



State of West Virginia
 Department of Administration
 Purchasing Division
 2019 Washington Street East
 Post Office Box 50130
 Charleston, WV 25305-0130

Request for Quotation

RFQ NUMBER
LOT332

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
CHUCK BOWMAN 304-558-2157

RFQ COPY
 TYPE NAME/ADDRESS HERE

VENDOR

SHIP TO

LOTTERY COMMISSION

 312 MACCORKLE AVENUE, SE
 CHARLESTON, WV
 25314-1143 558-0500

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
05/03/2006				

BID OPENING DATE: 05/25/2006 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	HR		946-20		
<p>AUDITING SERVICES</p> <p>THE WEST VIRGINIA DIVISION OF PURCHASING, ON BEHALF OF THE AGENCY, THE WEST VIRGINIA LOTTERY COMMISSION, IS SOLICITING BIDS FROM QUALIFIED INDEPENDENT CPA FIRMS TO PROVIDE AUDITING SERVICES; INCLUDING; BUT NOT LIMITED TO, WITNESSING PUBLIC DRAWINGS, VERIFYING DISPOSAL OF INSTANT TICKETS, AND AUDIT TRAVEL KENO DRAWINGS PER THE ATTACHED SPECIFICATIONS, BID REQUIREMENTS, AND TERM & CONDITIONS.</p> <p>PLEASE SEE THE ATTACHED SPECIFICATIONS AND FORMS. VENDOR'S ARE ENCOURAGED TO INDICATE THEIR ALL INCLUSIVE HOURLY RATE IN THE SPACE PROVIDED ON THE QUOTATION SHEET PROVIDED HEREIN.</p> <p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE ON UPON AWARD AND EXTENDS FOR A PERIOD OF ONE (1) YEAR OR UNTIL SUCH "REASONABLE TIME" THEREAFTER AS IS NECESSARY TO OBTAIN A NEW CONTRACT OR RENEW THE ORIGINAL CONTRACT. THE "REASONABLE TIME" PERIOD SHALL NOT EXCEED TWELVE (12) MONTHS. DURING THIS "REASONABLE TIME" THE VENDOR MAY TERMINATE THIS CONTRACT FOR ANY REASON UPON GIVING THE DIRECTOR OF PURCHASING 30 DAYS WRITTEN NOTICE.</p> <p>UNLESS SPECIFIC PROVISIONS ARE STIPULATED ELSEWHERE</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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**GENERAL TERMS & CONDITIONS
(REQUEST FOR QUOTATION) RFQ AND (REQUEST FOR PROPOSAL) RFP**

1. Awards will be made in the best interest of the State of West Virginia.
2. The State may accept or reject in part, or in whole, any bid.
3. All quotations are governed by the *West Virginia Code* and the *Legislative Rules* of the Purchasing Division.
4. Prior to any award, the apparent successful vendor must be properly registered with the Purchasing Division and have paid the required \$45 fee.
5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from Federal and State taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this contract is automatically null and void, and is terminated without further order.
14. **HIPAA Business Associate Addendum** - The West Virginia State Government HIPAA Business Associate Addendum (BAA), approved by the Attorney General, and available online at the Purchasing Division's web site (<http://www.state.wv.us/admin/purchase/vrc/hipaa.htm>) is hereby made part of the agreement. Provided that, the Agency meets the definition of a Covered Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.

INSTRUCTIONS TO BIDDERS

1. Use the quotation forms provided by the Purchasing Division.
2. **SPECIFICATIONS:** Items offered must be in compliance with the specifications. Any deviation from the specifications must be clearly indicated by the bidder. Alternates offered by the bidder as **EQUAL** to the specifications must be clearly defined. A bidder offering an alternate should attach complete specifications and literature to the bid. The Purchasing Division may waive minor deviations to specifications.
3. Complete all sections of the quotation form.
4. Unit prices shall prevail in cases of discrepancy.
5. All quotations are considered F.O.B. destination unless alternate shipping terms are clearly identified in the quotation.
6. **DUPLICATE BIDS:** All quotations must be delivered by the bidder to the respective offices listed below prior to the date and time of the bid opening. Failure of the bidder to deliver the quotations on time will result in bid disqualifications.

ORIGINAL SIGNED BID TO:

Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

DUPLICATE BID TO:

State Auditor's Office
Bid Observer
Building 1 Room W114
1900 Kanawha Boulevard, East
Charleston, WV 25305-0230



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 Purchasing Division
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<p>IN THIS CONTRACT DOCUMENT, THE TERMS, CONDITIONS AND PRICING SET HEREIN ARE FIRM FOR THE LIFE OF THE CONTRACT.</p> <p>RENEWAL: THIS CONTRACT MAY BE RENEWED UPON THE MUTUAL WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

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TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
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<p>THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p> <p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p style="text-align: center;">VENDOR PREFERENCE CERTIFICATE</p> <p>CERTIFICATION AND APPLICATION* IS HEREBY MADE FOR PREFERENCE IN ACCORDANCE WITH WEST VIRGINIA CODE, 5A-3-37 (DOES NOT APPLY TO CONSTRUCTION CONTRACTS).</p> <p>A. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() BIDDER IS AN INDIVIDUAL RESIDENT VENDOR AND HAS RESIDED CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>() BIDDER IS A PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR AND HAS MAINTAINED ITS HEAD-</p>						

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<p>QUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR 80% OF THE OWNERSHIP INTEREST OF BIDDER IS HELD BY ANOTHER INDIVIDUAL, PARTNERSHIP, ASSOCIATION OR CORPORATION RESIDENT VENDOR WHO HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS CONTINUOUSLY IN WEST VIRGINIA FOR FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION; OR</p> <p>() BIDDER IS A CORPORATION NONRESIDENT VENDOR WHICH HAS AN AFFILIATE OR SUBSIDIARY WHICH EMPLOYS A MINIMUM OF ONE HUNDRED STATE RESIDENTS AND WHICH HAS MAINTAINED ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA CONTINUOUSLY FOR THE FOUR (4) YEARS IMMEDIATELY PRECEDING THE DATE OF THIS CERTIFICATION.</p> <p>B. APPLICATION IS MADE FOR 2.5% PREFERENCE FOR THE REASON CHECKED:</p> <p>() BIDDER IS A RESIDENT VENDOR WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES WORKING ON THE PROJECT BEING BID ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID;</p> <p>OR</p> <p>() BIDDER IS A NONRESIDENT VENDOR EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS OR IS A NONRESIDENT VENDOR WITH AN AFFILIATE OR SUBSIDIARY WHICH MAINTAINS ITS HEADQUARTERS OR PRINCIPAL PLACE OF BUSINESS WITHIN WEST VIRGINIA EMPLOYING A MINIMUM OF ONE HUNDRED STATE RESIDENTS WHO CERTIFIES THAT, DURING THE LIFE OF THE CONTRACT, ON AVERAGE AT LEAST 75% OF THE EMPLOYEES OR BIDDERS' AFFILIATE'S OR</p>						

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<p>SUBSIDIARY'S EMPLOYEES ARE RESIDENTS OF WEST VIRGINIA WHO HAVE RESIDED IN THE STATE CONTINUOUSLY FOR THE TWO YEARS IMMEDIATELY PRECEDING SUBMISSION OF THIS BID.</p> <p>BIDDER UNDERSTANDS IF THE SECRETARY OF TAX & REVENUE DETERMINES THAT A BIDDER RECEIVING PREFERENCE HAS FAILED TO CONTINUE TO MEET THE REQUIREMENTS FOR SUCH PREFERENCE, THE SECRETARY MAY ORDER THE DIRECTOR OF PURCHASING TO: (A) RESCIND THE CONTRACT OR PURCHASE ORDER ISSUED; OR (B) ASSESS A PENALTY AGAINST SUCH BIDDER IN AN AMOUNT NOT TO EXCEED 5% OF THE BID AMOUNT AND THAT SUCH PENALTY WILL BE PAID TO THE CONTRACTING AGENCY OR DEDUCTED FROM ANY UNPAID BALANCE ON THE CONTRACT OR PURCHASE ORDER.</p> <p>BY SUBMISSION OF THIS CERTIFICATE, BIDDER AGREES TO DISCLOSE ANY REASONABLY REQUESTED INFORMATION TO THE PURCHASING DIVISION AND AUTHORIZES THE DEPARTMENT OF TAX AND REVENUE TO DISCLOSE TO THE DIRECTOR OF PURCHASING APPROPRIATE INFORMATION VERIFYING THAT BIDDER HAS PAID THE REQUIRED BUSINESS TAXES, PROVIDED THAT SUCH INFORMATION DOES NOT CONTAIN THE AMOUNTS OF TAXES PAID NOR ANY OTHER INFORMATION DEEMED BY THE TAX COMMISSIONER TO BE CONFIDENTIAL.</p> <p>UNDER PENALTY OF LAW FOR FALSE SWEARING (WEST VIRGINIA CODE 61-5-3), BIDDER HEREBY CERTIFIES THAT THIS CERTIFICATE IS TRUE AND ACCURATE IN ALL RESPECTS; AND THAT IF A CONTRACT IS ISSUED TO BIDDER AND IF ANYTHING CONTAINED WITHIN THIS CERTIFICATE CHANGES DURING THE TERM OF THE CONTRACT, BIDDER WILL NOTIFY THE PURCHASING DIVISION IN WRITING IMMEDIATELY.</p> <p style="text-align: right;">BIDDER: -----</p>						

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<p>DATE: -----</p> <p>SIGNED: -----</p> <p>TITLE: -----</p> <p>* CHECK ANY COMBINATION OF PREFERENCE CONSIDERATION(S) IN EITHER "A" OR "B", OR BOTH "A" AND "B" WHICH YOU ARE ENTITLED TO RECEIVE. YOU MAY REQUEST UP TO THE MAXIMU 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)</p> <p>NOTICE</p> <p>AN ORIGINAL, SIGNED BID MUST BE SUBMITTED TO:</p> <p>DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION BUILDING 15 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25305-0130</p> <p>AN EXACT DUPLICATE MUST BE SUBMITTED TO:</p> <p>STATE AUDITOR'S OFFICE BID OBSERVER BUILDING 1, ROOM W114 1900 KANAWHA BOULEVARD, EAST CHARLESTON, WV 25305-0230</p>						

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<p>BOTH BIDS MUST CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPES OR THE BIDS MAY NOT BE CONSIDERED:</p> <p>SEALED BID</p> <p>BUYER: CB-23</p> <p>RFQ. NO.: LOT332</p> <p>BID OPENING DATE: 05/25/2006</p> <p>BID OPENING TIME: 1:30 PM</p> <p>PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID:</p> <p>-----</p> <p>CONTACT PERSON (PLEASE PRINT CLEARLY):</p> <p>-----</p> <p>***** THIS IS THE END OF RFQ LOT332 ***** TOTAL: _____</p>						

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THE WEST VIRGINIA LOTTERY REQUESTS QUALIFIED ACCOUNTING FIRMS TO SUBMIT QUOTATIONS FOR THE AUDIT SERVICES DETAILED BELOW.

1. SCOPE OF WORK. The Lottery is seeking an independent certified public accounting firm: a) to witness televised public drawings which determine winning numbers for the West Virginia Lottery's on-line lottery games on a daily basis, with the exception of the *TRAVEL* keno game; b) to audit the results of the *TRAVEL* keno [random number generator] drawings on a monthly basis; and c) to witness special drawings as they may occur for promotional activities.

1.1 Description of Lottery Drawing Auditor Services:

1.1.1 Observation, inspection and testing of all equipment used to determine participants, finalists or winning numbers in all lottery games in which the physical drawing of winning numbers or tickets or related processes are used to determine prize winners or finalists for major prizes. Such inspections shall be made by the drawing auditor and a West Virginia Lottery security representative both before and after such drawings or processes.

1.1.2 Witness all physical drawings and proceedings to verify compliance with West Virginia Lottery rules, guidelines and procedures.

1.1.3 Attest to and verify each major prize winner or winners and the value of each such prize at the drawing or process.

1.1.4 Observe and audit all proceedings to verify and ensure the integrity, security, honesty, and fairness of each physical drawing or process. The drawing auditor will be empowered to stop the drawing or process if a questionable procedure, equipment malfunction or other occurrence is suspected which could impact the results of the drawing.

1.1.5 Audit results of *TRAVEL* keno drawings monthly on a sample basis.

1.1.6 Provide written reports of work performed. The *Drawing Report*, detailing any exceptions, is due the 13th of the succeeding month for daily drawings. Reports for other drawings are due within five (5) working days following the drawing.

1.2 Time Requirements of Lottery Drawing Auditor

1.2.1 The time required for the nightly numbers drawings is approximately two hours a night, Monday through Saturday. This time frame includes travel time for the auditor, report preparation and review of drawing procedures as requested. The drawing auditor will be required to be in attendance for the entire period.

1.2.2 The monthly audit of *TRAVEL* random number generator drawings must be conducted once a month. This procedure will not exceed two hours, including travel time, involving work at Lottery headquarters and review and preparation of report.

1.2.3 Additional drawings for prize winners will be conducted at Lottery headquarters or other designated locations, as scheduled by the West Virginia Lottery. These are held on an ad hoc basis and the amount of time will vary based on drawing procedures.

1.3 Personnel Requirements of provider of Lottery Drawing Auditor Services.

1.3.1 Individuals providing drawing audit services must be employees of the accounting firm and must either be a certified public accountant with an active permit to practice, or be under the direct supervision of a certified public accountant with an active permit to practice.

1.3.2 The West Virginia Lottery reserves the right to approve all individuals assigned to this project. Individuals may be required to submit to a criminal background check prior to being approved to provide these services.

1.3.3 The firm must provide a sufficient number of employees who meet the criteria in 1.3.1 to rotate drawing auditors on a reasonable, frequent basis for nightly drawings as well as to fulfill other obligations of this contract. If the drawing auditor firm proposes to provide more than one person to serve as drawing auditor, the West Virginia Lottery will pay for one auditor per drawing. To insure that drawings or processes are conducted on a timely basis, a standby drawing auditor must be available on call until such time as the primary auditor has reached the drawing or process site.

2. **PROCEDURAL RULES FOR WEST VIRGINIA LOTTERY DRAWINGS.** To aid each potential vendor's understanding of the requirements of all parties participating in lottery drawing events, a copy of the *West Virginia Lottery Drawing Rules* is attached (Attachment I). By law, these rules are **confidential** and not subject to discovery under the West Virginia Freedom of Information Act. Each receiving accounting firm is instructed not to copy or share these *West Virginia Lottery Drawing Rules* with anyone outside the firm. Once the contract has been awarded for this Request For Quotation, each receiving accounting firm is instructed to destroy all sets of the *West Virginia Lottery Drawing Rules* in the firm's possession.

3. **MAJOR PROCUREMENT.** Any contract resulting from this Request For Quotation is a "major procurement," as defined by West Virginia Code §29-22-23(b), and each responding accounting firm must supply the information required by that section of the West Virginia Code and the required completed forms. Specifically, section 23(b) requires that the competence, integrity, character, reputation, and background of a potential drawing auditor firm must be evaluated before award of any contract can be made. In addition, the successful firm, as well as the key personnel to be involved in the contracted work, will be subject to a thorough background investigation, which will be conducted by the Deputy Director of Security for

Traditional Games of the West Virginia Lottery, or a designated representative. Signed authorization for the State of West Virginia to conduct these background investigations must be submitted to the West Virginia Lottery prior to the award of a contract.

3.1 Forms. Each firm must complete security background forms (Attachment II) and submit the forms along with its quotation. Failure to supply the requested information or completed forms may cause the submitted quotation to be considered non-responsive and rejected as such.

3.2 General Information. The firm is independent and has no conflict of interest with the West Virginia Lottery. Provide identification of any conflicts of interest, present or anticipated, involving the firm or the persons named in the firm's bid and the services to be supplied under the resulting contract. Any personal or business relationship between the firm or its principals with any Commissioner or employee of the State of West Virginia, the West Virginia Lottery, or the West Virginia Lottery's present Vendors must be disclosed. At the time of the issuance of this Request For Quotation, the major Vendor is, but is not limited to, Scientific Games, Inc. (on-line and instant games management and cooperative services) and (instant ticket production). Failure to disclose any such perceived, present, or anticipated relationship may be cause for disqualification of the submitted quotation or termination of any resulting contract.

3.3 Political Disclosure. Prior to the submission of the initial quotation, and submitted to the Lottery prior to award of contract on or before the first day of July of each year thereafter, any vendor who is submitting an initial quotation to, or who has submitted such within the preceding twelve (12) months, or who has a current contract with the State Lottery Commission or any State agency, board, or commission or political subdivision, for any major

procurement, shall file with the West Virginia Secretary of State a detailed itemized disclosure statement, subscribed and sworn to before an officer authorized to administer oaths, setting forth each contribution to any local, State or Federal political candidate or political committee in West Virginia, made in the preceding three (3) years, or a statement that no such contributions have been made. See W.Va. Code §29-22-24(b).

3.4 Investigation. The West Virginia Lottery reserves the right to obtain, from any and all sources, information concerning a firm which the West Virginia Lottery deems pertinent to this contract and the right to consider such information in evaluating the vendor's ability to meet minimum qualification requirements. The contract award will be made to the lowest bid meeting all mandatory bid requirements.

4. INCURRED EXPENSE. The West Virginia Lottery will not be responsible for any expenses incurred by an accounting firm in preparing and submitting a quotation.

5. QUOTATION. Each firm will quote one hourly rate for all services performed under this contract using the attached quotation sheet. This hourly rate will be the only compensation allowed under this contract; there will be no additional compensation for travel, report preparation and review of drawing procedures.

Nightly Drawings: The quoted hourly rate is applied to the hours of service during the nightly drawing events and does not increase if the firm chooses to assign more than one accountant to the task. For example, Firm X, with the approval of the Lottery, decides to assign Mr. Y and Ms. Z to audit a nightly drawing show; if the quoted rate is \$100 per hour, the firm's billing will be \$100 times two hours, or \$200, not \$100 times two hours, times two people, or \$400. Compensation for each nightly drawing event will be limited to the stated rate times two (2) hours.

TRAVEL keno: Billings for auditing the results of the *TRAVEL* keno computer-generated drawings on a monthly basis will be the quoted hourly rate times one person required to observe the drawing, not to exceed two (2) hours, which includes travel time and report preparation.

Special Drawings: Billings for special drawings will be for actual time required to observe the drawing.

6. MANDATORY REQUIREMENTS. The successful firm must meet the following mandatory requirements to qualify:

6.1 The firm must be properly licensed in the State of West Virginia for public practice as a certified public accounting firm.

6.2 The persons working under this contract must have a college degree in accounting from an accredited four-year college.

6.3 Each person working under this contract must be a true employee of the firm and not an independent contractor.

6.4 The firm must meet all requirements imposed by the State of West Virginia and must comply with all other pertinent laws, rules and regulations. The firm shall have no outstanding and unappealed tax delinquencies of any nature within the State of West Virginia.

7. STATE AND LOCAL TAXES. The successful firm will be an independent contractor in the performance of its duties under the contract. Accordingly, the successful firm is responsible for payment of appropriate federal, state, and local taxes. Taxes will not be paid for, or reimbursed to, the successful firm by the West Virginia Lottery.

014

QUOTATION SHEET

RFQ# LOT332

HOURLY RATE FOR ALL BILLABLE SERVICES: \$ _____ .00

Print firm name _____

Print officer name _____

Signature _____

Title _____

Date _____

This hourly rate will be the only compensation allowed under this contract; there will be no additional compensation for travel, report preparation and review of drawing procedures. Compensation for each nightly drawing and TRAVEL keno will be limited to 2 hours. Billings for all other drawings will be for actual time required to observe the drawing.

West Virginia Lottery

015

Vendor Disclosure Form

Please use this format to disclose all information your company must disclose to the West Virginia Lottery under WV code §29-22-23 and to the Secretary of State under WV code §29-22-24.

- (1) If the vendor is a corporation, list the officers, directors and each stockholder in such corporation; except that, in the case of stockholders of publicly held equity securities of a publicly traded corporation, only the names and addresses of those known to the corporation to own beneficially five percent or more of such securities need be disclosed.
- (2) If the vendor is a partnership or joint venture, list all of the general and limited partners or joint venturers; if such general and limited partners or joint venturers are themselves a partnership, joint venture, trust, association, corporation, subsidiary or intermediary corporation, the same information required by this section shall be supplied for such entities.
- (3) If the vendor is a trust, list the name of the trustees.
- (4) If the vendor is an association, list the members, officers and directors.
- (5) If the vendor intends to or does subcontract to another person or entity any integral or substantial portion of the work to be performed in supplying such materials or equipment, then the vendor shall supply the above-mentioned information for all such persons or entities.
- (6) The following information shall also be submitted;
 - (A) List all jurisdictions in which the vendor has contracts to supply gaming materials or equipment and the types of gaming materials or equipment involved therewith.

- (B) List the details of any felony conviction of a criminal offense, state or federal, of the vendor or any person whose name and address are required by this section.
- (C) List all details of any disciplinary action of a judicial nature relating to gaming taken by any state or person against the vendor or any person whose name and address are required by this section.
- (D) List the number of years the vendor has been in the business of supplying gaming materials or equipment.
- (E) List a disclosure of each state and jurisdiction in which the vendor has been denied, or has had revoked a gaming license of any kind, and the disposition of such in each state or jurisdiction. If any gaming license has been revoked or has not been renewed or any gaming license application has been either denied or is pending for more than six months, all of the facts and circumstances underlying such failure to receive such license must be disclosed.
- (F) List a disclosure of the details of any bankruptcy, insolvency, reorganization or any pending litigation relating to gaming of each vendor.
- (G) Complete a signed authorization by each vendor and officer thereof allowing the deputy director for security to conduct a background investigation of such person. (Attached)
- (H) Complete such other information, accompanied by such documents, as the commission, by rule or contract procurement documents, may require as being necessary or appropriate in the public interest to accomplish the purposes of this section. (Attached)



Fingerprint Information
All fields are mandatory unless otherwise noted

017

Name (Please Print): [Last Name] [First Name] [Middle Name] SSN: []

Alias (Maiden name) [] Citizenship (country): []

Home Address: [Street Address] [City, State, Zip Code]

[Business Name] [Street Address] [City, State and Zip Code]

Date of Birth: [] YYYY/MM/DD

Place of Birth: []

Race: [] Gender: [] Hair Color: [] Eye Color: [] Height: [] Weight: []

Fingers Amputated or Bandaged: [] (list type and which finger)

RELEASE OF INFORMATION

I hereby request a record check be made to find any police record on the herein named individual and by submitting this request, I understand that the submitted information will be retained by the West Virginia State Police in the Automated Fingerprint Identification System.

I certify that this is for official business and I am authorizing the West Virginia Lottery to obtain any record found.

Privacy Act Notice: Disclosure of your social security number should only be made if obtained from you in accordance with Section 7 of the Privacy Act of 1974. Your disclosure is voluntary and failure to provide the number will not subject you to penalty. If you choose voluntarily to supply your social security number, it will be used to aid the West Virginia Lottery in the conduct of this criminal background inquiry.

Signature: []

I attest that all information written on this form is true and correct

Date: []

[] ID CHECKED AND VERIFIED

INITIALS OF INVESTIGATOR []

OCA #



FEIN No. _____

West Virginia Lottery Individual Affidavit

To Whom It May Concern:

I hereby authorize any representative of the West Virginia Lottery Commission bearing this release, or transmitting a copy same, to obtain information from files or other sources pertaining to the applicant's personal background including, but not limited to: police records, academic, athletic, medical, credit, or any other records. I hereby direct you to release such information upon the request of any duly authorized representative of the West Virginia Lottery. This release is executed with the full knowledge and understanding that the information is for the official use of the West Virginia Lottery. I hereby release you, the institution or establishment which you represent including its officers, employees, or related personnel, both individually and collectively, from any and all liability for damages of whatever kind, which may result to the applicant's heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of this release, you may contact me as indicated below.

(Circle One) I hereby swear or affirm that I **HAVE** or **HAVE NOT** been convicted of any violation of the State Racing Act, the State Lottery Act, the Racetrack Video Lottery Act, the Limited Video Lottery Act or the Limited Gaming Facility (Casino) Act, or of any felony related to theft, bribery, gambling, or involving moral turpitude in this or in any other state or foreign country. (Please attach any explanation if necessary.)

I understand that any untruthful or misleading answers are causes for the rejection of the application.

NOTARY

APPLICANT

State of _____

County of _____

Taken, Subscribed, and Sworn to before me this
_____ day of _____,

(Notary Public Signature)

My Commission Expires:

(Notary Seal)
*Revised 4/20/05

Name _____

Address _____

Phone No. _____

Date of Birth _____

Date _____

Authorized
Signature _____

West Virginia Lottery

CORPORATE AFFIDAVIT

019

To whom it may concern:

I hereby authorize any representative of the West Virginia Lottery Commission bearing this release or transmitting a copy of same to obtain information from you or your files or other sources pertaining to my personal background including, but not limited to, police records, academic, athletic, medical, credit or any other records you may have regarding me. I hereby direct you to release such information upon the request of any duly authorized representative of the West Virginia Lottery. This release is executed with the full knowledge and understanding that the information is for the official use of the West Virginia Lottery. I hereby release you, the institution or establishment which you represent including its officers, employees, and related personnel, both individually and collectively, from any and all liability for damages of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any question as to the validity of this release, you may contact me as indicated below.

I hereby swear or affirm that the corporation, firm or association listed below, or any of its officers or directors, owners or members *have* / *have not* been convicted of any violation under Chapter 29, Article 22, of the code of West Virginia or of any felony or crime related to theft, gambling or involving moral turpitude. (Explanation attached)

I understand that any untruthful or misleading answers are causes for the rejection of the application and/or termination of any lottery license so granted, and may subject me to prosecution under the State Lottery Act, Chapter 29, Article 22, West Virginia Code as amended.

Notary Statement

State of _____
County of _____

Taken, Subscribed and Sworn to
before me this _____ day of

My Commission expires:

This form may be copied as necessary

(Corporate, Firm, Association Name)

Current Address _____

Telephone Number _____

F.E.I.N. _____

Today's Date _____

Signature _____



PERSONAL DATA AND FINANCIAL DISCLOSURE FORM

NOTE: PLEASE PRINT OR TYPE. This form is to be completed by all individuals listed in Item 3 on page 1 of the application.

1. NAME _____ Maiden Name, Nickname, aka _____
HOME PHONE _____
HOME ADDRESS _____ DATE OF BIRTH _____
DRIVER'S LICENSE NO. _____ STATE ISSUED _____
(Attach legible photocopy)

2. YOUR RELATIONSHIP TO BUSINESS OWNER _____ PRINCIPAL- _____ OTHER _____
(Please identify)
PARTNER _____ OFFICER/DIRECTOR _____
DATE OF INCORPORATION _____ STATE OF INCORPORATION: _____
IF PARTNERSHIP, WHAT TYPE: LIMITED _____ GENERAL _____
IF PARTNERSHIP, WHAT % OWNED _____ IF STOCKHOLDER, WHAT % HELD _____

3. PRESENT EMPLOYER: _____

4. U.S. CITIZEN: YES _____ NO _____ (If No, attach details)
WV RESIDENT PAST 4 YRS. YES _____ NO _____

LIST NAMES OF ANY RELATIVES EMPLOYED BY THE WV LOTTERY: _____

5. BUSINESS CREDIT REFERENCES (List Name, Address, Phone and Fax Numbers)

1. _____
2. _____
3. _____

THIS FORM CAN BE COPIED AS NECESSARY

NOTARY STATEMENT

State Of _____
County Of _____

Type or Print Name and Title

Taken, Subscribed, and Sworn to before this _____ day of _____

Signature

(Signature)

My commission expires: _____

WEST VIRGINIA LOTTERY
INDIVIDUAL DISCLOSURE
REGARDING POLITICAL CONTRIBUTIONS

021

I hereby certify that:

_____ I have made no political contribution to West Virginia federal candidates or to West Virginia local/state candidates or political committees in the preceding three years.

_____ I have made the following political contributions:

State of _____

County _____

Taken, subscribed and
sworn to me this ____ day
of _____, 19__

(Name)

My commission expires:

Full Name _____

Current Address _____

Social Security No. _____

Date _____

(Signature)

WEST VIRGINIA LOTTERY
CORPORATE DISCLOSURE
REGARDING POLITICAL CONTRIBUTIONS

I hereby certify that:

I have made no political contribution to West Virginia federal candidates or to West Virginia local/state candidates or political committees in the preceding three years.

I have made the following political contributions:

(Notary Statement)

State of _____

County of _____

Taken, subscribed and sworn to me this _____ day of _____

(Name)

My Commission Expires: _____

(Applicant)

Full Name _____

Current Address _____

FEIN No. _____

Date _____

Signature _____

A copy of this form will be sent to the Office of the West Virginia Secretary of State.

WEST VIRGINIA LOTTERY
DIRECTOR'S PROCEDURES FOR CONDUCT OF
"CASH 25" DRAWINGS
AMENDED JULY 15, 2003

023

COPY - signed on file
MB

Approved by _____
John C. Musgrave, Director

Date _____

DIRECTOR'S PROCEDURES FOR CONDUCT
OF "CASH 25" DRAWINGS

024

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I. INTRODUCTION

To play "Cash 25," a player selects one or more sets of six numbers from a field of 25 numbers. Drawings will be held four days per week during which a set of six winning numbers will be selected at random from the designated field. Holders of valid tickets displaying the six winning numbers selected for that day's drawing would win \$25,000 cash. If eleven or more players match the six numbers, \$250,000 will be divided among them equally. Match 3 prizes are fixed at \$1; Match 4 at \$10; and Match 5 are at \$250. These drawing procedures outline the process by which the random selection of winning numbers are selected and certified and the method by which the drawing will be conducted and televised. (Odds: Match 6, 1:177,100; Match 5, 1:1,553.51; Match 4, 1:69.04; Match 3, 1:9.14.)

II. PERSONNEL REQUIRED FOR DRAWINGS.

In order for a drawing to be conducted, a minimum of four (4) persons representing the West Virginia Lottery are required to be present in the studio -- the Lottery Security Officer, Event Manager (refer to page 14, Event Manager or Backup Fails to Show), the Independent Certified Public Accountant (Auditor), and the On-Air Talent (refer to page 14 Talent Fails to Show). If the regular Security Officer or Event Manager cannot attend a "Cash 25" drawing, the Lottery's Drawing Manager, Marketing Director, or Director will decide which employee(s) will fill the positions for the evening drawing.

Additionally, one authorized representative of the Director must be present at the contractor's premises in its computer center to receive a file transfer and to maintain communications between sites for receipt and confirmation of drawing information and results and to verify and certify the entry of the winning numbers into the computer center.

III. EVENT EQUIPMENT

1. Unless in use, all drawing equipment shall be kept in a storage area(s) secured by lock and controlled by Lottery Security.
2. Numbered seals shall be placed on containers used for storage of sets of game balls. The seals shall be installed and removed only under supervision of the Auditor and Security. Seal numbers shall be recorded on drawing form.
3. Before being approved by the Director for use in "Cash25" drawings, ball sets must be inspected and measured in the laboratories of the West Virginia Department of Labor (Weights and Measures Division), and certified to be of uniform size, weight, and density, (consistent with manufacturer's claimed specifications) by written report of certification from Weights and Measures Division in letter form to the Director.
4. Each drawing shall be conducted using the "Cash25" equipment and procedures to ensure the random selection of numbers for each drawing. In the event of mechanical problems, the drawing can be postponed or alternate equipment and/or methods may be utilized as outlined under emergency procedures explained under Exhibit 3.
5. In the event the Security Officer is unable to obtain the security briefcase and keys from Lottery headquarters in a timely manner, a spare briefcase containing a security tape, a show tape, and appropriate drawing forms will be available for use in the studio cage. The procedure for obtaining the spare briefcase is described in Exhibit 3.

IV. GENERAL DRAWING PROCEDURES

1. By approximately 5:00 p.m., the Lottery Event Manager and Security Officer will assemble at the designated drawing studio. The Independent Auditor and Talent will arrive by 6:15. The Director's representative will be available to receive the Security Officer's call by approximately 6:15 in the Lottery's computer room. It shall be the responsibility of the security representative to ascertain the presence of required personnel and take

appropriate action if they are absent. In the absence of security personnel, this will be the responsibility of the Event Manager. The independent auditing firm will employ three (3) auditors to report to the drawing location on a regular basis and three others as substitutes to be rotated. Blue ink is preferable for all forms.

Upon arrival, each person will sign the drawing report form and record times of arrival. The Event Manager, Auditor, Talent and Security Officer will initial the form. The Security Officer will call the Director's representative by approximately 6:15 to affirm he/she is available.

2. The Security Officer and Event Manager will break out the required drawing equipment from secure storage, and inspect storage area containers, and equipment for signs of intrusion, tampering or damage.

3. As directed by the Auditor, a single set of certified game balls shall be selected. Security seals shall be inspected, broken in front of the security camera, and recorded.

4. Lottery security personnel shall prepare the drawing machines as per the manufacturer's instructions, attached hereto as Exhibit 1.

5. After ascertaining that the drawing machines are operational, the selected sets of game balls will be installed in numerical order in the tubes by the Event Manager and/or the Security Officer. The Talent will not assist in this procedure unless it is deemed necessary by the Event Manager. Auditor, Security and Event Manager will confirm and log the presence of balls 1 through 25. A sign indicating test drawings are being conducted shall be placed on the drawing equipment.

6. At approximately 6:30 p.m., the Auditor, Security Officer and Event Manager will conduct a minimum of three (3) test drawings, which should be completed by approximately 6:45 p.m. While Talent should participate for the rehearsal time, the pretests will be conducted without the Talent if he/she is unavailable. Auditor and Security shall record results of such drawings. If any one number is drawn three times in the same location on a pre-test or two times in the same location on the post test, another drawing test will be conducted to verify randomness. Any irregularities shall be agreed upon by attending officials and noted by the event manager on the drawing report form. Unless emergency procedures need to be implemented, the drawing balls will not be reloaded or tampered with in any way until the actual drawing is completed. The test-only sign shall be removed from the drawing equipment prior to the on-air drawing.

7. Continuous videotaping of all drawing activities from the time of ball insertion to the completion of post-testing will be accomplished, although an emergency situation interrupting its use or a malfunction of the security camera will not preclude the drawing from being conducted in the presence of the required drawing officials. The taping angle of the Security camera should be clear at all times. No unauthorized persons shall approach the drawing equipment. This requirement does not preclude television personnel from making adjustments necessary in the equipment to insure quality programming. No more than one person of the drawing staff (security personnel, Event Manager, Independent Auditor) shall be absent from the set at any one time from the time of ball insertion until post-testing has been completed. Any violations of these requirements shall be logged.

8. At approximately 6:47 p.m. or no later than 6:54 p.m., a telephone line shall be opened between the studio and the Lottery Computer Center. The Lottery representative at the computer center and the Event Manager at the studio will confirm the authorized link through exchange of passwords. This line shall remain open for the duration of the drawing period. Upon pool closing at approximately 6:50 P.M. the representative at the computer center will confirm to Event Manager that pool has closed. By voice confirmation the Event Manager shall determine that the file transfer has taken place and shall authorize the drawing to proceed.

9. At 6:59:00 p.m. On-Air Talent will conduct the live drawing (see exhibit 2 for examples).

10. Event Manager will operate "Cash 25" drawing equipment on command of On-Air Talent using manufacturer's instructions for the drawing machines attached hereto as Exhibit 1.

11. After equipment automatically selects balls, On-Air Talent will announce numbers in tray.

12. At the conclusion of on-air drawing, the Event Manager will confirm the winning numbers by telephone to the Lottery computer center and the vendor's computer center by reading the numbers and having them read back by the Lottery and vendor representatives. The Auditor will observe the activity to ensure the numbers are correctly read. Further, the numbers read from the drawing form completed by security will be verified by the Event Manager, Independent Auditor, and Security Officer for a second time as indicated on the drawing form (using the Auditor's form as a cross-check).

13. Prior to making media call (exhibit 4), the Talent will complete the form as outlined in exhibit 8, which will be verified by the Independent Auditor, Event Manager, and Security Officer.

14. After the winning numbers are verified and confirmed with the computer center (exhibit 7) and after the three drawing officials verify the numbers for media calls, the drawing officials will place the sign indicating test drawings on the drawing equipment and conduct two (2) post-tests as indicated on the drawing form. As with the pre-tests, if the same number is drawn from one machine during both post-tests, an additional one will be conducted to confirm randomness. Results will be recorded and any irregularities shall be noted on the drawing report form.

15. At the conclusion of post-drawing testing, the Event Manager and/or Security Officer will return the drawing balls to their respective containers. The West Virginia Lottery Security Officer, Event Manager, and the Independent Auditor will count and insure all balls are returned to the containers in their proper order. The Security Officer will secure the cases and attach a seal. The Event Manager, Independent Auditor, and Security Officer will record the seal number. Drawing equipment shall also be properly secured and stored under lock by security and assisted by the Event Manager. The Auditor, Event Manager, and Security Officer will review the show tape.

16. West Virginia Lottery Security, Event Manager, and Independent Auditor shall enter the studio's control room to review the nightly game show tape, and record seal number for security tape. West Virginia Lottery Security shall obtain the continuous videotape of drawing procedures and maintain custody of that tape, securing its case by seal and securing the tape at the earliest opportunity following the drawing. Security will place a red label on the security tape and a white label on the show tape.

17. Copies of required drawing certification forms will be completed and signed by required Lottery and independent auditor personnel (Drawing Report Form; Security Seal Records Log; Winning Numbers to be Released).

18. The Lottery Security staff will collect and West Virginia Lottery will retain and file original certification forms; Independent Auditor will prepare and supply certification letter on a monthly basis unless otherwise requested.

19. The Event Manager and Security Officer will return to the Lottery office to send the Winning Numbers to Be Released form to The Associated press via facsimile machine (Fax Number: 345-5282). The Event Manager will wait for the printed fax confirmation, attach a copy of the fax confirmation to the drawing report. Security will make three copies of the drawing report.

V. DRAWING DEVIATIONS ("FOULED DRAWINGS")

1. In the event of a deviation in the conduct of a drawing (foul), an explanation of the occurrence and the means by which the deviation was dealt with will be made on the "Daily/Cash 25 Drawing Report Form" (Exhibit 6).
2. A standard format for procedures in the event of deviation is attached hereto as Exhibit 3.

VI. EXCEPTIONS TO PROCEDURES

If necessary to protect the integrity of the drawing process or ensure the randomness of the "Cash 25" drawing, the Director, Marketing Director, Drawing Manager or Event Manager, may without prior written notice to any party, make and effect any necessary change to these procedures and guidelines.

In the event of an emergency requiring the transfer of computer operations from Charleston to Fairmont, procedures detailed under Exhibit 9 will be followed.

VII. TALENT TESTS FOR TECHNICAL DIFFICULTIES

The event manager will conduct periodic spontaneous tests simulating a technical difficulty in order to give On-Air Talent the opportunity to rehearse and feel comfortable with the appropriate script. Simulated difficulties would include:

- 1). No ball(s): In case of daily machines, Talent should first try to manually operate the machine. If that fails, continue to technical difficulty. Likewise, Security Officer should try to manually operate the equipment in similar instance.
- 2). Turn machine off so it cannot be manually operated, simulating power outage.
- 3). Excessive number of balls drawn from the machine.

All Talent tests will be completed before the pre-test; three (3) pre-tests must be completed after any talent test to assure compliance with rules and regulations.

029

Exhibit 1

DRAWING MACHINES: INSTRUCTIONS FOR USE

"Cash 25" Machine

See the Manufacturer's Operational Guide (stored in locked security briefcase) for basic operating instructions.

Exhibit 2a
"CASH 25" DRAWING SCRIPT

Good evening from the West Virginia Lottery! It's time for tonight's live "Daily 3," "Daily 4," and "Cash25" winning numbers. We'll begin with "Daily 3," the first number is ____, followed by ____ and finally _____. Again, the "Daily 3" winning number is ____, ____ and _____. Watch your television screen for the "Cash25" numbers as we continue with "Daily 4." We begin with ____, ____, ____ and _____. Again, the "Daily 4" winning number is ____, ____, ____, ____, _____. Now let's check tonight's "Cash25" winning numbers, ____, ____, ____, ____, ____ and finally _____. For the West Virginia Lottery, I'm _____. Good Luck!

Exhibit 2b
"CASH 25" EMERGENCY SCRIPT
(IN THE EVENT OF DIFFICULTIES DURING THE SHOW)

Because of technical difficulties, no further numbers can be drawn at this time. We will draw the remaining "Cash 25" numbers off the air just as soon as the problem is corrected under the supervision of the Independent Auditor and Lottery security staff. Please stay tuned to this station for the official results. Thank you for your cooperation and good luck.

Exhibit 2c
"CASH 25" EMERGENCY SCRIPT
(IN THE EVENT OF DIFFICULTIES BEFORE AIR TIME)

Unfortunately, due to technical difficulties we will be unable to draw the West Virginia Lottery's winning "Cash 25" numbers at this time. We will continue tonight's drawing off the air in the presence of the Independent Auditor and Lottery security staff as soon as the difficulty has been corrected. Please stay tuned to this station for the official results. Thank you for your cooperation and good luck.

Exhibit 3
ALTERNATE/EMERGENCY "CASH 25" DRAWING
PROCEDURES

Standard procedure for any emergency situation will be to describe the situation/discrepancy on the appropriate certification sheet. Director, Drawing Manager, and/or Deputy Director of Security should be notified as soon as possible. AWI should also be notified of any delay in selecting winning numbers through Lottery representative at the computer center.

Spare Key/Briefcase

1. In the event the Security Officer is unable to obtain the security briefcase and keys from Lottery headquarters in a timely manner, the Security Officer must attempt to contact the Director or one of the Deputy Directors. He/she should briefly state the circumstances and ask for approval to use the spare key located in the secure box that is affixed to the secured equipment closet in the production studio.
2. If the approval is granted for use of the spare key, the Security Officer may obtain the three-letter combination from the Director or Deputy Director granting such approval, and proceed with the following steps. If all measures have been tried, and contact cannot be made with the Director or a Deputy Director, the Security Officer may obtain approval and the three-letter combination from a Security Investigator, and proceed with the following steps, recording this noted exception on the Drawing Report.
3. The Security Officer will remove the combination lock from the secure box. A key will be found inside.
4. Combination: Turn the dial on the lock clockwise three (3) rotations and stop on the first letter.
5. Turn the dial counter-clockwise to the second letter. Continue the counter-clockwise turn for exactly one (1) rotation and stop on the second letter.
6. Turn the dial clockwise to the third letter. Move the black lever above the dial downward and pull.
7. Use the key inside the miniature safe to unlock the cage. Open the door and proceed to the back, right side of the cage to obtain the spare briefcase.
8. Proceed with the drawing.
9. The Security Officer shall leave the studio with the spare briefcase and key. If possible, he/she will take the spare briefcase and key to Lottery headquarters. Otherwise, arrangements will be made with the Director or one of the Deputy Directors to return the briefcase to Lottery headquarters as soon as possible. The Security Officer is responsible for the briefcase, its contents, and the spare key until returned to Lottery headquarters.

Power Failure at Production Studio

- Check time remaining.
- Event Manager or television station engineer will immediately notify TV stations (see exhibit 5). All stations will go to regular programming. The drawing will be conducted as soon as power is restored.

The production studio will videotape the drawing for later broadcast. The TV stations will be notified of the results and requested to crawl the winning numbers across the screen. If it is determined power will be off for an indeterminate period of time and there is a source of power on the premises of the Lottery's offices, the balls will be transported to the Lottery from the studio by drawing personnel and the drawing will be conducted according to Item 3 under "Alternate Drawing Procedures." If the drawing must take place off the premises of the television studio, the machines need not be transported. Instead, the balls will be put in appropriate containers and mixed by hand for at least 60 seconds.

Equipment Malfunction

If the machines fail:

Immediately contact the Director, the Drawing Manager, or the Deputy Director of Security to determine which alternate drawing method will be utilized.

Alternate Drawing Methods:

- 1) See equipment manual in security briefcase to be certain the problem cannot be fixed in a timely fashion.
- 2) Use spare drawing machine stored in Security closet if only one is needed and the blower is operational.
- 3) If time allows, transport old "Daily 3" and "Daily 4" equipment that is stored in the ABC Administrative Warehouse in Nitro.
- 4) Off camera (with the results aired later after a technical difficulty is announced) and in the presence of the Independent Auditor, a blindfolded individual will mix the balls by hand in each container and draw one from each after the drawing staff is satisfied the balls have been thoroughly mixed.
- 5) Also conducted off-air with results aired by television stations following the drawing: Stored in the security vault will be a sufficient number of opaque containers exactly alike in appearance, with opaque lids exactly alike in appearance to replace the balls in each drawing chamber. Also in the vault are numbered plastic tags corresponding to each digit contained in each drawing machine. In the presence of the Independent Auditor, the Security Officer will insert one tag representing each digit ("numbers" if the "Cash 25" machine is disabled) necessary into each container for each drawing machine being used. The appropriate number of containers will then be placed in each machine. The opaque containers in each machine will be mixed by hand until the Independent Auditor is satisfied that they have been thoroughly mixed. The Event Manager will then draw one container, open it and reveal the number to the Independent Auditor and Security Officer. If electricity is available the procedure will be recorded by videotape. Following the drawing of each container, the opaque containers will be thoroughly mixed again by hand. This process will be repeated until all digits/numbers required are drawn.

After the drawing is completed the drawing staff will affirm that the digits/numbers drawn correspond in order with those noted on the drawing forms. The staff will then replace the equipment in the vault, remove the containers as well as the tags from each, and place them in the vault for storage.

Note: Normal certification procedures will be followed after whichever drawing method is utilized.

Equipment Malfunction or Power Failure During Drawing:

- If one or more numbers have been selected during a live drawing and the machine malfunctions or there is a power failure before the final number is drawn, the drawing will be stopped.

- Announcement will be made from approved script "In Event of Difficulties During The Show".
- The numbers that have been selected will stand.
- Security will attempt to reset the machine.
- If the machine cannot be operated electrically, the appropriate number of balls will be selected by manual operation of the machine.
- If the machine cannot be operated manually, an alternate drawing method will be utilized. The winning numbers already selected prior to the power failure/malfunction will stand as official winning digits/numbers.
- If a power failure occurs during the drawing, the winning numbers already selected will stand. TV stations will be contacted and asked to announce: "Due to technical difficulties, tonight's 'Cash 25' drawing will be delayed. Please hold all tickets and stay tuned for the announcement of the winning numbers. We apologize for the delay." As soon as power is restored, the drawing will continue with the studio videotaping it for use by the TV stations. The TV stations will be notified of the winning numbers and requested to crawl the winning numbers across the screen.

Talent Misreads a Number:

- Understanding the possibility for human error under time constraints, the official numbers drawn will be those visually shown by both the security and on-air videotapes. (This represents the purpose for the camera's "zoom" shot of the balls after their selection.) These numbers will be verified by the Lottery's Independent Auditor, Event Manager and Security Officer, all of whom were present at the drawing.
- The numbers will be given accurately to the news media and "supered" in subsequent programming by the Lottery's television network.
- Mistake should be noted on the Certification Sheet.

Studio Problem

- If studio experiences audio problems, the video of the live drawing should continue without audio.
- If video problems occur and it is determined by the television station engineer that the cameras will be dysfunctional for an indeterminate period of time, the drawing will be conducted and documented as having complied with drawing rules and guidelines by the Independent Auditor and Lottery Security Officer/Event Manager.

Independent Auditor or Back-Up Fails to Show Up:

- Drawing will be delayed.
- Lottery officials and AWI will be notified of delay.
- On-the-air announcement will be made giving the standard drawing delayed message.

Exhibit 3-continued-

- Proceed with off-the-air drawing when Independent Auditor or Back-up arrives.
- Studio should videotape drawing for possible rebroadcast.

- TV stations will be notified of the results and requested to crawl the winning numbers across the screen.

Security Officer or Back-Up Fails to Show:

- Follow the same procedures as described above for "Auditor Fails to Show Up."

Event Manager or Back-up Fails to Show:

- The Security Officer will make every attempt to contact a back-up Event Manager. Having failed, however, the drawing will not be delayed. Rather, the Security Officer in this instance will act as both Event Manager and Security Officer. In this instance, if possible, the Talent can manually pull each machine's slide to release each digit of the winning number.

Talent Fails to Show:

- The Event Manager will attempt to contact alternate Talent. Should the attempt fail, the Event Manager will voice the drawing results as the balls are drawn and the Security Officer or another individual as designated by the Independent Auditor will turn the balls so as to be clearly seen on the television screen.

Fire Alarm or Bomb Threat:

- Drawing will be delayed.
- Lottery officials and AWI will be notified of delay.
- TV stations will be asked to make "technical difficulties" announcement.
- Drawing procedures will continue as soon as building is declared safe by appropriate officials.
- Studio should videotape drawing for possible rebroadcast.
- TV stations should be notified of winning numbers and requested to crawl the numbers across the screen.
- Normal certification procedures should be followed with note explaining delay.

Any Other Technical Difficulties

- If possible, the studio should broadcast the standard "technical difficulties" announcement.
- If studio is unable to broadcast, the TV stations should be contacted with the same message.

Exhibit 4

PROCEDURE FOR RELEASING DAILY/CASH25 NUMBERS TO THE MEDIA

Immediately following the "Daily3" and "Daily4" drawings (with "Cash25" added each Monday, Tuesday, Thursday and Friday) at 6:59 p.m., a phone call must be made to the Associated Press releasing the winning numbers.

<u>WIRE SERVICE</u>	<u>PHONE NUMBER</u>
Associated Press	346-0897

To report the "Daily/Cash 25" numbers drawn to AP, identify yourself and give the password. Once that information is given, release the "Daily 3," "Daily 4," and "Cash25" numbers (when applicable). If no one is available to take the information, place a call every five minutes until the information has been received by an AP reporter. If contact cannot be made by 7:30 p.m., the Event Manager will make every effort to reach the media representative after returning to the Lottery Office or once he/she has returned home.

In addition, the event manager will fax the "Winning Numbers To Be Released" form to the AP at 345-5282, upon returning to the Lottery Office.

Exhibit 5

In the event of a drawing deviation or exception that jeopardizes the integrity of the drawing, immediately notify the following persons:

	<u>Phone</u>	<u>Beeper/Cell</u>
-Nancy Bulla or current Drawing Manager	645-1841 (Lewisburg) 345-5623 (Charleston)	Cell: 552 - 2939
-David Bradley or current Security Deputy/Traditional Games	304-768-9096	540-5288 (beeper); 552-7650 (cell)

If these individuals are not available, contact one of the following, beginning with the first listed:

-Libby White or current Marketing Deputy	304-342-0814	552-3079
-Virgil Helton or current Finance Deputy	304-727-1000	549-3820
-John Musgrave or current Director	304-675-2495	675-0301

The Internal Auditor, Drawing Manager or Chief of Security will contact the Director and Marketing Director to inform them of action taken as it regards the drawing exception. The Marketing Deputy will notify Jeff Hale with AWI. When time allows, if a decision is to be made as to how and when a drawing is conducted or the validity of a given drawing, it should be made by two individuals in consultation with the Director.

LIST OF ADDITIONAL KEY PERSONNEL

<u>Finance and Administration</u>	<u>Phone</u>	<u>Beeper/Cell</u>
-Pam Lopez	346-7838	546-8542
<u>Security</u> (cell in briefcase: 389-9756)		
-James Cochran	(w) 746-2147 ;(h) 586-1276; (c) 389-4441	
-Pat Legg	(h) 346-4733	(c) 389-9760 (pg.) 361-2416
-Ray Moore	(h) 658-5923	(c) 389-9759 (pg.) 537-2871
-Steve Compston	(h) 369-1314	(c) 389-3633 (pg.) 540-2718
-Angel Craft	(h) 549-6417	(c) 389-3598
-Gail Harper	(h) 744-4205	
<u>Event Manager</u>		
-David Kinder	(h)926-6394; (w) 558-8772; (pager) 540-1458	
-Sharon Lee (also subs as security)	965-1234 (home)	558-5847 (work)
-Pam Lopez (emergency only)	(as previously listed)	

-Security Officers as previously listed

-Nancy Bulla as previously listed

WOWK (conference room: 343-1313 ext. 4305 – or – 1-800-234-9695 ext. 4305)

-Elbert Mosley (w)720-6550; (h) 744-1196; (pager) 1-800-982-2327 PIN #8591
Production Director

-Control Room / Charleston 720-6580

-Lottery lines @ WOWK 720-6544 and 720-6545

Dedicated Lottery line 558-3969 (backup: 558-0500/0550, ext. 251; cell- 389-0238)

Gibbons & Kawash, CPAs 345-8400 (office) 345-8451 (fax)

Tim Gibbons 344-9500 (home) 545-7640 (cell)
Steve Kawash 345-3320 (home) 545-3349 (cell)
Bob Denyer 744-5147 (home) 543-1226 (cell)

IGT

Phone

Beeper/Cell

Charleston Computer room 304-357-5131; 347-1692 (emergency.)

Fairmont Computer Room 304-367-1486
304-367-1373

Jeff Hale 304-344-9601 304-361-4563 (pager)/ 304-545-1340 (cell)

West Virginia Lottery

Computer Center after hours 558-0550

TV Control Rooms

-WOWK -TV 304-720-6580

-WDTV-TV 304-623-5555

-WTRF-TV 304-232-8944

-WTAP-TV 304-485-4588

-WOAY-TV 304-469-3361

-WVVA-TV 304-324-0672

-WHSV-TV 703-433-7419

EMERGENCY PHONE NUMBERS FOR TALENT AND PRODUCTION STAFF

The following are the Lottery's scheduled talent. In case of a no-show, begin by calling the person scheduled for the day's drawing. If unavailable, call the other talent in the order listed until an available talent is contacted and can make it to the studio in time to conduct the drawing.

- Phil Washington – 342-1128 - Home
342-2078 - Work
- Kim Lamb - 545-4566- Cell
558-0500 - Work
- Stephanie Holstein- 926-6073- Home
- Kari Blankenship- 744-3199- Home; 543-0518 -Cell
558-0500 ext. 259-Work

If all scheduled talent is unavailable, the following are available for emergency back-up only:

- Nancy Bulla - 345-5623 - Home Cell: 552-2939
645-1841 (Lewisburg)
558-0555 – Work (ext. 250)
- Pam Lopez - 346-7838 - Home
558-0500 – Work (ext. 229)
- Robin Graley – 925-6501 - Home
558-0427 - Work

In case of a no-show or problem with production at WOWK, please contact:

- Chris Leister 720-6521 (w); 389-9879 (cell); 344-8387 (h)
- Allen Payne 304-781-6007 (w); 377-4075
- Warren Kunkle 304-781-6003 (w); 304-633-7373 (cell); 606-325-8339

EXHIBIT 6

Required Certification Forms
WV LOTTERY "DAILY 3&4"/"Cash25" DRAWING REPORT FORM

For _____, 20__

<u>Time In:</u>	<u>Personnel Present:</u>	<u>Name</u>	<u>Initials</u>
_____	Talent	_____	_____
_____	Security	_____	_____
_____	Event Manager	_____	_____
_____	Auditor	_____	_____
	Data Processing	_____	_____

Time First Contact Attempted _____ Time Contacted _____

_____ Visitors _____

(* Asterisk represents days incorporating "Cash25" procedures.)

Sec. Man. Aud.

Pre-Show Security Tape Seal Number: _____

Daily Game Balls Secured: Y N

Seal # Verified A _____ B _____ C _____ D _____

Seal # Removed A _____ B _____ C _____ D _____

* "Cash25" game balls secured: Y N

Seal # Verified A _____ B _____ C _____ D _____

Seal # Removed A _____ B _____ C _____ D _____

Daily game "3" ball
sets selected: 1 2 3

Daily game "4" ball
sets selected: 4 5 6 7

All sets of daily numbers
0-9 present and installed: Y N

-25 present and installed Y N

Sec Man Aud

Test sign placed on equipment Y N

Daily game "3" pre-test:

Results Test 1	_____	_____	_____
Results Test 2	_____	_____	_____
Results Test 3	_____	_____	_____
Results Test 4	_____	_____	_____
Results Test 5	_____	_____	_____

Daily game "4" pre-test:

Results Test 1	_____	_____	_____
Results Test 2	_____	_____	_____
Results Test 3	_____	_____	_____
Results Test 4	_____	_____	_____
Results Test 5	_____	_____	_____

*** "Cash25" pre-drawing test:**

Results Test 1	_____	_____	_____
Results Test 2	_____	_____	_____
Results Test 3	_____	_____	_____
Results Test 4	_____	_____	_____
Results Test 5	_____	_____	_____

Test sign removed from equipment	<u>Y</u>	<u>N</u>	_____	_____	_____
----------------------------------	----------	----------	-------	-------	-------

Telephone line established:	<u>Y</u>	<u>N</u>	_____	_____	_____
-----------------------------	----------	----------	-------	-------	-------

Pool closed (Time _____)	<u>Y</u>	<u>N</u>	_____	_____	_____
-----------------------------	----------	----------	-------	-------	-------

File Transfer Completed (Time _____)	<u>Y</u>	<u>N</u>	_____	_____	_____
---	----------	----------	-------	-------	-------

Drawing authorized to proceed (Time _____)	<u>Y</u>	<u>N</u>	_____	_____	_____
---	----------	----------	-------	-------	-------

Results of official drawings:

Sec

Man

Aud

	<u>1</u>	<u>2</u>	<u>3</u>			
"Daily 3" Game	_____			_____	_____	_____

	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>		
"Daily 4" Game	_____				_____	_____

* "Cash25" Game	_____	_____	_____	_____	_____	_____
------------------------	-------	-------	-------	-------	-------	-------

Numbers verified for second time:		<u>Y</u>	<u>N</u>	_____	_____	_____
-----------------------------------	--	----------	----------	-------	-------	-------

Drawing results to computer center:		<u>Y</u>	<u>N</u>	_____	_____	_____
-------------------------------------	--	----------	----------	-------	-------	-------

Test sign replaced:		<u>Y</u>	<u>N</u>	_____	_____	_____
---------------------	--	----------	----------	-------	-------	-------

Daily game balls 0-9

All machines present and all balls dropped:		<u>Y</u>	<u>N</u>	_____	_____	_____
---	--	----------	----------	-------	-------	-------

* "Cash25" game balls 1-25 present and dropped:		<u>Y</u>	<u>N</u>	_____	_____	_____
---	--	----------	----------	-------	-------	-------

Daily game "3" post-test:

Results Test 1	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 2	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 3	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 4	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Daily game "4" post-test:

Results Test 1	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 2	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 3	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 4	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

*** "Cash25" balls 1-25 post-test:**

Results Test 1	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 2	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 3	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

Results Test 4	_____	_____	_____	_____	_____	_____
----------------	-------	-------	-------	-------	-------	-------

		<u>Sec</u>	<u>Man</u>	<u>Aud</u>
All daily game ball sets 0-9 returned to containers and counted:	<u>Y</u> <u>N</u>	_____	_____	_____
Seal affixed and secured:	<u>Y</u> <u>N</u>	_____	_____	_____
Seal No. A _____ B _____ C _____ D _____		_____	_____	_____
* "Cash25" balls 1-25 - returned to container and counted:	<u>Y</u> <u>N</u>	_____	_____	_____
*Seal affixed and secured:	<u>Y</u> <u>N</u>	_____	_____	_____
Seal No. A _____ B _____ C _____ D _____		_____	_____	_____
Security Cabinet Locked:	<u>Y</u> <u>N</u>	_____	_____	_____
Drawing security tape in custody:	<u>Y</u> <u>N</u>	_____	_____	_____
Seal No. _____		_____	_____	_____
Show tape reviewed:	<u>Y</u> <u>N</u>	_____	_____	_____
Proper labels placed on show and security tapes:	<u>Y</u> <u>N</u>	_____	_____	_____
Deviations or Exceptions to Drawing Procedure:	<u>Y</u> <u>N</u>	_____	_____	_____

EXPLAIN DEVIATIONS IN DETAIL BELOW

Special notes not related to deviations and exceptions:

CERTIFICATION:

West Virginia Daily Games/Cash25 drawings were held at _____, on _____.
Winning numbers were randomly chosen in accordance with applicable rules of the State Lottery Commission and the Director's procedures for Daily Games/Cash25 drawings.

This event was witnessed by a representative of Gibbons & Kawash, CPAs, who has signed below.

I certify that to the extent of my knowledge and belief this statement is true and correct.

Gibbons & Kawash, CPAs

by: _____

Security Officer _____

Event Manager _____

WEST VIRGINIA LOTTERY - SECURITY SEAL RECORDS
DAILY/ "CASH25" GAMES

The storage area will be inspected to make certain there has been no tampering with the area, hasps, hinges, and that the lock is secure. This will be a visual inspection upon arrival.

Inspection is satisfactory: ___Yes ___No

(If No, the following discrepancies are noted):

Case "A" Daily Game Balls

Seal No. Removed _____ Seal No. Replaced _____

Case "B" Daily Game Balls

Seal No. Removed _____ Seal No. Replaced _____

Case "C" Daily Game Balls

Seal No. Removed _____ Seal No. Replaced _____

Case "D" Daily Game Balls

Seal No. Removed _____ Seal No. Replaced _____

Set "A" "Cash 25" Balls

Seal No. Removed _____ Seal No. Replaced _____

Set "B" "Cash 25" Balls

Seal No. Removed _____ Seal No. Replaced _____

Set "C" "Cash 25" Balls

Seal No. Removed _____ Seal No. Replaced _____

Set "D" "Cash 25" Balls

Seal No. Removed _____ Seal No. Replaced _____

Emergency Security box: Seal removed _____ Seal Replaced _____

Security Tape: Seal removed _____ Seal Replaced _____

Respectfully Submitted,

Date _____ Security _____

Date _____ Event Manager _____

Date _____ Auditor _____

EXHIBIT 7

WEST VIRGINIA LOTTERY WINNING NUMBERS TO BE RELEASED TO MEDIA

DAILY DRAWING DATE _____

“Daily 3” _____

“Daily 4” _____

"CASH 25" (List in Ascending Order)

Talent

Security

Event Manager

Auditor

Exhibit 8

WEST VIRGINIA LOTTERY
DATA PROCESSING

ADDITIONAL "CASH 25" DRAWING PROCEDURES

DOW: DATE (MMDDYY): __/__/__, MJD__

DATA PROCESSING REPRESENTATIVE: _____

EVENT MANAGER _____

1) Time arrived at IGT Computer Site _____

2) Time telephone connection made with Event Manager
and password confirmed _____

3) Time observed "Drawing Imminent" message and
conveyed to Event Manager _____

4) Time obtained 'On-Line Log Tape' and 'Daily Pics'
tapes _____

5) Watch TV drawing show:
a) Record "Daily 3" numbers appearing on
balls selected _____

b) Record "Daily 4" numbers appearing on
balls selected _____

c) Record "Cash 25" numbers appearing on
balls selected _____

d) Verify numbers observed by IGT Computer Op: _____

e) Verify numbers with Event Manager _____

f) Time telephone connection broken with Event Manager _____

6) Enter Verified Numbers:
a) IGT Computer numbers: _____

b) WVL _____

7) Obtain report from IGT Computer Operator: _____

8) Tapes and report to WVL Computer Site: _____

Exhibit 8-continued

PROCESSING TAKES ABOUT 30 MINUTES

9) Update current numbers on Lottery Web Page

10) Update current numbers on Lottery Telephone Message System (method on file computer operator, Nancy Bulla, and Pam Lopez)

Time Message Completed: _____

Recorded By: _____

Auditor: _____

Exhibit 9

Emergency Guidelines for Fairmont Computer Center

ALTERNATE DRAWING PROCEDURES

1. At 5:00 p.m., the Lottery Event Manager and Security Officer will assemble at the designated drawing studio. The Independent Auditor and Talent will arrive by 6:15. It shall be the responsibility of the Security representative to ascertain the presence of required personnel and take appropriate action if they are absent. In the absence of Security personnel, this will be the responsibility of the Event Manager. The independent auditing firm will employ three (3) auditors to report to the drawing location on a regular basis and three others as substitutes to be rotated.

Upon arrival, each person will sign the drawing report form and record times of arrival. The Event Manager, Auditor, Talent and Security Officer will initial the form. The Security Officer will call the Director's representative by approximately 6:15 to affirm he/she is available.

2. The Security Officer and Event Manager will break out the required drawing equipment from secure storage, and inspect storage area containers, and equipment for signs of intrusion, tampering or damage.

3. As directed by the Auditor, a single set of certified game balls shall be selected. Security seals shall be inspected, broken in front of the security camera, and recorded.

4. Lottery Security personnel shall prepare the drawing machines as per the manufacturer's instructions, attached hereto as Exhibit 1.

5. After ascertaining that the drawing machines are operational, the selected sets of game balls will be installed in numerical order in the tubes by the Event Manager and/or the Security Officer. The Talent will not assist in this procedure unless it is deemed necessary by the Event Manager. Auditor, Security and Event Manager will confirm and log the presence of balls 1 through 25. The test-only sign shall be placed on the drawing equipment.

6. At approximately 6:30 p.m., the Auditor, Security Officer and Event Manager will conduct a minimum of three (3) test drawings, which should be completed by approximately 6:45 p.m. While Talent should participate for the rehearsal time, the pretests will be conducted without the Talent if he/she is unavailable. Auditor and Security shall record results of such drawings. If any one number is drawn three times in the same location on a pre-test or two times in the same location on the post test, another drawing test will be conducted to verify randomness. Any irregularities shall be agreed upon by attending officials and noted by the event manager on the drawing report form. Unless emergency procedures need to be implemented, the drawing balls will not be reloaded or tampered with in any way until the actual drawing is completed. The test-only sign shall be removed from the drawing equipment prior to the on-air drawing.

a. Continuous videotaping of all drawing activities from the time of ball insertion to the completion of post-testing will be accomplished, although an emergency situation interrupting its use or a malfunction of the security camera will not preclude the drawing from being conducted in the presence of the required drawing officials. The taping angle of the Security camera should be clear at all times. No unauthorized persons shall approach the drawing equipment. This requirement does not preclude television personnel from making adjustments necessary in the equipment to insure quality programming. No more than one person of the drawing staff (Security personnel, Event Manager, Independent Auditor) shall be absent from the set at any one time from the time of ball insertion until post-testing has been completed. Any violations of these requirements shall be logged.

8. At approximately 6:45 p.m. or no later than 6:52 p.m., two telephone lines shall be opened, one between the studio and the Fairmont Computer Center, and the other between the studio and the Lottery Computer Room. The Lottery Computer Room representative and the Fairmont Computer Room representative will both confirm the

authorized links through exchange of passwords with the Event Manager. Both lines shall remain OPEN (not on hold) for the duration of the drawing period. Upon pool closing at approximately 6:50 P.M. the representatives at both the Lottery and Fairmont Computer Rooms will confirm to Event Manager that the pool has closed. By voice confirmation the Event Manager shall determine from the Fairmont facility that the file transfer has taken place and shall authorize the drawing to proceed.

9. At 6:59:00 p.m. On-Air Talent will conduct the live drawing (see exhibit 2 for examples).

10. Event Manager will operate "Cash 25" drawing equipment on command of On-Air Talent using manufacturer's instructions for the drawing machines attached hereto as Exhibit 1.

11. After equipment automatically selects balls, On-Air Talent will announce numbers in tray.

12. At the conclusion of on-air drawing, the Event Manager will confirm by telephone to both the Lottery representative at the computer center and the Fairmont Computer Representative the winning numbers drawn by reading the numbers and having them read back by each representative. The auditor will observe the activity to ensure the numbers are correctly read. Further, the numbers read from the drawing form completed by security will be verified by the event manager, independent auditor, and security officer for a second time as indicated on the drawing form (using the Auditor's form as a cross-check).

13. Prior to making media calls (exhibit 4), the Talent will complete the form as outlined in exhibit 8, which will be verified by the independent auditor, event manager, and security officer.

14. After the winning numbers are verified and confirmed with the computer center (exhibit 7) and after the three drawing officials verify the numbers for media calls, the drawing officials will place the test drawing sign on the drawing equipment and conduct two (2) post-tests as indicated on the drawing form. As with the pre-tests, if the same number is drawn from one machine during both post-tests, an additional one will be conducted to confirm randomness. Results will be recorded and any irregularities shall be noted on the drawing report form.

15. At the conclusion of post-drawing testing, the Event Manager and/or Security Officer will return the drawing balls to their respective containers. The West Virginia Lottery Security Officer and the Independent Auditor will count and insure all balls are returned to the containers in their proper order. The Independent Auditor and Security Officer will secure the cases, attach a seal, and record the seal number. Drawing equipment shall also be properly secured and stored under lock by Security and assisted by the Event Manager. The auditor, event manager, and security officer will review the show tape.

16. West Virginia Lottery Security shall obtain the continuous videotape of drawing procedures and maintain custody of that tape, securing its case by seal and securing the tape at the earliest opportunity following the drawing. Security will place a red label on the security tape and a white label on the show tape.

17. Copies of required drawing certification forms will be completed and signed by required Lottery and independent auditor personnel (Drawing Report Form; Security Seal Records Log; Winning Numbers to be Released).

18. The Lottery Security staff will collect and West Virginia Lottery will retain and file original certification forms; Independent Auditor will prepare and supply certification letter on a monthly basis unless otherwise requested.

19. The Event Manager will return to the Lottery office to send the Winning Numbers to Be Released form to The Associated press via facsimile machine (Fax Number: 345-5282). The Event Manager will wait for the printed fax confirmation, attach a copy of the fax confirmation to the drawing reports, and show this action has been taken to the Director's Representative in the computer room. The Director's Representative and the Event manager will initial the fax confirmation sheet to show that the fax has been sent to and received by AP.

050

WEST VIRGINIA LOTTERY
DIRECTOR'S PROCEDURES FOR CONDUCT OF
"DAILY 3" & "DAILY 4" DRAWINGS
AMENDED JULY 15, 2003

copy - signed on file
MB

Approved by _____
John C. Musgrave, Director

Date _____

DIRECTOR'S PROCEDURES FOR CONDUCT
OF "DAILY 3" & "DAILY 4" DRAWINGS

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I. INTRODUCTION

“Daily 3” and “Daily 4” are the second and third Lottery Games authorized and implemented by the West Virginia Lottery Commission which use electronic computers and electronic lottery agent terminals in direct communication. Lottery sales agents sell tickets from these terminals to players. To play “Daily 3” and “Daily 4” a player selects one or more sets of 3 or 4 numbers from a designated field of numbers. A daily drawing is held at which a set of 3 and 4 winning numbers are selected at random from the designated field. Holders of valid tickets displaying the winning numbers selected for that daily drawing, and otherwise conforming to requirements for the prize award, are entitled to receive prizes or prize shares from the prize pool for the game. These drawing procedures outline the process by which the random selection of winning numbers are selected and certified and the method by which the drawing will be conducted and televised.

II. PERSONNEL REQUIRED FOR DRAWINGS

In order for a drawing to be conducted, a minimum of four (4) persons representing the West Virginia Lottery are required to be present in the studio: the Lottery Security Officer, Event Manager (refer to Page 14, Event Manager or Backup Fails to Show), the Independent Certified Public Accountant (Auditor), and the On-Air Talent (refer to Page 14, Talent Fails to Show Up.) If the regular Security Officer or Event Manager cannot be in attendance, the Drawing Manager, Marketing Director, or Director will decide which Lottery employee(s) need to fill the positions for the evening drawing.

Additionally, one authorized representative of the Director must be present at the contractor's premises in its computer center to receive a file transfer and to maintain communications between sites for receipt and confirmation of drawing information and results and to verify and certify the entry of the winning numbers into the computer center.

III. EVENT EQUIPMENT

1. Unless in use, all drawing equipment shall be kept in a storage area(s) secured by lock and controlled by Lottery Security.

2. Numbered seals shall be placed on containers used for storage of sets of game balls. The seals shall be installed and removed only under supervision of the Auditor, Security, and Event Manager. Seal numbers shall be recorded on drawing form.

3. Before being approved by the Director for use in game drawings, ball sets must be inspected and measured in the laboratories of the West Virginia Department of Labor (Weights and Measures Division), and certified to be of uniform size, weight, and density (consistent with manufacturer's claimed specifications) by written report of certification from Weights and Measures Division in letter form to the Director.

4. Each drawing shall be conducted using the “Daily 3” and “Daily 4” drawing machines and procedures to ensure the random selection of winning numbers for each drawing. In the event of mechanical problems, the drawing can be postponed or alternate equipment and/or methods may be utilized as outlined under emergency procedures explained under Exhibit 3.

5. In the event the Security Officer is unable to obtain the security briefcase and keys from Lottery headquarters in a timely manner, a spare briefcase containing a security tape, a show tape, and appropriate drawing forms will be available for use in the studio cage. The procedure for obtaining the spare briefcase is described in Exhibit 3.

IV. GENERAL DRAWING PROCEDURES

1. By approximately 5:00 p.m. (on Saturday, no later than 6:00 p.m.), the Lottery Event Manager and Security Officer will assemble at the designated drawing studio. The Independent Auditor and Talent will arrive by 6:15. The Director's representative will be available to receive the Security Officer's call by approximately 6:15 in the Lottery's computer room. It shall be the responsibility of a security representative to ascertain presence of required personnel and take appropriate action if they are absent. In absence of security personnel, this will be the responsibility of the Event Manager. The independent auditing firm will employ three (3) auditors to report to the drawing location on a regular basis and three (3) others as substitutes to be rotated.

Upon arrival, each person will sign the drawing report form and record time of arrival. The form will be initialed by the Event Manager, Auditor, Talent and Security Officer. The security officer will call the Director's representative by approximately 6:15 to affirm he/she is available. Blue ink is preferable for the forms.

2. Security and Event Manager will break out required drawing equipment from secure storage, and inspect storage area containers, and equipment for signs of intrusion, tampering, or damage.

3. As directed by the Auditor, the necessary sets of certified game balls shall be selected. The security seal shall be inspected, removed in front of the Security camera, and recorded. As each individual step is completed, the drawing form will be initialed by the appropriate official(s).

4. Lottery Security and Event Manager shall prepare the drawing machines as per the manufacturer's instructions, attached hereto as Exhibit 1.

5. After ascertaining the drawing machines are operational, the selected sets of game balls will be installed in numerical order in the tubes by the Event Manager and/or the Security Officer. The Talent will not assist in this procedure unless it is deemed necessary by the Event Manager. Auditor, Security, and Event Manager will confirm and log the presence of balls 0 through 9. The sign designating test drawings shall be placed on the drawing equipment.

6. At approximately 6:30 p.m., the Event Manager, Auditor, and Security Officer will conduct a minimum of three (3) test drawings which should be completed by approximately 6:45 p.m. While Talent should participate for rehearsal time, the pretests will be conducted without the talent if he/she is unavailable. Results of such drawings shall be recorded by Auditor and Security. If any one number is drawn three times in the same location on a pre-test or two times in the same location on the post test, then another drawing will be conducted to verify randomness. Any irregularities shall be agreed upon by attending officials and noted by the Event Manager on the drawing report form. Unless emergency procedures need to be implemented, the drawing balls will not be reloaded or tampered with in any way until the actual drawing is completed. The test-only sign shall be removed from the drawing equipment prior to the on-air drawing.

7. Continuous videotaping of all drawing activities from the time of ball insertion to the completion of post-testing will be accomplished, although an emergency situation interrupting its use or a malfunction of the security camera will not preclude the drawing from being conducted in the presence of the required drawing officials. The taping angle of the security camera should be clear at all times. No unauthorized persons shall approach the drawing equipment. This requirement does not preclude television personnel from making adjustments necessary in the equipment to insure quality programming. No more than one person of the drawing staff (Security Personnel, Event Manager, Independent Auditor) shall be absent from the set at any one time from the point of ball insertion until post-testing has been completed. Any violations of these requirements shall be logged.

8. At approximately 6:47 p.m., but no later than 6:54 p.m., a telephone line shall be opened between the studio and the Lottery computer center. The Lottery representative at the computer center and the Event Manager at the studio will confirm the authorized link through exchange of passwords. This line shall remain open for the duration of the

drawing period. Upon pool closing at approximately 6:50 p.m. the representative at the computer center will confirm to Event Manager that pool has closed. By voice confirmation the Event Manager and security officer shall determine that the file transfer has taken place and shall authorize the drawing to proceed.

9. At 6:59:00 p.m. On-Air Talent will conduct the live drawing (i.e. exhibit 2a and 2b).
10. Daily numbers shall be drawn according to rules and procedures.
11. Event Manager will operate drawing equipment on command of On-Air Talent using manufacturer instructions for the drawing machines attached hereto as Exhibit 1, and consistent with approved drawing script.
12. After the equipment automatically selects balls, On Air Talent will announce numbers in tray.
13. At the conclusion of the on-air drawing, the Event Manager will confirm by phone the winning numbers of each game to the Lottery representative at the Lottery computer center and the operator at the vendor's computer center by reading the numbers and having them read back by the Lottery representative. The Auditor will observe the activity to ensure the numbers are correctly read. Further, the numbers read from the drawing form completed by security will be verified by the Event Manager, Independent Auditor, and Security Officer for a second time as indicated on the drawing form (using the auditor's form as a cross check).
14. Prior to making media call (exhibit 4), the Talent will complete the form as outlined in exhibit 8, which will be verified by the Independent Auditor, Event Manager, and Security Officer.
15. After the winning numbers are verified and confirmed with the Computer Center and after the three drawing officials indicated in item #14 verify the numbers listed for media calls, the Event Manager, Auditor, and Security Officer will place the test-only sign on the drawing equipment and conduct two (2) post-drawing tests, as indicated on the drawing form. As in the pre-tests, if the same number comes up from one machine during both tests, an additional drawing will be conducted to confirm randomness. Results of such test drawing shall be recorded, and any irregularities shall be noted on the drawing report form.
16. At the conclusion of the post-drawing testing, the Event Manager and/or Security Officer will return the drawing balls to their respective containers. The West Virginia Lottery Security, Event Manager, and the Independent Auditor will count and insure all balls are returned to the containers in their proper order. The security officer will secure the cases and attach a seal. The Independent Auditor, Event Manager and Security Officer will record the seal number. Drawing equipment shall also be properly secured and stored under lock by Security assisted by the Event Manager. Security, the Event Manager, and Auditor will review the show tape.
17. West Virginia Lottery Security, Event Manager and Independent Auditor shall enter the studio's control room to review the nightly game show tape and record seal number for security tape. West Virginia Lottery Security shall obtain the continuous videotape of drawing procedures and maintain custody of that tape, securing and noting its case by seal and securing the tape at the earliest opportunity. Security will place a red label on the security tape and a white label on the show tape.
18. Copies of required drawing certification forms will be completed, reviewed, and signed by required Lottery and independent auditor personnel (Drawing Report Form; Security Seal Records Log; Winning Numbers to Be Released).
19. The Lottery security staff will collect and West Virginia Lottery will retain and file original certification forms; Independent Auditor will prepare and supply certification letter on a monthly basis unless otherwise requested.
20. The Event Manager and Security Officer will return to the Lottery office and send the Winning Numbers to Be Released Form to The Associated press via facsimile machine (Fax Number: 345-5282). The Event

Manager will wait for the printed fax confirmation, attach a copy of the fax confirmation to the drawing report. Security will make three copies of the drawing report.

V. DRAWING DEVIATIONS ("FOULED DRAWINGS")

1. In the event of a deviation in the conduct of a drawing (foul), an explanation of the occurrence and the means by which the deviation was dealt with will be made on the drawing report form (Exhibit 6).
2. A standard format for procedures in the event of deviation is attached hereto as Exhibit 3.

VI. EXCEPTIONS TO PROCEDURES

If necessary to protect the integrity of the drawing process or ensure the randomness of the drawing, the Director, Marketing Director, Drawing Manager or Event Manager, may, without prior written notice to any party, make and effect any necessary change to these procedures and guidelines.

In the event of an emergency requiring the transfer of computer operations from Charleston to Fairmont, procedures detailed under Exhibit 9 will be followed.

VII. TALENT TESTS FOR TECHNICAL DIFFICULTIES

The Event Manager will conduct periodic spontaneous tests simulating a technical difficulty in order to give on-air talent the opportunity to rehearse and feel comfortable with the appropriate script. Simulated difficulties would include:

- 1) No ball(s): In case of daily machines, Talent should first try to manually operate the machine. If that fails, continue to technical difficulty. Likewise, Security Officer should try to manually operate the equipment in similar instance.
- 2) Turn machine off so it cannot be manually operated, simulating power outage.
- 3) Excessive number of balls drawn from the machine.

All Talent tests will be conducted before the pre-test; three (3) pre-tests must be completed after any Talent test to assure compliance with rules and regulations.

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Exhibit I

"Daily 3" and "Daily 4" Machines

See Manufacturer's Operational Guide (stored in local security briefcase) for basic operating instructions.

Exhibit 2a

"DAILY 3" AND "DAILY 4" SCRIPT

Good evening everyone. It's time for the live drawing of the West Virginia Lottery's "Daily 3" and "Daily 4" winning numbers. Here's our winning "Daily 3" number. The Number ____, ____, and finally a lucky ____.

Tonight's winning "Daily 3" numbers are ____, ____, ____. Now the "Daily 4" game. Our first number is the Number ____.

Next, is there a Number ____ on your ticket? Number ____ and a ____.

So tonight's "Daily 4" winner is ____, ____, ____, ____. If you've matched these numbers straight or boxed you've won up to five thousand Dollars. Every lottery drawing is observed by an independent auditor as well as lottery security personnel. Remember, play daily to win nightly. From all of us at the West Virginia Lottery -- GOOD LUCK!

Exhibit 2b

DAILY NUMBERS EMERGENCY SCRIPT
(IN THE EVENT OF DIFFICULTIES BEFORE AIR TIME)

Unfortunately, due to technical difficulties we will be unable to draw the West Virginia Lottery's winning daily numbers at this time. We will continue tonight's drawing off the air in the presence of the independent auditors and security staff as soon as the difficulty has been corrected. Please stay tuned to this station for the official results.

Thank you for your cooperation and good luck.

*drawing scripts incorporating "Cash25" can be found in "Cash25" Drawing Procedures.

Exhibit 2c
 "DAILY 3" AND "DAILY 4" EMERGENCY SCRIPT
 (IN THE EVENT OF DIFFICULTIES BEFORE AIR TIME)

Unfortunately due to technical difficulties we will be unable to draw the West Virginia Lottery's winning "Daily 3" and "Daily" numbers at this time. We will continue tonight's drawing off the air in the presence of the independent auditor and Lottery security staff as soon as the difficulty has been corrected. Please stay tuned to this station for the official results. Thank you for your cooperation and good luck.

Exhibit 3
 ALTERNATE/EMERGENCY DAILY GAMES DRAWING PROCEDURES

Standard procedure for any emergency situation will be to describe the situation/discrepancy on the appropriate certification sheet. Director, Drawing Manager, and/or Deputy Director of Security should be notified as soon as possible. AWI should also be notified of any delay in selecting winning numbers through the Lottery representative at the computer center.

Spare Key/Briefcase

1. In the event the Security Officer is unable to obtain the security briefcase and keys from Lottery headquarters in a timely manner, the Security Officer must attempt to contact the Director or one of the Deputy Directors. He/she should briefly state the circumstances and ask for approval to use the spare key located in the secure box that is affixed to the secured equipment closet in the production studio.
2. If the approval is granted for use of the spare key, the Security Officer may obtain the three-letter combination from the Director or Deputy Director granting such approval and proceed with the following steps. If all measures have been tried, and contact cannot be made with the Director or a Deputy Director, the Security Officer may obtain approval and the three-letter combination from a Security Investigator, and proceed with the following steps, recording this noted exception on the Drawing Report.
3. The Security Officer shall remove the combination lock on the secure box in order to get the key.
4. Combination: Turn the dial on the combination lock clockwise three (3) rotations and stop on the first letter.
5. Turn the dial counter-clockwise to the second letter. Continue the counter-clockwise turn for exactly one (1) rotation and stop on the second letter.
6. Turn the dial clockwise to the third letter. Move the black lever above the dial downward and pull.
7. Use the key inside the miniature safe to unlock the cage. Open the door and proceed to the back, right side of the cage to obtain the spare briefcase.

8. Proceed with the drawing.

9. The Security Officer shall leave the studio with the spare briefcase and key. If possible, he/she will take the spare briefcase and key to Lottery Headquarters. Otherwise, arrangements will be made with the Director or one of the Deputies to return the briefcase to Lottery Headquarters as soon as possible. The Security Officer is responsible for the briefcase, its contents, and the spare key until returned to Lottery Headquarters.

Power Failure at Production Studio

- Check time remaining.
- Event Manager or television station engineer will immediately notify TV stations (see exhibit 5). All stations will go to regular programming. The drawing will be conducted as soon as power is restored.

The production studio will videotape the drawing for later broadcast. The TV stations will be notified of the results and requested to crawl the winning numbers across the screen. If it is determined that power will be off for an indeterminate period of time, and there is a source of power on the premises of the Lottery's offices, the balls will be removed from the studio by drawing personnel and the drawing will be conducted according to Item 3 under "Alternate Drawing Procedures". If the drawing must take place off the premises of the television studio, the machines need not be transported. Instead, the balls will be put in appropriate containers and mixed by hand for at least 60 seconds.

Equipment Malfunction

If the machines fail:

Immediately contact the director, the Drawing Manager, or the Deputy Director to determine which alternate drawing method will be utilized.

Alternate Drawing Procedures

- 1) See the equipment manual in the security briefcase to be certain the problem cannot be fixed in a timely fashion.
- 2) Use the spare drawing machine stored in the security closet if only one is needed and the blower is operational.
- 3) If time allows, transport old "Daily 3" and "Daily 4" equipment stored in the ABC Administrative Warehouse in Nitro.
- 4) Off camera (with the results aired later after a technical difficulty is announced) and in the presence of the Independent Auditor, a blindfolded individual will mix the balls by hand in each container and draw one from each after the drawing staff is satisfied the balls have been thoroughly mixed.
- 5) Also conducted off-air with results aired by television stations following the drawing: Stored in the security vault will be a sufficient number of opaque containers exactly alike in appearance, with opaque lids exactly alike in appearance to replace the balls in each drawing chamber. Also in the vault are numbered plastic tags corresponding to each digit contained in each drawing machine. In the presence of the Independent Auditor, the security officer will insert one tag representing each digit ("numbers" if the "Cash 25" machine is disabled) necessary into each container for each drawing machine being used. The appropriate number of containers will then be placed in each machine. The opaque containers in each machine will be mixed by hand until the Independent Auditor is satisfied that they have been thoroughly mixed. The Event Manager will then draw one container, open it and reveal the number to the Independent Auditor and

Security Officer. If electricity is available the procedure will be recorded by video tape. Following the drawing of each container, the opaque containers will be thoroughly mixed again by hand. This process will be repeated until all digits/numbers required are drawn.

After the drawing is completed the drawing staff will affirm that the digits/numbers drawn correspond in order with those noted on the drawing forms. The staff will then replace the equipment in the vault, remove the containers as well as the tags from each, and place them in the vault for storage.

Note: Normal certification procedures will be followed after whichever drawing method is utilized.

Equipment Malfunction or Power Failure During Drawing:

- If one or more numbers have been selected during a live drawing and the machine malfunctions or there is a power failure before the final number is drawn, the drawing will be stopped.
- Announcement will be made from approved script "In Event of Difficulties During The Show".
- The numbers that have been selected will stand.
- Security will attempt to reset the machine.
- If the machine cannot be operated electrically, the appropriate number of balls will be selected by manual operation of the machine.
- If the machine cannot be operated manually, an alternate drawing method will be utilized. The winning numbers already selected prior to the power failure/malfunction will stand as official winning digits/numbers.
- If a power failure occurs during the drawing, the winning numbers already selected will stand. TV stations will be contacted and asked to announce: "Due to technical difficulties, tonight's "Cash 25" Drawing will be delayed. Please hold all tickets and stay tuned for the announcement of the winning numbers. We apologize for the delay." As soon as power is restored, the drawing will continue with the studio videotaping it for use by the TV stations. The TV stations will be notified of the winning numbers and requested to crawl the winning numbers across the screen.

Talent Misreads a Number:

- Understanding the possibility for human error under time constraints, the official numbers drawn will be those visually shown by both the security and on-air video tapes. (This represents the purpose for the camera's "zoom" shot of the balls after their selection.) These numbers will be verified by the Lottery's Independent Auditor, Event Manager and Security Officer, all of whom were present at the drawing.
- The numbers will be given accurately to the news media and "supered" in subsequent programming by the Lottery's television network.
- Mistake should be noted on the Certification Sheet.

Studio Problem

- If studio experiences audio problems, the video of the live drawing should continue without audio.
- If video problems occur and it is determined by the television station engineer that the cameras will be dysfunctional for an indeterminate length of time, the drawing will be conducted and documented as having complied with drawing rules and guidelines by the independent auditor and lottery security officer/event manager.

Independent Auditor or Back-up Fails to Show

- Drawing will be delayed.
- Lottery officials and AWI will be notified of delay.
- On-the-air announcement will be made giving the standard drawing delayed message.
- Proceed with off-the-air drawing when Independent Auditor or Back-up arrives.
- Studio should videotape drawing for possible rebroadcast.
- TV stations will be notified of the results and requested to crawl the winning numbers across the screen.

Security Officer or Back-up Fails to Show

- Follow the same procedures as described above for "Auditor Fails to Show."

Event Manager or Back-up Fails to Show -

The Security Officer will make every attempt to contact a back-up event manager. Having failed, however, the drawing will not be delayed. Rather, the Security Officer in this instance will act as both Event Manager and Security Officer. In this instance, if possible, the talent can manually pull each machine's slide to release each digit of the winning number.

Talent Fails to Show Up

- The Event Manager will attempt to contact alternate talent. Should the attempt fail, the Event Manager will voice the drawing results as the balls are drawn and the Security Officer or another individual as designated by the Independent Auditor will turn the balls so as to be clearly seen on the television screen.

Fire Alarm or Bomb Threat

- Drawing will be delayed.
- Lottery officials and AWI will be notified of delay.
- TV stations will be asked to make "technical difficulties" announcement.
- Drawing procedures will continue as soon as building is declared safe by appropriate officials.
- Studio should videotape drawing for possible rebroadcasting
- TV stations should be notified of winning numbers and requested to crawl the numbers across the screen.
- Normal certification procedures should be followed with note explaining delay.

Any Other Technical Difficulties

- If possible, the studio should broadcast the standard "technical difficulties" announcement.
- If studio is unable to broadcast, the TV stations should be contacted with the same message.

Exhibit 4

PROCEDURE FOR RELEASING DAILY NUMBERS TO THE MEDIA

Immediately following the "Daily 3" and "Daily 4" drawings, (with "Cash 25" added each Monday, Tuesday, Thursday and Friday) at 6:59 pm., a phone call must be made to the Associated Press releasing the winning numbers.

<u>WIRE SERVICE</u>	<u>PHONE NUMBER</u>
Associated Press	346-0897

To report the "Daily/ 3," "Daily 4," and "Cash25" numbers drawn to AP, identify yourself and give the password. Once that information is given, release the "Daily 3", "Daily 4", and "Cash 25" numbers (when applicable). If no one is available to take the information, place a call every five minutes until the information has been received by an AP reporter. If contact cannot be made by 7:30 p.m., the Event Manager will make every effort to reach the media representative after returning to the Lottery office or once he/she has returned home.

In addition, the event manager will fax the "Winning Numbers to Be Released" form to the AP at 345-5282, upon returning to the Lottery office.

Exhibit 5

In the event of a drawing deviation or exception that jeopardizes the integrity of the drawing, immediately notify the following persons:

	<u>Phone</u>	<u>Beeper/Cell</u>
-Nancy Bulla or current Drawing Mgr.	345-5623 (Charles.); 645-1841 (Lbg.);	542-1699 (cell)
-David Bradley or current Security Deputy/Traditional Games	304-768-9096	540-5288 (beeper); 552-7650 (cell)

If these individuals are not available, contact one of the following, beginning with the first listed:

-Libby White or current Marketing Deputy	304-342-0814	552-3079
-Virgil Helton or current Finance Deputy	304-727-1000	549-3820
-John Musgrave or current Director	304-675-2495	675-4223

The Internal Auditor, Drawing Manager or Chief of Security will contact the Director and Marketing Director to inform them of action taken as it regards the drawing exception. The Marketing Deputy will notify Jeff Hale with AWI. When time allows, if a decision is to be made as to how and when a drawing is conducted or the validity of a given drawing, it should be made by two individuals in consultation with the Director.

LIST OF ADDITIONAL KEY PERSONNEL

Finance and Administration

	<u>Phone</u>	<u>Beeper/Cell</u>
-Pam Lopez	346-7838	546-8542

Security (cell in briefcase: 389-9756)

-James Cochran	(w) 746-2147; (h) 586-1276;	(c) 389-4441
-Pat Legg	(h) 346-4733	(c) 389-9760; (pg) 361-2416
-Ray Moore	(h) 658-5923	(c) 389-9759; (pg) 537-2871
-Steve Compston	(h) 369-1314	(c) 389-3633; (pg) 540-2718
-Angel Craft	(h) 549-6417	(c) 389-3598
-Gail Harper	(h) 744-4205	

Event Manager

-David Kinder	926-6394 (home); 558-8772 (work); 540-1458 (pager)
-Sharon Lee	965-1234 (home); 558-5847 (work)
-Pam Lopez (emergency only)	(see page 18 for contact numbers)
-Security Officers and Nancy Bulla as previously listed	

WOWK (conference room: 343-1313 ext. 4305 or 1-800-234-9695 ext. 4305)

-Elbert Mosley
Production Director (w)720-6550 ; (h) 744-1196; (pager) 1-800-982-2327 PIN #8591

-Control Room / Charleston 720-6580

-Lottery lines @ WOWK 720-6544 and 720-6545

Dedicated Lottery lines 558-3969 (backup: 558-0500 or 558-0550, ext. 251; cell: 389-0238)

Gibbons & Kawash, CPAs 345-8400 (office) 345-8451 (fax)

Tim Gibbons 344-9500 (home) 545-7640 (cell)
Steve Kawash 345-3320 (home) 545-3349 (cell)
Bob Denyer 744-5147 (home) 543-1226 (cell)

IGT Phone Beeper/Cell

Charleston Computer room 304-357-5131; 347-1692 (emergency)

Fairmont Computer Room 304-367-1486
304-367-1373

Jeff Hale 304-344-9601 304-545-1340 (cell)

West Virginia Lottery

Computer Center after hours 558-0550 or 0550, ext.251 (dedicated line: 558-3969)

TV Control Rooms

-WOWK 720-6580 (Charleston); 304-781-6029 (Huntington)

-WDTV-TV 304-623-5555

-WTRF-TV 304-232-8944

-WTAP-TV 304-485-4588

-WOAY-TV 304-469-3361

-WVVA-TV 304-324-0672

-WHSV-TV 703-433-7419

EMERGENCY PHONE NUMBERS FOR TALENT AND PRODUCTION STAFF

The following are the Lottery's scheduled talent. In case of a no-show, begin by calling the person scheduled for the day's drawing. If unavailable, call the other talent in the order listed until an available talent is contacted and can make it to the studio in time to conduct the drawing.

- Phil Washington – 342-1128 - Home
340-3690 -Work
- Kim Lamb - 545-4566 - Cell
558-0500 - Work
- Stephanie Holstein- 965-5403- Home
- Kari Blankenship- 744-3199 –Home; Cell : 543-0518
558-0500 ext. 259-Work

If all scheduled talent is unavailable, the following are available for emergency back-up only:

- Nancy Bulla - 345-5623 - Home Cell: 542-1699
645-1841 (Lewisburg)
558-0555 – Work
- Pam Lopez - 346-7838 - Home
558-0500 – Work (ext. 229)
- Robin Graley – 925-6501 - Home
558-0427 - Work

In case of a no-show or problem with production at WOWK, please contact:

- Chris Leister 720-6521 (w); 389-9879 (cell); 344-8387 (h)
- Allen Payne 304-781-6007 (w); 377-4075
- Warren Kunkle 304-781-6003 (w); 304-633-7373 (cell); 606-325-8339

EXHIBIT 6

Required Certification Forms
WV LOTTERY "DAILY 3&4"/"Cash25" DRAWING REPORT FORM

For _____, 20__

<u>Time In:</u>	<u>Personnel Present:</u>	<u>Name</u>	<u>Initials</u>
_____	Talent	_____	_____
_____	Security	_____	_____
_____	Event Manager	_____	_____
_____	Auditor	_____	_____
	Data Processing	_____	_____

Time First Contact Attempted _____ Time Contacted _____

_____ Visitors _____

(*Asterisk represents days incorporating "Cash25" procedures.) Sec. Man. Aud.

Pre-Show Security Tape Seal Number: _____

Daily Game Balls Secured: Y N

Seal # Verified A _____ B _____ C _____ D _____

Seal # Removed A _____ B _____ C _____ D _____

* "Cash25" game balls secured: Y N

Seal # Verified A _____ B _____ C _____ D _____

Seal # Removed A _____ B _____ C _____ D _____

Daily game "3" ball sets selected: 1 2 3 _____

Daily game "4" ball sets selected: 4 5 6 7 _____

All sets of daily numbers

0-9 present and installed:	<u>Y</u>	<u>N</u>	_____	_____	_____
1-25 present and installed	<u>Y</u>	<u>N</u>	_____	_____	_____
			<u>Sec</u>	<u>Man</u>	<u>Aud</u>
Test sign placed on equipment	<u>Y</u>	<u>N</u>	_____	_____	_____
Daily game "3" pre-test:					
Results Test 1	_____	_____	_____	_____	_____
Results Test 2	_____	_____	_____	_____	_____
Results Test 3	_____	_____	_____	_____	_____
Results Test 4	_____	_____	_____	_____	_____
Results Test 5	_____	_____	_____	_____	_____
Daily game "4" pre-test:					
Results Test 1	_____	_____	_____	_____	_____
Results Test 2	_____	_____	_____	_____	_____
Results Test 3	_____	_____	_____	_____	_____
Results Test 4	_____	_____	_____	_____	_____
Results Test 5	_____	_____	_____	_____	_____
* "Cash25" pre-drawing test:					
Results Test 1	_____	_____	_____	_____	_____
Results Test 2	_____	_____	_____	_____	_____
Results Test 3	_____	_____	_____	_____	_____
Results Test 4	_____	_____	_____	_____	_____
Results Test 5	_____	_____	_____	_____	_____
Test sign removed from equipment	<u>Y</u>	<u>N</u>	_____	_____	_____
Telephone line established:	<u>Y</u>	<u>N</u>	_____	_____	_____
Pool closed (Time _____)	<u>Y</u>	<u>N</u>	_____	_____	_____
File Transfer Completed (Time _____)			<u>Y</u>	<u>N</u>	_____
Drawing authorized to proceed (Time _____)	<u>Y</u>	<u>N</u>	_____	_____	_____

Results of official drawings:

Sec Man Aud

"Daily 3" Game 1 2 3 _____ _____ _____

"Daily 4" Game 4 5 6 7 _____ _____ _____

* **"Cash25" Game** _____ _____ _____

Numbers verified for second time: Y N _____ _____ _____

Drawing results to computer center: Y N _____ _____ _____

Test sign replaced: Y N _____ _____ _____

Daily game balls 0-9

All machines present and all balls dropped: Y N _____ _____ _____

* **"Cash25" game balls 1-25 present and dropped:** Y N _____ _____ _____

Daily game "3" post-test:

Results Test 1 _____ _____ _____ _____ _____ _____

Results Test 2 _____ _____ _____ _____ _____ _____

Results Test 3 _____ _____ _____ _____ _____ _____

Results Test 4 _____ _____ _____ _____ _____ _____

Daily game "4" post-test:

Results Test 1 _____ _____ _____ _____ _____ _____

Results Test 2 _____ _____ _____ _____ _____ _____

Results Test 3 _____ _____ _____ _____ _____ _____

Results Test 4 _____ _____ _____ _____ _____ _____

* **"Cash25" balls 1-25 post-test:**

Results Test 1 _____ _____ _____ _____ _____ _____

Results Test 2 _____ _____ _____ _____ _____ _____

Results Test 3 _____ _____ _____ _____ _____ _____

Results Test 4 _____

	<u>Sec</u>	<u>Man</u>	<u>Aud</u>
All daily game ball sets 0-9 returned to containers and counted: <u>Y</u> <u>N</u>	_____	_____	_____
Seal affixed and secured: <u>Y</u> <u>N</u>	_____	_____	_____
Seal No. A _____ B _____ C _____ D _____	_____	_____	_____
* "Cash25" balls 1-25 - returned to container and counted: <u>Y</u> <u>N</u>	_____	_____	_____
*Seal affixed and secured: <u>Y</u> <u>N</u>	_____	_____	_____
Seal No. A _____ B _____ C _____ D _____	_____	_____	_____
Security Cabinet Locked: <u>Y</u> <u>N</u>	_____	_____	_____
Drawing security tape in custody: <u>Y</u> <u>N</u>	_____	_____	_____
Seal No. _____	_____	_____	_____
Show tape reviewed: <u>Y</u> <u>N</u>	_____	_____	_____
Proper labels placed on show and security tapes: <u>Y</u> <u>N</u>	_____	_____	_____
Deviations or Exceptions to Drawing Procedure: <u>Y</u> <u>N</u>	_____	_____	_____

EXPLAIN DEVIATIONS IN DETAIL BELOW

Special notes not related to deviations and exceptions:

CERTIFICATION:

West Virginia Daily Games/Cash25 drawings were held at _____, on _____ . Winning numbers were randomly chosen in accordance with applicable rules of the State Lottery Commission and the Director's procedures for Daily Games/Cash25 drawings. This event was witnessed by a representative of Gibbons & Kawash, CPAs who has signed below.

I certify that to the extent of my knowledge and belief this statement is true and correct.

Gibbons & Kawash, CPAs

by: _____

Security Officer _____

Event Manager _____

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WEST VIRGINIA LOTTERY - SECURITY SEAL RECORDS
DAILY/ "CASH25" GAMES

The storage area will be inspected to make certain there has been no tampering with the area, hasps, hinges, and that the lock is secure. This will be a visual inspection upon arrival.

Inspection is satisfactory: Yes No

(If No, the following discrepancies are noted):

Case "A" Daily Game Balls

Seal No. Removed _____ Seal No. Replaced _____

Case "B" Daily Game Balls

Seal No. Removed _____ Seal No. Replaced _____

Case "C" Daily Game Balls

Seal No. Removed _____ Seal No. Replaced _____

Case "D" Daily Game Balls

Seal No. Removed _____ Seal No. Replaced _____

Set "A" "Cash 25" Balls

Seal No. Removed _____ Seal No. Replaced _____

Set "B" "Cash 25" Balls

Seal No. Removed _____ Seal No. Replaced _____

Set "C" "Cash 25" Balls

Seal No. Removed _____ Seal No. Replaced _____

Set "D" "Cash 25" Balls

Seal No. Removed _____ Seal No. Replaced _____

Emergency Security box: Seal removed _____ Seal Replaced _____

Security Tape: Seal removed _____ Seal Replaced _____

Respectfully Submitted,

Date _____ Security _____

Date _____ Event Manager _____

Date _____ Auditor _____

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EXHIBIT 7

WEST VIRGINIA LOTTERY WINNING NUMBERS TO BE RELEASED TO MEDIA

DAILY DRAWING DATE _____

"Daily 3" _____

"Daily 4" _____

"CASH 25" (List in Ascending Order)

Talent

Security

Event Manager

Auditor

Exhibit 8

WEST VIRGINIA LOTTERY
DATA PROCESSING

ADDITIONAL "CASH 25" DRAWING PROCEDURES

DOW: DATE (MMDDYY): __/__/__, MJD__

DATA PROCESSING REPRESENTATIVE: _____

EVENT MANAGER _____

1) Time arrived at IGT Computer Site _____

2) Time telephone connection made with Event Manager
and password confirmed _____

3) Time observed "Drawing Imminent" message and
conveyed to Event Manager _____

4) Time obtained 'On-Line Log Tape' and 'Daily Pics'
tapes _____

5) Watch TV drawing show:
a) Record "Daily 3" numbers appearing on
balls selected _____

b) Record "Daily 4" numbers appearing on
balls selected _____

c) Record "Cash 25" numbers appearing on
balls selected _____

d) Verify numbers observed by IGT Computer Op: _____

e) Verify numbers with Event Manager _____

f) Time telephone connection broken with Event Manager _____

6) Enter Verified Numbers:
a) IGT Computer numbers: _____

b) WVL _____

7) Obtain report from IGT Computer Operator: _____

8) Tapes and report to WVL Computer Site: _____

Exhibit 8-continued

PROCESSING TAKES ABOUT 30 MINUTES

9) Update current numbers on Lottery Web Page

10) Update current numbers on Lottery Telephone Message System (method on file computer operator, Nancy Bulla, and Pam Lopez)

Time Message Completed: _____

Recorded By: _____

Auditor: _____

Exhibit 9

Emergency Guidelines for Fairmont Computer CenterALTERNATE DRAWING PROCEDURES

1. At 5:00 p.m., the Lottery Event Manager and Security Officer will assemble at the designated drawing studio. The Independent Auditor and Talent will arrive by 6:15. It shall be the responsibility of the Security representative to ascertain the presence of required personnel and take appropriate action if they are absent. In the absence of Security personnel, this will be the responsibility of the Event Manager. The independent auditing firm will employ three (3) auditors to report to the drawing location on a regular basis and three others as substitutes to be rotated.

Upon arrival, each person will sign the drawing report form and record times of arrival. The Event Manager, Auditor, Talent and Security Officer will initial the form. The Security Officer will call the Director's representative by approximately 6:15 to affirm he/she is available.

2. The Security Officer and Event Manager will break out the required drawing equipment from secure storage, and inspect storage area containers, and equipment for signs of intrusion, tampering or damage.

3. As directed by the Auditor, a single set of certified game balls shall be selected. Security seals shall be inspected, broken in front of the security camera, and recorded.

4. Lottery Security personnel shall prepare the drawing machines as per the manufacturer's instructions, attached hereto as Exhibit 1.

5. After ascertaining that the drawing machines are operational, the selected sets of game balls will be installed in numerical order in the tubes by the Event Manager and/or the Security Officer. The Talent will not assist in this procedure unless it is deemed necessary by the Event Manager. Auditor, Security and Event Manager will confirm and log the presence of balls 1 through 25. The test-only sign shall be placed on the drawing equipment.

6. At approximately 6:30 p.m., the Auditor, Security Officer and Event Manager will conduct a minimum of three (3) test drawings, which should be completed by approximately 6:45 p.m. While Talent should participate for the rehearsal time, the pretests will be conducted without the Talent if he/she is unavailable. Auditor and Security shall record results of such drawings. If any one number is drawn three times in the same location on a pre-test or two times in the same location on the post test, another drawing test will be conducted to verify randomness. Any irregularities shall be agreed upon by attending officials and noted by the event manager on the drawing report form. Unless emergency procedures need to be implemented, the drawing balls will not be reloaded or tampered with in any way until the actual drawing is completed. The test-only sign shall be removed from the drawing equipment prior to the on-air drawing.

a. Continuous videotaping of all drawing activities from the time of ball insertion to the completion of post-testing will be accomplished, although an emergency situation interrupting its use or a malfunction of the security camera will not preclude the drawing from being conducted in the presence of the required drawing officials. The taping angle of the Security camera should be clear at all times. No unauthorized persons shall approach the drawing equipment. This requirement does not preclude television personnel from making adjustments necessary in the equipment to insure quality programming. No more than one person of the drawing staff (Security personnel, Event Manager, Independent Auditor) shall be absent from the set at any one time from the time of ball insertion until post-testing has been completed. Any violations of these requirements shall be logged.

8. At approximately 6:45 p.m. or no later than 6:52 p.m., two telephone lines shall be opened, one between the studio and the Fairmont Computer Center, and the other between the studio and the Lottery Computer Room. The Lottery Computer Room representative and the Fairmont Computer Room representative will both confirm the authorized links through exchange of passwords with the Event Manager. Both lines shall remain OPEN (not on hold) for the duration of the drawing period. Upon pool closing at approximately 6:50 P.M. the representatives at both the Lottery and Fairmont Computer Rooms will confirm to Event Manager that the pool has closed. By voice confirmation the Event Manager shall determine from the Fairmont facility that the file transfer has taken place and shall authorize the drawing to proceed.

9. At 6:59:00 p.m. On-Air Talent will conduct the live drawing (see exhibit 2 for examples).

10. Event Manager will operate "Cash 25" drawing equipment on command of On-Air Talent using manufacturer's instructions for the drawing machines attached hereto as Exhibit 1.

11. After equipment automatically selects balls, On-Air Talent will announce numbers in tray.

12. At the conclusion of on-air drawing, the Event Manager will confirm by telephone to both the Lottery representative at the computer center and the Fairmont Computer Representative the winning numbers drawn by reading the numbers and having them read back by each representative. The auditor will observe the activity to ensure the numbers are correctly read. Further, the numbers read from the drawing form completed by security will be verified by the event manager, independent auditor, and security officer for a second time as indicated on the drawing form (using the Auditor's form as a cross-check).

13. Prior to making media calls (exhibit 4), the Talent will complete the form as outlined in exhibit 8, which will be verified by the independent auditor, event manager, and security officer.

14. After the winning numbers are verified and confirmed with the computer center (exhibit 7) and after the three drawing officials verify the numbers for media calls, the drawing officials will place the "Test Drawing Only" sign on the drawing equipment and conduct two (2) post-tests as indicated on the drawing form. The post-tests will not be conducted before 7:05 p.m. As with the pre-tests, if the same number is drawn from one machine during both post-tests, an additional one will be conducted to confirm randomness. Results will be recorded and any irregularities shall be noted on the drawing report form.

15. At the conclusion of post-drawing testing, the Event Manager and/or Security Officer will return the drawing balls to their respective containers. The West Virginia Lottery Security Officer and the Independent Auditor will count and insure all balls are returned to the containers in their proper order. The Independent Auditor and Security Officer will secure the cases, attach a seal, and record the seal number. Drawing equipment shall also be properly secured and stored under lock by Security and assisted by the Event Manager. The auditor, event manager, and security officer will review the show tape.

16. West Virginia Lottery Security shall obtain the continuous videotape of drawing procedures and maintain custody of that tape, securing its case by seal and securing the tape at the earliest opportunity following the drawing. Security will place a red label on the security tape and a white label on the show tape.

17. Copies of required drawing certification forms will be completed and signed by required Lottery and independent auditor personnel (Drawing Report Form; Security Seal Records Log; Winning Numbers to be Released).

18. The Lottery Security staff will collect and West Virginia Lottery will retain and file original certification forms; Independent Auditor will prepare and supply certification letter on a monthly basis unless otherwise requested.

19. The Event Manager will return to the Lottery office to send the Winning Numbers to Be Released form to The Associated press via facsimile machine (Fax Number: 345-5282). The Event Manager will wait for the printed fax confirmation, attach a copy of the fax confirmation to the drawing report.

A F F I D A V I T

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West Virginia Code §5A-3-10a states:

No contract or renewal of any contract may be awarded by the state or any of its political subdivisions to any vendor or prospective vendor when the vendor or prospective vendor or a related party to the vendor or prospective vendor is a debtor and the debt owned is an amount greater than one thousand dollars in the aggregate.

DEFINITIONS:

"Debt" means any assessment, premium, penalty, fine, tax or other amount of money owed to the state or any of its political subdivisions because of a judgment, fine, permit violation, license assessment, defaulted workers' compensation premium, penalty or other assessment presently delinquent or due and required to be paid to the state or any of its political subdivisions, including any interest or additional penalties accrued thereon.

"Debtor" means any individual, corporation, partnership, association, limited liability company or any other form or business association owing a debt to the state or any of its political subdivisions.

"Political subdivision" means any county commission; municipality; county board of education; any instrumentality established by a county or municipality; any separate corporation or instrumentality established by one or more counties or municipalities, as permitted by law; or any public body charged by law with the performance of a government function or whose jurisdiction is coextensive with one or more counties or municipalities.

"Related party" means a party, whether an individual, corporation, partnership, association, limited liability company or any other form or business association or other entity whatsoever, related to any vendor by blood, marriage, ownership or contract through which the party has a relationship of ownership or other interest with the vendor so that the party will actually or by effect receive or control a portion of the benefit, profit or other consideration from performance of a vendor contract with the party receiving an amount that meets or exceeds five percent of the total contract amount.

EXCEPTION:

The prohibition of this section does not apply where a vendor has contested any tax administered pursuant to chapter eleven of this code, workers' compensation premium, permit fee or environmental fee or assessment and the matter has not become final or where the vendor has entered into a payment plan or agreement and the vendor is not in default of any of the provisions of such plan or agreement.

LICENSING:

The vendor must be licensed in accordance with any and all state requirements to do business with the state of West Virginia.

CONFIDENTIALITY:

The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit www.state.wv.us/admin/purchase/privacy for the Notice of Agency Confidentiality Policies.

Under penalty of law for false swearing (West Virginia Code, §61-5-3), it is hereby certified that the vendor acknowledges the information in this said affidavit and are in compliance with the requirements as stated.

Vendor's Name: _____

Authorized Signature: _____ Date: _____