

STAFF AGENDA MEMORANDUM

DATE OF MEETING: June 25, 2020

AGENDA ITEM: Intergovernmental Agreement

PRESENTER: James Nielsen, COO

ISSUE SUMMARY: An agreement to give the Virginia access to our eLicensing system.

Description.

The MLGCA issued two RFPs and worked with vendors to develop a functioning eLicensing system used primarily by casino license applicants. This system allows entities to submit their applications to the MLGCA and then for Agency staff review the applications following a process flow built into the system. The MLGCA owns the source code for the system.

The Virginia Lottery has a mandate to begin licensing sports betting entities by September 15, 2020. They have requested access to MLGCA's eLicensing system code to help them meet their deadline. The Intergovernmental Agreement we have developed would provide Virginia with a perpetual, non-exclusive right to use the code. They would own changes they make to their copy of the code, but not the base code itself. MLGCA will have no out of pocket costs associated with this agreement.

Virginia has agreed to make, or have a vendor make, certain modifications to the code that the parties feel will be mutually beneficial. In exchange for the right to use and modify a copy of the source code, Virginia will pay to have these modifications integrated into MLGCA's version of the code. This provides MLGCA with improvements we have desired for some time but have not been able to have developed, making the agreement mutually beneficial.

COMMISSION ACTION REQUIRED/REQUESTED: Review and approval of the proposed agreement.

Staff Recommendation: Staff recommends approval.