

## REQUEST FOR PROPOSALS (RFP)

### ANALYSIS OF THE SPORTS AND EVENT WAGERING INDUSTRY AND RELEVANT NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODES (RFP #2021-05)

#### RESPONSES TO WRITTEN QUESTIONS (Q&A #1) August 18, 2020

This list of questions and responses #1 (Q&A#1) is being issued to clarify certain information contained in the above named Request for Proposals (RFP). The statements and interpretations of Contract requirements, which are stated in the following responses are not binding on the State, unless the State expressly amends the RFP. Nothing in the State's responses to these questions is to be construed as agreement to or acceptance by the State of any statement or interpretation on the part of the entity asking the question as to what the Contract does or does not require. Some questions have been edited for brevity and clarity, and duplicate questions may have been combined or eliminated.

The following are questions submitted pursuant to the RFP and the Maryland State Lottery and Gaming Control Agency's (MLGCA) responses to those questions:

1. **QUESTION:** RFP Section 1.3 - Scope of Work, Task 5 states that the Consultant must deliver a report of information required under Tasks #1–4 no later than 30 days after the Notice to Proceed has been issued, however, Section 1.4 — Contract Type and Term states the anticipated contract term is anticipated to be one year. Please confirm (a) if the delivery of the Task 5 report is correct and (b) if the term of the contract is for a one-year period?

**ANSWER:** (a) Yes, the Report specified in Task #5 is due within 30 days as stated in the RFP.

**(b) Yes, the Contract term will be 1-year, during which period the MLGCA may also, as needed, request the Contractor to perform additional work in accordance with Task #6 at the hourly rates to be specified.**

2. **QUESTION:** The link to access Attachment B — Bid/Proposal Affidavit opens a document labeled "Attachment C." Is this correct?

**ANSWER:** Yes, the Attachment B contains the correct document. The Bid/Proposal Affidavit, a/k/a Proposal Affidavit, is a standard State form used in many procurement projects and the labeling may vary. It is the correct form - please use it.

3. **QUESTION:** Can you please provide a clean copy of Senate Bill 4?

**ANSWER:** Offerors may download the official Senate Bill 4 (SB4) at [http://mgaleg.maryland.gov/2020RS/chapters\\_noln/Ch\\_492\\_sb0004E.pdf](http://mgaleg.maryland.gov/2020RS/chapters_noln/Ch_492_sb0004E.pdf)

4. **QUESTION:** How many anticipated licenses do you expect to award for sports and event wagering and/or how many physical locations in the State expect to offer sports and event wagering?

**ANSWER:** The number of sports wagering licenses to be issued is to be determined. However, if SB4 is used as a guide, language in SB4 indicates that licenses may only be issued to a video lottery operator <https://www.mdgaming.com/marylands-casinos/>, a horse racing licensee <http://www.dlr.state.md.us/racing/locations.shtml>, and the owner of a sports facility <https://www.marylandsports.us/>.

5. **QUESTION:** How many anticipated licenses do you expect to award for online sports and event wagering?

**ANSWER:** The number of online sports wagering operators licenses to be issued is to be determined.

6. **QUESTION:** How many anticipated licenses/permits do you expect to award or allow for new food services?

**ANSWER:** The MLGCC does not license or regulate food services. It would be the responsibility of current operators and potential applicants to deal with food service issues.

7. **QUESTION:** How many anticipated new premises do you expect?

**ANSWER:** The number of new premises is to be determined. The number of video lottery operators and horse racing licensees is established by State statute, and the number of sports facilities is driven by private business ventures.

8. **QUESTION:** What are the anticipated budgets by type of license/permit and/or what economic impact studies will you be able to provide to assist with this analysis?

**ANSWER:** The anticipated budget by each license/permit is unknown. MLGCA is unaware of any economic impact studies to assist with the analysis.

9. **QUESTION:** What types of activities do you anticipate under Item 6 under the SOW?

**ANSWER:** Since at this time the MLGCA has not yet received the deliverables anticipated in Tasks # 1 – 5, it is unknown what other guidance or information may be requested by the MLGCA over the term of the Contract.

10. **QUESTION:** Is the firm awarded this contract precluded from conducting any future disparity studies that may result from Senate Bill 4?

**ANSWER:** MLGCC does not anticipate that the awardee under this contract will participate or otherwise assist in the development of a solicitation for a disparity study of the gaming industry to the extent such a study is necessary. Therefore, there should be no conflict of interest under Md. Code Ann., State Finance and Procurement Article, section 13-212.1.

**<http://mgaleg.maryland.gov/mgaweb/Laws/StatuteText?article=gsf&section=13-212.1&enactments=false>**

**(General Note):** Various aspects of the Sports and Event Wagering program are unknown at this time, in particular see Answers to Questions #4 – 8, and depend upon the outcome of the referendum at the general election in November 2020 that would authorize the expansion of commercial gaming in the State to include sports wagering, and on the General Assembly's subsequent enactment of legislation authorizing the MLGCC to implement a sports wagering program.