:

Advertising should be consistent with the MSLC's core values, mission and vision. The following stipulations apply to all MSLC advertising concepts and campaigns:

- Advertising should not unduly influence.
- Advertising should not over promise.
- Advertising should not show a change of lifestyle. Advertising should not present, directly or indirectly, any Massachusetts Lottery game as a potential means of relieving any person's financial or personal difficulty.
- Advertising should not display guns, alcohol, tobacco, improper attire or imply lewd or indecent language, images or actions.
- Advertising should not portray product abuse, excessive play or preoccupation with gambling.
- Advertising should not specifically target with the intent to exploit a person or specific group or economic class.
- Advertising should not create the perception that the Massachusetts Lottery has control over where winning tickets are sold and/or purchased.
- All Advertising must include the following language: You must be 18 years or older to play the Massachusetts State Lottery.

Section II - Acquisition Method

This procurement will be an outright purchase.

Section III - Single or Multiple Contractor Contract

The MSLC intends to award a single contract as a result of this procurement, but reserves the right to award multiple contracts.

Section IV - Single or Multiple Users

It is the intent of this contract that the MSLC is the only user.

Section V - Anticipated Duration of Contract

Any contract resulting from this RFR shall be for the period of three (3) years commencing on the resulting contract start date.

Section VI - Anticipated Expenditures

The amount available to fund expenditures associated with this procurement shall be determined each fiscal year through the Massachusetts State budget process. For the first year of the contract, the MSLC estimates a maximum overall budget not to exceed approximately \$4.5 million to accomplish the Performance and Contract Specifications described below in Section VII.

If, due to unforeseen circumstances, the scope of services is substantially changed or modified, the MSLC maintains the right to amend the contract and increase the maximum obligation in order to obtain the best value.

The Vendor will be bound by the terms of the contract and the MSLC will not be responsible for price increases due to market fluctuations or product availability.

Section VII - Performance and Contract Specifications

A. Performance Requirements

1. The Successful Bidder shall be required to perform services as specified in this RFR and shall fully understand the MSLC's history and background, and support its vision, mission, core values and goals.

Bidders are encouraged to review the information packet outlining MSLC's history, products and revenues, which may be found in Attachment [insert attachment letter] or on the MSLC's website: www.masslottery.com. Other sources of data/information relating to the MSLC and the US lottery industry can be found at: LaFleur's Magazine & World Lottery Almanac (www.lafleurs.com); North American Association of State and Provincial Lotteries (www.naspl.org); and, Public Gaming Research Institute (www.publicgaming.com).

2. The Selected Bidder **will** work in partnership with MSLC staff in the development and execution of a marketing/advertising plan that aims to: generate brand awareness and build excitement for all MSLC games amongst current and prospective players; assist the MSLC's 7,400 plus retailers in selling more Lottery products through strong and effective retail advertising programs; and, engage audiences to help positively influence public attitudes and perceptions of the Lottery.
3. The Selected Bidder **shall** be **required** to perform services as specified in this RFR and **shall** fully understand the MSLC's history and background, and support the Lottery's vision, mission, core values and goals.
4. The Selected Bidder **must** be able to perform the functions of a full-service advertising agency, including, but not limited to: branding, creative conceiving, production, planning, buying and placement of digital, print and out-of-home advertising, as well as the development and activation of social media based advertising and promotions.
5. The Successful Bidder **shall** provide daily account management with in-depth attention to organizing, planning, supervising and reviewing all MSLC projects and budgets in progress at any time.
6. The Successful Bidder **shall** commit to a level of service (number and experience of employees and corresponding number of full-time equivalents) as they determined in their response to this RFR and **shall** maintain that level of service throughout the term of the contract.
7. The Successful Bidder **must** assign an account team with at least two primary, day-to-day contacts.

It is **highly desirable** that the primary contacts provide:

- Account team leadership. The account service leaders **must** be experienced in advertising and marketing communications disciplines and practices, with an ability to communicate clearly and in a timely manner with both the MSLC staff and the other members of the account team.
- Knowledge of internal and external Lottery information. They **must** become familiar with and committed to all aspects of the account.
- Resource management skills, as well as the ability to inspire "best work possible" from the resources (e.g., creative, media, production, research).
- Familiarity with consumer product marketing dynamics and forward planning in order to help build the MSLC's business.
- Budget consciousness and management skills. The Contractor **must** pay continuing attention to production costs and cost controls to maximize quality consistent with budgetary constraints.
- Compatibility with MSLC staff.

Please provide detailed résumés for all personnel who may be assigned to the MSLC account.

8. It is **desirable** that the Successful Bidder explain what the MSLC can expect in terms of the involvement of senior personnel or executive management on an on-going basis.
9. Bidders **must** also provide an organizational chart which identifies all staff that **will** support the MSLC account. The organizational chart should include the position titles, number of positions, and where applicable names of personnel (e.g., key management staff). The organizational chart should

include corporate directors and/or officers who **will** provide direction or oversight to the MSLC account.

10. The Successful Bidder **shall** commit to providing the same Account Team for all MSLC projects. If the Team Lead(s) are re-assigned or no longer assigned to the MSLC account, the Successful Bidder **shall** fill the vacant position with an individual who has comparable or better experience and training. That replacement **shall** be made subject to the MSLC's written approval.
11. The Successful Bidder **shall** provide the MSLC written notification and justification of any personnel changes involving employees or any subcontractors involved in the service of the MSLC account within three (3) Working Days of the personnel changes. The Successful Bidder **must** send the MSLC the résumé of the person who is to be hired or placed, and also **must** receive written approval from the Lottery prior to the person working on the account.
12. All Advertising **must** include the following language: You must be 18 years or older to play the Massachusetts State Lottery.
13. The Successful Bidder **must** be able to perform the functions of a full-service advertising agency, including, but not limited to, branding, creative conceiving, production, planning, buying and placement of broadcast, print, digital and out-of-home advertising. The Successful Bidder **must** also exhibit strong digital advertising expertise including social and mobile media platforms.
14. It is **desirable** that the Successful Bidder plays a significant role in the expansion and growth of existing digital strategies and platforms (e.g. social media, interactive advertising, mobile media, etc.). Please describe expertise and provide examples in executing interactive communications across various platforms.
15. The MSLC **will** provide the Successful Bidder with a fiscal year marketing strategy that includes planned product flights as well as an overall budget. The strategy **shall define** communication goals and objectives that result from the MSLC's general strategy. Lottery staff and the Successful Bidder **shall** meet as needed to review the goals and objectives. The MSLC may modify and/or amend the goals and objectives at any time.
16. Bidders **must** provide a statement of their intent to comply with the terms, conditions and requirements outlined in the specifications.
17. The Successful Bidder **shall** provide strategic planning assistance in establishing the MSLC's communications goals and strategies and help to structure on-going marketing programs by developing comprehensive annual advertising plans that are subject to updates and quarterly reviews. These plans are to be based on the MSLC's overall marketing plan and initiatives incorporating communications goals, strategies, objectives and tactics proposed. The plan is subject to the approval of the MSLC and **must** be consistent with budget limitations and guidelines imposed by the MSLC.

It is **highly desirable** that the advertising plan include:

- Creative strategies for all advertising campaigns planned for the fiscal year and how these strategies achieve the goals and objectives in the MSLC's marketing strategy.
- Relevant research to support the recommended creative strategies.

- A general breakdown of proposed spending (production and media) by media type, product, Designated Market Area.
 - Opportunities for special events, promotional activities, and to generate earned media.
18. The Successful Bidder **shall** translate advertising goals, jointly agreed upon by the Successful Bidder and the MSLC, into creative strategies. From these creative strategies, develop advertising concepts that are consistent with MSLC product positioning goals and provide maximum impact. The Successful Bidder **shall** be responsible for the concepting, creation and production of Massachusetts Lottery advertising materials, including broadcast, digital and print advertisements, out-of-home and such other materials as may be **required** by the MSLC.
19. The Successful Bidder **shall** be able to develop multi-media campaigns and to assist the MSLC in developing game logos, or art for other use, if requested by the Lottery.
20. The Successful Bidder **shall** present the option of at least two (2) creative concepts for each campaign and, upon MSLC approval of the campaign concept. If concepts or creative options are not approved by the Lottery, the Successful Bidder, at the direction of the MSLC, **shall** be **required** to develop and present additional creative executions.
21. It is **desirable** that the Successful Bidder design and develop artwork and production specifications for MSLC point-of-sale and/or collateral materials including in-store displays, interior and exterior signage, sales promotion items, etc. (Note: Some materials may be purchased through the MSLC Procurement Group.) Please submit examples.
22. The Successful Vendor **shall**:
- Be responsible for conceptual development and pre-production work leading up to delivering materials (artwork on disk).
 - Be responsible for furnishing clean and complete production specifications for each point-of-sale collateral piece developed. Specifications are to be in a language understandable and acceptable by the printing trade.
 - Play a consultative role in the actual production process, including reviewing proofs and monitoring delivery.
23. The Successful Bidder **shall** be responsible for the creative design and production of printed materials under the Contract to support the MSLC's advertising efforts.
24. It is **desirable** that the Successful Bidder provide point-of-sale and/or collateral materials including in-store displays, game brochures and posters, interior and exterior signage, digital and traditional displays, and other POS items, at the MSLC's request. (Note: Some materials may be purchased through the MSLC Procurement Group.) Please provide samples.
25. It is **desirable** that the Successful Bidder assist in the development, implementation and administration of special promotional programs, including but not limited to corporate sponsorship programs or cooperative partnership promotions. Please provide examples.
26. It is **desirable** that the Successful Bidder, in conjunction with the MSLC, can handle negotiations for producing, procuring and/or telecasting special Lottery drawing shows. Please provide examples.
-

27. It is **desirable** that the Successful Bidder design and develop special promotional items, signage for special events, or special presentation materials and other specialty items as requested by the MSLC. This may include contracted services with third party vendors, equipment, supplies or other components **required** to conduct the promotional event/activity or sponsorship. Please provide examples.
28. The Successful Proposer **shall** make the MSLC's aware of possible media sponsorships and the cost-efficiency of such sponsorships.
29. It is **highly desirable** that the Successful Bidder provide web design, promotional program implementation and content maintenance for the MSLC's social media platforms. Please describe experience and submit examples.
30. The Successful Bidder **shall** produce multiple advertising programs with frequently overlapping implementation schedules. Specifically, the Successful Bidder **will**:

Maintain time lines and meet production schedules while keeping the MSLC informed of project status. These timelines **will** be established jointly by the Successful Bidder and the MSLC prior to the start of the project.

- The Successful Bidder **shall** allow sufficient time for developing and presenting creative solutions, editing and revising selected options, obtaining final approvals from MSLC staff, producing the final product, and distributing the finished product according to MSLC specifications.
 - The Successful Bidder **shall** provide detailed production schedules with task milestones for each job. The MSLC **will** not be responsible for any additional costs incurred as a result of the Successful Bidder not adhering to set timelines.
31. It is **desirable** that the Successful Bidder provide point-of-sale and/or collateral materials including in-store displays, game brochures and posters, interior and exterior signage, digital and traditional displays, and other POS items, at the MSLC's request. (Note: Some materials may be purchased through the MSLC Procurement Group.) Please provide samples.
 32. Negotiation and Placement. The Successful Bidder **must** translate advertising goals and strategies into effective media buys and **shall** be responsible for the placement and purchase of all media, including but not limited to broadcast, digital, out-of-home and print media.
 33. In negotiating media purchases, the Successful Bidder **shall** strive to achieve the maximum impact and cost effectiveness, and make the MSLC aware of any savings that might be achieved through long-term commitments or other specialized programs. Media placement **shall** be reimbursed at net cost with no mark up.
 34. The Successful Bidder **must** have the capability to evaluate media cost, placement and efficiency. The Successful Bidder **shall** be responsible for auditing and verifying all media outlets. The criteria used for auditing media outlets **will** be at the sole discretion of the MSLC. If the Successful Bidder proposes a more viable and cost effective method, the Successful Bidder **will** make the report available for inspection and approval by the MSLC.
 35. The Successful Bidder **will** provide a regular schedule of media buys for approval by the MSLC prior to any media buy actually occurring.

36. Placement Verification. The Successful Bidder **shall** ensure that all media was broadcast or published according to any contracts or placement instructions.
37. The Successful Bidder **shall** provide, at no cost to the MSLC, affidavits, tear sheets or any other placement verification requested by the MSLC. Placement verification documents **shall** indicate the run dates and/or times and the circulation or ratings achieved.
38. Added Value Media Placements. The Successful Bidder **must** have media negotiating skills that achieve maximum value-added or promotional opportunities related to media outlets, special events and onsite opportunities and **shall** attempt to negotiate added value for all media included in any MSLC buy. Any added value provided by participating media vendors **shall** be identified in the summary of any media buy. The Successful Bidder **shall** establish a goal for added value media subject to MSLC approval, based on estimated spending over each contract year.
39. The Successful Bidder **shall** develop a media plan to support the advertising plan. The MSLC and the Successful Bidder **will** review the media plan and may revise the plan based on changes in economic factors, market conditions, or as otherwise authorized by the MSLC.
40. It is **highly desirable** that the media plan include:
 - Allocation of dollars by media and DMA with detailed rationale.
 - Gross rating point objectives with reach/frequency and efficiency analysis.
 - Detailed media flowchart that specifies mediums, market tiers, GRP levels and costs for each campaign.
 - Advertising and media plans should be based on the MSLC's fiscal year (FY) (July 1 – June 30). The Successful Bidder **shall** submit an advertising plan for FY13 no later than three weeks after the Contract execution date, or as specified by the MSLC. The media plan for FY13 is due two weeks after the MSLC approves the advertising plan.
41. Maintain budgets that **will** be approved by the MSLC prior to beginning work on the project. Budgets may not be exceeded without prior MSLC approval.
42. For any ad production project with an estimated cost in excess of \$5,000, the Successful Bidder **will** be **required** to obtain at least three (3) bids from independent production companies for the MSLC's evaluation. If the Successful Bidder has cost efficient in-house production capabilities, they are expected to use these resources.
43. The Successful Bidder **shall** be responsible for developing an annual plan that reflects the MSLC's advertising budget. It is **highly desirable** that this annual plan include, though need not be limited to total media expenditures, production budget, media schedule or flow chart and the Successful Bidder's fees where applicable. Following approval of the annual budget by the MSLC, the Successful Bidder **will** work with the MSLC staff to ensure that advertising budgets are not exceeded.
44. Additionally, the Successful Bidder **will** be responsible for providing the following reports to the MSLC in a format approved or proscribed by the Lottery:

- Status Report. This report documents all current media and production jobs, projects, promotional events, reporting, and meetings. Status Report **will** include: job by product, media, production, status of job, timeline of job. All timelines **shall** include a minimum of five (5) Working Days for approval by the MSLC on each stage of each job or project unless otherwise approved by the Lottery. This report is due every Wednesday before 10:00 am.
 - Monthly Budget Recap Report. A summary of all approved expenditures for the fiscal year to date. The summary **shall** indicate the total amount available in the budget and the total amount currently committed. The summary also **shall** include current amounts invoiced, amounts invoiced but not paid, amounts owed for services performed but not invoiced, and current amounts paid, together with spending by audience, media and production type. Reports are due the 15th of the following month.
 - Year-end summaries of media expenditures (media and production) by type and product. These summaries are due 45 days after the end of the fiscal year.
 - Post Buy Report. No more than one hundred twenty (120) Days following the end of each broadcast quarter after the flight ends, the Successful Bidder **shall** provide the MSLC with a post buy report indicating whether the reach, frequency and GRP goals of each buy were achieved within budget. If the goals were not achieved, the report **shall** contain a make good report where bonus spots were issued. In addition, post buy analyses **shall** be provided for media buys that utilize new rating information for the buy period, when available.
 - Year End Media Review. The Successful Proposer **shall** submit year end media reviews no later than January annually during the Contract term and any renewal periods, including a summary of added value achieved as a result of the previous year's media buy.
 - Post Campaign/Promotional Report. This report provides a recap of each campaign as prescribed by the MSLC. Report is due thirty (30) Days after the campaign/promotional event concludes or as directed by the MSLC.
 - The Successful Bidder **shall** provide reports or minutes to be jointly specified by the MSLC and the Successful Bidder, summarizing discussion highlights and action items resulting from meetings and discussions about the status of projects.
 - The Successful Bidder **shall** attend and present status reports as needed to the Lottery Commission
45. The Successful Bidder **shall** furnish to the MSLC, in advance, a written cost estimate of all expenditures in connection with all services or projects recommended by the Successful Bidder or requested by the MSLC. Prior to undertaking any projects, or committing any MSLC funds, the Successful Bidder **shall** obtain written authorization from the MSLC and/or the Executive Director. For any production expenditure with a value estimated to be \$5,000 or more, the Successful Bidder **must** also furnish the MSLC with copies of at least three solicited bids for production of all expenditures in connection with all the services or projects recommended by the Contractor or requested by the MSLC.
46. All invoices submitted to the MSLC for payment **shall** be itemized and include appropriate back-up materials supporting each invoice. Back-up materials may include a signed copy of the cost estimate for the job, other supplier invoices for outside services, and/or written explanations or justifications for any overages that may have occurred.
47. Vendors **must** describe the format they intend to use to invoice the Lottery. It is **desirable** that invoices provide the Lottery with easily understood information to be able to properly and completely monitor project status relative to payments. This would include, but not be limited to: individuals' names; hours worked; on what specific tasks; amount per line item; dates covered, etc. Electronic submission of invoices is acceptable to the MSLC's Finance Accounts Payable Division.

48. The Successful Bidder **shall** endeavor to obtain all prompt payment or other similar discounts from media and suppliers in the performance of services hereunder. When the Contractor receives a cash discount from media or suppliers, the MSLC **shall** receive full allowance for each such discount provided.
49. It is **highly desirable** that the Successful Bidder be of the highest credentials, please provide:
- (a) A brief overview of the history/background of the firm.
 - (b) A description of the current ownership, incorporation, etc.
 - (c) The firms' current billings and billings for the past five years for the total firm and the office that **will** manage the MSLC account.
 - (d) The current billings breakdown by media type i.e., television, radio, print, internet, ad production, retail display, research, direct response, PR/special events, website development, etc.
 - (e) A list of your current clients, length of relationship and the products assigned to your local office that would manage the MSLC account. State the services provided to each client such as advertising, and those to whom you provide services beyond advertising
 - (f) A list of former clients from the past three years.
 - (g) A description of where the MSLC would fit into your current roster of accounts?
 - (h) Your firm's experience in the following categories: gaming (including lottery), entertainment, retail and government agencies.
 - (i) Which current or recent clients sell their products through convenience stores, grocery stores, gas stations, liquor stores, restaurants, etc.
 - (j) What current or recent clients, in your opinion, would closely approximate the work process of the MSLC, i.e., low-priced consumer items.
50. It is **desirable** that the Successful Bidder has the following resources available in-house as a separate department. Please indicate which resources and the number of people by departments that are available in-house:
- Strategic/Account Planning
 - Direct Marketing
 - Creative
 - Graphic Design
 - Media Planning
 - Media Buying
 - Web Development
 - Social Media-based Promotions
 - On-line
 - Production (List types)
 - Research
-

- Other (Explain)

51. It is **desirable** that the Successful Bidder provide strategic or account planning. Please explain your expertise and provide one example for each of the following areas of expertise with the documented results:

- Repositioning a mature product
- Marketing to the 18-34 year old market
- Developing and launching new products
- Issue or cause related marketing
- Strategic planning for retail business

52. It is **desirable** that the Successful Bidder explain the firm's process for planning direct marketing. Please provide one example for each of the following areas of expertise with the documented results:

- Direct marketing as part of an advertising campaign
- Stand-alone direct marketing campaign
- Database management
- Direct television
- Direct marketing through the Internet
- Social media marketing

53. It is **desirable** that the Successful Bidder explain the firm's process for creative development. Please provide one example for each of the following areas of expertise with the documented results:

- A complete multi-media campaign based on a new strategic direction (not an extension of an existing campaign) developed through finished production.
- A new product introduction campaign that included multiple elements and executions
- An image campaign that also included retail executions (TV/radio, TV/Print, etc.)
- Provide the firm's best low budget television commercial with cost.

54. It is **desirable** that the Successful Bidder provide two examples of expertise in the area of graphic design, such as logo or package design and collateral materials.

55. It is **desirable** that the Successful Bidder has media capabilities.

(a) Explain how the firm develops a media plan for a client, including how it establishes goals, spending, allocations, buying parameters and defines target audiences.

(b) Explain your media buying process and the evaluation of the effectiveness.

(c) Provide one example of each of the following areas of media expertise:

- Planning and purchasing the following types of media: including television, radio, print, online, out-of-home.
- A creative unexpected form of media.
- An impactful low budget media plan.
- A promotion negotiated by your firm that was executed through a media buy.

(d) Explain how your firm **will** insure that the MSLC receives the maximum value for its media dollar.

56. It is **desirable** that the Successful Bidder has expertise in website development and/or execution, Internet marketing and on-line advertising. Please explain your expertise and submit examples.
57. It is **desirable** that the Successful Bidder develop point-of-sale pieces. Please explain your expertise and provide one example for each of the following areas of expertise with the documented results:
- Point-of-sale that is part of an on-going advertising campaign.
 - Stand-alone point-of-sale.
 - Creative or nontraditional point-of-sale.
58. It is **desirable** that the Successful Bidder detail the procedures/checkpoints you employ to ensure cost efficiency and cost effectiveness in the following areas:
- Media buying
 - Creative planning and development
 - Advertising production
 - Research
59. It is **desirable** that the Successful Bidder provide a case history that clearly demonstrates your ability to handle and execute an integrated communications program that had an effective impact on retail sales. The case history **must** describe a program that was conducted within the past three years.

Present the case history in the following format:

- Statement of need or problem.
- Solution.
- Time for development.
- Assessment of the Program.
- Results.

The critical elements should include:

- Not more than three television commercials (on DVD).
 - Not more than three radio commercials (on CD/DVD).
 - Relevant print and/or out-of-home executions.
 - Relevant retail display/collateral materials.
 - Other related marketing materials (e.g., direct response, promotional merchandising, etc.).
 - Website announcement, explanation and/or demonstration.
60. Each bidder **shall** create and submit, as part of its proposal, an advertising campaign designed to increase awareness and trial of the MSLC's suite of holiday game offerings (Holiday Instant Games, Discounted Season Tickets and Raffle Game) amongst existing, lapsed and potential players. Each bidder **must** consider and provide information in regard to how the campaign **will** execute successfully against the MSLC's product and campaign goals. The MSLC's current core

player/market is Massachusetts residents between the ages of 35 – 55. The MSLC seeks to expand that audience/introduce its offerings to a younger (18+) demographic.

It is **highly desirable** that the creative response include:

- (a) Advertising Strategy: A solid and comprehensive strategy should be developed that addresses the assignment and meets the marketing objectives. The strategy should reflect a thorough understanding of the Massachusetts Lottery and its game offerings. Bidders are encouraged to seek additional industry research.
- (b) Media Plan: The Media Plan should detail the media, GRP levels and flights utilized to reach the intended audience. Digital media details should be presented here.
- (c) Budget: The Budget should include all production and media costs and **shall** not exceed \$1.5 million.
- (d) Creative: The campaign's creative strategy should present original and engaging ideas that support the overall advertising strategy. The creative response should include, but not limited to, the following: Point-of-Sale, Television, Radio, and Digital (could include Internet, viral marketing, microsites, social media, mobile marketing) advertising.
- 8. (e) Campaign Guidelines: All discussion and examples related to the creative assignment should be included in the proposal. Bidders invited for an oral presentation may use props and/or electronic media (i.e. PowerPoint, video, audio, Internet) as aids.

61. The Vendor **will** be bound by the terms of the contract and the MSLC **will** not be responsible for price increases due to market fluctuations or product availability.

B. Contract Requirements

1. Vendor Requirements

To be eligible for contract award, a Vendor **must** meet the following qualifications:

- a) Vendors **must** have been in a business similar to that described in this RFR for a minimum of three (3) years and have the demonstrated experience and capacity to handle the requirements herein.
- b) Vendor **must** agree to the terms and conditions contained within the Commonwealth Terms and Conditions attached hereto as Attachment A.
- c) Vendor **must** comply with all Federal, State and local rules and regulations as they apply to the work to be performed under this RFR.
- d) Vendor **must** provide a minimum of three (3) references from the past three (3) years for which work has been performed similar in scope and size to that specified in this RFR. (See Attachment F)
- e) Vendor **must** provide, if applicable, a detailed description of information regarding any company bankruptcy proceedings, criminal investigations, charges filed against the

company, directors or managers, any mergers, acquisitions, etc, and any name changes within the last five (5) years.

The MSLC reserves the right to obtain, from sources other than the Vendor, information concerning a Vendor, the Vendor's capabilities and the Vendor's performance under other contracts which the MSLC deems pertinent to this RFR and to consider such information in evaluating the vendor's bid.

2. Written Inquiries

Vendors may submit questions concerning this RFR no later than the date and time specified in Section IX A, Procurement Calendar. They may be mailed, emailed, faxed or delivered. The Procurement Management Team will review and consolidate inquiries received before the deadline, prepare written answers. All responses will be posted on the Commonwealth Procurement Access and Solicitation Site - www.comm-pass.com. If the vendor has a problem accessing the responses please contact www.lotteryprocurement@masslottery.com. The source(s) of the question(s) will not be revealed.

All inquiries **must** be made in writing to:

Jacqueline S. Kassis
Massachusetts State Lottery Commission
60 Columbian Street
Braintree, MA 02184
Tel: (781) 849-5674
Fax #: (781) 849-5579
Lotteryprocurement@masslottery.com

This inquiry procedure provides the only means by which a Vendor may request information on the performance, business and procedural requirements of this RFR, including the mandatory Commonwealth Terms and Conditions in Attachment A.

Vendors are cautioned that an inquiry should be presented in generic terms and **MUST NOT CONTAIN COST DATA**. The inclusion of cost information in an inquiry may result in the Vendor's disqualification.

C. Advertising Agency Staffing Requirements

The Successful Bidder shall provide daily account management with in-depth attention to organizing, planning, supervising and reviewing all MSLC projects and budgets in progress at any time.

The Successful Bidder shall commit to a level of service (number and experience of employees and corresponding number of full-time equivalents) as they determined in their response to this RFR and shall maintain that level of service throughout the term of the contract.

The Successful Bidder must assign an account team with at least two primary, day-to-day contacts. It is highly desirable that the primary contacts provide:

- Account team leadership. The account service leaders must be experienced in advertising and marketing communications disciplines and practices, with an ability to communicate

clearly and in a timely manner with both the MSLC staff and the other members of the account team.

- Knowledge of internal and external Lottery information. They must become familiar with and committed to all aspects of the account.
- Resource management skills, as well as the ability to inspire “best work possible” from the resources (e.g., creative, media, production, research).
- Familiarity with consumer product marketing dynamics and forward planning in order to help build the MSLC’s business.
- Budget consciousness and management skills. The Contractor must pay continuing attention to production costs and cost controls to maximize quality consistent with budgetary constraints.
- Compatibility with MSLC staff.

Please provide detailed résumés for all personnel who may be assigned to the MSLC account.

It is desirable that the Successful Bidder explain what the MSLC can expect in terms of the involvement of senior personnel or executive management on an on-going basis.

Bidders must also provide an organizational chart which identifies all staff that will support the MSLC account. The organizational chart should include the position titles, number of positions, and where applicable names of personnel (e.g., key management staff). The organizational chart should include corporate directors and/or officers who will provide direction or oversight to the MSLC account.

Account Team Changes: The Successful Bidder shall commit to providing the same Account Team for all MSLC projects. If the Team Lead(s) are re-assigned or no longer assigned to the MSLC account, the Successful Bidder shall fill the vacant position with an individual who has comparable or better experience and training. That replacement shall be made subject to the MSLC’s written approval.

The Successful Bidder shall provide the MSLC written notification and justification of any personnel changes involving employees or any subcontractors involved in the service of the MSLC account within three (3) Working Days of the personnel changes. The Successful Bidder must send the MSLC the résumé of the person who is to be hired or placed, and also must receive written approval from the Lottery prior to the person working on the account.

Massachusetts State Lottery Commission – History, Products and Revenues

Refer to Attachment N – Massachusetts State Lottery Commission
Information Packet 1972 – 2012

See: http://masslottery.com/lib/downloads/info_packet_2012_final

Refer to Attachment O – Massachusetts State Lottery Commission
Statement of Operations
Lottery and Lottery Arts Funds
June 2011

1. SCOPE OF SERVICES AND REQUIREMENTS

The MSLC is issuing this Request for Responses (RFR) to obtain proposals from qualified bidders/vendors to provide a range of advertising services that are strategically designed to increase the sale of Massachusetts Lottery games and maximize the net profit returned to the Commonwealth for cities and towns. The Successful Bidder must be able to perform the functions of a full-service advertising agency, including, but not limited to, branding, creative concepting, production, planning, buying and placement of broadcast, print, digital and out-of-home advertising. The Successful Bidder must also exhibit strong digital advertising expertise including social and mobile media platforms.

It is desirable that the Successful Bidder plays a significant role in the expansion and growth of existing digital strategies and platforms (e.g. social media, interactive advertising, mobile media, etc.). Please describe expertise and provide examples in executing interactive communications across various platforms.

2. GOALS / OBJECTIVES

The overall goal of this RFR is to contract with an agency capable of providing a full range of advertising services to further the overall marketing plan designed to increase the sale of Massachusetts Lottery games and maximize the net profit returned to the Commonwealth for cities and towns.

The Successful Bidder will work in partnership with MSLC staff in the development and execution of an integrated marketing/advertising plan that aims to: generate brand awareness and build excitement for all MSLC games amongst current and prospective players; assist the MSLC's 7,400 plus retailers in selling more Lottery products through strong and effective retail advertising programs; and, engage audiences to help positively influence public attitudes and perceptions of the Lottery's brand image.

The integrated marketing/advertising plan needs to address the above referenced audiences and seek to achieve the following business-building objectives:

- Drive sales and maximize net profit by: a) expanding participation of current Lottery players; b) attracting new players with a clear, targeted, efficient presentation of the current/existing portfolio of games; c) creating fun and excitement amongst existing, lapsed and potential players through the launch of new games.
- Increase overall awareness of the MSLC amongst target audiences and increase players and prospective players understanding of the various Lottery games.
- Brand stewardship: Develop messaging strategies and/or taglines that enhance the image of the MSLC amongst existing, lapsed and potential players, and reinforce the brand's mission of generating local aid revenues for the Commonwealth's 351 cities and towns.
- High Jackpot Awareness: Jackpots of \$100 million plus typically generate interest with the casual to non-traditional lottery player. Develop an execution strategy for creating awareness and driving sales for the multi-state Mega Millions and Powerball games during high jackpot periods
- Enhance Retail Sales Support/Shopper In-Store experience through reactive development of both permanent signage and timely promotional materials that generate effective clutter-cutting Point of Sale advertising campaigns.

- Reinforce the MSLC's mission to raise local aid revenues for the 351 cities and towns of the Commonwealth of Massachusetts.
- Reinforce the credibility and integrity of the Lottery throughout all the advertising and marketing programs.
- Position the Lottery as a fun/entertainment option amongst younger audiences (18-34 year olds).
- Promote product sales to all adult age groups.

3. TECHNICAL RESPONSE

3.1 Service Specifications

The MSLC will provide the Successful Bidder with a fiscal year marketing strategy that includes planned product flights as well as an overall budget. The strategy shall define communication goals and objectives that result from the MSLC's general strategy. Lottery staff and the Successful Bidder shall meet as needed to review the goals and objectives. The MSLC may modify and/or amend the goals and objectives at any time.

Bidders must provide a statement of their intent to comply with the terms, conditions and requirements outlined in the following specifications.

3.2 Advertising Plan

The Successful Bidder shall provide strategic planning assistance in establishing the MSLC's communications goals and strategies and help to structure on-going marketing programs by developing comprehensive annual advertising plans that are subject to updates and quarterly reviews. These plans are to be based on the MSLC's overall marketing plan and initiatives incorporating communications goals, strategies, objectives and tactics proposed. The plan is subject to the approval of the MSLC and must be consistent with budget limitations and guidelines imposed by the MSLC.

It is highly desirable that the advertising plan include:

- Creative strategies for all advertising campaigns planned for the fiscal year and how these strategies achieve the goals and objectives in the MSLC's marketing strategy.
- Relevant research to support the recommended creative strategies.
- A general breakdown of proposed spending (production and media) by media type, product, Designated Market Area.
- Opportunities for special events, promotional activities, and to generate earned media.

3.3 Creative Services

The Successful Bidder shall translate advertising goals, jointly agreed upon by the Successful Bidder and the MSLC, into creative strategies. From these creative strategies, develop advertising concepts that are consistent with MSLC product positioning goals and provide maximum impact. The Successful Bidder shall be responsible for the concepting, creation and production of Massachusetts Lottery advertising materials, including broadcast, digital and print advertisements, out-of-home and such other materials as may be required by the MSLC.

The Successful Bidder shall be able to develop multi-media campaigns and to assist the MSLC in developing game logos, or art for other use, if requested by the Lottery.

The Successful Bidder shall present the option of at least two (2) creative concepts for each campaign and, upon MSLC approval of the campaign concept. If concepts or creative options are not approved by the Lottery, the Successful Bidder, at the direction of the MSLC, shall be required to develop and present additional creative executions.

It is desirable that the Successful Bidder design and develop artwork and production specifications for MSLC point-of-sale and/or collateral materials including in-store displays, interior and exterior signage, sales promotion items, etc. (Note: Some materials may be purchased through the MSLC Procurement Group.) Please submit examples.

The Successful Vendor shall:

- Be responsible for conceptual development and pre-production work leading up to delivering materials (artwork on disk).
- Be responsible for furnishing clean and complete production specifications for each point-of-sale collateral piece developed. Specifications are to be in a language understandable and acceptable by the printing trade.
- Play a consultative role in the actual production process, including reviewing proofs and monitoring delivery.

The Successful Bidder may be requested to provide guidance and creative input with regard to design or design improvement of MSLC products and promotions.

The Successful Bidder may be required to assist the MSLC in planning and executing retailer incentive programs, special sales campaigns and other retailer promotions.

It is highly desirable that the Successful Bidder provide web design, promotional program implementation and content maintenance for the MSLC's social media platforms. Please describe experience and submit examples.

3.3.1 Creative Meetings

The Successful Bidder shall schedule creative meetings between Lottery staff and the account team. Unless otherwise approved by the Lottery, the Successful Bidder shall provide at least five (5) Working Days' advance notice for all creative meetings. Creative meetings will be held on an as-needed basis.

3.3.2 Timelines

The Successful Bidder shall produce multiple advertising programs with frequently overlapping implementation schedules. Specifically, the Successful Bidder will:

- Maintain time lines and meet production schedules while keeping the MSLC informed of project status. These timelines will be established jointly by the Successful Bidder and the MSLC prior to the start of the project.
- The Successful Bidder shall allow sufficient time for developing and presenting creative solutions, editing and revising selected options, obtaining

final approvals from MSLC staff, producing the final product, and distributing the finished product according to MSLC specifications.

- The Successful Bidder shall provide detailed production schedules with task milestones for each job. The MSLC will not be responsible for any additional costs incurred as a result of the Successful Bidder not adhering to set timelines.

3.3.3 Creative Approvals

The Successful Bidder shall obtain written approval from the MSLC prior to producing any advertisement. When producing any creative work, the Successful Bidder shall not vary from approved scripts, story boards or print layouts without written approval from the MSLC. Failure to adhere to approved scripts, story boards or layouts may void the Lottery's approval of the estimate for the project.

The Successful Bidder shall incorporate all changes required by the MSLC, as well as submit any other alternative creative solutions deemed prudent by the Successful Bidder. The Successful Bidder shall be responsible for all unauthorized expenses.

3.4 Materials and Signage

The Successful Bidder shall be responsible for the creative design and production of printed materials under the Contract to support the MSLC's advertising efforts.

It is desirable that the Successful Bidder provide point-of-sale and/or collateral materials including in-store displays, game brochures and posters, interior and exterior signage, digital and traditional displays, and other POS items, at the MSLC's request. (Note: Some materials may be purchased through the MSLC Procurement Group.) Please provide samples.

3.5 Experiential Marketing, Promotional Events/Activities, Sponsorships and Special Events

The MSLC primarily works directly with vendors to select promotional events/activities, sponsorships and in-store retailer promotions that create awareness and interest for Lottery products among adult Massachusetts residents. Experiential Marketing efforts are intended to increase product trial and educate new and potential players about Lottery products.

It is desirable that the Successful Bidder assist in the development, implementation and administration of special promotional programs, including but not limited to corporate sponsorship programs or cooperative partnership promotions. Please provide examples.

It is desirable that the Successful Bidder, in conjunction with the MSLC, can handle negotiations for producing, procuring and/or telecasting special Lottery drawing shows. Please provide examples.

It is desirable that the Successful Bidder design and develop special promotional items, signage for special events, or special presentation materials and other specialty items as requested by the MSLC. This may include contracted services with third party vendors, equipment, supplies or other components required to conduct the promotional event/activity or sponsorship. Please provide examples.

The Successful Proposer shall make the MSLC's aware of possible media sponsorships and the cost-efficiency of such sponsorships.

4. MEDIA PLANNING & SERVICES

The Successful Bidder shall develop a media plan to support the advertising plan. The MSLC and the Successful Bidder will review the media plan and may revise the plan based on changes in economic factors, market conditions, or as otherwise authorized by the MSLC.

It is highly desirable that the media plan include:

- Allocation of dollars by media and DMA with detailed rationale.
- Gross rating point objectives with reach/frequency and efficiency analysis.
- Detailed media flowchart that specifies mediums, market tiers, GRP levels and costs for each campaign.
- Advertising and media plans should be based on the MSLC's fiscal year (FY) (July 1 – June 30). The Successful Bidder shall submit an advertising plan for FY13 no later than three weeks after the Contract execution date, or as specified by the MSLC. The media plan for FY13 is due two weeks after the MSLC approves the advertising plan.

4.1 Media Services provided by the Successful Bidder shall include:

- Negotiation and Placement. The Successful Bidder must translate advertising goals and strategies into effective media buys and shall be responsible for the placement and purchase of all media, including but not limited to broadcast, digital, out-of-home and print media.
- In negotiating media purchases, the Successful Bidder shall strive to achieve the maximum impact and cost effectiveness, and make the MSLC aware of any savings that might be achieved through long-term commitments or other specialized programs. Media placement shall be reimbursed at net cost with no mark up.
- The Successful Bidder must have the capability to evaluate media cost, placement and efficiency. The Successful Bidder shall be responsible for auditing and verifying all media outlets. The criteria used for auditing media outlets will be at the sole discretion of the MSLC. If the Successful Bidder proposes a more viable and cost effective method, the Successful Bidder will make the report available for inspection and approval by the MSLC.
- The Successful Bidder will provide a regular schedule of media buys for approval by the MSLC prior to any media buy actually occurring.
- Placement Verification. The Successful Bidder shall ensure that all media was broadcast or published according to any contracts or placement instructions. The Successful Bidder shall provide, at no cost to the MSLC, affidavits, tear sheets or any other placement verification requested by the MSLC. Placement verification documents shall indicate the run dates and/or times and the circulation or ratings achieved.

- Added Value Media Placements. The Successful Bidder must have media negotiating skills that achieve maximum value-added or promotional opportunities related to media outlets, special events and onsite opportunities and shall attempt to negotiate added value for all media included in any MSLC buy. Any added value provided by participating media vendors shall be identified in the summary of any media buy. The Successful Bidder shall establish a goal for added value media subject to MSLC approval, based on estimated spending over each contract year.
- Maintain budgets that will be approved by the MSLC prior to beginning work on the project. Budgets may not be exceeded without prior MSLC approval.
- For any ad production project with an estimated cost in excess of \$5,000, the Successful Bidder will be required to obtain at least three (3) bids from independent production companies for the MSLC's evaluation. If the Successful Bidder has cost efficient in-house production capabilities, they are expected to use these resources.

5.0 REPORTS

The Successful Bidder shall be responsible for developing an annual plan that reflects the MSLC's advertising budget. It is highly desirable that this annual plan include, though need not be limited to total media expenditures, production budget, media schedule or flow chart and the Successful Bidder's fees where applicable. Following approval of the annual budget by the MSLC, the Successful Bidder will work with the MSLC staff to ensure that advertising budgets are not exceeded.

Additionally, the Successful Bidder will be responsible for providing the following reports to the MSLC in a format approved or proscribed by the Lottery:

- Status Report. This report documents all current media and production jobs, projects, promotional events, reporting, and meetings. Status Report will include: job by product, media, production, status of job, timeline of job. All timelines shall include a minimum of five (5) Working Days for approval by the MSLC on each stage of each job or project unless otherwise approved by the Lottery. This report is due every Wednesday before 10:00 am.
- Monthly Budget Recap Report. A summary of all approved expenditures for the fiscal year to date. The summary shall indicate the total amount available in the budget and the total amount currently committed. The summary also shall include current amounts invoiced, amounts invoiced but not paid, amounts owed for services performed but not invoiced, and current amounts paid, together with spending by audience, media and production type. Reports are due the 15th of the following month.
- Year-end summaries of media expenditures (media and production) by type and product. These summaries are due 45 days after the end of the fiscal year.
- Post Buy Report. No more than one hundred twenty (120) Days following the end of each broadcast quarter after the flight ends, the Successful Bidder shall provide the MSLC with a post buy report indicating whether the reach, frequency and GRP goals of each buy were achieved within budget. If the goals were not achieved, the report shall contain a make good report where bonus spots were issued. In addition, post buy analyses shall be provided for media buys that utilize new rating information for the buy period, when available.
- Year End Media Review. The Successful Proposer shall submit year end media reviews no later than January annually during the Contract term and any renewal periods, including a summary of added value achieved as a result of the previous year's media buy.

- Post Campaign/Promotional Report. This report provides a recap of each campaign as prescribed by the MSLC. Report is due thirty (30) Days after the campaign/promotional event concludes or as directed by the MSLC.
- The Successful Bidder shall provide reports or minutes to be jointly specified by the MSLC and the Successful Bidder, summarizing discussion highlights and action items resulting from meetings and discussions about the status of projects.
- The Successful Bidder shall attend and present status reports as needed to the Lottery Commission

6.0 ACCOUNTING AND BILLING

The Successful Bidder shall furnish to the MSLC, in advance, a written cost estimate of all expenditures in connection with all services or projects recommended by the Successful Bidder or requested by the MSLC. Prior to undertaking any projects, or committing any MSLC funds, the Successful Bidder shall obtain written authorization from the MSLC and/or the Executive Director. For any production expenditure with a value estimated to be \$5,000 or more, the Successful Bidder must also furnish the MSLC with copies of at least three solicited bids for production of all expenditures in connection with all the services or projects recommended by the Contractor or requested by the MSLC.

All invoices submitted to the MSLC for payment shall be itemized and include appropriate back-up materials supporting each invoice. Back-up materials may include a signed copy of the cost estimate for the job, other supplier invoices for outside services, and/or written explanations or justifications for any overages that may have occurred.

Vendors must describe the format they intend to use to invoice the Lottery. It is desirable that invoices provide the Lottery with easily understood information to be able to properly and completely monitor project status relative to payments. This would include, but not be limited to: individuals' names; hours worked; on what specific tasks; amount per line item; dates covered, etc. Electronic submission of invoices is acceptable to the MSLC's Finance Accounts Payable Division.

The Successful Bidder shall endeavor to obtain all prompt payment or other similar discounts from media and suppliers in the performance of services hereunder. When the Contractor receives a cash discount from media or suppliers, the MSLC shall receive full allowance for each such discount provided.

7.0 VENDOR CAPABILITIES

7.1 Credentials

It is highly desirable that the Successful Bidder be of the highest credentials, please provide:

7.1 (a) A brief overview of the history/background of the firm.

7.1 (b) A description of the current ownership, incorporation, etc.

7.1 (c) The firms' current billings and billings for the past five years for the total firm and the office that will manage the MSLC account.

7.1 (d) The current billings breakdown by media type i.e., television, radio, print, internet, ad production, retail display, research, direct response, PR/special events, website development, etc.

7.1 (e) A list of your current clients, length of relationship and the products assigned to your local office that would manage the MSLC account. State the services provided to each client such as advertising, and those to whom you provide services beyond advertising

7.1 (f) A list of former clients from the past three years.

7.1 (g) A description of where the MSLC would fit into your current roster of accounts?

7.1 (h) Your firm's experience in the following categories: gaming (including lottery), entertainment, retail and government agencies.

7.1 (i) Which current or recent clients sell their products through convenience stores, grocery stores, gas stations, liquor stores, restaurants, etc.

7.1 (j) What current or recent clients, in your opinion, would closely approximate the work process of the MSLC, i.e., low-priced consumer items.

Resources

It is desirable that the Successful Bidder has the following resources available in-house as a separate department. Please indicate which resources and the number of people by departments that are available in-house:

- Strategic/Account Planning
- Direct Marketing
- Creative
- Graphic Design
- Media Planning
- Media Buying
- Web Development
- Social Media-based Promotions
- On-line
- Production (List types)
- Research
- Other (Explain)

List any subcontractors that are proposed to be used to provide the required services

7.3 Strategic or Account Planning

It is desirable that the Successful Bidder provide strategic or account planning. Please explain your expertise and provide one example for each of the following areas of expertise with the documented results:

- Repositioning a mature product
- Marketing to the 18-34 year old market
- Developing and launching new products
- Issue or cause related marketing

- Strategic planning for retail business

7.4 Direct Marketing

It is desirable that the Successful Bidder explain the firm's process for planning direct marketing. Please provide one example for each of the following areas of expertise with the documented results:

- Direct marketing as part of an advertising campaign
- Stand-alone direct marketing campaign
- Database management
- Direct television
- Direct marketing through the Internet
- Social media marketing

7.5 Creative

It is desirable that the Successful Bidder explain the firm's process for creative development. Please provide one example for each of the following areas of expertise with the documented results:

- A complete multi-media campaign based on a new strategic direction (not an extension of an existing campaign) developed through finished production.
- A new product introduction campaign that included multiple elements and executions
- An image campaign that also included retail executions (TV/radio, TV/Print, etc.)
- Provide the firm's best low budget television commercial with cost.

7.6 Graphic Design

It is desirable that the Successful Bidder provide two examples of expertise in the area of graphic design, such as logo or package design and collateral materials.

7.7 Media

It is desirable that the Successful Bidder has media capabilities.

7.7 (a) Explain how the firm develops a media plan for a client, including how it establishes goals, spending, allocations, buying parameters and defines target audiences.

7.7 (b) Explain your media buying process and the evaluation of the effectiveness.

7.7 (c) Provide one example of each of the following areas of media expertise:

- Planning and purchasing the following types of media: including television, radio, print, online, out-of-home.
- A creative unexpected form of media.
- An impactful low budget media plan.
- A promotion negotiated by your firm that was executed through a media buy.

7.7 (d) Explain how your firm will insure that the MSLC receives the maximum value for its media dollar.

7.8 Web Development/On-Line

It is desirable that the Successful Bidder has expertise in website development and/or execution, Internet marketing and on-line advertising. Please explain your expertise and submit examples.

7.9 Point of Sale

It is desirable that the Successful Bidder develop point-of-sale pieces. Please explain your expertise and provide one example for each of the following areas of expertise with the documented results:

- Point-of-sale that is part of an on-going advertising campaign.
- Stand-alone point-of-sale.
- Creative or nontraditional point-of-sale.

7.10 Financial/Cost Control

It is desirable that the Successful Bidder detail the procedures/checkpoints you employ to ensure cost efficiency and cost effectiveness in the following areas:

- Media buying
- Creative planning and development
- Advertising production
- Research

7.11 Case History

It is desirable that the Successful Bidder provide a case history that clearly demonstrates your ability to handle and execute an integrated communications program that had an effective impact on retail sales. The case history must describe a program that was conducted within the past three years.

Present the case history in the following format:

- Statement of need or problem.
- Solution.
- Time for development.
- Assessment of the Program.
- Results.

The critical elements should include:

- Not more than three television commercials (on DVD).
- Not more than three radio commercials (on CD/DVD).
- Relevant print and/or out-of-home executions.
- Relevant retail display/collateral materials.
- Other related marketing materials (e.g., direct response, promotional merchandising, etc.).
- Website announcement, explanation and/or demonstration.

8. CREATIVE ASSIGNMENT

Introduction: The MSLC's product mix consists of instant (scratch tickets) games and drawing games. Each fiscal year, the MSLC introduces approximately 27-29 new instant games ranging in price point from \$1 - \$20. Instant game sales account for almost 70 percent of the Lottery's overall sales. The Lottery's draw games (also referred to as "online" games) collectively account for approximately 12 percent of overall sales and include the multi-state jackpot games: Mega Millions and Powerball; a regional game: Lucky For Life; and, three in-state games: The Numbers Game, Mass Cash and Megabucks Doubler. The Lottery's two monitor games, KENO and The Daily Race Game, represent 17 percent of overall sales.

As with many retail products, the holiday season represents an important sales period for the MSLC. The Lottery's holiday sales season is a ten -week stretch during which it aims to sell to sell high volumes of holiday-themed instant games as well as season ticket subscriptions. In fiscal year 2012, sales during this nine-week stretch were approximately \$923 million. The MSLC, in FY12, introduced four holiday themed instant games (ticket price points were \$1, \$2, \$5 and \$10), discounted season ticket subscriptions to the Mega Millions and Megabucks Doubler games, and for the first time last year also introduced a new limited-run raffle ticket during this timeframe, and plans a similar release with these product offerings for the FY13 holiday season.

The product goals for the suite of holiday offerings are to:

- Provide an entertaining/appealing variety of games to existing players.
- Increase awareness and encourage trial for new and lapsed players.
- Position Lottery games as the perfect holiday gift.

The Lottery's holiday campaign must compete in the crowded holiday advertising space and resonate with consumers.

The Assignment: Each bidder shall create and submit, as part of its proposal, an advertising campaign designed to increase awareness and trial of the MSLC's suite of holiday game offerings (Holiday Instant Games, Discounted Season Tickets and Raffle Game) amongst existing, lapsed and potential players. Each bidder must consider and provide information in regard to how the campaign will execute successfully against the MSLC's product and campaign goals. The MSLC's current core player/market is Massachusetts residents between the ages of 35 – 55. The MSLC seeks to expand that audience/introduce its offerings to a younger (18+) demographic.

It is highly desirable that the creative response include:

8. (a) Advertising Strategy: A solid and comprehensive strategy should be developed that addresses the assignment and meets the marketing objectives. The strategy should reflect a thorough understanding of the Massachusetts Lottery and its game offerings. Bidders are encouraged to seek additional industry research.

8. (b) Media Plan: The Media Plan should detail the media, GRP levels and flights utilized to reach the intended audience. Digital media details should be presented here.

8. (c) Budget: The Budget should include all production and media costs and shall not exceed \$1.5 million.

8. (d) Creative: The campaign's creative strategy should present original and engaging ideas that support the overall advertising strategy. The creative response should include, but not limited to, the following: Point-of-Sale, Television, Radio, and Digital (could include Internet, viral marketing, microsites, social media, mobile marketing) advertising.

8. (e) Campaign Guidelines: All discussion and examples related to the creative assignment should be included in the proposal. Bidders invited for an oral presentation may use props and/or electronic media (i.e. PowerPoint, video, audio, Internet) as aids.

The MSLC has included the following resources for use by bidders in preparing the creative response:

- Samples of FY12 Holiday Campaign, Attachment P
- FY12 Sales/Revenue by Game for 11/11/12 through 12/29/12 Attachment Q

8.1 Oral Presentation

Bidders may be required to make oral presentations. Oral presentations will take place at the MSLC Headquarters, 60 Columbian Street, Braintree, MA. Tentatively, oral presentations will take place between August 20 and August 29, 2012 at the convenience of the MSLC. Please note these dates are subject to change. Time allotments and the format shall be the same for all oral presentations and will include time for question and answer session. The MSLC will give notice of at least five (5) days prior to the date of the oral presentation.

These presentations are to provide the Procurement Management Team (Evaluation Committee) with a better understanding of the advertising capabilities of the Bidders and to allow the Team to ask questions related to the written submissions. Bidders may not supplement their original submissions or alter the strategies furnished in their written proposals. Bidders will be allowed to submit samples of creative materials such as commercials, print, graphics, etc., which demonstrate the concepts presented in the written technical submission.

Additionally the oral presentation will give the Procurement Management Team (Evaluation Committee) the opportunity to meet the management and staff of the firm who will be assigned to manage the MSLC account on a daily basis. The Team will consider the oral presentation an integral part of the process and the Bidder's presentation will affect the scoring of the RFR.

Section VIII - Instructions for Submission of Responses

- 1. Vendors must adhere strictly to the bidding procedures as outlined herein.**

IMPORTANT

Responses to this RFR or any parts thereof received by the MSLC after the required date and time will be rejected as non-responsive to the RFR. Delivery of responses to any office or location other than the Lottery's Braintree office, will NOT constitute receipt by the MSLC. It is the sole responsibility of the respondent to ensure that responses are received at the proper location, prior to the stated deadline, and the receipt properly acknowledged by MSLC personnel.

Cost information must appear only as described below in Part 4 - Cost Table Preparation. Do not include cost information in any other part of the response. Inclusion of cost information in any other part of the response may result in disqualification of the response.

2. Bid Preparation

Response Format - All Responses **must** be presented using the same numbering and ordering sequence used in this RFR or as otherwise specified.

The following four (4) parts **must** be submitted for a Vendor's bid to be considered responsive:

Part 1 - Vendor Letter of Transmittal

Part 1 of the Bid response **must** contain a Letter of Transmittal from the Vendor signed by an individual authorized to bind the Vendor contractually. It **must**;

- a. state that the Bid, including the prices in the Cost Table, will remain in effect for a period of 90 calendar days after the Bid Due Date given in the Transmittal Letter or until a Contract is made and approved, or the RFR is terminated, whichever occurs first;
- b. include the name, title, address, telephone and fax numbers and email addresses of one or more individuals who can respond to requests for additional information;
- c. include the name, title, address, telephone and fax numbers and email addresses of one or more individuals who are authorized to negotiate and sign a Contract for the Vendor;
- d. include a statement that the Vendor has read and understands the technical and business specifications of this RFR and agrees that its Bid meets all the technical and business requirements of this RFR (please note that this statement in the transmittal letter will not satisfy the requirements of Section VIII (2)(Part 3)).
- e. state that pursuant to M.G.L. c. 7, s. 22 (20) the undersigned certifies under the penalties of perjury that this proposal is in all respects bona fide, fair and made without collusion or fraud with any other person. The word "person" shall mean any natural person, joint venture, partnership, corporation or other business or legal entity.

Part 2 - Response to Contract Terms and Conditions

Required Documentation - All Bidders will be required to complete, execute and return the following documents:

1. All Bidders **must** complete, execute and return the Commonwealth Terms and Conditions (Attachment A) attached to this RFR. If the Bidder has already executed and filed the Commonwealth Terms and Conditions, please indicate this in your Response. The Commonwealth Terms and Conditions shall be incorporated by reference into any Contract for Commodities and Services executed pursuant to this RFR. A Bidder is required to execute the Commonwealth Terms and Conditions only once.
2. All Bidders **must** complete, execute and return the Standard Contract Form (Attachment B) as follows:
 - (a) as the cover sheet to their Response. Failure to return a completed and executed Standard Contract Form will disqualify the Bidder's Response, and if necessary,
 - (b) upon selection for Contract negotiation and execution.

By executing the Standard Contract Form, the Contractor certifies under the pains and penalties of perjury that it has submitted a Response to a Request for Response (RFR) issued by the MSLC and that this Response is the Contractor's offer as evidenced by the execution by the Contractor's authorized signatory, that the Contractor's Response may be subject to negotiation by the MSLC, and that the terms of the RFR, the Contractor's Response and any negotiated terms shall be deemed accepted by the MSLC and included as part of the Contract upon execution of the Standard Contract Form by the MSLC's authorized signatory.

If you do not have a Vendor Code, leave that portion of the form blank.

3. Vendors **must** complete and sign a copy of Attachment D - "Request for Verification of Taxation Reporting Information" relating to Taxpayer Identification Numbers.
4. The requirements of Attachment E "Tax Compliance Certification Instructions" **must** be submitted with the bid certifying compliance with the laws of The Commonwealth of Massachusetts relating to taxes. This requirement applies to firms that have previously done business in the Commonwealth of Massachusetts. If your firm has not previously conducted business in the Commonwealth of Massachusetts, please state so on your letterhead and submit as part of Attachment E.
5. Pursuant to Executive Order 524, any contract with a potential financial benefit of \$150,000 or more requires a bidder to complete applicable sections of Attachment G, Supplier Diversity Program (SDP) Form and include the required attachments (**Also, include a copy of the SOMWBA Certification letter for each SOMWBA Certified business**) for consideration in the scoring of their submission for any contracting opportunity with the Commonwealth of Massachusetts. The MSLC requires that this form and attachments **must** be submitted, regardless of the dollar value, with each bid. (Refer to General Information and Terms and Conditions, Supplier Diversity Program for further information and requirements)
6. Provide a completed Contractors Authorized Signatory Listing Form, Attachment H if the value of any contract resulting from this RFR is anticipated to exceed \$50,000. **IMPORTANT: For corporations, please read the signature verification/authorization instructions carefully to avoid unnecessary delays in processing contracts.**

7. Bidders **must** complete the Authorization for Electronic Funds Payment Form, Attachment I. All bidders responding to this RFR **must** agree to participate in the Commonwealth Electronic Funds Transfer

(EFT) program for receiving payments, unless the bidder can provide compelling proof that it would be unduly burdensome.

EFT is a benefit to both contractors and the Commonwealth because it ensures fast, safe and reliable payment directly to contractors and saves both parties the cost of processing checks. Contractors are able to track and verify payments made electronically through the Comptrollers Vendor Web system. EFT applications can be found on OSD forms page (mass.gov/osd). Additional information about EFT is available on the Vendor Web site (mass.gov/osc: click on MASSfinance).

Successful bidders, upon notification of contract award, will be required to enroll in EFT as a contract requirement by completing and submitting the Authorization for Electronic Funds Payment Form, Attachment I, to OSD for review, approval and forwarding to the Office of the Comptroller. If the bidder is already enrolled in the program, it may so indicate in its response. Because the Authorization for Electronic Funds Payment Form contains banking information, this form, and any information contained on this form, shall not be considered a public record and shall not be subject to public disclosure through a public records request.

The requirement to use EFT may be waived by the PMT on a case-by-case basis if participation in the program would be unduly burdensome on the bidder. If a bidder is claiming that this requirement is a hardship or unduly burdensome, the specific reason **must** be documented in its response. The PMT will consider such requests on a case-by-case basis and communicate the findings with the bidder.

8. Invest in MA Form – Attachment J. All bidders responding to this RFR **must complete** applicable sections of Attachment J, for consideration in the scoring of their submission for any contracting opportunity with the Commonwealth of Massachusetts. (Refer to General Information and Terms and Conditions, Invest in Massachusetts for further information and requirements).

9. Prompt Pay Discount Form – Attachment K. All bidders responding to this RFR **must complete** this attachment and agree **to** participate in the Commonwealth Prompt Pay Discount initiative for receiving early and/or on-time payments. Prompt Pay benefits both Vendor and the Commonwealth. Vendors benefit by increased, usable cash flow as a result of fast and efficient for commodities and services rendered. Participation in the Electronic Funds Transfer initiative further maximizes the benefits with payments directed to designated accounts, thus eliminating the impact of check clearance policies and traditional mail lead time or delays. Payments that are processed electronically can be tracked and verified through the Comptrollers VendorWeb system.

10. Commonwealth of Massachusetts State Lottery Commission's Disclosure Statement (Attachment L) **must** be completed with complete and accurate responses. In the event any information changes regarding these responses the MSLC must be notified in writing immediately.

11. Bidders **must** read, complete and sign the Certification of Compliance Concerning Personal Information and Personal Data (Attachment M).

Part 3 - Response to Performance and Contract Requirements

Response format – All Responses must be presented using the same numbering and ordering sequence used in this RFR or as otherwise specified. Responses must follow the Section and Paragraph numbering format of the requirements/specifications portions contained in this RFR when preparing their response in order for responses to be evaluated in an orderly and efficient manner.

The Bid Response must consist of a complete and detailed response to Section VII, Performance and Contract Requirements. Specifically, Bidders must describe if and how the mandatory and desirable specifications will be met.

Part 3 of the Bid response **must** consist of a complete response to Section VII of the Performance and Contract Requirements, in particular, paragraph B.1, Vendor Requirements.

Part 4 - Cost Table Preparation

COST INFORMATION MUST ONLY APPEAR IN THIS SECTION OF THE RESPONSE.

Part 4 of the Bid response **must** consist of the Vendor's Cost Table.

The Vendors Bid **must** include a fully completed Cost Table showing the applicable rates and charges for all products which will be made a part of the Vendors Contract. Include explanatory materials necessary for a full understanding of the data contained in the Cost Table.

The Vendor must use the Cost Table provided in Attachment C and shall make no changes, additions or deletions.

Costs which are not specifically identified in the Bidder's Response, and accepted by the MSLC as part of a Contract, will not be compensated under any Contract awarded pursuant to this RFR. The Commonwealth will not be responsible for any costs or expenses incurred by Bidders responding to this RFR.

The Cost Table of the winning Vendor will be made an integral part of the Vendor's Contract with the Commonwealth, and the Vendor will be held to these terms during the life of the Contract.

The Cost Table (Attachment C) **must** be completed comprehensively. When applicable, insert the expression N/C (No Charge) in the appropriate price column. If there is nothing inserted in a price column, the Procurement Board will assume N/C (No Charge).

**The Cost Table (One Original)
must be sealed separately in an envelope and submitted with the bid.
Do not include the Cost Table in the bid or copies.**

3. Submission of Bids

One (1) original, Eight (8) paper copies and a disk of the bidder's response and attachments must be delivered in the same sealed package no later than the date and time shown in Section IX, A. Procurement Calendar. **The Cost Table must be submitted under separate cover in a separate sealed envelope.** Failure to adhere to this requirement may result in the disqualification of the bid. Responses and attachments received after this deadline date and time will not be evaluated. A facsimile response will not qualify as a "submission" for deadline purposes in advance of or in lieu of a hard copy submission. Responses and attachments should be delivered to:

Jacqueline S. Kassis

Massachusetts State Lottery Commission
60 Columbian Street
Braintree, MA 02184

BIDS MUST BE CLEARLY MARKED -

**“BID #LOT 1216”
“ADVERTISING SERVICES”**

IMPORTANT: It is imperative that bids enclosed in “FedEx” or “UPS” type shipping containers must be clearly marked with the bid number and title on the outer most container in order to be distinguished from regular delivery items. For a bid to be responsive, it must be received by MSLC personnel prior to the bid due date and time. The MSLC will not be responsible for bid responses not properly marked

Vendors may submit more than one (1) bid. Each bid **must** be submitted under separate cover and shall be evaluated separately. Mail or personal delivery, hard copies required, sealed responses, no faxed or electronic responses.

**The Cost Table (One Original)
must be sealed separately in an envelope and submitted with the bid.
Do not include the Cost Table in the bid or copies.**

Section IX - Deadline for Responses and Procurement Calendar

All bids must be received no later than the “Response Due Date” date and time. Late bids will not be accepted under any circumstances.

A. Procurement Calendar

RFR #LOT 1216 Advertising Services

The dates and times for certain critical events relative to this RFR, including the release of this RFR, submission of bids, etc., are as follows:

	Day	Date	Time
Release of RFR	Saturday	June 16, 2012	10:00 AM EST.
Submission of Written Inquiries	Monday	July 2, 2012	1:00 PM EST.
Response to Written Inquiries (EST.)	Tuesday	July 10, 2012	

All Responses will be posted Commonwealth Procurement Access and Solicitation Site - www.comm-pass.com

Response Due Date **Wednesday** **August 15, 2012** **1:00 PM**

Oral Presentations To Be Determined*

*Selected vendors will be notified directly

Section X - Attachments

Attachment A - Commonwealth Terms and Conditions [Two (2) Pages]

Attachment B - Standard Contract Form [Five (5) Pages]

Attachment C - Cost Table [One (1) Page]

Attachment D – W-9 Request for Verification of Taxation Reporting Information [Two (2) Pages]

Attachment E - Certificate of Compliance [One (1) Page]

Attachment F - Business Reference Form [One (1) Page]

Attachment G – Supplier Diversity Plan (SDP) Form [Two (2) Pages]

Attachment H - Contractor Authorized Signatory Listing [Two (2) Pages]
(Required for Contracts Anticipated to exceed \$50,000, or as required by the RFR)

Attachment I - Authorization for Electronic Funds Transfer (EFT) Payments [One (1) Page]

Attachment J – Invest in MA [One (1) Page]

Attachment K- Prompt Pay Discount Form [One (1) Page]

Attachment L- Commonwealth of Massachusetts State Lottery Commission's Disclosure Statement [Three (3) Pages]

Attachment M- Certification of Compliance Concerning Personal Information and Personal Data Form [One (1) Page]

Attachment N – Massachusetts State Lottery Commission Information Packet 1972 – 2012

Attachment O – Massachusetts State Lottery Commission Statement of Operations Lottery and Lottery Arts Funds June 2011

Attachment P - Samples of FY12 Holiday Campaign (Attachments P 1 and 2 – [2 pages])

Attachment Q - FY12 Sales/Revenue by Game for 11/11/12 through 12/29/12

Note: Attachments A, B, C, D, E, F, G, H, I, K, L and M are available in electronic form at www.comm-pass.com