

STATE OF OHIO  
DEPARTMENT OF ADMINISTRATIVE SERVICES  
GENERAL SERVICES DIVISION  
OFFICE OF PROCUREMENT SERVICES  
4200 SURFACE ROAD, COLUMBUS, OH 43228-1395

**REQUIREMENTS CONTRACT: OFFICIAL STATE JUDGES AND STEWARDS TO ADMINISTER THE LAWS AND RULES OF 3769 OF ORC AND OSRC ADMINISTRATIVE RULES FOR OHIO'S RACETRACKS**

CONTRACT No.: CSP905408

EFFECTIVE DATES: 01/01/08 to 12/31/09

The Department of Administrative Services has accepted Proposals submitted in response to Request for Proposal (RFP) No. CSP905408 that opened on November 30, 2007. The evaluation of the Proposal responses has been completed. The Offerors listed herein have been determined to be the highest ranking Offeror and have been awarded a Contract for the services listed. The respective Proposal response including, Contract Terms & Conditions, any Proposal amendment, special Contract Terms & Conditions, specifications, pricing schedules and any attachments incorporated by reference and accepted by DAS become a part of this Contract.

This Contract is effective beginning and ending on the dates noted above unless, prior to the expiration date, the Contract is renewed, terminated, or cancelled in accordance with the Contract Terms and Conditions.

This Contract is available to the Ohio State Racing Commission (OSRC) as applicable.

The OSRC is eligible to utilize the contracted services in any amount and at any time as determined by the agency. The State makes no representation or guarantee that the agency will purchase the volume of services as advertised in the Request for Proposal.

Questions regarding this and/or the Contract may be directed to:

Dana L. King, CPPB at:  
dana.king@das.state.oh.us

This Contract and any Amendments thereto are available from the DAS Web site at the following address:



[www.ohio.gov/procure](http://www.ohio.gov/procure)

**Contract Requirement Synopsis.** This section gives only a summary of the Project requirements and the Contractor's responsibilities. The Contractor shall:

1. Preside during live race days at respective track(s), as well as responsibilities on non-live race days.
2. Approve license applications.
3. Open the declaration box.
4. Arrive at the racetrack prior to the day's activities and remain through the declaration box closing.
5. Receive driver changes and scratches for upcoming race cards.
6. Answer inquiries.
7. Prepare daily reports which are sent to the OSRC.
8. Conduct hearings from previous day's violations.
9. Observe all races and determine the order of finish.
10. Determine if any driving violations have occurred.
11. Type ruling from hearings.
12. Testify at appeal hearings in Columbus, OH when a licensee appeals a State Official's Ruling.

**Mutually agreed upon Clarifications and Modifications.**

1. The general Terms and Conditions for the Contract are contained in Attachment Three of the RFP for Project. The Contract consists of:
  - a. The original RFP and any addendums.
  - b. The documents and materials incorporated by reference in the RFP.
  - c. The Contractors' Proposals, as amended, clarified, and accepted by the State.
  - d. The documents and materials incorporated by reference in the Offerors' Proposal and subsequent accepted clarifications.
  - e. Any related amendments issued subsequent to Contract award.
2. The OSRC and the Contractor shall notify the DAS, Office of Procurement Services within ten (10) business days in the event of a change in personnel, financial, or contact information.
3. At the end of the initial term, four (4) additional two (2) year Contract renewal options shall be available with the Contractors. The State may also, at its election, seek to negotiate additional Contractual terms and conditions that would apply for any Contract renewals. Any additional Contractual terms and conditions negotiated pursuant to this provision shall not materially alter the Contract so as to limit or otherwise prejudice the competitive nature of this procurement.
4. The Contractors shall provide the DAS Office of Procurement Services updated insurance and DMA forms for the respective Contractor's organization on an annual basis, or as appropriate when changes go into effect.
5. Ohio Ethics and Elections Law.
  - a. Ethics Law

Contractor hereby certifies that all applicable parties listed in Division (I)(3) or (J)(3) of O.R.C. Section 3517.13 are in full compliance with Divisions (I)(1) and (J)(1) of O.R.C. Section 3517.13.

In accordance with Executive Order 2007-01S, Contractor, by signature on this document, certifies: (1) it has reviewed and understands Executive Order 2007-01S, (2) has reviewed and understands the Ohio ethics and conflict of interest laws, and (3) will take no action inconsistent with those laws and this order. The Contractor understands that failure to comply with Executive Order 2007-01S is, in itself, grounds for termination of this contract and may result in the loss of other contracts with the State of Ohio.

Contractor certifies that it is currently in compliance and will continue to adhere to the requirements of Ohio ethics laws.

b. Political Contributions

The Contractor affirms that, as applicable to the Contractor, all personal and business associates are in compliance with Chapter 3517 of the Revised Code regarding limitations on political contributions and will remain in compliance for the duration of the Contract and with all applicable provisions that extend beyond the expiration of the Contract.

6. Equal Employment Opportunity. The Contractor will comply with all state and federal laws regarding equal employment opportunity, including Ohio Revised Code Section 125.111 and all related Executive Orders.

Before a contract can be awarded or renewed, an Affirmative Action Program Verification Form must be submitted to the DAS Equal Opportunity Division to comply with the affirmative action requirements. Affirmative Action Verification Forms and approved Affirmative Action Plans can be found by going to the Equal Opportunity Departments Web site: <http://www.das.ohio.gov/Eod/AEEO.htm>.

7. The State will pay only for services rendered. Contractors shall be entitled to two (2) days of race day pay for days which double-headers are held.

8. All Contractor invoices shall be submitted to:

The Ohio State Racing Commission  
Riffe Center, 18<sup>th</sup> Floor  
77 South High St.  
Columbus, OH 43215

9. UNSPSC Category Code: 85121600

10. Cost Summary:

RACE TRACK	AWARDEE/ CONTRACT NUMBER	OAKS ITEM ID NUMBER	ESTIMATED TOTAL DAYS RACING (ANNUALLY)	COST/RATE PER DAY	ESTIMATED ANNUAL TOTALS
Beulah Park	Philip T. Gore CSP905408-1	12707	120	\$ 310.00	\$ 37,200.00
Lebanon Raceway	Donald Heaberlin CSP905408-2	12708	62 + 6 Double Headers	\$ 340.00	\$ 23,120.00
Northfield Park	NONE	N/A	207	N/A	N/A
Raceway Park	Richard Williams CSP905408-3	12709	84	\$ 335.00	\$ 28,140.00
River Downs	Herbert Clark CSP905408-4	12711	105	\$ 340.00	\$ 35,700.00
Scioto Downs	Larry Richard CSP905408-5	12712	68	\$ 330.00	\$ 22,440.00
Thistledown	Philip T. Gore CSP905408-1	12713	111	\$ 310.00	\$ 34,410.00
<b>Annual Totals</b>			<b>763</b>		<b>\$ 181,010.00</b>

**CONTRACTOR INDEX**

TERMS (All Contractors): Net 30 Days

1. CONTRACTOR AND TERMS:

CONTRACT NO.: CSP905408-4 (12/31/09)

0000037283  
Herbert J. Clark  
24518 Bramhope Court  
Port Charlotte, FL 33980

CONTRACTOR'S CONTACT:

Herbert J. Clark  
(River Downs)

Telephone: (614-562-9041)  
e-mail: [HJayClark@yahoo.com](mailto:HJayClark@yahoo.com)

2. CONTRACTOR AND TERMS:

CONTRACT NO.: CSP905408-1 (12/31/09)

0000098419  
Philip T. Gore  
15700 Van Aken Blvd., Apt. 34  
Shaker Heights, OH 44120

CONTRACTOR'S CONTACT:

Philip "Butch" Gore  
(Beulah Park and Thistledown)

Telephone: (813-786-9237)  
e-mail: [BGore@msn.com](mailto:BGore@msn.com)

3. CONTRACTOR AND TERMS:

CONTRACT NO.: CSP905408-2 (12/31/09)

0000010316  
Donald F. Heaberlin  
2437 Hart Rd.  
Lebanon, OH 45036

CONTRACTOR'S CONTACT:

Donald F. Heaberlin  
(Lebanon Raceway)

Telephone: (513-932-3897)  
e-mail: [KaraDon@embarqmail.com](mailto:KaraDon@embarqmail.com)

4. CONTRACTOR AND TERMS:

CONTRACT NO.: CSP905408-5 (12/31/09)

0000020256  
Larry T. Richard  
1823 York Rd.  
Greenfield, OH 45123

CONTRACTOR'S CONTACT:

Larry T. Richard  
(Scioto Downs)

Telephone: (937-981-4522)  
e-mail: [ww0907@dragonbbs.com](mailto:ww0907@dragonbbs.com)

5. CONTRACTOR AND TERMS:

CONTRACT NO.: CSP905408-3 (12/31/09)

0000044352  
Richard D. Williams  
432 Locust St.  
Middletown, IN 47356

CONTRACTOR'S CONTACT:  
Richard D. Williams  
(Raceway Park)

Telephone: (765-623-4122)  
e-mail: trotinboot@aol.com