

MLGCA Request for Proposals #2024-01 – Lottery Central Monitoring and Control System

Questions and Answers 09/12/2024

This list of questions and responses is being issued to clarify certain information contained in the above-named Request for Proposals (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. The responses are not binding on the State unless the State expressly amends the RFP.

The following are questions submitted pursuant to the RFP and the Maryland Lottery and Gaming Control Agency’s (“MLGCA” or “Lottery”) responses to those questions:

	RFP Reference Number	RFP Page Number	Question	Response
97.	Section 2.3.1.4 Other In-State Sites to Support LCMCS and Sales Teams	6	The Offeror shall identify all sites, both within and outside of Maryland, that will support MLGCA business including the location and primary function. MLGCA will not specify the minimum number of sites or locations required. All sites are to be compliant with Multi-State Lottery Association (“MUSL”) rules as applicable. Any warehouse space more than 20 miles from Baltimore must include not less than 150 sq. ft. of space available for use by MLGCA Sales staff. Question: Will the Lottery please clarify if the intent of this space is also for warehouse storage?	Yes, the space to address this requirement is warehouse or storage space.
98.	Appendix 8 Liquidated Damages H. WINNING NUMBERS HOTLINE 1. Condition	165	The Contractor shall employ sufficient resources to meet the performance standards of Winning Numbers Hotline. Ninety Nine percent (99%) of calls to the Hotline within a twenty-four (24) hour period shall be answered on the first call attempt. The Contractor shall provide weekly call statistics for the Winning Numbers Hotline within five (5) days of the end of each month. Within two (2) Business Days after notification from the Director that a performance standard is not being met, the Contractor shall employ additional resources as necessary to meet the performance standard as set forth by the MLGCA. The Hotline shall be available 99.99% of the day, defined as 24 hours, excluding scheduled maintenance times. Question: Will the Lottery please consider capping the channels of concurrent phone calls (ports) to 200?	MLGCA does not require a specific number of ports in the RFP, but instead requires that the Contractor meet a specific performance standard.
99.	General		There is an MBE and VSBE requirement in this contract, but there appears to be no methodology for the selected prime vendor to get credit for either minority or veteran employees. Is there currently any way for potential vendors to receive partial credit for these employees in either category?	See the Governor’s Office of Small, Minority & Women Business Affairs website: https://gomdsmallbiz.maryland.gov/Pages/mbe-Program.aspx The MLGCA adheres to the State’s Minority Business Enterprise Program requirements in its solicitations. The diversity of an employer’s workforce does not count towards MBE or VSBE spending goals under the Program.

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100.	Key Information Summary Sheet	iii	Would the MLGCA kindly consider extending the Question due date and time by two weeks beyond the release of answers to Offerors’ questions to give Offerors the opportunity to ask follow-up questions to answers that need further clarification?	See Questions and Answer 09/05/2024 #64 The Question due date was extended to September 13, 2024.
101.	2.2.2.2.B	4	<p>Section 2.2.2.2.(B) of the RFP provides that Racetrax is a monitor game and that it must be supplied by the Contractor under the awarded contract. Section 6.2.1(A) of the RFP provides that monitor games generally, and Racetrax specifically, are Level 1 Technical Proposal Evaluation Criteria. We understand that Racetrax is owned by TabCorp International Pty Ltd. (“TabCorp”) and that the MGCLA is not party to the current license agreement by which TabCorp licenses use of Racetrax in Maryland. We further understand that Racetrax is made available to the MGCLA by the MGCLA’s current lottery provider that holds a direct license from TabCorp.</p> <ol style="list-style-type: none"> 1. Is TabCorp’s licensing of Racetrax to the incumbent lottery provider an exclusive arrangement, meaning that no other Offeror can obtain a license for, or otherwise have access to, Racetrax? If so, how can Offerors other than the incumbent lottery provider be expected to comply with RFP Section 2.2.2.2.(B)? 2. If TabCorp will not license Racetrax to any Offeror other than the incumbent lottery provider, would the MLGCA amend RFP Section 2.2.2.2.(B) to delete the requirement that the selected Contractor must supply Racetrax under the awarded contract? If not, what will the MLGCA do to eliminate the unfair competitive advantage the RFP, as presently drafted, confers upon the incumbent lottery provider, given the current requirements of RFP 2.2.2.2.(B) and the significance of Level 1 Technical Proposal Evaluation Criteria? 	<ol style="list-style-type: none"> 1. The MLGCA is not a party to the agreement and is unable to advise whether the agreement is exclusive. If the Offeror is unable to provide the current Racetrax game, a comparable horse racing monitor game is required that will appeal to our players. 2. Since Racetrax is the product currently offered by the MLGCA, that is the name we use to refer to our horse racing game. If the Offeror is unable to provide the current Racetrax game they must offer a comparable horse racing monitor game that will appeal to our players. The game proposed should be described, in detail, in response to 5.3.2.4.D. <p>The RFP will be amended to reflect that Offerors may provide Racetrax or a comparable horse racing monitor game.</p>
102.	2.3.4.2 C	13	<ol style="list-style-type: none"> 1. Would the MLGCA clarify if the seven packing stations are physically separated from the sorter, requiring the bins to be manually moved to the packing stations or if the bins are delivered to the packing stations by the sorter? 2. Would the MLGCA confirm if any of the packing stations are fully stocked to pack walk-in orders? 3. How many staff work at each packing station on a daily basis? 4. On average how many packing stations are active on a daily basis? 	<ol style="list-style-type: none"> 1. The packing stations are several feet away from the sorter bins. 2. No. The packing stations do not have instant inventory to fulfill walk-in orders. The inventory is taken from the racks to fulfill orders. 3. Only one person works at an active packing station. 4. A minimum of six stations are active most days. The exception would be a Friday when we are not packing initials. See photographs of the packing stations.

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103.	2.3.7.4 The question appears to reference a different section.	17	What are the monthly call volumes and concurrent call limitations for the existing Maryland Lottery winning numbers hotline? Is there an existing database that provides the winning numbers information? How far back should winning numbers be available? Does the MLGCA anticipate any changes to the existing IVR call flow or menu options?	Winning Number Hotline Calls: Daily Average: 12,066 Monthly Average: 367,576 The MLGCA is not aware of any concurrent call limitations in the current system. There is a database of historical numbers that the Contractor will be required to keep updated. We prefer to have 2-years of data available to the public. Winning number records and reports must be retained for the life of the contract for other reporting purposes. No changes are anticipated to the existing IVR call flow or menu options.
104.	4.38 Bonds 4.38.2 Performance Bond B	76	Regarding the answer to Question 42, would the MLGCA clarify the last sentence of the answer as it states that “the performance bond requirement of \$50,000,000 per claim/\$100,000,000 aggregate must remain to protect the MLGCA”? Insurance policies are written on a “per claim/aggregate” basis, but performance bonds are not. Would the MLGCA please make the following revision: “the performance bond requirement of \$50,000,000 per claim.\$100,000,000 aggregate must remain to protect the MLGCA”?	See the response to question 62.
105.	Attachment M. Contract Section 5.1	113	Would the MLGCA please confirm that the term “software” in this section is the same as the defined term “Software” in Appendix 1 Abbreviations and Definitions?	Generally, yes, they are the same. The State does not consider software created as a component of the Contract for the overall LCMCS as its property. The State will not take title to software provided by the Contractor.
106.	Attachment M. Contract Section 7.2	114	As a matter of policy, this Offeror does not grant perpetual licenses or provide copies of any software in response to any RFPs or as a part of any bids. Would MLGCA be willing to negotiate license terms for these license rights once the Term of the agreement ends?	The MLGCA does not anticipate licensing Contractor supplied software after the end of the Contract or any extensions that may be exercised.
107.	Attachment M. Contract Section 49.C	129	As a matter of policy, this Offeror does not grant perpetual licenses or provide copies of any software in response to any RFPs or as a part of any bids and would not have the right to sublicense Third Party Preexisting Work this way. Would MLGCA be willing to negotiate license terms for these license rights once the Term of the agreement ends?	The MLGCA does not anticipate licensing Contractor supplied software after the end of the Contract or any extensions that may be exercised.

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108.	Financial Proposal Attachment B – Price Sheet	For the Additional Hardware A(2) - A(10)	The description within the header states “Fully Supported by the Contractor.” Would the MLGCA please confirm that the “Fixed Monthly Fee Per Unit” for each item of additional hardware listed from A(2) through A(6) should reflect the total costs associated with each, e.g., install, communications (if applicable), and ongoing support associated with the terminal)?	Yes, fully supported includes providing the equipment and all required software. It also includes replacing equipment that may be lost or damaged at no cost to the MLGCA.																		
109.	Question 21 on Q&A published 30-AUG-2024 and 2.3.4.2 C		The MLGCA’s reply to Question #21 in the answers to Questions-published-30-AUG-2024 regarding staff, stated 11 packers. Would the MLGCA state how many of the 11 are allocated to the sorting machine?	The Warehouse team is 11 employees. Typically, 3 are tasked to stock the supply rack and load packs onto the sorter belt. Staff includes a manager, a supervisor and 9 team members.																		
110	Question 21 on Q&A published 30-AUG-2024 and 2.3.4.2 C		The MLGCA has stated it releases 50 games a year. Would the MLGCA please state how many different instant games are available for distribution at any one time?	<table border="1"> <thead> <tr> <th colspan="2">Games Available to Order</th> </tr> <tr> <th>Month</th> <th># Games Available to Order</th> </tr> </thead> <tbody> <tr> <td>Mar-24</td> <td>55</td> </tr> <tr> <td>Apr-24</td> <td>51</td> </tr> <tr> <td>May-24</td> <td>52</td> </tr> <tr> <td>Jun-24</td> <td>53</td> </tr> <tr> <td>Jul-24</td> <td>53</td> </tr> <tr> <td>Aug-24</td> <td>54</td> </tr> <tr> <td>Average</td> <td>53</td> </tr> </tbody> </table>	Games Available to Order		Month	# Games Available to Order	Mar-24	55	Apr-24	51	May-24	52	Jun-24	53	Jul-24	53	Aug-24	54	Average	53
Games Available to Order																						
Month	# Games Available to Order																					
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Aug-24	54																					
Average	53																					
111.	Question 23 on Q&A published 30-AUG-2024		The MLGCA states that 6,871 returns were processed in a three-week period. Would the MLGCA please state the mix of returns, i.e., Full Packs vs Partial Packs?	Only full packs are returned through the Warehouse. Open and partial packs are returned through Lottery Security.																		
112.	Amendment #3 - 5.3.3.F.12		Would the MLGCA please modify the new and unused equipment amendment to also include the instant ticket sorter?	See August 30, 2024 Questions and Answers #10. ALL equipment shall be new and unused. This includes the sorter.																		

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113.	Amendment #2 and Amendment #3		Would the MLGCA please clarify the evaluation Level Criteria for 2.3.13.10 Sales Threshold Monitoring? In Amendment #2, this requirement was added to Level 3 Criteria, while in Amendment #3, this requirement was added to Level 1 Criteria for Fast Play Games.	Thresholds, in general, are a Level 3 Criteria. Fast Play, in its entirety, is a Level 1 Criteria.
114.	Amendment #3 and 6.2.1.A.7		Would the MLGCA please clarify the evaluation Level Criteria for requirement 2.3.4.2? The RFP has this listed as a Level 1 Criteria under Instant Ticket Program, but Amendment #3 places requirement 2.3.4.2.D in Level 2 Criteria for Real Time Data Feed to Sales Tools.	In the RFP, Section 2.3.4.2 is a Level 1 Criteria. The required sales staff tools are part a Level 2 Criteria. Providing an interface to sales staff tools is also a Level 2 Criteria.
116	Key Information Summary Sheet -	iii	Can the Lottery please clarify what is meant by the use of "uncompensated conversion" in the RFP?	Since the Successful Offeror / Contractor will receive no compensation during development, testing, installation and conversion, it is an uncompensated conversion. Fees will only be payable after the new system goes live.
117	General -		Can the Lottery please confirm that the conversion period, award to go-live, allowed for the successful offeror will be the same for all offerors, including the incumbent vendor if selected?	Yes. MLGCA anticipates a one-year conversion period regardless of who is the successful Offeror.
118	General -		Can the Lottery please clarify when the current contract expires and the new contract begins so that prospective offerors can properly quantify resource allocations and for other planning purposes?	The current contract expires in May 2025. MLGCA will seek approval of an extension of the existing contract with the Maryland Lottery and Gaming Control Commission and the BPW in the coming months. At this time, MLGCA is not certain how long the extension will run.
119	2.3.2.1.A -		The table requests 565 additional clerk terminals (which could include intermediate sized and small footprint terminals). Does the Maryland Lottery have locations for these terminals or have you begun an expansion program that requires this quantity of new equipment? Can you provide the net new retailers added to the network over the last 24 months, not including churn or change of ownerships of existing lottery retailers?	Including the 565 equates to the maximum number of clerk terminals required as part of the base Contract price. MLGCA has no current plan to expand the lottery retailer network. Retailer counts have been flat for several years.

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120	2.3.2.1.A -		Again the table is requesting an additional 760 full service / reduced height and draw only self-service terminals. Is this to power into the existing retailer estate or to grow the existing retailer estate with new business? If to go into existing business, can the Lottery please provide more details around the store / situation where these machines will be located	760 is the maximum required as part of the base fee. There is currently a waiting list for self-service equipment and MLGCA hopes that more self-service equipment will help us expand our accessibility and sales.
121	2.2.2.2.B -		Who holds the IP licensing rights for RaceTrax in Maryland? Are there any penalties associated with not holding the license? It's important to clarify, as the State might be the license holder, and we will need to know license fees and any other IP constraints to properly bid this requirement	<p>Tabcorp owns Racetrax. MLGCA does not hold a license with Tabcorp, the current contractor does.</p> <p>Racetrax is not a requirement, but a comparable monitor horse racing game is a requirement. MLGCA will not pay a separate license fee for a monitor horse racing game. MLGCA requires that the costs associated with any horse racing monitor game to be included in the offeror's financial proposal.</p> <p>The RFP will be amended.</p>
122	2.3.2.1.E -		Can the Lottery provide a list of retailers or summarized form of retailers that have other languages (not English) selected as their default language? Does the Lottery have any research that indicates Spanish would be utilized by retailers?	<p>MLGCA has no such list. Terminals should allow a retailer to change between languages. A list of locations that utilize a language other than English is not relevant.</p> <p>MLGCA has no data that specifically indicates Spanish language needs by retailers.</p>
123	2.3.2.3.A -		<p>Can the Lottery please confirm that Appendix 5 provided numbers of monitors are the anticipated quantity that the new Contractor should offer or else?</p> <p>What is the maximum number of monitors per retailer?</p> <p>Can the Lottery provide a break-down of multiple monitors per location, ie how many shops with 1,2,3 etc. monitors, preferably in Excel with quantities of each size per location?</p>	<p>Appendix 5 is a close approximation of the monitors currently deployed.</p> <p>The maximum would be two monitors per retailer location, but some locations do not have the space for two monitors.</p> <p>We do not have a list of retailer-supplied monitors.</p>

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124	2.3.2.3.C -		Is there a preferred size for the Advertising monitor? What is the maximum distance of the Advertising Monitor from the terminal? Would it be acceptable to combine the Advertising Monitor with the Customer Transaction Display into one Monitor device that would include both contents?	Offerors should suggest what they believe to be the optimal size monitor, keeping space and readability in mind. The MLGCA requires a separate customer transaction display.
125	2.3.2.3.E -		Can the Lottery provide a list of all supported retailer equipment (monitors) and how they are connected to the display outputs from the terminal or other devices?	No, MLGCA does not have that data. Retailers will be required to terminate HDMI, or other specified, cables from their monitors to the location of the Contractors equipment.
126	2.3.2.3.E -		Please provide the total numbers and the break-down per size and location of the current Retailer Supplied Monitors. Please confirm if these monitors are included in the Appendix 5 provided numbers or are over and above. Please provide the Technical Specifications of the Retailer Supplied Monitors, at least Size, Resolution and Video signal Input port type.	MLGCA does not have a count of retailer-supplied monitors. They are NOT included in Appendix 5, which is a close approximation of the contractor supplied monitors currently deployed. Retailers will be required to provided HDMI capable monitors for any retailer-supplied monitors they use.
127	2.3.2.3.F -		Please confirm or otherwise if the Contractor will still be responsible for providing video signal to these Monitors from the terminal even if they are not responsible for their installation/mounting? Would the Lottery please consider amending language to include the location that the Contractor will be required to hand off the video signal (cable) such as what connector/signal type (Coax, HDMI, etc.) and the maximum distance from the terminal in these instances?	The Contractor must provide an interface to connect retailer-provided monitors. If signal boosters are required, that would be the retailer’s responsibility.
128	2.3.2.4 - Section 2.3.2.4.B		The section states that the MLGCA will pay transaction fees for debit processing related to card readers on all self-service terminals. Whereas Section 2.3.2.4.C speaks to debit pin pads supplied for clerk operated terminals at the request of the MLGCA but does not state which entity will be responsible for paying debit processing fees. Will the Lottery please clarify who will be responsible for paying debit processing fees for any debit pin pads supplied for clerk operated terminals?	MLGCA will absorb all transaction processing fees for Lottery debit equipment supplied for self-service terminals or clerk terminals.
129	2.3.2.4.D -		Does the Lottery have a preferred size for the Customer Transaction Display? What is the information that the CTD should present at a minimum? Is it acceptable for the CDT be combined with the Advertising Monitor near the Terminal?	There is no specific size required. Offerors should suggest a size that has been effective in other jurisdictions.
130	2.3.2.4.I -		Does the Lottery have a preference of which cash drawer is optimal for usage in Maryland retailers - do you already have an existing standard that you provide? If so, can you please share the details of the supplier for costing units. Is the Lottery open to other solutions for cash drawers if no standard is applied?	MLGCA currently uses MS Cash Drawers, Model SP-103; MLGCA does not have a preferred brand, but would require that similar specifications and features be provided.

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131	2.3.3.2.D -		<p>Regarding the Lottery's possible agreement to pay licensing fees, if we cannot reach an agreement on RaceTrax with the IP owner, can the State own the license, and sublicense RaceTrax to the successful offeror under the new contract?</p> <p>Would Maryland then have no issue with who holds the license?</p>	<p>MLGCA's agreement to pay license fees does not extend to Racetrax or a comparable horse racing monitor game licensing fee. MLGCA will not be the licensee for any horse racing monitor game, MLGCA expects the offeror to be the licensee. If an Offeror does not have access to the current Racetrax IP they should recommend a comparable alternative that has been successful in other jurisdictions.</p>
132	2.3.5.2.A&B -		<p>Does the Lottery allow or have a preference for the solution to be installed in a public cloud datacenter (e.g. instead of on-premise data center)?</p>	<p>The MLGCA has no preference between a physical data center at the Contractor's Maryland location, a remote shared data center, or cloud based systems. If cloud based systems are proposed, all requirements imposed by MUSL, including but not limited to system and data protection and performance, must be met.</p>
133	2.3.5.3.A&B -		<p>Does the lottery allow or have a preference for the solution to be installed in a public cloud datacenter (e.g. instead of on-premise data center)?</p>	<p>The MLGCA has no preference between a physical data center, a remote shared data center, or cloud based systems. If cloud based systems are proposed, all requirements imposed by MUSL, including but not limited to system and data protection and performance, must be met.</p>

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134	2.3.7.2.F -		Prize Budget and Fulfillment - States monthly budget for items provided by the contractor is \$375,000 plus an annual inflation increase and then states the amount charged to the Lottery for merchandize shall be the actual retail price.... Does this imply that the successful offeror is reimbursed at cost for all prize, coupon, and other merchandise costs related to this service or is the requirement that the contractor provide, for instance, \$375,000 a month credit to the MLGCA and therefore need to account for this in its contract costs? Can the Lottery please clarify?	<p>Prize points are awarded to players when they reach certain “achievements” or activity levels. Players can use these prize points to “purchase” merchandise in the Prize Store. Draw points are also awarded to players for reaching certain achievements or activity levels. Draw points can be used by players to enter periodic drawings for various merchandise prizes.</p> <p>The Contractor will provide monthly funding of \$375,000 for points for prizes and points for drawings. Unused balances will carry forward to subsequent months. The Contractor will acquire the required merchandise and is responsible for fulfilling all prizes. The Contractor will make charges against the funding for the individual prizes (both in the prize store and allocated to the drawings). A small handling/shipping charge is permissible and should be identified.</p> <p>For coupons the MLGCA uses separate funding sources. The amount charged will be the liability value for the game involved. So, for example, 50% for Pick game tickets.</p>
135	2.3.7.4.C -		Hotline – States “The Contractor shall provide a player hotline for MLR Program matters that is available 7 days a week.” Can the Lottery please clarify the daily hours of operation or that it is intended to be available 24 x 7?	At a minimum, the hotline should be available for all hours the LCMCS is operational. Currently 5:30 am to 2:00 am.
136	2.3.8.B -		Can the Lottery provide a list of all authorized applications currently using ticket checker functionality?	<p>Maryland Lottery (Core app)</p> <p>MD Lottery - My Lottery Rewards app</p>

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137	2.3.9.2 / 5.3.2.3 - Analytic (SAS) Tool -		Section 2.3.9.2.B states that the "MLGCA currently utilizes a proprietary tool provided by SAS to meet this requirement. Section 2.3.9.2.C states that "if the Offeror proposes an alternative to the SAS tool, it shall detail how it compares with the SAS tool for identifying unusual claims." In addition, Section 5.3.2.3 likewise states "if a reasonable alternative is proposed by the Offeror other than the SAS tool, the Offeror shall detail how it compares with the SAS tool for identifying unusual claims." Can the Lottery please provide detailed information on your current SAS tool functionality considering that it is proprietary to the MLGCA and a prospective Offeror, other than your current vendor, has no apparent methodology at their disposal to assess current SAS tool functionality / requirements and respond effectively for comparative purposes.	If an Offeror is unable to obtain from SAS a description of the current analytics tool they should describe similar tools they have deployed in other jurisdictions. If none have been deployed, describe the type of tool you would recommend to MLGCA.
138	3.2.4.B.5 -		The end of contract transition-out plan knowledge transfer refers to the "current system" is it specifically referring to the actual lottery system in place at that time? If correct, would the Lottery please consider changing the wording to "then current Contractor system"?	Yes. The RFP will be amended.
139	3.5.1.B.2 -		States "The DR site shall be at least 100 miles from the primary operations site, and have the capacity to take over complete production volume in case the primary site becomes unresponsive." Can the Lottery please clarify that the references to "DR site" and "primary operations site" are for the Contractor's Remote Backup Data Center ("BDC") and Primary Data Center ("PDC") respectively and not to the MLGCA's internal primary and disaster data centers?	The disaster recovery site (DR or BDC) shall be at least 100 miles from the new Contractor's primary operations center where system operations are conducted. If the primary data center (PDC) is located geographically separate from the Contractor's primary operations center, the DR or BDC should also be 100 miles from the PDC.
140	5.3.2.2 -		Can the Lottery please clarify that the supply of instant ticket warehouse space is outside the scope of this procurement and that the MLGCA is responsible for the warehouse space either directly or through a separate contract?	Yes. This is Lottery warehouse space.
141	5.5.3.O -		Please explain COMAR 21.05.03, specifically Section 6.1, and the economic benefits evaluation factor. An attendee mentioned it during the pre-proposal conference, but Section 5.5.3.O on page 88 of the RFP states it does not apply—can you clarify?	We are unable to provide legal advice. As they are referenced in 5.3.3.O, economic benefit is not an evaluation criteria. Note however, that enhancing the MLGCA's ability to sell its games and generate lottery revenues using the Contractor's system is an evaluation criteria.

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142	6.2.1		In the Amendment #2.pdf, the Lottery has furnished Level 3 Criteria as Section 6.2.1.C. However, Level 1 and Level 2 criteria, as listed in 6.2.1.A and 6.2.1.B respectively, have section references annotated for each included area whereas the Level 3 requirements in the referenced amendment do not have reference information noted. Can the Lottery please provide the omitted reference information for each included area in the Level 3 requirements table so that Offerors can be certain they are taking into account the proper MLGCA intended references?	The RFP will be amended to reflect criteria and section references.