

**Questions and Answers 09/27/2024**

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:

	<b>RFP Reference Number</b>	<b>RFP Page Number</b>	<b>Question</b>	<b>Response</b>
1	4.38.1		a. The proposal bond is based on “the amount of five percent (5%) of the Total Evaluated Price.” What is the definition of/determination of the “total evaluated price?”	The total evaluated price is from the Financial Proposal. Row 16 for FA-1 and row 31 for FA-2
2	4.38.1		b. Is the bond price calculated based on individual Functional Area or combined Functional Areas if the bidder is to respond to both Functional Area I and Functional Area 2?	The proposal bond value is 5% of the offeror’s proposed price for one or both functional areas depending on each Offerors’ bid. The price of the bond is based on the total evaluated price submitted by each Offeror and is negotiated with the Offeror’s surety. The value will change depending on whether the Offeror is bidding on Functional Area I, Functional Area II, or both.
3	4.38.1		c. When is the estimated date that the contract will be awarded in order that a bidder “may request the release of the proposal bond after?”	MLGCA estimates the award to be made around the end of March 2025. This date may move depending on numerous factors.
4	4.38.2		The performance bond after award is to be “up to the agreed upon amount of \$1,000,000.” 1. Is the initial performance bond lower than \$1,000,000 if a contractor is awarded a single Functional Area? 2. Is \$1,000,000 the total initial performance bond amount if the contractor is awarded both Functional Area 1 and Functional Area 2?	The RFP will be amended to “The successful offeror must submit a performance bond, or other suitable security, in the amount of \$1,000,000, guaranteeing that the contractor shall well and truly perform the contract.” 1. No. Separate performance bonds are required for Functional Area I and Functional Area II. 2. No. If one company is awarded both Functional Areas, either one performance bond in the amount of \$2,000,000 is required, or two performance bonds in the amount of \$1,000,000 each.
5	4.38.2		Given the State’s liability is significantly different between the Functional Area 1 total budget and the Functional Area 2 total budget, will the initial performance bond be calibrated to reflect the size of the proposed budget for the Functional Area awarded if two separate Contractors are selected?	No, a performance bond in the amount of \$1 million is required for each contract.