



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
LOT446

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF
**SHELLY MURRAY
 304-558-8801**

**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
06/04/2008				

BID OPENING DATE: **07/10/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
REQUEST FOR QUOTATION						
<p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, WEST VIRGINIA LOTTERY, IS SOLICITING BIDS FOR A CONTRACT TO PRODUCE AND UPLINK SERVICES FOR TELEVISED NIGHTLY ON-LINE DRAWINGS.</p> <p>INQUIRES: WRITTEN QUESTIONS SHALL BE ACCEPTED THROUGH CLOSE OF BUSINESS ON 06/25/2008. QUESTIONS MAY BE SENT VIA USPS, FAX, COURIER, OR EMAIL. IN ORDER TO ASSURE NO VENDOR RECEIVES AN UNFAIR ADVANTAGE, NO SUBSTANTIVE QUESTIONS WILL BE ANSWERED ORALLY. IF POSSIBLE, EMAIL QUESTIONS ARE PREFERRED. ADDRESS INQUIRES TO:</p> <p style="text-align: center;">SHELLY MURRAY DEPARTMENT OF ADMINISTRATION PURCHASING DIVISION 2019 WASHINGTON STREET, EAST CHARLESTON, WV 25311 FAX: 304-558-4115 EMAIL: SHELLY.L.MURRAY@WV.GOV</p> <p>ATTACHMENTS: SPECIFICATIONS PURCHASING AFFIDAVIT</p>						
0001	1	LS		915-78		
TELEVISION PRODUCTION SERVICES						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
-----------	-----------	------

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
-------	------	-----------------------------------

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

**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 \$125.00 registration fee.
5. All services performed or goods delivered under State Purchase Orders/Contracts are to be continued for the term of the Purchase Order/Contract, 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 may be deemed null and void, and 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. **BID SUBMISSION:** All quotations must be delivered by the bidder to the office 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.

SIGNED BID TO:

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



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
LOT446

PAGE
2

ADDRESS CORRESPONDENCE TO ATTENTION OF
SHELLY MURRAY
304-558-8801

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

LOTTERY COMMISSION

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

DATE PRINTED 06/04/2008	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
-----------------------------------	---------------	----------	--------	---------------

BID OPENING DATE: **07/10/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>EXHIBIT 3</p> <p>LIFE OF CONTRACT: THIS CONTRACT BECOMES EFFECTIVE 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 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
-----------	-----------	------

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
-------	------	-----------------------------------

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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
LOT446

PAGE
3

ADDRESS CORRESPONDENCE TO ATTENTION OF:
**SHELLY MURRAY
 304-558-8801**

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	FOB	FREIGHT TERMS
06/04/2008				

BID OPENING DATE: **07/10/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</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>EXHIBIT 6</p> <p>PRICE ADJUSTMENT PROVISION: THE STATE OF WEST VIRGINIA WILL CONSIDER BIDS THAT CONTAIN PROVISIONS FOR PRICE ADJUSTMENTS PRIOR TO THE ORIGINAL EXPIRATION OF THE CONTRACT, PROVIDED THAT SUCH PRICE ADJUSTMENT COVERS BOTH UPWARD AND DOWNWARD MOVEMENT OF THE COMMODITY PRICE, AND THAT ADJUSTMENT IS BASED ON THE "PASS THROUGH" INCREASE OR DECREASE OF RAW MATERIALS AND/OR LABOR, WHICH MAKE UP ALL OR A SUBSTANTIAL PART OF A PRODUCT. ADJUSTMENTS ARE TO BE BASED UPON AN ACTUAL DOLLAR FIGURE, NOT A PERCENTAGE. ALL PRICE ADJUSTMENT REQUESTS MUST BE SUBSTANTIATED IN A MANNER ACCEPTABLE TO THE DIRECTOR PURCHASING, E.G. GOVERNMENTAL BENCH MARKS, GENERAL MARKET INCREASE, PUBLISHED PRICE LISTS. SUCH REQUESTS FOR AND INCREASE SHOULD BE RECEIVED IN WRITING BY THE DIRECTOR OF PURCHASING AT LEAST 30 DAYS IN ADVANCE OF THE EFFECTIVE DATE OF THE INCREASE. ANY TIME THE VENDOR REQUESTS A</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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
LOT446

PAGE
4

ADDRESS CORRESPONDENCE TO ATTENTION OF
**SHELLY MURRAY
 304-558-8801**

VENDOR

RFQ COPY
 TYPE NAME/ADDRESS HERE

SHIP TO

LOTTERY COMMISSION

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

DATE PRINTED	TERMS OF SALE	SHIP VIA	FOB	FREIGHT TERMS
06/04/2008				

BID OPENING DATE: **07/10/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>PRICE ADJUSTMENT, THE PURCHASING DIVISION MAY EITHER ACCEPT THE PRICE ADJUSTMENT AND AMEND THE CONTRACT ACCORDINGLY OR REJECT THE ADJUSTMENT IN ITS ENTIRETY AND CANCEL THE CONTRACT.</p> <p>PREFERRED TERMS: IT IS PREFERRED THAT THE PRICES ON THIS CONTRACT ARE FIRM FOR LIFE OF THE CONTRACT, AS INDICATED IN THE LIFE OF CONTRACT CLAUSE CONTAINED HEREIN, NOT TO EXCEED ONE (1) YEAR.</p> <p>PASS THROUGH PRICE INCREASES WILL BE CONSIDERED AT TIME OF CONTRACT RENEWAL ONLY.</p> <p>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-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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
-----------	-----------	------

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
-------	------	-----------------------------------

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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
LOT446

PAGE
5

ADDRESS CORRESPONDENCE TO ATTENTION OF
**SHELLY MURRAY
 304-558-8801**

RFQ COPY
 TYPE NAME/ADDRESS HERE

PROPERTY

SHIP TO

LOTTERY COMMISSION

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

DATE PRINTED 06/04/2008	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
-----------------------------------	---------------	----------	--------	---------------

BID OPENING DATE: **07/10/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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 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</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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
LOT446

PAGE
6

ADDRESS CORRESPONDENCE TO ATTENTION OF
**SHELLY MURRAY
 304-558-8801**

**RFQ COPY
 TYPE NAME/ADDRESS HERE**

VENDOR

SHIP TO

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

DATE PRINTED 06/04/2008	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
-----------------------------------	---------------	----------	--------	---------------

BID OPENING DATE: **07/10/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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>BIDDER: -----</p> <p>DATE: -----</p> <p>SIGNED: -----</p>						

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
-----------	-----------	------

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
-------	------	-----------------------------------

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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
LOT446

PAGE
7

ADDRESS CORRESPONDENCE TO ATTENTION OF:
SHELLY MURRAY
304-558-8801

RFQ COPY
 TYPE NAME/ADDRESS HERE

LOTTERY COMMISSION

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

DATE PRINTED	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
06/04/2008				

BID OPENING DATE: 07/10/2008 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
				TITLE: -----		
				* 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 MAXIMUM 5% PREFERENCE FOR BOTH "A" AND "B". (REV. 12/00)		
				NOTICE		
				A SIGNED BID MUST BE SUBMITTED TO:		
				DEPARTMENT OF ADMINISTRATION		
				PURCHASING DIVISION		
				BUILDING 15		
				2019 WASHINGTON STREET, EAST		
				CHARLESTON, WV 25305-0130		
				THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:		
				SEALED BID		
				BUYER:		
				SHELLY MURRAY / FILE 31		
				RFQ. NO.:		
				LOT446		
				BID OPENING DATE:		
				07/10/2008		
				BID OPENING TIME:		
				1:30 PM		

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'



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
LOT446

PAGE
8

ADDRESS CORRESPONDENCE TO ATTENTION OF
**SHELLY MURRAY
 304-558-8801**

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
06/04/2008				

BID OPENING DATE: **07/10/2008** BID OPENING TIME **01:30PM**

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
PLEASE PROVIDE A FAX NUMBER IN CASE IT IS NECESSARY TO CONTACT YOU REGARDING YOUR BID: ----- CONTACT PERSON (PLEASE PRINT CLEARLY): -----						
***** THIS IS THE END OF RFQ LOT446 ***** TOTAL:						_____

SEE REVERSE SIDE FOR TERMS AND CONDITIONS

SIGNATURE	TELEPHONE	DATE
-----------	-----------	------

TITLE	FEIN	ADDRESS CHANGES TO BE NOTED ABOVE
-------	------	-----------------------------------

WHEN RESPONDING TO RFQ, INSERT NAME AND ADDRESS IN SPACE ABOVE LABELED 'VENDOR'

REQUEST FOR QUOTATIONS LOT446

Production and Uplink Services for Televised Lottery Drawings

SUMMARY.

The West Virginia Lottery will obtain the services of a qualified vendor to produce, distribute, and broadcast televised nightly lottery numbers drawings. The successful vendor must also air the live 6:59 p.m. nightly numbers drawings and the Wednesday and Saturday night PowerBall® drawings currently occurring at 10:59 p.m., as well as submit availability for paid Lottery advertising. The successful vendor must provide on-air promotions of the drawings, including "re-caps" of drawing results within 30 minutes of the live drawing. The Lottery desires quality and consistency, thus requests that production occur in the successful vendor's owned and operated facility. Subcontracted services related to elements other than transmission or distribution shall not be proposed. The vendor must offer the highest quality transmission available, but it must also be compatible with the reception capabilities of the West Virginia Lottery's drawing stations. The successful vendor must have owned and operated the production equipment set forth by the Lottery in this RFQ prior to bid submission.

GENERAL SERVICES TO BE PROVIDED.

The successful vendor must provide the studio, television production crew and technical equipment necessary and appropriate for the Lottery to produce the 6:59 p.m. program currently designated as "West Virginia Lottery's Daily 3, Daily 4 and Cash25 Nightly Drawing." Up to three drawings within one minute shall be produced live, six times weekly - Monday, Tuesday, Wednesday, Thursday, Friday and Saturday. The location of the studio production facilities should be in close proximity to the West Virginia Lottery offices in Charleston, West Virginia to allow for an efficient commute for the Lottery's drawing staff.

The successful vendor shall transmit up to six lottery programs per week produced by the Lottery with vendor production facilities. A broadcast quality transmission shall be by the highest quality fixed, steerable satellite uplink, fiber optic, or digital transmission that meets West Virginia Lottery broadcast standards and is compatible with West Virginia Lottery drawing stations. The satellite uplink must be located within the borders of West Virginia. The successful vendor shall provide such transmission services for the period of time necessary (not less than 15 minutes) to insure successful distribution of lottery programs beginning at 6:59:00 p.m. Monday, Tuesday, Wednesday, Thursday, Friday and Saturday of each week. The West Virginia Lottery's transmission time shall not be utilized for any other customer during the designated transmission window.

The successful vendor must be able to create graphic images to portray "recaps" of the drawing balls and winning numbers. No fewer than two cameras will be used for the live drawing.

To ensure the highest broadcast quality and consistency, the successful vendor's owned and operated production facility must be equipped with no less than the following

technical production equipment: (brands and models offered only as examples of minimum requirements).

- Video switcher with programmable and instant recall effects memory that is capable of chroma key.
- Digital video effects generator that can be included in switcher.
- Multi-display channel character generator capable of displaying message read effects and programmable message/character display.
- Audio mixer able to mix studio microphones, videotape, audiotape and compact disc playback.
- Studio intercom system to allow communication between production staff, Lottery Event Manager, and studio talent. Wireless IFB preferred for talent.
- Digital clock for timing of program start and end times.
- Studio security camera with wide-angle lens to provide a view of entire studio production area feed directly to a VHS or DVD recorder.
- One (1) graphic display device, storage and playback of graphics and/or stills if needed in the production of the drawings or pre-production of program elements. This can be included in character generator.
- Studio lighting dimming system capable of storing and recalling lottery lighting pre-sets.
- Studio lighting grid must have some lights on adjustable hangers dedicated exclusively to lottery production (no fewer than 15 lights).
- Not fewer than two color studio cameras mounted on dolly pedestal and teleprompter monitors on each camera capable of chroma keying.
- Two (2) studio monitors for viewing Lottery practices and live drawings.
- Large studio chroma key area dedicated for use by Lottery for background.
- Not less than three (3) videotape or DVD recorder/players in control room area for editing, recording and playback of program elements.
- Not less than three (3) VHS or DVD recorders for recording of the Lottery security tape, off-air check, and switcher output program tape.

The successful vendor must provide studio space and secured storage for drawing equipment with appropriate climate control to preserve operational integrity of the equipment. The secured, enclosed storage container shall measure at least 8' high, 7' 9 1/2" deep and 11' 9" wide with wide access doors and a deadbolt lock on each door. The secured, enclosed storage container must be located in close proximity to the studio where the production takes place and must be accessible to lottery personnel from 5:00 p.m. to 6:00 p.m. and 6:30 p.m. to 7:30 p.m. each day, Monday through Saturday to assemble, inspect and test equipment. The Lottery's drawing balls and cases must be kept within the studio where the production takes place. Such case must be secure according to WV Lottery security specifications and approval. Lottery personnel must be allowed to remain on the premises from 5:00 p.m. until all procedures have been completed, which should be no later than 7:30 p.m. Likewise, the successful vendor's studio must be accessible seven days a week, including evenings, for additional lottery inspections, drawings or rehearsals that may be necessary.

The successful vendor must provide a trained and professional production crew for each drawing: An experienced director, a character generator operator, an audio operator, two studio camera operators and an engineering technician to facilitate transmission and distribution of the live signal. This crew must participate in the three (3) rehearsals that begin at 6:30 p.m. and following the 6:59:00 p.m. live telecast. The time between 7:00 p.m. and 7:30 p.m. is needed to verify results of drawings, perform post drawings, and to secure equipment in the storage area. Personnel should remain consistent, although substitutes may be used in the event of unplanned absences or vacations. The staff may be used for special situations in which a longer production time is needed for special events.

Two telephones must be available in the production studio adjacent to the Lottery machines' operating console for Lottery personnel to communicate with the West Virginia Lottery's computer site from 6:48 p.m. until after the drawing has been completed. No other use of the phones may be made for the duration of the Lottery's drawing schedule.

In addition, the successful vendor is required to provide a central meeting room (conference room) where all Lottery personnel and staff can meet prior to and after the drawings. The room should be equipped with a large table seating no fewer than five (5) persons, a combination VHS-DVD player / television to review the drawing, watch the live drawing and off-air or security tapes, as well as a telephone for lottery use. The successful vendor shall provide proof that the facility is secure with window and door locks subject to Lottery inspection and approval prior to granting of any contract. The successful vendor will provide adequate and secure parking for Lottery personnel in a lighted parking lot adjacent to the production studio.

The successful vendor must supply a catastrophic signal/distribution failure recovery plan.

Attached are copies of the Director's procedures for conducting the current lottery drawings. These procedures reflect all activities that must be performed by Lottery

personnel and supported by the successful vendor at each nightly telecast. The successful vendor must be able to meet these procedures each Monday, Tuesday, Wednesday, Thursday, Friday and Saturday night without modification.

Contract term; optional renewals.

This purchase order will be awarded for a period of one (1) year beginning October 9, 2008 and ending October 8, 2009, with options to renew for two additional one (1) year periods upon the terms and conditions outlined in this RFQ and initially bid by the vendor.

Payment.

Payment will be made monthly in arrears upon receipt of invoice.

Pass-Through of Increased Satellite Costs.

The vendor will be allowed to pass-through any satellite rate increases to the Lottery on a dollar-for-dollar basis with appropriate documentation. This only applies to increases in satellite rates after the submission of the bid under this RFQ. The vendor shall not mark-up the fee difference submitted for reimbursement.

Quotation Sheet.

Enclosed with this RFQ is a Quotation Sheet. The contract will be awarded to the successful vendor with the lowest responsible bid in the general fees section.

QUOTATION SHEET

FOR PURCHASE ORDER LOT ____
WEST VIRGINIA LOTTERY TELEVISION SERVICES

GENERAL FEE SECTION (ANNUAL)

Television Studio Production Services = \$ _____ per year.

Transmission Services = \$ _____ per year.

Vendor Verification Section

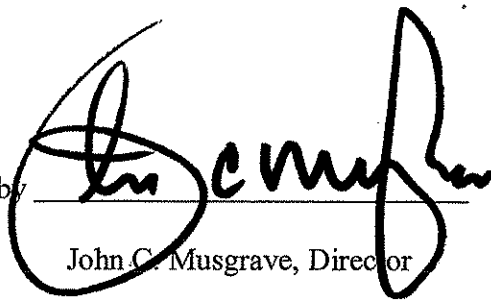
Vendor Name	_____
Vendor Registration Number	_____
Vendor Address	_____ _____
Vendor Phone Number	_____
Vendor Fax Number	_____
Officer Signing Quotation	_____
Date of Signature	_____

 (Officer's Signature)

* The lowest responsible quotation on this line will determine the low bid of LOT446.

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

AMENDED MAY 22, 2008

Approved by 
John C. Musgrave, Director

Date 5/22/2008

Contents

I. INTRODUCTION	1
II. PERSONNEL REQUIRED FOR DRAWINGS.....	1
III. EVENT EQUIPMENT.....	1
IV. GENERAL DRAWING PROCEDURES.....	2
V. DRAWING DEVIATIONS ("FOULED DRAWINGS").....	5
VI. EXCEPTIONS TO PROCEDURES.....	5
VII. TALENT TESTS FOR TECHNICAL DIFFICULTIES	5
VIII. EXHIBITS.....	6
EXHIBIT 1: DAILY 3 AND DAILY 4 MACHINES	7
EXHIBIT 2A: DAILY 3 AND DAILY 4 SCRIPT	8
EXHIBIT 2B: DAILY NUMBERS EMERGENCY SCRIPT.....	8
EXHIBIT 2C: DAILY 3 AND DAILY 4 EMERGENCY SCRIPT.....	8
EXHIBIT 3: ALTERNATE/EMERGENCY DAILY GAMES DRAWING PROCEDURES	9
EXHIBIT 4: PROCEDURE FOR RELEASING DAILY NUMBERS TO THE MEDIA	14
EXHIBIT 5: LIST OF KEY PERSONNEL	15
EXHIBIT 6: REQUIRED CERTIFICATION FORMS	19
EXHIBIT 7: RELEASE TO MEDIA	25
EXHIBIT 8: WEST VIRGINIA LOTTERY DATA PROCESSING ADDITIONAL CASH 25 DRAWING PROCEDURES.....	26
EXHIBIT 9: EMERGENCY GUIDELINES FOR FAIRMONT COMPUTER CENTER	27

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 and 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.

VIII. EXHIBITS

EXHIBIT 1: *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 -- ____, ____, and finally a lucky ____.

Tonight's winning "Daily 3" number is ____, ____, ____.

Now the "Daily 4" game. The first digit is _____. Next, is there a ____ on your ticket? Finally, ____ and _____.

Tonight's "Daily 4" winning number 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 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 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.

WIRE SERVICE
Associated Press

PHONE NUMBER
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: LIST OF KEY PERSONNEL

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

Name	Phone	Cell	Notes
Nancy Bulla		304-542-1699	Drawing Manager
	304-345-5623		Charleston home number
	304-645-1841		Lewisburg home number
David Bradley	304-768-9096	304-541-6373	Security Deputy/Traditional Games

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

Name	Phone	Cell	Notes
Libby White	304-342-0814	304-552-3079	Marketing Deputy
Jim Toney	304-346-7020	304-545-8185	Finance Deputy
John Musgrave	304-675-2495	304-545-4223	Lottery Director

The Independent 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 Stephanie Kuhn with Scientific Games. 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**

Name	Phone (home)	Phone (work)	Cell	Notes
Pam Lopez	304-346-7838		304-549-4243	

Security (cell in briefcase: 389-9756)

Name	Phone (home)	Phone (work)	Cell	Notes
Jimmy Cochran	304-586-1276	304-746-2147	304-444-3678	
Pat Legg	304-346-4733		304-389-9760	
Ray Moore	304-658-5923		304-389-9759	
Steve Compston	304-369-1314		304-389-3633	
Angel Mosley	304-549-6417		304-389-3598	
Gail Harper	304-744-4205			

Event Manager

Name	Phone (home)	Phone (work)	Cell	Notes
David Kinder			304-389-0016	
Sharon Lee	304-965-1234	304-558-5847		subs as security
Pam Lopez				as previously listed
Security Officers				as previously listed
Nancy Bulla				as previously listed

WOWK

(Conference Room: 304-343-1313 ext. 4305, or 800-234-9695 ext. 4305)

Name	Phone (home)	Phone (work)	Cell/Pager	Notes
Elbert Mosley	304-744-1196	304-720-6550	800-982-2327 pin: 8591	Production Director
Chas. Control Rm.		304-720-6580		
Lottery Lines		304-720-6544		
Lottery Lines		304-720-6545		

Dedicated Lottery Line

Number	Notes
304-558-3969	main
304-558-0500 x251	backup
304-558-0550 x251	Studio backup
304-389-9756	cell

Suttle & Stalnaker, PLLC
(Main Office: 304-343-4126 Fax: 304-343-8008)

Name	Phone (home)	Phone (work)	Cell/Pager	Notes
Horace Emery	304-345-4637	304-720-3103	304-415-4792	
Wally Suttle	304-548-6217	304-720-3126	304-415-3616	
Chris Deweese	304-415-2472	304-720-3107	304-415-4827	
Brian Morgan	304-776-0519	304-720-3140	304-542-5639	

Scientific Games

Name	Phone	Notes
Charleston Computer Room	304-357-5131	main
Charleston Computer Room	304-347-1692	emergency
Fairmont Computer Room	304-367-1486	
Fairmont Computer Room	304-367-1373	
Stephanie Kuhn	304-546-0415	cell

West Virginia Lottery

Name	Phone	Notes
Computer Room	304-558-0550	after hours

TV Control Rooms

Name	Phone
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.

Scheduled Talent

Name	Phone (home)	Phone (work)	Cell
Phil Washington	304-342-1128		
Kim Lamb		304-558-0500 x255	304-545-4566
Stephanie Holstein	304-965-5403		304-552-0956

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

Emergency Talent

Name	Phone(home)	Phone (work)	Cell	Notes
Kari Blankenship	304-744-3199	304-558-0500 x259	304-932-7200	
Robin Graley	304-925-6501			
Nancy Bulla				as previously listed
Pam Lopez				as previously listed

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

Name	Phone(home)	Phone (work)	Cell	Notes
Chris Leister	304-344-8387	304-720-6521	304-415-1462	
Allen Payne	304-925-6501	304-781-6007	304-377-4075	
Warren Kunkle	606-325-8339	304-781-6003	304-633-7373	as previously listed

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.)

	<u>Sec.</u>	<u>Man.</u>	<u>Aud.</u>
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 _____

	<u>1</u>	<u>2</u>	<u>3</u>			
Daily game "3" ball sets selected:	_____	_____	_____	_____	_____	_____

	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>		
Daily game "4" ball sets selected:	_____	_____	_____	_____	_____	_____

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

1-25 present and installed Y N

Test sign placed on equipment Y N

Daily game "3" pre-test:	<u>Sec</u>	<u>Man</u>	<u>Aud</u>
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:

		<u>Sec</u>	<u>Man</u>	<u>Aud</u>
"Daily 3" Game _____		_____	_____	_____
"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 _____		_____	_____	_____
Results Test 5 _____		_____	_____	_____
Daily game "4" post-test:				
Results Test 1 _____		_____	_____	_____
Results Test 2 _____		_____	_____	_____
Results Test 3 _____		_____	_____	_____
Results Test 4 _____		_____	_____	_____
Results Test 5 _____		_____	_____	_____
* "Cash25" balls 1-25 post-test:				
Results Test 1 _____		_____	_____	_____
Results Test 2 _____		_____	_____	_____
Results Test 3 _____		_____	_____	_____

	<u>Sec</u>	<u>Man</u>	<u>Aud</u>
Results Test 4 _____	_____	_____	_____
Results Test 5 _____	_____	_____	_____
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 Suttle & Stalnaker, PLLC, who has signed below.

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

Suttle & Stalnaker, PLLC

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):

Seal No. Removed _____	<u>Case "A" Daily Game Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Case "B" Daily Game Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Case "C" Daily Game Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Case "D" Daily Game Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Set "A" "Cash 25" Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Set "B" "Cash 25" Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Set "C" "Cash 25" Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Set "D" "Cash 25" Balls</u>	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: RELEASE TO MEDIA

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 (MM/DD/YY): ____/____/____, 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: _____

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 0 through 9 for each of the daily game machines. 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.

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 6:45 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 "Daily3 & Daily4" 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 drawn.

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).

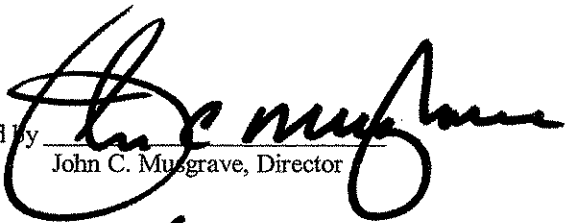
18. The Lottery Security staff will collect and West Virginia Lottery will retain and file original certification forms; Independent Auditor will prepare and supply certification letter on a monthly basis unless otherwise requested.

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.

WEST VIRGINIA LOTTERY

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

AMENDED MAY 22, 2008

Approved by 
John C. Musgrave, Director

Date 5/22/2008

Contents

I. INTRODUCTION.....	1
II. PERSONNEL REQUIRED FOR DRAWINGS.....	1
III. EVENT EQUIPMENT.....	1
IV. GENERAL DRAWING PROCEDURES	2
V. DRAWING DEVIATIONS ("FOULED DRAWINGS").....	4
VI. EXCEPTIONS TO PROCEDURES	4
VII. TALENT TESTS FOR TECHNICAL DIFFICULTIES.....	4
VIII. EXHIBITS.....	5
EXHIBIT 1: DRAWING MACHINES INSTRUCTIONS FOR USE.....	6
EXHIBIT 2A: "CASH25" DRAWING SCRIPT.....	7
EXHIBIT 2B: "CASH25" EMERGENCY SCRIPT	7
(IN THE EVENT OF DIFFICULTIES DURING THE SHOW).....	7
EXHIBIT 2C: "CASH25" EMERGENCY SCRIPT	7
(IN THE EVENT OF DIFFICULTIES BEFORE AIR TIME).....	7
EXHIBIT 3: ALTERNATE/EMERGENCY "CASH25" DRAWING PROCEDURES.....	8
EXHIBIT 4: PROCEDURE FOR RELEASING DAILY/CASH25 NUMBERS TO THE MEDIA	12
EXHIBIT 5: LIST OF KEY PERSONNEL.....	13
EXHIBIT 6: REQUIRED CERTIFICATION FORMS.....	16
EXHIBIT 7: RELEASE TO MEDIA.....	22
EXHIBIT 8: WEST VIRGINIA LOTTERY DATA PROCESSING ADDITIONAL CASH 25 DRAWING PROCEDURES	23
EXHIBIT 9: EMERGENCY GUIDELINES FOR FAIRMONT COMPUTER CENTER	24

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.

VIII. EXHIBITS

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: "CASH25" 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 digit is ____, followed by ____ and finally ____ . Again, the "Daily 3" winning number is ____ ____ ____ . 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: "CASH25" 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: "CASH25" 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 "CASH25" 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.

WIRE SERVICE

Associated Press

PHONE NUMBER

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: LIST OF KEY PERSONNEL

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

Name	Phone	Cell	Notes
Nancy Bulla		304-542-1699	Drawing Manager
	304-345-5623		Charleston home
	304-645-1841		Lewisburg home
David Bradley	304-768-9096	304-541-6373	Security Deputy/Traditional Games

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

Name	Phone	Cell	Notes
Libby White	304-342-0814	304-552-3079	Marketing Deputy
Jim Toney	304-346-7020	304-545-8185	Finance Deputy
John Musgrave	304-675-2495	304-545-4223	Lottery Director

The Independent 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 Stephanie Kuhn with Scientific Games. 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

Name	Phone (home)	Phone (work)	Cell	Notes
Pam Lopez	304-346-7838		304-549-4243	

Security (cell in briefcase: 389-9756)

Name	Phone (home)	Phone (work)	Cell	Notes
Jimmy Cochran	304-586-1276	304-746-2147	304-444-3678	
Pat Legg	304-346-4733		304-389-9760	
Ray Moore	304-658-5923		304-389-9759	
Steve Compston	304-369-1314		304-389-3633	
Angel Mosley	304-549-6417		304-389-3598	
Gail Harper	304-744-4205			

Event Manager

Name	Phone (home)	Phone (work)	Cell	Notes
David Kinder			304-389-0016	
Sharon Lee	304-965-1234	304-558-5847		subs as security
Pam Lopez				as previously listed
Security Officers				as previously listed
Nancy Bulla				as previously listed

LIST OF ADDITIONAL KEY PERSONNEL (continued)

WOWK

(Conference Room: 304-343-1313 ext. 4305, or 800-234-9695 ext. 4305)

Name	Phone (home)	Phone (work)	Cell/Pager	Notes
Elbert Mosley	304-744-1196	304-720-6550	800-982-2327 pin: 8591	Production Director
Chas. Control Rm.		304-720-6580		
Lottery Lines		304-720-6544		
Lottery Lines		304-720-6545		

Dedicated Lottery Line

Number	Notes
304-558-3969	main
304-558-0500 x251	backup
304-558-0550 x251	backup
304-389-9756	cell

Suttle & Stalnaker, PLLC

(Main Office: 304-343-4126 Fax: 304-343-8008)

Name	Phone (home)	Phone (work)	Cell/Pager	Notes
Horace Emery	304-345-4637	304-720-3103	304-415-4792	
Wally Suttle	304-548-6217	304-720-3126	304-415-3616	
Chris Deweese	304-415-2472	304-720-3107	304-415-4827	
Brian Morgan	304-776-0519	304-720-3140	304-542-5639	

Scientific Games

Name	Phone	Notes
Charleston Computer Room	304-357-5131	main
Charleston Computer Room	304-347-1692	emergency
Fairmont Computer Room	304-367-1486	
Fairmont Computer Room	304-367-1373	
Stephanie Kuhn	304-546-0415	cell

West Virginia Lottery

Name	Phone	Notes
Computer Room	304-558-0550	after hours

TV Control Rooms

Name	Phone
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.

Scheduled Talent

Name	Phone (home)	Phone (work)	Cell
Phil Washington	304-342-1128		
Kim Lamb		304-558-0500 x255	304-545-4566
Stephanie Holstein	304-965-5403		304-552-0956

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

Emergency Talent

Name	Phone(home)	Phone (work)	Cell	Notes
Kari Blankenship	304-744-3199	304-558-0500 x259	304-932-7200	
Robin Graley	304-925-6501			
Nancy Bulla				as previously listed
Pam Lopez				as previously listed

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

Name	Phone(home)	Phone (work)	Cell	Notes
Chris Leister	304-344-8387	304-720-6521	304-415-1462	
Allen Payne	304-925-6501	304-781-6007	304-377-4075	
Warren Kunkle	606-325-8339	304-781-6003	304-633-7373	as previously listed

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.)

	<u>Sec.</u>	<u>Man.</u>	<u>Aud.</u>
Pre-Show Security Tape Seal Number: _____	_____	_____	_____
Daily Game Balls Secured: <u>Y</u> <u>N</u>			
Seal # Verified A _____ B _____ C _____ D _____	_____	_____	_____
Seal # Removed A _____ B _____ C _____ D _____	_____	_____	_____
* "Cash25" game balls secured: <u>Y</u> <u>N</u>			
Seal # Verified A _____ B _____ C _____ D _____	_____	_____	_____
Seal # Removed A _____ B _____ C _____ D _____	_____	_____	_____
Daily game "3" ball sets selected: _____	_____	_____	_____
Daily game "4" ball sets selected: _____	_____	_____	_____
All sets of daily numbers 0-9 present and installed: <u>Y</u> <u>N</u>	_____	_____	_____
25 present and installed <u>Y</u> <u>N</u>	_____	_____	_____
Test sign placed on equipment <u>Y</u> <u>N</u>	_____	_____	_____

		<u>Sec</u>	<u>Man</u>	<u>Aud</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:				

		<u>Sec</u>	<u>Man</u>	<u>Aud</u>
"Daily 3" Game	_____	_____	_____	_____
"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	_____	_____	_____	_____
Results Test 5	_____	_____	_____	_____
Daily game "4" post-test:				
Results Test 1	_____	_____	_____	_____
Results Test 2	_____	_____	_____	_____
Results Test 3	_____	_____	_____	_____
Results Test 4	_____	_____	_____	_____
Results Test 5	_____	_____	_____	_____
* "Cash25" balls 1-25 post-test:				
Results Test 1	_____	_____	_____	_____
Results Test 2	_____	_____	_____	_____
Results Test 3	_____	_____	_____	_____

	<u>Sec</u>	<u>Man</u>	<u>Aud</u>
Results Test 4 _____	_____	_____	_____
Results Test 5 _____	_____	_____	_____
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 Suttle & Stalnaker, PLLC, who has signed below.

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

Suttle & Stalnaker, PLLC

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):

Seal No. Removed _____	<u>Case "A" Daily Game Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Case "B" Daily Game Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Case "C" Daily Game Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Case "D" Daily Game Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Set "A" "Cash 25" Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Set "B" "Cash 25" Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Set "C" "Cash 25" Balls</u>	Seal No. Replaced _____
Seal No. Removed _____	<u>Set "D" "Cash 25" Balls</u>	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: RELEASE TO MEDIA

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 (MM/DD/YY): ____ / ____ / ____, 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: _____

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.

STATE OF WEST VIRGINIA
Purchasing Division

PURCHASING AFFIDAVIT

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 owed 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: Vendors must be licensed and in good standing in accordance with any and all state and local laws and requirements by any state or local agency of West Virginia, including, but not limited to, the West Virginia Secretary of State's Office, the West Virginia Tax Department, West Virginia Insurance Commission, or any other state agencies or political subdivision. Furthermore, the vendor must provide all necessary releases to obtain information to enable the Director or spending unit to verify that the vendor is licensed and in good standing with the above entities.

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: _____