

**Questions and Answers 10/28/2024**

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
62	General		Would MLGCA view it as a conflict of interest, disqualifying the agency, if the advertising agency provides advertising services to other lotteries in the surrounding states (i.e., VA, PA, DC) or overlapping media markets?	This is not a disqualifying factor, but Offerors should be prepared to explain how serving competing lotteries would be addressed.
63			We were wondering if there were specific budget tiers?	Please refer to the Financial Proposal Form, included in the RFP and amended on October 16, 2024 for additional information.
64			Do you have any 1st party data? If so, do we have a rough estimate on size and if it is emails or addresses?	The MLGCA has a list of approximately 243,000 email addresses. All individuals on the list have opted in to receive notifications from us.
65			Can we have a bit more clarification on the financial proposal, specifically the weighted percentage?	The weighted percentages equate to the probability that the MLGCA’s ad spending will fall within the corresponding budget range identified in the left column. For example, the MLGCA projects that there is a 50% probability that the ad budget assigned to the FA I contractor will fall within \$3,000,000 to \$3,999,999.
66			We don't see the technical proposal piece that is listed in the RFP. Should this just be the creative specs that we include on all our proposals? Should this be a separate document, would you mind sending us a copy?	<a href="https://www.mdgaming.com/wp-content/uploads/2024/09/MLGCA-ADVERTISING-RFP-9-SEP-2024-final-version-v2.pdf">https://www.mdgaming.com/wp-content/uploads/2024/09/MLGCA-ADVERTISING-RFP-9-SEP-2024-final-version-v2.pdf</a> (see Pages 88 and 94)
67	2.3.2		Is casting SAG-AFTRA union talent a requirement or is the MLGCA interested in exploring non-union talent?	While using SAG/AFTRA union talent is not a requirement, it is preferred.
68	2.3.3		How involved would MLGCA like to be in daily community management?	The MLGCA’s Digital Manager handles community management on a daily basis. Members of our Communications Department also help by responding to some Facebook messages. The FA I contractor generally does not assist with community management, but there are exceptions (e.g., if the Digital Manager is out of the office and requests assistance with monitoring our social pages).

Questions and Answers 10/28/2024

	RFP Reference Number	RFP Page Number	Question	Response
69	2.3.3		What percentage of community management will be handled by the agency versus the MLGCA team?	As stated in Q #75, the MLGCA handles 100% of community management, with the infrequent exception when the FA I contractor assistance is requested.
70	2.3.3		Will “Mike” continue to be the face of the Maryland MLGCA on social media? Does the agency handle all productions involving Mike?	Mike Powell is an MLGCA employee in the Communication Department and he handles recording and editing his videos. Mike’s videos serve more of an informational purpose versus marketing, meaning his job is to inform our followers about things (i.e., the latest lottery news and how to play the lottery responsibly).
71	2.3.3		Are there specific challenges with your current social media strategy that you’d like us to focus on addressing?	The MLGCA’s biggest challenge in regard to our social media strategy is reaching those who currently do not play the lottery, specifically those in the Gen Z age group. As a State Agency, we are prohibited from having any presence on TikTok.
72	2.3.3		For content creation, will any assets (images, videos, etc.) be provided by MLGCA or other partners (licensees), or is full production expected from the contractor?	<p>The majority of assets for social media will be provided by the FA1 contractor. The MLGCA creates some internal images (photos of tickets, for example) for social media posts but these are only used as organic assets (Facebook and Instagram Stories). The MLGCA’s Communications Department creates videos that are posted on our social media pages and website but those are more of an informational nature.</p> <p>For licensed products, licensors provide some (but not all) assets that can be used by the FA I contractor to create various graphics, animations, videos, etc., for the advertising campaign for each licensed product</p>
73	2.3.3		What is your experience with influencer marketing?	The MLGCA has not previously used influencer marketing.
74	2.3.3		What specific KPIs do you want to track in monthly and quarterly social media and influencer reports?	The MLGCA tracks various KPIs for our social media posts, based on the goal for each post. This includes total reach, engagement rate, video views.
75	2.3.3		Can you provide more details on the content approval process? Who from MLGCA will be responsible for final approval of creative and content pieces, and what’s the expected turnaround time for reviews?	The MLGCA’s approval process varies by initiative, but we are a small Agency. It is impossible to provide exact approval timelines, but we are well versed in meeting approval deadlines. As an average only, I would suggest 48 hours for simple projects.
76	2.3.3		Are influencer fees considered part of Functional Area 1 (creative) or Functional Area 2 (media)?	Influencers would be considered as subcontractors for FA I.

Questions and Answers 10/28/2024

	RFP Reference Number	RFP Page Number	Question	Response
77			Email Marketing, Database Management, and Customer Relationship Marketing Please expand on what the expectations are for database management services. For example: is there an existing database? What does it contain? How is it used today, and how is it different from or the same as the CRM?	The MLGCA has an existing data base of 243,000 email addresses. Many in this group have opted in to receive winning numbers and high jackpot alerts. In conjunction with the current FA I contractor, we develop an email schedule driving awareness for new product and promotion launches, high jackpots and winners. We also poll these players regularly, asking questions about potential product enhancements and other topical issues. The MLGCA has a much larger data base of players who are members of our loyalty club (My Lottery Rewards). We have implemented an extensive CRM program to this group and have numerous player journeys in place. The FA I contractor is asked to consult infrequently on issues relating to My Lottery Rewards, but this program is managed by another MLGCA vendor.
78	2.3.5		What are MLGCA’s standard payment terms?	Net 30 days
79	2.3.5		Remaining Balance: The cost of the television production not invoiced for advance payment shall be requested by Contractor in no more than two invoices “depending on the type of production”. What type of productions are permitted not to be invoiced in two additional invoices after the advance payment invoice?	The MLGCA will evaluate each production’s invoicing schedule on a case by case basis. Many productions happen quickly, so invoicing occurs in just two payments. Typically, we will allow an initial 50% invoice after award of the job to a production company. If timing is an issue, we have allowed invoicing of post-production work. Upon final delivery of approved spots, we will accept invoicing for the remaining balance. Production work involving complex animation and post production work, special effects, or photography of players or retailers (shot over an extended period of time) could be an exception with multiple invoices.
80	2.3.6		Is this inclusive of the purchase of media on behalf of MLGCA?	RFP section 2.3.6 is inclusive of any media the FA2 contractor purchases on the MLGCA’s behalf.
81	2.3.9		To help inform our pricing and staffing proposal, as well as the evaluation of potential subcontractors, what is the desired frequency and scale of “insight and analysis into consumer behaviors” and “other formal market research as requested by the MLGCA” noted in this section?	The MLGCA has an active research program that consists of continuous attitude and usage tracking (1,500 completes per quarter), as well as three to four additional ad hoc surveys per year. These ad hoc surveys range from surveying the MLGCA’s 4,500 retailers to using an outside panel of Marylanders to get statistically significant data about a topical issue or product. Research responsibilities of the FA I contractor are outlined in 2.3.9 of the RFP.
82	2.3.9		Are all ad concepts tested before airing, or is testing done on an ad-hoc basis?	Creative concept testing is done on an ad hoc basis.
83	3.3.2		(Taxes) Will an exemption certificate be provided for MLGCA to confirm exemption from Maryland sales tax?	The MLGCA does not pay State sales tax. MLGCA has not previously provided an exemption certificate to a contractor. You may wish to reference COMAR 21.07.03.02

Questions and Answers 10/28/2024

	RFP Reference Number	RFP Page Number	Question	Response
84	3.3.3		What is the standard timeline for MLGCA to accept work, which is required before an invoice can be submitted?	Unless otherwise specified, the MLGCA will only accept invoicing for a deliverable after the work is completed. We cannot provide an exact timeline, but the approval process is usually with 48 to 72 hours.
85	4.26		Do MBE partners need to be vetted by MLGCA, or do their active certifications suffice?	<a href="https://marylandmdbe.mdbecert.com/">https://marylandmdbe.mdbecert.com/</a> is the State directory of certified firms. MBE/VSBE subcontractors have to be registered with the state to receive credit.
86	4.26		Is the selection of MBE partners solely at the discretion of the offeror?	Yes.
87	5.4		How will the MLGCA use the “Total Proposed Price” (aggregate of weighted averages) for competitive evaluation in comparison to when the program is officially awarded?	The financial proposal evaluation and ranking is usually a quick and straightforward process where the RFP financial proposal model calculates a single, bottom-line total evaluated price. Financial proposals that are complex may require expert analysis to assist with the financial evaluation. The financial proposals are ranked according to their total evaluated price with the lowest price ranked highest and so on.
88	5.4		What is the process for negotiating and adjusting the fixed price estimates once the final budget and scope deliverables have been defined?	There is no process to negotiate the flat monthly fee after award.
89	General		What are some specific current shortcomings (if any) with reaching your target audiences and selling more tickets? (i.e., where / with whom / in what ways would you expect to be performing better than you are now?)	The MLGCA’s biggest challenge is raising awareness and purchase intent to those who currently do not play the lottery, specifically those in the Gen Z age group.
90	General		What have been some of your biggest marketing wins in the past two years?	The MLGCA’s 50 <sup>th</sup> Anniversary Cash Bash promotion and Grand Prize event was viewed as a big success. Details may be found in the following link. <a href="https://www.mdlottery.com/maryland-lottery-offers-chance-to-win-up-to-5-million/">https://www.mdlottery.com/maryland-lottery-offers-chance-to-win-up-to-5-million/</a>
91	General		What challenges (if any) do you have with your current agency partners that a new agency or agencies might resolve?	See answer to Question #29.

Questions and Answers 10/28/2024

	RFP Reference Number	RFP Page Number	Question	Response
92	4.27		If a firm is 100% a diverse supplier (MBE and other minority designations), is having a VSBE subcontractor still a requirement? Additionally, what steps should we take if there are no available VSBE vendors who provide the requested services?	<p>YES, VSBE goals are still a requirement. In accordance with COMAR 21.11.14.07 C (1), this solicitation requires Bidders/Offeror to:</p> <ol style="list-style-type: none"> <li>1) Identify specific work categories within the scope of the procurement appropriate for subcontracting;</li> <li>2) Conduct outreach through the Directory or utilize VetBiz and other resources and databases to assist in identifying potential veteran vendors. The veteran-owned firm shall be a certified VSBE at the time of submission of the bid or proposal.</li> <li>3) Solicit VSBEs before Bids/Proposal are due, describing the identified work categories and providing instructions on how to bid/proposal on the subcontracts;</li> <li>4) Attempt to make personal contact with the VSBEs solicited and to document these attempts;</li> <li>5) Assist VSBEs to fulfill, or to seek waiver of, bonding requirements; and</li> <li>6) Attempt to attend pre-Bid/Proposal or other meetings the procurement agency schedules to publicize contracting opportunities to VSBEs.</li> </ol> <p>Guidance for offerors requesting a waiver are found at: <a href="https://procurement.maryland.gov/wp-content/uploads/sites/12/2022/11/BP-MBE_VSBE-Waiver-Guidance-v1-10.17.2022.pdf">https://procurement.maryland.gov/wp-content/uploads/sites/12/2022/11/BP-MBE_VSBE-Waiver-Guidance-v1-10.17.2022.pdf</a></p>
93			How much strategic direction will your team provide during the development of creative briefs? Should we anticipate independently proposing strategies, or will there be close collaboration with your team for each initiative?	The MLGCA will provide Product (or initiative) Overviews at the start of each project and be available to discuss with one or both FA contractors. There is close collaboration with all parties involved.
94			Could you please clarify how ‘missed timelines’ will be defined, particularly in cases where delays might be caused by factors beyond our control, such as MLGCA approvals or third-party vendor delays? Furthermore, how will cost responsibilities be handled in such cases?	The MLGCA will work with the selected contractor(s) to establish reasonable timelines at the start of each project. We will not withhold approvals that would delay the start. It is the responsibility of the selected contractor to manage third party vendors or subcontractor such that delivery dates are met.
95	4.26	76	Note a description and example for FA II MBE spending goal calculation which is a percentage of overall spending including both media placements and contractor's fee. However, this same description and example is not given for FA I. Can you please confirm the MBE and VSBE spending goal calculation for FA I. Is it based on production budget + contractor fee similar to the calculation of FA II? Or is the spending goal just based on production fee? Can you share your average production budget for the year?	The MBE and VSBE goals for FA I are based on 30% MBE and 1% VSBE of the contractor fee + production budget.

Questions and Answers 10/28/2024

	RFP Reference Number	RFP Page Number	Question	Response
96	2.3.2	13	Can you clarify if the contractor is responsible for picking up the cost of copyrighting, trademark registrations, logos, commercials, or other intellectual property on legal clearances or just vetting and management of the process for legal clearances.? Said another way, are costs for a third-party entity i.e., an IP attorney for legal clearance on copyrights and trademarks, paid by the MLGCA whereas the contractor manages the process?	Yes, FA I contractor is responsible for costs associated with creative concepts developed under the Contract. If MLGCA decides to seek federal trademark registration, that occurs outside of this Contract. The FA I contractor shall ensure that all creative concepts do not violate any trademark, copyright, or other intellectual property rights. The FA I contractor may invoice MLGCA for additional costs associated with clearance assurances.
97	2.5.1	32	Can you clarify what is meant by “The written proposal should be no more than ten (10) pages?” In other words, does that mean a total of 10 pages for the case studies and questions for each Functional Area response, a total of 10 pages for case studies and questions for both Functional Area responses combined, or 10 pages total for each case study submitted as part of the Assignments requirement for each Functional Area?	Ten (10) pages total for each case study submitted as part of the assignment’s requirement for each Functional Area. To be clear, the MLGCA will evaluate responses to FA I and FA II separately, so case studies should not be combined.
98	2.5.4	34	Point 3 requests “All elements of the media plan should be provided, including, but not limited to: Media brief, Media plan, Flowchart, Buy summaries, and any other reports or summaries that support your approach.” As this information is confidential for each of our clients, what is your recommendation on how best to provide this information as part of the proposal? For example, will exclusion of rates and other confidential information be acceptable?	We understand that Offerors have confidentiality agreements with clients; however, any information you can provide to support your experience and approach would be helpful in our evaluation of FA II capabilities.
99	2.5.4	34	Would October 2021 - September 2024 suffice as the time period for media billings for the past three fiscal years?	Yes
100	NDA	99	States that the Non-Disclosure Agreement (Contractor) - Label I - is due “5 business days after recommended award - However, suggested with Proposal,” but the NDA itself indicates that the Contractor has been awarded the Contract. Therefore, it doesn't seem like the Contractor should sign the NDA and submit with the Proposal because they may or may not be awarded the Contract. Is it preferred /suggested to receive the signed NDA with the Proposal?	5 business days after award is acceptable.
101			The RFP refers to Attachments D-4A, D-4B, but there’s only one page available titled D-4. Can you share those additional pages/attachments for reference?	<a href="https://procurement.maryland.gov/wp-content/uploads/sites/12/2018/05/AttachmentDMBE-Forms-1.pdf">https://procurement.maryland.gov/wp-content/uploads/sites/12/2018/05/AttachmentDMBE-Forms-1.pdf</a>
102			For Functional Areas I and II Assignments, Question A for both, can we identify the same two trends in both and demonstrate how we would recommend activating the trend in Functional Area I (creatively) and Functional Area II (media wise)? Said another way, is it possible to respond to the question as an integrated creative and media activation solution to a trend?	All proposals for FA I and FA II will be reviewed independently. There is no benefit to an Offeror of tying the two together; however, an Offeror may use the same example when responding to both functional areas.

**Questions and Answers 10/28/2024**

	<b>RFP Reference Number</b>	<b>RFP Page Number</b>	<b>Question</b>	<b>Response</b>
103			Is it possible to share when responses may be published?	MLGCA will publish on mdgaming.com and eMMA questions and answers when they are completed. MLGCA is striving to get these posted as soon as possible with the correct answers.
104			Has there been a decision made, or any additional consideration given to the Technical Proposal being submitted in PowerPoint versus in Microsoft Word format, version 2007 or greater?	The Technical Proposal shall be submitted in a searchable pdf. or Microsoft Word Format. Inclusion of PowerPoint slides as part of the submission is acceptable.
105			Can the Lottery go into further detail about the MBE's & VSBE's required for Functional Area II? In the past, the MBE's & VSBE's for Functional Area II were owners of media channels, such as publications, out-of-home units, and radio stations. Agencies were not permitted to partner with MBE's or VSBE's that were MDOT approved that would purchase media on behalf of the contracted agency as a subcontractor. Please provide more guidance on this matter.	<p>If the media purchaser is a subcontractor registered with the state as a certified MBE/VSBE, and their primary role is to provide media purchasing as a service, the prime vendor can report 100% of the fees that the media purchaser (subcontractor) charges for providing the service and have it count towards the MBE/VSBE goal.</p> <p>Example:                      Dollar amount of media placed with non-MBE vendors = \$100,000                      MBE/VSBE media purchaser fee for negotiating and placing media = \$5,000                      Total billed to Lottery = \$105,000                      Amount eligible for MBE credit = \$5,000</p>