

REQUEST FOR PROPOSALS (RFP)

ADVERTISING, MARKETING, MEDIA AND RELATED SERVICES #2018-01

RESPONSES TO WRITTEN QUESTIONS (Q&A #1) April 6, 2018

This list of questions and responses #1 (Q&A#1) is being issued to clarify certain information contained in the above named Request for Proposals (RFP). The statements and interpretations of Contract requirements, which are stated in the following responses are not binding on the State, unless the State expressly amends the 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 as to what the Contract does or does not require. Some questions have been edited for brevity and clarity, and duplicate questions may have been combined or eliminated.

The following are questions submitted pursuant to the RFP and the State Lottery and Gaming Control Agency's ("MLGCA") responses to those questions:

1. **QUESTION:** Section 2.3.2.2 #2; a) Can the MLGCA clarify what types of "other creative projects" are subject to the requirement that "at least three versions of television commercials, radio scripts, newspaper ads, and all other creative products shall be offered when the Contractor makes a creative presentation at the MLGCA."

b) Are exceptions to the minimum three options permitted, for example, where the Functional Area I advertising agency has a strong recommendation or as a result of expedited time deadlines?

ANSWER: a) "Other creative projects" includes any elements included in the campaign, those elements could include out-of-home, digital units, social executions, etc.

b) Yes, exceptions are permitted with prior approval from the MLGCA.

2. **QUESTION:** Section 2.3.2.2 #5; Is the Functional Area I advertising agency required to be a Screen Actors Guild (SAG-AFTRA) signatory?

ANSWER: The Functional Area #1 Contractor is not required to be a Screen Actors Guild signatory; however, if it is a Screen Actors Guild signatory it should list that as part of its Offeror Background and Experience/Qualifications and Capabilities.

3. **QUESTION:** Section 2.3.2.2 #6; a) Is the Functional Area I advertising agency required to assist the MLGCA in the creative development, production of, or management of communications materials used for the MLGCA's televised drawings?

b) If so, is the agency reimbursed (based on approved estimate) for subcontracted creation/production of communications materials related to the drawings?

ANSWER: a) Yes, the Functional Area I Contractor will be required to assist in the creative development/production/management of the MLGCA's televised drawings.

b) Yes, subcontracted creation/production will be reimbursed per an approved estimate.

4. **QUESTION:** Section 2.3.2.2 #9; Does the Lottery reimburse the Functional Area I advertising agency for out of pocket costs (based on approved cost estimates) related to the other production related business functions as outlined in this section including trafficking of creative materials, obtaining legal clearances and storage needs?

ANSWER: Yes, miscellaneous expenses including trafficking services, legal clearances, storage needs, etc. may be reimbursed per an approved estimate.

5. **QUESTION:** Section 2.3.2.3; a) Does the Functional Area I advertising agency assist the MLGCA in the graphic design of scratch-off tickets?

b) If so, how many times per year? Is this part of the scope of work to be covered by the fee?

ANSWER: a) Yes, on occasion, the MLGCA will ask the Functional Area I Contractor to assist in the graphic design of scratch-off tickets. The MLGCA launches approximately 50 scratch-off games per year.

b) Of those 50 games, the MLGCA will ask the Functional Area I Contractor to assist in the design of approximately 1-4 scratch-offs per year.

6. **QUESTION:** Section 2.3.2.5; a) Does the Functional Area I advertising agency assist the MLGCA in the actual posting of content to social media and other digital platforms?

b) If so, is this part of the scope of work to be covered by the fee?

ANSWER: a) While the MLGCA has a Digital Manager on staff who does the majority of the social posts; the Functional Area #1 advertising agency will be

required to assist in the posting of content to social media and to other digital platforms.

b) Yes, assistance in this area is covered by the Contractor's monthly fee.

7. **QUESTION:** Section 2.3.2.12 (also 2.3.2.5 and other scope of work items); Is the Functional Area I advertising agency responsible for after business hours on-call services to assist the MLGCA marketing efforts? For example, technical implementation and/or other items required to maintain the MLGCA's website(s), mobile app(s) and/or social media platform(s)?

ANSWER: Yes, the MLGCA requires assistance from the Functional Area I Contractor after business hours for various marketing efforts. For example, growing jackpots and large winners, can require immediate attention after hours.

Yes, if an issue arises with the websites and mobile applications that is not specifically related to hosting, it may require assistance outside of regular business hours as part of the services being provided under the contract. The MLGCA will escalate and manage issues related to website hosting, but the advertising contractor is responsible for managing its subcontractors.

8. **QUESTION:** Section 2.3.2.12; a) Given the 24 hour a day, 7 days a week, 365 year nature of website and mobile app maintenance, is the Functional Area I advertising agency permitted to subcontract emergency technical resources when needed to handle issues that require immediate attention?

b) If so, will the MLGCA reimburse the advertising agency at cost for these services based on pre-approved hourly rates and labor hour maximums?

ANSWER: a) Yes, the Contractor may utilize subcontractors.

b) The MLGCA will reimburse for technical assistance on a pre-approved hourly rate basis.

9. **QUESTION:** Section 2.2.2.12; a) Given the multiple technology parties that participate (Lottery Central Monitoring and Control System Contractor, MLGCA, Functional Area I advertising agency, security contractor, etc.,) has a ticketing system to report, resolve and catalog marketing services related technology issues been established by any party?

b) If not, is the Functional Area I advertising agency responsible for such a ticketing system and will the MLGCA reimburse the agency for the out of pocket software costs (based on approved cost estimates) required to establish the ticketing system?

ANSWER: a) A ticketing system has not been established specifically for reporting these types of issues.

b) A ticketing system is not a requirement of the RFP.

10. QUESTION: Section 2.3.2.12; Is the Functional Area I advertising agency responsible for the stability and security of the MLGCA websites or is this the responsibility of the Lottery Central Monitoring and Control System Contractor?

ANSWER: The Functional Area I Contractor is responsible for the stability and security of the MLGCA websites not related to the hosting environment, i.e. the servers and network.

11. QUESTION: Section 2.3.2.12; Will the Functional Area I advertising agency be responsible for the complete redesign or rebuild of any current websites or any brand new websites during the contract period? If so, is this part of the scope of work covered by the fee?

ANSWER: The MLGCA does not anticipate needing its advertising agency to redesign or rebuild any of its current websites or to build any new websites. However, should the need arise, the scope of work will be covered by the Contractor's monthly fee.

12. QUESTION: Section 2.3.2.12, paragraph #3; Will the Functional Area I advertising agency be required to replace the Lottery Central Monitoring and Control System Contractor's planned implementation of Imperva Incapsula with a different Web Application Firewall (WAF)?

ANSWER: It is currently being provided by the hosting contractor, and there is no immediate plan to change this.

13. QUESTION: Section 2.3.2.13; a) Will the Functional Area I advertising agency be responsible for the complete redesign of any current mobile apps or any new apps during the contract period?

b) If so, is this part of the scope of work covered by the fee? Will the use of mobile app subcontractors be permitted? Will the agency be reimbursed at cost (Based on approved cost estimates) for subcontractor specialty services for mobile app development?

ANSWER: a) At this time, it is difficult to predict the MLGCA's mobile app needs over the next several years.

b) If a redesign or build is needed, the Functional Area #1 advertising agency shall be required to provide strategic and creative direction. Yes, the use of mobile app subcontractors will be permitted and will be reimbursed per an approved estimate.

14. **QUESTION:** Section 2.3.2.12, paragraph #21; Will the MLGCA reimburse the Functional Area I agency for the cost of (based on approved cost estimates) the independent SOC annual review? (NOTE: Item 3.5 says that a SOC 2 Type Audit Report is not a Contractor requirement which contradicts this requirement)

ANSWER: Item #21 in section 2.3.2.12 refers to hosting services. If the FAI Contractor provides a mobile application, website, etc. via a third party hosting company, the hosting company shall have an annual SOC2 Type 2 review. The FAI advertising agency Contractor is not required to have a SOC annual review, unless directly hosting a website or mobile application as a service provided under the Contract. Cost shall not be reimbursable and shall be included in the cost associated with a third party hosting provider.

15. **QUESTION:** Section 4.26.1; Does the MLGCA plan to engage in any special outreach programs to communicate with Asian American Lottery players or Asian-American Retailers or Hispanic- American Lottery players or Hispanic American Retailers during the contract period?

ANSWER: The MLGCA does not currently have plans to engage in any special outreach marketing efforts to Asian American players or Retailers or to Hispanic American Retailers. When appropriate, the MLGCA utilizes Hispanic radio and newspapers to promote products or promotions to Hispanic players.

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