

**IOWA LOTTERY
REQUEST FOR PROPOSAL
IL-10-01 On-Line Gaming System and Related Products and Services
11/18/09**

AMENDMENT #3 TO THE REQUEST FOR PROPOSAL

A final RFP document including all the applicable changes and amendments has been posted to the Lottery Web site www.ialottery.com.

The following amendments are hereby incorporated into the RFP.

Section 2.26.13 is restated to include a tiered service level. This section now reads as follows:

2.26.13 Terminal and Peripherals Repair

1. Condition

The Successful Vendor shall ensure that “non-operational” terminals (and their associated peripheral devices) are repaired or replaced and operational within the time schedule below. Repairs are required between 7:00 AM and 8:00 PM, Monday through Saturday and between 10:00 AM and 5:00 PM on Sunday.

A retailer terminal is considered non-operational if:

- Tickets cannot be sold or canceled, or
- Validations cannot be performed, or
- Pull-tab verifications cannot be performed

The terminal is also considered to have a critical failure if the reader and/or scanner cannot process wagers or play slips. Critical failures are those involving non-functioning readers, scanners, retailer display screens and printers.

The repair or replacement time schedule shall be a tiered service level for non-operational terminals and terminals with critical failures. The Lottery will have the final determination of which retailers fall into each category. The repair or replacement time schedule shall be:

- 70% of retailers within 2 hours
- 25% of retailers within 3 hours
- 5% of retailers within 4 hours

For less critical failures that do not render the terminal non-operational as defined above, the Successful Vendor has twenty-four (24) hours to complete a repair from the time of notice by the retailer.

For purposes of this paragraph, "terminal" refers to the retailer terminal and all associated peripherals provided by the Successful Vendor.

2. Damages

If there has been repair or replacement delay beyond the allowable time schedule for non-operational terminals or terminals with critical failures, the Lottery may impose liquidated damages of seventy-five dollars (\$75) per terminal per hour or pro-rated fraction thereof, excluding gaming system non-operating hours.

For terminals with other, less critical failures, the Lottery may impose liquidated damages of one hundred dollars (\$100) per terminal per day or pro-rated fraction thereof, until a repair or replacement has been completed.

For chronic failures applying to individual retailers, in which the retailer terminal has failed and required a dispatch and repair three (3) times in any thirty (30) day period including terminal replacements, the Lottery may impose a charge of five hundred dollars (\$500) per retailer. Chronic failure does not apply if it results from *force majeure* or tampering or abuse by the retailer or its customers. The Lottery may, at its discretion, require the Successful Vendor to produce maintenance related records for one or more specific retailers for a period of up to two (2) years.