

REQUEST FOR PROPOSAL

RFP NUMBER: CSP900216
INDEX NUMBER: LOT009
UNSPSC CATEGORY: 831118

The state of Ohio, through the Department of Administrative Services, Office of Procurement Services, on behalf of the Ohio Lottery Commission, is requesting Proposals for:

TITLE: PRODUCTION & MANAGEMENT OF A REGULARLY SCHEDULED GAME SHOW FOR THE OHIO LOTTERY COMMISSION

OBJECTIVE: The purpose of this RFP is to select a company to produce and manage a broadcast quality weekly game show.

RFP ISSUED: February 6, 2015
INQUIRY PERIOD BEGINS: February 6, 2015
INQUIRY PERIOD ENDS: February 18, 2015 at 8:00 AM
PROPOSAL DUE DATE: February 25, 2015 by 1:00 PM

Proposals received after the due date and time will not be evaluated.

Submit Sealed Proposals to:

Department of Administrative Services
Office of Procurement Services
Attn: Bid Desk
4200 Surface Road
Columbus, OH 43228-1395

Note: Please review the [Proposal Instructions](#) on our Web site.

The Offeror must submit this cover page (signed) with its Technical Proposal.

Offeror Name and Address: _____ _____ _____ _____ E-Mail Address: _____ Phone Number: () _____-_____, Ext. _____	Name/Title: _____ _____ Signature: _____ By submitting a response to this RFP, and signing above, Offeror acknowledges, understands and agrees to comply with the RFP requirements and confirms all the instructions and links have been read and understood.
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RFP GLOSSARY OF TERMS

AA:	Affirmative Action
Contractor:	Vendor after Award
CSP:	Competitive Sealed Proposal
DAS:	Department of Administrative Services
EOD:	Equal Opportunity Division
FEI:	Federal Employer Identification
Mandatory:	Must, Will, Shall
OAC:	Ohio Administrative Code
OAKS:	Ohio Administrative Knowledge System (Ohio's Accounting System)
OBG:	Ohio Business Gateway
Offeror:	Vendor Submitting Proposal
OPS:	Office of Procurement Services
ORC:	Ohio Revised Code
RFP:	Request for Proposal
SOS:	Secretary of State
UNSPSC:	The United Nations Standard Products and Services Code

1.0 EXECUTIVE SUMMARY

- 1.1 INTRODUCTION This is a Request for Competitive Sealed Proposals (RFP) under Section 125.071 of the Ohio Revised Code (ORC) and Section 123:5-1-08 of the Ohio Administrative Code (OAC). The Department of Administrative Services (DAS), Office of Procurement Services, on behalf of the Ohio Lottery Commission (the Agency), is soliciting competitive sealed proposals (Proposals) for The Production of a Regularly Weekly Scheduled Game Show to Include Client/Production/Website/Promotional Plan Management for the Ohio Lottery Commission. If a suitable offer is made in response to this RFP, the state of Ohio (State), through DAS, may enter into a contract (the Contract) to have the selected Offeror (the Contractor) perform all or part of the Project (the Work). This RFP provides details on what is required to submit a Proposal for the Work, how the State will evaluate the Proposals, and what will be required of the Contractor in performing the Work.

This RFP gives the dates on page 1 for the various events in the submission process. While these dates are subject to change, prospective Offerors must be prepared to meet them as they currently stand.

- 1.2 CONTRACT PERIOD Once awarded, the term of the Contract will be from an estimated award date of April 3, 2015 through June 30, 2017. The estimated award date of April 3, 2015 through June 30, 2015 for the transitional work with the first show production being in July 2015. The State may solely renew all or part of this Contract at the discretion of DAS for a period of one month and subject to the satisfactory performance of the Contractor and the needs of the Agency. Any other renewals will be by mutual agreement between the Contractor and DAS for any number of times and for any period of time. The cumulative time of all mutual renewals may not exceed four (4) years and are subject to and contingent upon the discretionary decision of the Ohio General Assembly to appropriate funds for this Contract in each new biennium.

1.3 MINORITY BUSINESS ENTERPRISES

The State is committed to making more State contracts and opportunities available to minority business enterprises (MBE) certified by the Ohio Department of Administrative Services pursuant to Section 123.151 of the Ohio Revised Code and Rule 123:2-15-01 of the Ohio Administrative Code. This RFP contains a sheltered solicitation component which requests Offeror to seek and set aside a portion of the Work to be exclusively performed by Ohio certified MBE businesses. For more information regarding Ohio MBE certification requirements, including a list of Ohio certified MBE businesses, please visit the DAS Equal Opportunity Division web site at:

<http://das.ohio.gov/Divisions/EqualOpportunity/MBEEDGECertification/tabid/134/default.aspx>

Sheltered Solicitation. In seeking solicitations from Ohio certified MBE subcontractors, the Offeror must:

- ♦ Utilize a competitive process to which only Ohio certified MBEs may respond;
- ♦ Have established criteria by which prospective Ohio MBEs will be evaluated including business ability and specific experience related to the Work requirements; and
- ♦ Require the Ohio certified MBE maintain a valid certification throughout the term of the Contract, including any renewals.

MBE Subcontractor Plan

Pre-award identification of Ohio certified MBE subcontractor and Contractor selected percentage: Offeror's Proposal should include an Ohio certified MBE subcontractor plan (Plan) if included. The Plan should (a) state the specific percentage of the cost of the Work that it will set aside for Ohio certified MBE subcontractors only; (b) include a description of a competitive process used for the selection of Ohio certified MBE subcontractors to which only Ohio certified MBEs responded; and (c) identification of proposed portions of the Work to be performed by Ohio certified MBE subcontractors.

To search for Ohio MBE Certified Providers, utilize the following search routine published on the DAS Equal Opportunity Division website:

1. Select "Locate MBE Certified Providers" as the EOD Search Area selection;
2. Select "MBE Certified Providers" link;
3. On the subsequent screen select "All Procurement Types" as a search criterion;
4. Select "Search"; and
5. A list of Ohio MBE Certified Service Providers will be displayed.

After award of the RFP, if MBE is included, the Contractor must submit a quarterly report(s) and/or form, if offering a portion as a set aside, to the agency representative or designee, and a copy to the DAS Procurement Analyst, documenting the work performed by and payments made to the MBE subcontractor(s).

- 1.4 BACKGROUND The Ohio Lottery Commission program's mission is to regulate and conduct Lottery games within the State of Ohio for the benefit of public education. The Lottery's Game Show is associated with Ohio Lottery Instant Ticket Game(s) that provide(s) eligible ticket holders an opportunity to appear as contestants on the Lottery's Game Show to win prizes. The game show and existing set are mobile and can be taken "on the road" to various locations throughout the State. There may be requirements for "special shows" such as anniversary shows, quarterly specials and special promotion shows. Cash and prizes awarded through the Game Show are funded by a separate and exclusive instant ticket game issued by the Lottery.

The State of Ohio is seeking a Contractor to produce a "network quality" minimum one-half hour television Game Show/Entertainment Show, once per week, which awards Ohio Lottery players prizes. The Lottery's Cash Explosion® Game Show ("Game Show") currently airs on Saturday evening at 7:30 p.m. Eastern Standard Time. The Lottery may modify or replace the Game Show at any time. The first show to be produced by the selected Offeror is scheduled to be aired August 1, 2015. In addition to the production components of the television show, the selected company will also be responsible for technical management of the show's website and work in conjunction with the Ohio Lottery Game Show Bureau / Marketing Department to develop and implement promotional / advertising concepts and campaigns for the game show and accompanying instant ticket.

1.5 SCOPE OF WORK

There are several phases in this project. There will be a client management phase that includes account management to include delivery of services, communications, strategic direction, accountability and fiscal management from budgeting to billing.

The second phase is production management that includes insuring the production is "network quality", designing, developing and producing all components of the show for its regularly scheduled, air dates. Any changes or revisions to the set will be the responsibility of the Contractor. The Contractor will provide consultation and executive production support throughout the Game Show development and production.

The Contractor will coordinate with the Ohio Lottery Commission Game Show staff in preparing and finalizing reports regarding Game Show meetings and they will be responsible for maintaining production facilities required for producing this show within the State of Ohio.

The Contractor will be required to provide additional game elements or modifications throughout the life of this Contract in order to keep the game show "fresh" / new ideas with current technology, design and interface with new show distribution and viewing mediums.

The Contractor is expected to provide and execute a promotional plan that promotes the Game Show and the accompanying instant ticket. The promotional plan should include numerous customer touch points to maximize its reach and effectiveness.

The Lottery intends to enter into a Contract with an Offeror to produce at least one (1) one-half hour Game Show/Entertainment Show in the State of Ohio, which awards prizes to Ohio Lottery players. See section B and C below for current Game Show information. All production specifications submitted should reflect the Game Show as currently produced.

This regularly scheduled one-half hour Game Show shall be produced to "network quality" production standards in High Definition. The Game Show is currently pre-produced in High Definition and aired each Saturday, starting at 7:30 p.m. Eastern Standard Time.

Under the terms of the Contract awarded as a result of this RFP, the selected Offeror will be responsible for providing all services as specified below or services to be determined at a later date by the Lottery. Offeror submitting a Response to this RFP must thoroughly consider and evaluate their capability to provide these services.

Each Offeror shall certify and provide detailed responses to each Scope of Work requirement. "Yes" and "no" responses will not be accepted and will be deemed non-responsive; therefore, subject to rejection of the Offeror's proposal.

A. Client Management.

The Offeror must describe recent projects in which the following Client Management aspects were met. The Offeror must identify account management teams responsible for client relations, including delivery of services, global communications, strategic direction, accountability and fiscal management from budgeting to billing.

1. The Contractor shall submit monthly invoices to the Lottery, which shall include line items as proposed and/or modified in the awarded contract.
2. The Contractor must also attach copies of any subcontractor invoices. Monthly invoices include administrative expenses, which are defined as the following: deliveries, office supplies, photocopies, telephone/fax and postage. With prior Lottery approval, the Contractor may seek recovery of other administrative expenses on an invoice-by-invoice basis.
3. The Contractor must notify and seek approval from the Lottery immediately for any production costs that may exceed the approved budget. Any overages shall be accompanied by a written explanation of cost. The Lottery may refuse excess costs beyond the previously agreed upon production budget.

B. Production Management and Development.

The Offeror must describe how they plan to meet the Production Management and Development objectives listed in the numbers 1 through 17 below. As part of the response the Offeror must provide an overview of the production of the game show including a production timeline and additional forward thinking production capabilities.

1. The Offeror, in conjunction with the Lottery, shall maintain the "network quality" of the current Ohio Lottery Game Show, and shall be capable of designing, developing, and producing any and all components of the show that are necessary for its regularly scheduled airdates beginning with airing of the Game Show on Saturday, August 1, 2015. The Show must be produced in High Definition.
2. The Game Show production must meet the requirements and expectations of the Lottery as outlined in this RFP. Offerors should include any concerns with the desired time frame in their Response to this RFP.
3. The Offeror, in conjunction with the Lottery, shall oversee and manage all development and production aspects of the Game Show.
4. The Lottery shall provide the current set and all current set elements; however, the selected Offeror shall be responsible for any/all set changes/revisions. Since the current set has been in use for several years, the Lottery would like new set designs submitted as part of the Offerors response. Offerors should also submit a cost for the new set. The new set and cost will not be part of the evaluation process.
5. The Offeror shall provide the Lottery with consultation and executive production support and management services throughout the Game Show development and production.
6. The Offeror shall establish a timeline for project completion and work with the Lottery to obtain approvals to meet necessary deadlines for services provided. Any challenges that must be overcome to meet targeted deadlines shall immediately be communicated to Lottery.

7. The Contractor shall be required to regularly meet with the Lottery based on a schedule designated by the Lottery to review the Game Show's status.
8. The Contractor shall work in conjunction with the Lottery's Game Show staff in preparing and finalizing agendas for all Game Show meetings at least two (2) working days prior to the scheduled meeting.
9. The Contractor shall work in conjunction with the Lottery's Game Show staff in preparing and finalizing conference reports regarding all Game Show meetings within three (3) working days after the scheduled meeting.
10. The Contractor shall be responsible for maintaining production facilities required for producing this Game Show within the State of Ohio.
11. The Contractor shall be responsible for the hiring of all personnel and/or Contractor subcontractors required for producing, hosting and maintaining the Game Show. Contractor is encouraged to seek out and contract with Minority Business Enterprises (MBE) when available.
12. The length of the Game Show should be between twenty (20) and twenty-one (21) minutes, allowing approximately two (2) minutes for drawing time and 5 ½ minutes for commercial airtime, for a total Game Show time of twenty-eight minutes and thirty seconds (28:30). (The Production Company transmitting and producing the drawings that occur during the Game Show may be the same or different from the Production Company producing the Game Show. This could present different options for satellite distribution). The Lottery would also maintain the flexibility to change the lengths of any components within the show window.
13. The Contractor must deliver the show in an agreed upon timeline to the Production Company responsible for transmitting the show. The Production Company producing and transmitting the evening drawings will also be transmitting the weekly game show.
14. The Contractor is required to establish ongoing communications and quality assurance of broadcasts with each member of the Ohio Lottery network of carriers. The Game Show is currently scheduled to air on Saturday's from 7:30 p.m. – 8:00 p.m. on these following Ohio Lottery carrier stations:
 - a. Cincinnati WCPO-ABC
 - b. Cleveland WEWS-ABC
 - c. Columbus WTTE-Fox 28/ WSYX-ABC
 - d. Dayton WHIO-CBS
 - e. Huntington, WV WSAZ-NBC
 - f. Lima ELIO-FOX, EOHL-CBS, WOHL-ABC
 - g. Steubenville WTOV NBC
 - h. Toledo WTVG-ABC
 - i. Youngstown WFMJ-NBC
 - j. Zanesville WHIZ-NBC

The current stations are subcontracted through the Lottery's television media purchasing Contractor through June 30, 2015 with a one (1) year renewal. The Lottery may replace and/or remove any of the above stations at any time.

15. The Contractor shall be required to provide additional Game elements or modifications throughout the life of the Contract in order to keep the Game Show "fresh" with current technologies, design, and interface with new distribution and viewing mediums.
16. The Contractor shall be required to solicit and procure "trades" (i.e. promotional announcements) whenever possible for travel, lodging, wardrobe, etc.
17. The selected Contractor must be capable of producing an additional game show, or develop game show concepts for which it must obtain and provide the Lottery a license. As a result, the Contractor must have the capabilities to produce two (2) completely different shows each week as regularly scheduled by the Lottery. Please note that production of both shows will not be at the same time. Should the Lottery require such services, the pricing for these concepts shall be mutually agreed upon by the parties.

- C. Game Show Production Specifications – The Offeror must describe their production facilities in detail and describe recent projects in which the following production elements were utilized.
1. Production facility within the State of Ohio.
 - a. A production studio – at least 3000 sq.ft. (current dimensions 50' x 60').
 - b. Contestant briefing space - at least 1000 sq.ft. (30' x 40').
 - c. Audience overflow space - at least 1000 sq.ft. (may be same room as "Contestant briefing space").
 - d. Secured Set storage facilities (multiple or single) at least 900 sq. ft. (30' x 30') large enough to accommodate:
 1. All set elements.
 - e. Audience seating with a capacity of at least 150 people.
 - f. Adjacent parking for at least 150 automobiles to accommodate contestants, guests, production crew and Lottery staff.
 - g. Dressing Rooms for the Game Show Talent.
 - h. Secured and environmentally safe storage for the Game Show library of past shows. This is estimated to be around 1,400 shows on VHS tape and DVD.
 - i. Office/meeting space for Lottery staff of at least 4 people.
 - j. Ability to accommodate a mutually agreed upon Game Show taping schedule.
 - k. Obtain security personnel during Game Show taping, a minimum of one, but more could be required on a case by case basis.
 - l. The Game Show(s) may be recorded weekly, monthly, bi-monthly or as determined to be the most convenient and cost effective. (Responding Offerors shall include a proposed six (6) month recording schedule and a proposed record day itinerary).
 - m. The Lottery reserves the right to accept or reject production facilities based on these requirements, but also may waive any particular requirement if it chooses to do so.
 2. Production elements including, but not necessarily be limited to: (The Offeror shall provide samples of these components.)
 - a. Pre-Production, Production, Post-production, and Delivery of Show to Vendor responsible for transmitting the show:
 - b. Show Content and Creative:
 1. Write scripts.
 2. Development of all Show graphics.
 3. Talent direction and development.
 4. Pre, line and post production.
 - c. Execution of Co-host promotion.
 - d. Contestant Coordination and Experience.
 - e. Audience Entertainment.
 - f. Web Content Management.
 - g. Promotional spot creation.
 - h. Art Direction, creation and design of special effects and graphics.

- i. DVDs (Lottery will receive one (1) raw feed DVD and two (2) Show DVDs per Show (as aired). DVD is the current form of media used; however, it may be substituted by another form of media with prior approval of the Ohio Lottery Commission.
 - j. Music production and licensing.
 - k. Photography.
 - l. Closed Captioning of the Game Show for the hearing impaired.
3. Entire Production staff, including the following Key staff members: (The Offeror shall identify proposed staff or at a minimum, proposed positions.)
- a. Production/Operations Manager (responsible for production management and development).
 - b. Director.
 - c. Producer / Writer
 - d. Associate Producer – Contestant experience.
 - e. Associate Producer - Audience experience.
 - f. Account Executive.
 - g. Talent/Hosts/ Multiple Co-Hosts (including any announcers, etc.)

The Lottery reserves the right to approve any and all talent/hosts to be subcontracted by the selected Contractor.
 - h. (The Lottery employs an Executive Producer who provides strategic direction and makes all final decisions associated with the Game Show.)
4. Production Equipment must include, but not be necessarily limited to:
- a. A complete high definition control room, including the following
 1. HDSDI switcher with DVE, still store and game control interface
 2. 7 HD Iso-record devices
 3. Video playback device
 4. 32 Channel digital audio console
 5. 32 track audio record device
 6. Sound effects playback device
 - b. 60 Channel lighting control and dimming, including:
 1. Audience, talent and set lighting instruments
 2. LED moving lights for audience effect
 3. Lighting control for Marquee an Championship Game set pieces

- c. Studio and Sound
 - 1. Minimum studio dimensions 57 feet X 46 feet (see Attachment two)
 - 2. Directional sound reinforcement system for 150 people
 - 3. Anti-feedback devices and suppression
 - 4. Wireless talent microphones and IFBs
 - 5. Stage announce
 - 6. Wireless intercom

- d. Studio Video
 - 1. 5 HD cameras
 - 2. 1 Robotic camera jib
 - 3. 1 HD wireless camera transmitter and receiver
 - 4. HD monitors

- e. Event production (Audience Experience)
 - 1. Outdoor LED display for audience and contestants (roughly 6 feet x 12 feet)
 - 2. Low wattage radio transmitter for in-car announcements
 - 3. Sound system with wireless mics for audience queuing area

- f. Post Production.
 - 1. Non-linear video editing facilities.
 - 2. Audio sweetening capabilities
 - 3. Closed captioning capabilities.
 - 4. File hosting, distribution and conversion capabilities

- 5. Contestant/staff hospitality to include, but not be limited to:
 - a. Contestant lodging (at a 3-5 star level hotel) for one (1) night.
 - b. Staff Lodging (If the production facility is outside the 45 mile radius from the Lottery employees' private residences and the Lottery's headquarters as specified in the Lottery's Travel Policy, the Offeror shall be responsible for lodging eight (8) additional people – five (5) employees of the Lottery and three (3) employees of the State Auditor's office.). Additionally, monthly production assessment meetings will require lodging for one (1) Lottery staff.
 - c. Refreshments for the contestants during the Lottery briefing of game play.
 - d. Expenses associated with contestant/staff hospitality will be reimbursed to the selected Offeror at cost.

6. The Offeror shall take into consideration that "Special Shows" may be required. "Special Shows" may include, but not be limited to: Anniversary shows, Quarterly Specials, Promotional shows, etc. No additional cost is allowed unless extra production time is required and an otherwise agreed to additional cost is approved.
 7. The Game Show and set is mobile and can be taken on the road to various locations across the State during certain times of the year. Should the Lottery determine to take the Show on the road, production of the "Road Show" must be handled directly by the selected Offeror or subcontracted for by the selected Offeror based on the selected "Road Show" venues. The selected Offeror must be willing to perform these services, which will be reimbursed to the Offeror at cost (reimbursement = road show less the normal show cost) as approved by the Lottery based on its Road Show budget. There may also be some one-time-only fees such as design of special road cases. Up to four (4) "Road Shows" are contemplated each year of the Contract.
 8. Cash and prizes for the Game Show will be funded by a separate and exclusive instant ticket game handled by the Lottery. Contestant notification and prize payments and public relations will be handled by the Lottery
- D. Web Development and Management. The Offeror is expected to maintain a Game Show website which includes the following responsibilities: The Offeror must describe recent project in which the following web development and management responsibilities were utilized.
1. Web based, password protected, client library site.
 2. Game Show Web site:
 - a. Content Manager/Producer.
 - b. Development – Design, Discovery, Programming.
 - c. Maintenance.
 - d. Content Management Tool Development.
 - e. Application and Server Development.
 - f. Hardware/software to include database, streaming media, email, application and Web servers as well as other peripheral devices.
 - g. Hosting Services.
 - h. Ongoing Services include hosting, discussion, streaming, site measurement and administration.
 - i. Procurement of Syndicated content.

All content of the website must be approved by the Lottery. The current Cash Explosion® website can be found at <http://www.cashexplosionshow.com/> and the domain name is registered to the Lottery.

- E. The Offeror is expected to provide and execute a promotional plan that promotes the Game Show and the accompanying instant ticket. The promotional plan should include numerous customer touch points to maximize its reach and effectiveness.

Contractor Responsibilities and Deliverables. The Contractor must meet all RFP requirements and perform the Work as defined in the Scope of Work.

Meeting Attendance and Reporting Requirements. The Contractor's project management approach must adhere to the following Project meeting and reporting requirements:

A pre-performance meeting is required to select the reporting format, review performance requirements and method of reporting.

- A. Frequent meetings will be held to insure the regularly show scheduled is met effectively. These meetings may be held by teleconference or in person.
- B. Monthly reports must be prepared as directed by the Lottery representative to detail the reviews and progress of this project and to give an overall project performance report.
- C. Immediate Reporting – The selected Offeror or his or her designee must immediately report any certified Project Team staffing changes to the Lottery Project Representative.

- 1.5 CONFIDENTIAL, PROPRIETARY OR TRADE SECRET INFORMATION DAS procures goods and services through a RFP in a transparent manner and in accordance with the laws of the state of Ohio. All proposals provided to DAS in response to this RFP become records of DAS and as such, will be open to inspection by the public after award unless exempt from disclosure under the Ohio Revised Code or another provision of law. Refer to section 5.1.6 in the Instructions.
- 1.6 REGISTRY OF OFFERORS DAS will prepare a registry of Proposals containing the name and address of each Offeror. The registry will be on the Office of Procurement Services Web site and available for public inspection after the Proposals are received.
- 1.7 PROPOSAL SUBMITTAL Offeror must submit both a "Technical Proposal" and a "Cost Proposal" as a part of its Proposal package. These are two separate components which shall be submitted in separate sealed envelopes/packages, clearly identified on the exterior as either "Technical Proposal" or "Cost Proposal" with CSP900216 and due date on each. Offeror must submit this signed cover page with its technical Proposal. Offeror shall mark the correct CSP number on all envelopes/packages. Refer to section 5.1.6 in the Instructions for further detail.
- 1.8 NUMBER OF PROPOSALS TO SUBMIT Offeror must submit one (1) original, completed and signed in blue ink, and five(5) copies for a total of six (6) Proposal packages.

2.0 EVALUATION OF PROPOSALS

- 2.1 MANDATORY REQUIREMENTS The following table contains items that are Mandatory Requirements for this RFP.

Determining the Offeror's ability to meet the Mandatory Requirements is the first step of the DAS evaluation process. The Offeror's response must be clearly labeled "Mandatory Requirements" and collectively contained in Tab 2 of the Offeror's Proposal in the "Offeror Required Information and Certification" section.

DAS will evaluate Tab 2 alone to determine whether the Proposal meets all Mandatory Requirements (accept/reject). If the information contained in Tab 2 does not clearly meet every Mandatory Requirement, the Proposal may be disqualified by DAS from further consideration.

TABLE 1 - MANDATORY PROPOSAL REQUIREMENTS

Mandatory Requirements
1. Performance Bond of \$250,000.00(letter of confirmation showing ability to provide)
2. Offeror must provide audited financial statements for the past three (3) years.
3. Offeror must show corporate experience of a minimum three (3) years' experience with all phases of producing "network quality" television shows.
4. Offeror must provide detailed responses to each and every requirement as specified in the Scope of Work. Yes and no responses shall be deemed non-responsive.
5. Offeror must have an Ohio presence with the production studio in Ohio due to the logistics of the participants.
6. At least one (1) sample of Game Shows/Entertainment Shows produced by the Offeror.

If the State receives no Proposals meeting all of the mandatory requirements, the State may elect to cancel this RFP.

- 2.2 PROPOSAL EVALUATION CRITERIA If the Offeror provides sufficient information to DAS in its Proposal, demonstrating it meets the Mandatory Requirements, the Offeror's Proposal will be included in the next step of the evaluation process which involves the scoring of the Proposal Technical Requirements (Table 3), followed by the scoring of the Cost Proposals. In the Proposal evaluation step, DAS rates the Proposals based on the following listed criteria and the weight assigned to each criterion. The possible points allowed in this RFP are distributed as indicated in the Table 2 - Scoring Breakdown.

2.3 TABLE 2 - SCORING BREAKDOWN

Criteria	Maximum Allowable Points
Proposal Technical Requirements	375 Points
Proposal Cost	100 Points
Scoring for MBE Set-Aside	50 Points
Presentations, Interviews, Demonstrations (Optional)	125 Points
Total	650 Points

2.4 SCORE RATINGS The scale below (0-5) will be used to rate each proposal on the criteria listed in the Technical Proposal Evaluation table.

DOES NOT MEET 0 POINTS	WEAK 1 POINT	WEAK TO MEETS 2 POINTS	MEETS 3 POINTS	MEETS TO STRONG 4 POINTS	STRONG 5 POINTS
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DAS will score the Proposals by multiplying the score received in each category by its assigned weight and adding all categories together for the Offeror's Total Technical Score in Table 3. Representative numerical values are defined as follows:

DOES NOT MEET (0 pts.): Response does not comply substantially with requirements or is not provided.

WEAK (1 pt.): Response was poor related to meeting the objectives.

WEAK TO MEETS (2 pts.): Response indicates the objectives will not be completely met or at a level that will be below average.

MEETS (3 pts.): Response generally meets the objectives (or expectations).

MEETS TO STRONG (4 pts.): Response indicates the objectives will be exceeded.

STRONG (5 pts.): Response significantly exceeds objectives (or expectations) in ways that provide tangible benefits or meets objectives (or expectations) and contains at least one enhancing feature that provides significant benefits.

2.5 TABLE 3 - TECHNICAL PROPOSAL EVALUATION

Criterion	Weight	Rating (0 to 5)	Extended Score
Technical Proposal			
1. Production Management and Development: <ul style="list-style-type: none"> • Capabilities & Understanding • Implementation plan to maintain the “network quality” of the current show including designing, developing, and producing • Project timeline • Additional forward-thinking and production capabilities 	20		
2. Game Show Production Specifications: <ul style="list-style-type: none"> • Qualifications & Resources • Production facility • Production elements • Entire Production staff and equipment • Contestant/staff hospitality 	20		
3. Client Management <ul style="list-style-type: none"> • Account management team • Client service capabilities 	5		
4. Web Development and Management: <ul style="list-style-type: none"> • (Enhanced services): Offeror shall provide enhanced services to promote the Game Show website, (i.e., promotions or any other ideas or concepts to drive traffic to the website and to increase various metrics). • Qualifications & Resources • Client library site • Game Show website • Content Management • Development – Design, Discovery and Programming • Maintenance • Hardware/software to include database, streaming media, E-mail, application and Web servers, etc. • Ongoing Services include hosting, discussion, streaming, site measurement and administration. • Procurement of Syndicated content 	10		
5. The Offeror is expected to provide and execute a promotional plan that promotes the Game Show and the accompany instant ticket. The promotional plan should include numerous customer touch points to maximize its reach and effectiveness	10		
6. Experience <ul style="list-style-type: none"> • Vendor • Key Staff 	10		

Total Technical Score: _____

- 2.6 Pre-award identification of Ohio certified MBE subcontractor and Contractor selected percentage. In the Evaluation Scoring Formula of the RFP, the Offeror who identifies one or more qualified Ohio certified MBE subcontractor and has the highest percentage of its cost proposal set aside exclusively for identified Ohio certified MBE subcontractors' Work will receive the maximum number of points set forth in the RFP. The remaining Offerors will receive a percentage of the maximum points allowed. Offerors who do not identify a percentage to be set aside for Ohio certified MBE subcontractors or do not identify one or more Ohio certified MBE subcontractor will receive zero points.

MBE Set-Aside points = (Offeror's percentage/highest Offeror's percentage) x Maximum Allowable MBE Set-Aside Points as indicated in the "Scoring Breakdown" table. The value is provided in the Scoring Breakdown table. "MBE Set-Aside" = Total MBE Set-Aside Percentage as identified in the MBE Set-Aside Summary section of Offeror's Proposal. In this method, the highest percentage of MBE Set-Aside proposed will receive the maximum allowable points.

MBE Set-Aside Score: _____

- 2.7 PRESENTATIONS AND INTERVIEWS DAS may require top Offerors to be interviewed. Such interviews will provide an Offeror with an opportunity to present its Proposal and to ensure a mutual understanding of the Proposal's content. This will also allow DAS and the Agency an opportunity to test or probe the professionalism, qualifications, skills, and work knowledge of the proposed candidates. The interviews will be scheduled at the convenience and discretion of DAS and the Agency. DAS or the Agency may record any presentations and interviews. The one (1) to three (3) highest scoring Offerors; but no more than the top three (3) may be required to participate. Interviews will be scheduled to be held in Columbus, Ohio at the vendor's expense, if applicable.

Presentations, Interviews, Demonstrations (Optional)	Weight	Rating (0 to 5)	Extended Score
1. Professionalism of Presentation	5		
2. Communication of Response (Is the plan clearly defined and well thought out.)	10		
3. Knowledge of key production staff	10		

Total Presentation Score: _____

In this RFP, DAS asks for responses and submissions from Offerors, most of which represent components of the above criteria. While each criterion represents only a part of the total basis for a decision to award the Contract to an Offeror, a failure by an Offeror to make a required submission or meet a mandatory requirement will normally result in a rejection of that Offeror's Proposal. The value assigned above to each criterion is only a value used to determine which Proposal is the most advantageous to the State in relation to the other Proposals that DAS received.

Once the technical merits of a Proposal are evaluated, the costs of that Proposal will be considered. It is within DAS' discretion to wait to factor in a Proposal's cost until after the conclusion of any interviews, presentations, demonstrations or discussions. Also, before evaluating the technical merits of the Proposals, DAS may do an initial review of costs to determine if any Proposals should be rejected because of excessive cost. DAS may reconsider the excessiveness of any Proposal's cost at any time in the evaluation process.

- 2.8 COST PROPOSAL POINTS DAS will use the information the Offeror submits on the Cost Summary Form to calculate Cost Proposal Points. DAS will calculate the Offeror's Cost Proposal points after the Offeror's total technical points are determined, using the following method:

Cost points = (lowest Offeror's cost/Offeror's cost) x Maximum Allowable Cost Points as indicated in the "Scoring Breakdown" table. "Cost" = Total Not-to-Exceed as identified in the Cost Summary section of Offeror's Proposal. In this method, the lowest cost proposed will receive the maximum allowable points.

The number of points assigned to the cost evaluation will be prorated, with the lowest accepted Cost Proposal given the maximum number of points possible for this criterion. Other acceptable Cost Proposals will be scored as the ratio of the lowest Cost Proposal to the Proposal being scored, multiplied by the maximum number of points possible for this criterion.

An example for calculating cost points, where Maximum Allowable Cost Points Value = 60 points, is the scenario where Offeror X has proposed a cost of \$100.00. Offeror Y has proposed a cost of \$110.00 and Offeror Z has proposed a cost of \$120.00. Offeror X, having the lowest cost, would get the maximum 60 cost points. Offeror Y's cost points would be calculated as \$100.00 (Offeror X's cost) divided by \$110.00 (Offeror Y's cost) equals 0.909 times 60 maximum points, or a total of 54.5 points. Offeror Z's cost points would be calculated as \$100.00 (Offeror X's cost) divided by \$120.00 (Offeror Z's cost) equals 0.833 times 60 maximum points, or a total of 50 points.

Cost Score: _____

- 2.9 FINAL STAGES OF EVALUATION The Offeror with the highest point total from all phases of the evaluation (Technical Points + Cost Points + MBE Points) will be recommended for the next phase of the evaluation.

Technical Score: _____ + Cost Score: _____ + MBE Set-Aside Score: _____ = Total Score: _____

If DAS finds that one or more Proposals should be given further consideration, DAS may select one or more of the highest-ranking Proposals to move to the next phase. DAS may alternatively choose to bypass any or all subsequent phases and make an award based solely on the Proposal evaluation phase.

- 2.10 REJECTION OF PROPOSALS DAS may reject any Proposal that is not in the required format, does not address all the requirements of this RFP, or that DAS believes is excessive in price or otherwise not in the interest of the State to consider or to accept. In addition, DAS may cancel this RFP, reject all the Proposals, and seek to do the Work through a new RFP or by other means.

3.0 COST SUMMARY

- 3.1 SUBMISSION The Cost Summary shall be submitted with the Proposal (under separate cover labeled as the Cost Proposal). All prices, costs, and conditions outlined in the Proposal shall remain fixed and valid for acceptance for 120 days, starting on the due date for Proposals. No price change shall be effective without prior written consent from DAS, Office of Procurement Services.

The Offeror's total cost for the entire Work must be represented as the not-to-exceed total. All costs for furnishing the services must be included in the Cost Proposal.

- 3.2 THE OFFEROR'S FEE STRUCTURE The Contractor will be paid as proposed on the Cost Summary after the Agency approves the receipt of product(s)/services and continued completion of all deliverables. All costs must be in U.S. Dollars.

- 3.3 REIMBURSABLE EXPENSES None; there will be no additional reimbursement for travel or other related expenses. The State will not be responsible for any costs not identified.

- 3.4 BILL TO ADDRESS
Ohio Lottery Commission
Attn: Accounts Payable
615 W. Superior Avenue
Cleveland, OH 44113-1879

- 3.5 INVOICING: Offeror shall indicate on all invoices submitted to the Agency the dollar amount attributed to the Work provided by the selected Ohio certified MBE subcontractors along with documentation of the Ohio certified MBE subcontractor's activities. Offeror shall report all Ohio certified MBE subcontractor payments under this Contract monthly to the Agency. Compliance with Offeror's proposed cost set-aside percentage is a term of this contract and failure to attain the proposed percentage by the expiration of the contract may result in the Offeror being found in breach of contract.

Production & Management Of A Regularly Scheduled Game Show For The Ohio Lotter Commission
CSP900216
UNSPSC CATEGORY CODE: 83111800

OFFEROR: _____

COST SUMMARY

NOTE: All cost should be in a "monthly" not-to-exceed amount. Costs that are shaded gray will not be included in the "total – Not-to-exceed" amount at the bottom.

Description	Monthly Cost
*Performance Bond (The State will not issue reimbursement to the Offeror for the bond cost. The performance bond shall be in the amount of \$250,000.00)	
30-minute "Network Quality" television show (production costs) – includes any and all costs associated with production of the show	\$
Show Talent (includes, Talent, Stylists and Wardrobe)	\$
Preparation for the show, one-time discovery, development and set-up of show – excludes equipment purchase or rental (provide detailed list)	* \$
Equipment purchase or rental (provide detailed list)	\$
Promotional / Advertising Plan	\$
Contestant lodging (at a 3-5 star level hotel) for one (1) night. (If the production facility is outside the Cleveland Metropolitan area, the Offeror shall be responsible for lodging eight (8) people – five (5) employees of the Lottery and three (3) employees of the State Auditor's office.) (Costs associated with contestant/staff hospitality will be reimbursed to the Offeror at cost).	\$
Contestant / Audience experience. (include all aspects of contestant experience recommendation as well as audience experience recommendation)	\$
*The Game Show and set is mobile and can be taken on the road to various locations across the State during certain times of the year. Should the Lottery determine to take the Show on the road, production of the "Road Show" must be handled directly by the selected Offeror or subcontracted for by the selected Offeror based on the selected "Road Show" venues. The selected Offeror must be willing to perform these services, which will be reimbursed to the Offeror at cost (reimbursement = road show less the normal show cost) as approved by the Lottery based on its Road Show budget. There may also be some one-time-only fees such as design of special road cases. Up to four (4) "Road Shows" are contemplated each year of the Contract. (Plan cost for four (4) Road Shows).	* \$
*Other	\$
Total Not to Exceed Monthly Cost	\$

* Excluded from the Not-to-Exceed cost total, nor will they be included in the cost evaluation summary.

Percentage of the Total Not-to-Exceed Monthly Cost to be completed by MBE Set-Aside: _____%

All Offerors who seek to be considered for a contract award must submit the above information in the format specified. The Original Cost Summary must be included in a separate, sealed envelope/package labeled on the exterior as "Cost Proposal" with the RFP Number and due date.

All cost must be in U.S. Dollars
The State will not be responsible for any costs not identified herein.

4.0 AWARD OF THE CONTRACT

- 4.1 CONTRACT AWARD DAS intends to award the Contract based on the schedule in the RFP, if DAS decides the Work is in the best interests of the State and has not changed the award date.

DAS expects the Contractor to commence the Work upon receipt of a state issued purchase order. If DAS awards a Contract pursuant to this RFP and the Contractor is unable or unwilling to commence the Work, DAS reserves the right to cancel the Contract and return to the original RFP process and evaluate any remaining Offeror's Proposals reasonably susceptible of being selected for award of the Contract. The evaluation process will resume with the next highest ranking, viable Proposal.

- 4.2 CONTRACT If this RFP results in a Contract award, the Contract will consist of this RFP including the Terms and Conditions, all forms, written addenda to this RFP, the Contractor's accepted Proposal and written authorized addenda to the Contractor's Proposal. It will also include any materials incorporated by reference in the above documents and any purchase orders and amendments issued under the Contract. The general terms and conditions for the Contract are contained in the following link:

<https://procure.ohio.gov/Zip/5.3%20Terms%20and%20Conditions.pdf>

If there are conflicting provisions between the documents that make up the Contract, the order of precedence for the documents is as follows:

1. The one-page Contract Signature Page, Form 5.2.2
2. The RFP, as addended, including the Terms and Conditions;
3. The documents and materials incorporated by reference in the RFP;
4. The Executive Order. EO2011-12K incorporated by reference in the RFP;
5. The Contractor's Proposal, as amended, clarified, and accepted by the State; and
6. The documents and materials incorporated by reference in the Contractor's Proposal.

Notwithstanding the order listed above, amendments issued after the Contract is executed may expressly change the provisions of the Contract. If they do so expressly, then the most recent amendment will take precedence over anything else that is part of the Contract.

- 4.3 ECONOMIC PRICE ADJUSTMENT The Contract prices(s) will remain firm throughout the initial term of the Contract. Thereafter, prior to Contract renewal, the Contractor may submit a request to adjust their price(s) to be effective on the effective date of the Contract's renewal. No price adjustment will be permitted prior to the effective date; on purchase orders that are already being processed; or on purchase orders that have been filled.

Price increases must be supported by a general price increase in the cost of the materials/services rendered due to documented increases in the cost of related materials/services. Detailed documentation, to include a comparison list of the Contract items and proposed price adjustments must be submitted to support the requested adjustment. Supportive documentation should include, but is not limited to: copies of the old and the current price lists or similar documents which indicate the original base cost of the product to the Contractor and the corresponding adjustment, and/or copies of correspondence sent by the Contractor's supplier on the supplier's letterhead, which contain the above price information and explains the source of the adjusted costs in such areas as raw materials, freight, fuel or labor, etc.

Should there be a decrease in the cost of the finished product due to a general decline in the market or some other factor, the Contractor is responsible to notify DAS immediately. The price decrease adjustment will be incorporated into the Contract and will be effective on all purchase orders issued after the effective date of the decrease. If the price decrease is a temporary decrease, such should be noted on the invoice. In the event that the temporary decrease is revoked, the Contract pricing will be returned to the pricing in effect prior to the temporary decrease. Failure to comply with this provision will be considered as a default and will be subject to the Suspension and Termination section contained herein.

5.0 LINKS To be applicable to all Proposals and subsequent award(s), including sections named below.

5.1 Instructions

- 5.1.1 Proposal Instructions
- 5.1.2 Evaluation of Proposals
- 5.1.3 Proposal Format & Documentation Required

5.2 Forms

- 5.2.1 Offeror Required Information
- 5.2.2 Contract Signature Page
- 5.2.3 Offeror Profile
- 5.2.4 Offeror Prior Projects
- 5.2.5 Offeror's Candidate References
- 5.2.6 Offeror's Candidate Education, Training, Experience
- 5.2.7 Offeror Performance Form
- 5.2.8 Contractor/Subcontractor Affirmation and Disclosure

5.3 Terms and Conditions

- 5.3.1 Performance and Payment
- 5.3.2 Work and Contract Administration
- 5.3.3 Ownership & Handling of Intellectual Property & Confidential Information
- 5.3.4 Representations, Warranties and Liabilities
- 5.3.5 Acceptance and Maintenance
- 5.3.6 Construction
- 5.3.7 Law & Courts

5.4 ADDITIONAL RESOURCES

EOD Reporting	http://eodreporting.oit.ohio.gov/searchEODReporting.aspx
Office of Budget and Management	http://obm.ohio.gov/LandingPages/Vendor/default.aspx
Office of Procurement Services	http://procure.ohio.gov/proc/index.asp
Ohio Shared Services	http://www.ohiosharedservices.ohio.gov/Home.aspx
Ohio Business Gateway	http://business.ohio.gov/
Ohio Secretary of State	http://www.sos.state.oh.us/SOS/Businesses.aspx

All links are subject to change in accordance with state of Ohio laws, Ohio Revised Code, Ohio Administrative Code, Executive Orders or any other updates issued by the state of Ohio, Department of Administrative Services, and the Office of Procurement Services. It is the Offeror's responsibility to read and be aware of any changes, corrections, updates or deletions to any information included in the link(s) above.

- 6.0 Guide for Proposal Submission This guide outlines steps for submission of a Proposal in response to the advertised Request for Proposal. This guide does not contain the complete instructions for preparing and submitting a Proposal and anything stated herein shall not be considered a term or condition of the Contract. The complete instructions can be found in section 5.1.1, Proposal Instructions.
- 6.1 _____ Read the entire document, including all Web site links. Note critical items such as: Mandatory Requirements; goods or services required, submittal date and time; number of copies to submit; contract requirements; reporting requirements; minimum qualifications; read and understand the terms and conditions.
- 6.2 _____ Take advantage of the “question and answer” period specified in the schedule of events. Questions must be submitted on-line in the Inquiry Process as explained in the Instructions. See section 5.1.1, Proposal Instructions.
- 6.3 _____ Follow the format required in the RFP Instructions when preparing the response in chronological order. Provide point-by-point responses to all sections in a clear and concise manner. See section 5.1.3, Proposal Format & Documentation Required.
- 6.4 _____ Use the forms provided; i.e. Signed RFP Cover Page, Offeror Required Information, Contract Signature Page, Offeror Profile and Prior Projects, Key Personnel forms, Disclosure Form, and Cost Summary Form, See section 5.2, Forms.
- 6.5 _____ Provide complete answers/descriptions. Do not assume the State or any evaluation committee member will know what the Offeror’s capabilities are or what items/services the Offeror can provide, even if previously contracted with the State. The Proposals are evaluated based solely on the information and materials provided in the Offeror’s response.
- 6.6 _____ Check the State’s Web site for RFP addenda. It is the responsibility of the Offeror to be aware of additional information posted on the Web.
- 6.7 _____ The following documents may be submitted with the Proposal or within five (5) business days of request from the Office of Procurement Services: Affirmative Action and proof of insurance. No award will be made without this documentation. Offeror’s Proposal may be eliminated from further consideration upon failure to submit within the specified time frame
- 6.8 _____ If not a current vendor of the state of Ohio, the Offeror will download both the W-9 and Vendor Information Form and submit to Ohio Shared Services (OSS) at vendor@ohio.gov. See section 5.4, Additional Resources.
- 6.9 _____ Review and read the RFP Document again to make sure that you have addressed all requirements. Read and understand Supplements, if applicable. Offeror’s original response and the requested copies must be identical and be complete. The copies are provided to the evaluation committee members and used to score the response.
- 6.10 _____ Offeror’s response must be submitted on time. Late Proposals are never accepted. Make sure the response is labeled on the exterior of the envelope/package with the RFP# and due date, and whether the packet is for the Technical Proposal or the Cost Proposal. Do not place the Cost Proposal in the Technical Proposal.

ATTACHMENT ONE
OFFEROR REFERENCES

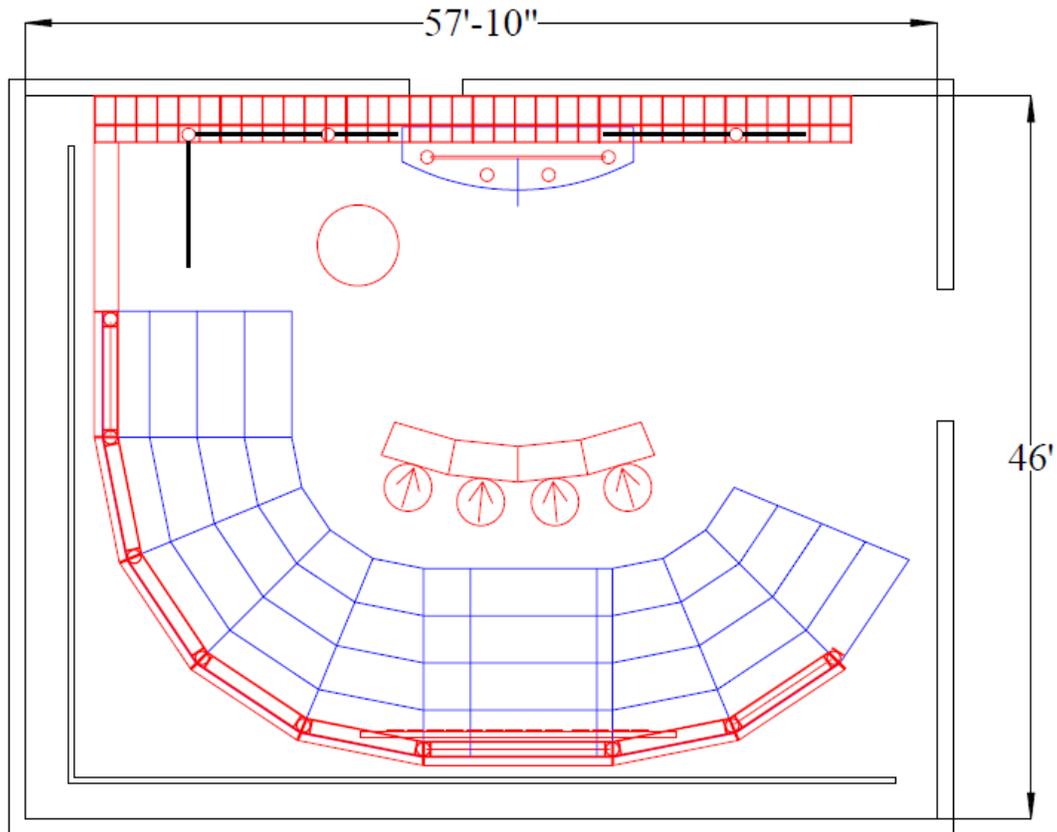
Three (3) professional references who have received services from the Offeror in the past five (5) years

Company Name:		Contact Name:	
Address:		Phone Number:	
		E-Mail Address:	
Project Name:	Beginning Date of Project: (Month/Year)	Ending Date of Project: (Month/Year)	
Description of project size, complexity and the Offeror's role in this project.			

Company Name:		Contact Name:	
Address:		Phone Number:	
		E-Mail Address:	
Project Name:	Beginning Date of Project: (Month/Year)	Ending Date of Project: (Month/Year)	
Description of project size, complexity and the Offeror's role in this project.			

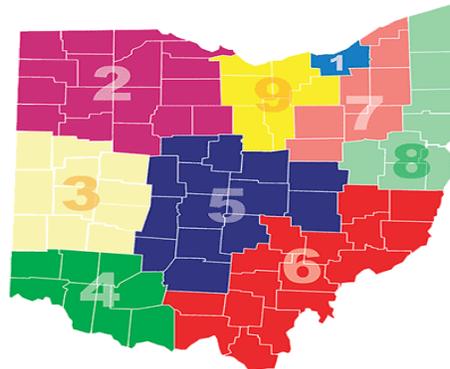
Company Name:		Contact Name:	
Address:		Phone Number:	
		E-Mail Address:	
Project Name:	Beginning Date of Project: (Month/Year)	Ending Date of Project: (Month/Year)	
Description of project size, complexity and the Offeror's role in this project.			

ATTACHMENT TWO
FACILITY SPECIFICATIONS FOR "CASH EXPLOSION"



ATTACHMENT THREE
REGIONAL MAP

Regional Offices



All Regional Office Hours of Operation: 8:00 am – 5:00 pm, Monday through Friday

Region 1:
Cleveland Office
1100 Resource Drive Suite 5
Brooklyn Hts., OH 44131
216-774-5671

Region 2
Toledo Office
315 Arco Drive
Toledo, OH 43607
800-589-6442

Region 3
Dayton Office
7462 Webster Street
Dayton, OH 45414
800-589-6463

Region 4
Cincinnati Office
10840 Kenwood Rd.
Cincinnati, OH 45242
800-589-9882

Region 5
Columbus Office
780 Morrison Rd.
Columbus, OH 43230-6642
800-589-6445

Region 6
Athens Office
190 West Union Street, Suite 101
Athens, OH 45701
800-589-6466

Region 7
Akron Office
5926 Mayfair Rd
North Canton, OH 44720
800-589-6467

Region 8
Youngstown Office
242 Federal Plaza West
Youngstown, OH 44503
800-589-6468

Region 9
Lorain Office
300 West Erie & Broadway
Lorain, OH 44052
800-589-6469

ATTACHMENT FOUR
EQUIPMENT OWNED/AND OR REQUIRED BY THE OHIO LOTTERY COMMISSION

Technology (Owned by the State)

1. 1 Cash Explosion Game System
2. backup computers
3. Touch screen displays
4. 1 HD Video projector with fixed lens
5. 1-Mini-game, 2-Express-games and 1-Money Grab game

Hard set. (Owned by the State)

1. Audience riser system with seating for 150.
2. Contestant Podiums with Displays
3. 1 Championship Game Console
4. 1 Logo Sign
5. 1 Cash Explosion LED marquee
6. LED Game Board Screen
7. 1 Catwalk System with Pillars

ATTACHMENT FIVE
OWNERSHIP OF MATERIALS, COPYRIGHTS AND TRADEMARKS

The Contractor agrees that, at all times during the term of the Contract and thereafter, Game Show production and any conceptual design services provided in connection with the Game Show shall be considered a "work made for hire." During the Contract term, the Lottery shall enjoy complete exclusivity of the services to be delivered by the Contractor under the Contract. Such services shall include, but not be limited to, any finished or unfinished elements (no matter at what stage of completion), that are the result of the Contractor's partial or complete performance under the Contract.

Should the Contractor propose, and the Lottery accept, Game Show concepts and identifying names not produced in contemplation of the awarding of the Game Show Productions Services Contract, the Lottery and the Contractor must mutually agree on the cost for acquiring licensing rights to such concepts and names. The Contract will be written or amended to reflect the acquisition of any such licensing rights granted to the Lottery.

The Contractor shall agree that the Lottery shall have complete and sole ownership, during the term of the Contract and thereafter, of all working papers, scripts, files, logos, tapes (audio, video and graphic), discs, records, cassettes, sets, props, materials, devices and all other items procured, produced or in the possession of the Contractor by virtue of the Contract, except for that equipment used to record, videotape or pre- or post- produce the Game Show.

The Contractor agrees that neither it nor its subcontractors shall use any ideas or materials produced under the Contract, at any time, during the term of the Contract or anytime thereafter, to advertise any competitive product(s) without express written permission of the Lottery.

If the Contract is terminated for any reason, the Contractor shall agree to deliver to the Lottery, at the Contractor's cost, any and all sets, props, devices, scripts, materials, and/or other items specified herein that the Lottery may request, within thirty (30) days of that request.

The Contractor grants and assigns to the Lottery, and the Lottery will own, throughout the universe, all rights of every kind and nature, including without limitation, all copyrights, renewals and extensions of copyrights to the Game Show, including, but not limited to: all television, theatrical motion picture, live stage, merchandising, game and videotape, music, publication, multi-media, Internet and other computer-assisted and interactive media, ancillary, incidental and subsidiary rights, in and to any presentation tapes, the series and all episodes; and all literary, musical and dramatic materials, characters, concepts, properties, elements, names and titles contained therein, and the results of the services of the Contractor, the Game Show talent ("Hosts") and all other persons and entities rendering services in connection with the Game Show. Without limiting the generality of the foregoing, the Lottery shall have the sole and exclusive right throughout the universe to distribute, exhibit, sell, use, license and/or otherwise exploit the Game Show episodes and all rights therein in any medium, whether known or hereafter devised, and in such manner and to the extent, if at all, as the Lottery may determine in its sole discretion. Subject to the provisions of the Contractor's subcontract(s) with the Hosts and any other talent used by the Contractor (which the Lottery must first review and accept), the parties acknowledge that the Lottery shall have the right to use the names, likenesses, biographies, and recorded voices of the Host(s) and any other talent used by the Contractor in connection with any presentation tapes and Game Show episodes, including, without limitation, advertising, promotion and publicity therefore during the term of the Contract or any time thereafter.

The Lottery reserves the right to trademark all instant game and Game Show names and logos to be utilized in the production of the Game Show. In no event, will the Contractor at any time have any intellectual property rights whatsoever in any Lottery products or any elements thereof, or in any of the concepts that the Contractor may design for the Game Show. However, the Lottery, with this Contract, grants permission to the Contractor to utilize the trademarked logos of the Lottery solely for the purposes of providing the Game Show production services contemplated in this Contract. The Contractor agrees not to use the Lottery names, logos, images, nor any data or results arising from this Contract as a part of any commercial advertising without prior approval by the Lottery.

ATTACHMENT SIX
SPECIAL TERMS AND CONDITIONS FOR OHIO LOTTERY CONTRACTORS

Warranty. The Lottery is an extremely sensitive enterprise because of the nature of the business and because it is government operated. Therefore, it is essential that its operation, and the operation of other enterprises that would be linked to the Lottery in the public mind, avoid not only impropriety but also the appearance of impropriety. Because of these concerns, the successful Offeror is expected to:

- A. Offer goods and services only of the highest standards.
- B. Use its best efforts to uphold the integrity of the Lottery industry and prevent the Lottery industry from becoming embroiled in unfavorable publicity.
- C. Make sales presentations in a responsible manner and, when it is necessary, point out the superiority of its goods or services over those of their competitors in a manner that will avoid unfavorable publicity for the Lottery industry.
- D. Avoid promotional activities that could be interpreted as improper and/or produce embarrassment to the Lottery industry.
- E. Report game show/security problems or potential game show/security problems only to the Lottery.

Background Checks and Prohibition Against Playing the Ohio Lottery. The Lottery may require the Contractor's principals and its staff working on the Lottery Contract be subjected to periodic criminal background checks conducted by the State pursuant to the requirements of Ohio Revised Code Section 3770.051 prior to the execution of the Contract, and at other times during the duration of the Contract if the State so requests. The Offeror understands that the officers, principals, and employees mentioned herein-above are prohibited from purchasing any Ohio Lottery tickets or claiming Ohio Lottery prizes during the term of the Contract.

Publicity. Any efforts by the Contractor to promote, solicit, or disseminate information regarding the scope of this Contract (including the issuance of press or news releases) is prohibited, unless otherwise agreed to in writing by the Director of the Lottery or its authorized representative.