



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
LOT450

PAGE
1

ADDRESS CORRESPONDENCE TO ATTENTION OF:
SHELLY MURRAY
<del>304-558-8801</del>

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	F.O.B.	FREIGHT TERMS
03/05/2009				

BID OPENING DATE: 03/18/2009 BID OPENING TIME: 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
0001	1	HR		946-20		
<p>OPEN END CONTRACT</p> <p>THE WEST VIRGINIA PURCHASING DIVISION, FOR THE AGENCY, THE WEST VIRGINIA LOTTERY COMMISSION, IS SOLICITING BIDS FOR AN INDEPENDENT CPA FIRM TO PROVIDE AUDITING SERVICES PER THE ATTACHED SPECIFICATIONS.</p> <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</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'

**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 fee.
5. All services performed or goods delivered under State Purchase Order/Contracts are to be continued for the term of the Purchase Order/Contracts, contingent upon funds being appropriated by the Legislature or otherwise being made available. In the event funds are not appropriated or otherwise available for these services or goods, this Purchase Order/Contract becomes void and of no effect after June 30.
6. Payment may only be made after the delivery and acceptance of goods or services.
7. Interest may be paid for late payment in accordance with the *West Virginia Code*.
8. Vendor preference will be granted upon written request in accordance with the *West Virginia Code*.
9. The State of West Virginia is exempt from federal and state taxes and will not pay or reimburse such taxes.
10. The Director of Purchasing may cancel any Purchase Order/Contract upon 30 days written notice to the seller.
11. The laws of the State of West Virginia and the *Legislative Rules* of the Purchasing Division shall govern all rights and duties under the Contract, including without limitation the validity of this Purchase Order/Contract.
12. Any reference to automatic renewal is hereby deleted. The Contract may be renewed only upon mutual written agreement of the parties.
13. **BANKRUPTCY:** In the event the vendor/contractor files for bankruptcy protection, this Contract 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 Cover Entity (45 CFR §160.103) and will be disclosing Protected Health Information (45 CFR §160.103) to the vendor.
15. **WEST VIRGINIA ALCOHOL & DRUG-FREE WORKPLACE ACT:** If this Contract constitutes a public improvement construction contract as set forth in Article 1D, Chapter 21 of the West Virginia Code ("The West Virginia Alcohol and Drug-Free Workplace Act"), then the following language shall hereby become part of this Contract: "The contractor and its subcontractors shall implement and maintain a written drug-free workplace policy in compliance with the West Virginia Alcohol and Drug-Free Workplace Act, as set forth in Article 1D, Chapter 21 of the West Virginia Code. The contractor and its subcontractors shall provide a sworn statement in writing, under the penalties of perjury, that they maintain a valid drug-free work place policy in compliance with the West Virginia and Drug-Free Workplace Act. It is understood and agreed that this Contract shall be cancelled by the awarding authority if the Contractor: 1) Fails to implement its drug-free workplace policy; 2) Fails to provide information regarding implementation of the contractor's drug-free workplace policy at the request of the public authority; or 3) Provides to the public authority false information regarding the contractor's drug-free workplace policy."

---

**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 case 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: Department of Administration, Purchasing Division, 2019 Washington Street East, P.O. 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
LOT450

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	TERMS OF SALE	SHIP VIA	F.O.B.	FREIGHT TERMS
03/05/2009				

BID OPENING DATE: 03/18/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>WRITTEN CONSENT OF THE SPENDING UNIT AND VENDOR, SUBMITTED TO THE DIRECTOR OF PURCHASING THIRTY (30) DAYS PRIOR TO THE EXPIRATION DATE. SUCH RENEWAL SHALL BE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT AND SHALL BE LIMITED TO TWO (2) ONE (1) YEAR PERIODS.</p> <p>CANCELLATION: THE DIRECTOR OF PURCHASING RESERVES THE RIGHT TO CANCEL THIS CONTRACT IMMEDIATELY UPON WRITTEN NOTICE TO THE VENDOR IF THE COMMODITIES AND/OR SERVICES SUPPLIED ARE OF AN INFERIOR QUALITY OR DO NOT CONFORM TO THE SPECIFICATIONS OF THE BID AND CONTRACT HEREIN.</p> <p>OPEN MARKET CLAUSE: THE DIRECTOR OF PURCHASING MAY AUTHORIZE A SPENDING UNIT TO PURCHASE ON THE OPEN MARKET, WITHOUT THE FILING OF A REQUISITION OR COST ESTIMATE, ITEMS SPECIFIED ON THIS CONTRACT FOR IMMEDIATE DELIVERY IN EMERGENCIES DUE TO UNFORESEEN CAUSES (INCLUDING BUT NOT LIMITED TO DELAYS IN TRANSPORTATION OR AN UNANTICIPATED INCREASE IN THE VOLUME OF WORK.)</p> <p>QUANTITIES: QUANTITIES LISTED IN THE REQUISITION ARE APPROXIMATIONS ONLY, BASED ON ESTIMATES SUPPLIED BY THE STATE SPENDING UNIT. IT IS UNDERSTOOD AND AGREED THAT THE CONTRACT SHALL COVER THE QUANTITIES ACTUALLY ORDERED FOR DELIVERY DURING THE TERM OF THE CONTRACT, WHETHER MORE OR LESS THAN THE QUANTITIES SHOWN.</p> <p>ORDERING PROCEDURE: SPENDING UNIT(S) SHALL ISSUE A WRITTEN STATE CONTRACT ORDER (FORM NUMBER WV-39) TO THE VENDOR FOR COMMODITIES COVERED BY THIS CONTRACT. THE ORIGINAL COPY OF THE WV-39 SHALL BE MAILED TO THE VENDOR AS AUTHORIZATION FOR SHIPMENT, A SECOND COPY MAILED TO THE PURCHASING DIVISION, AND A THIRD COPY RETAINED BY THE SPENDING UNIT.</p>						

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
LOT450

PAGE
3

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	F.O.B.	FREIGHT TERMS
03/05/2009				

BID OPENING DATE: 03/18/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT. NO.	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>BANKRUPTCY: IN THE EVENT THE VENDOR/CONTRACTOR FILES FOR BANKRUPTCY PROTECTION, THIS CONTRACT IS AUTOMATICALLY NULL AND VOID, AND IS TERMINATED WITHOUT FURTHER ORDER.</p> <p>THE TERMS AND CONDITIONS CONTAINED IN THIS CONTRACT SHALL SUPERSEDE ANY AND ALL SUBSEQUENT TERMS AND CONDITIONS WHICH MAY APPEAR ON ANY ATTACHED PRINTED DOCUMENTS SUCH AS PRICE LISTS, ORDER FORMS, SALES AGREEMENTS OR MAINTENANCE AGREEMENTS, INCLUDING ANY ELECTRONIC MEDIUM SUCH AS CD-ROM.</p> <p>REV. 04/11/2001</p> <p>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 PRICE ADJUSTMENT, THE PURCHASING DIVISION MAY EITHER</p>						

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
LOT450

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	F.O.B.	FREIGHT TERMS
03/05/2009				

BID OPENING DATE: 03/18/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
<p>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>WORKERS' COMPENSATION: VENDOR IS REQUIRED TO PROVIDE A CERTIFICATE FROM WORKERS' COMPENSATION IF SUCCESSFUL.</p> <p style="text-align: center;">NOTICE</p> <p>A SIGNED BID MUST BE SUBMITTED TO:</p> <p style="text-align: center;">DEPARTMENT OF ADMINISTRATION            PURCHASING DIVISION            BUILDING 15            2019 WASHINGTON STREET, EAST            CHARLESTON, WV 25305-0130</p> <p>THE BID SHOULD CONTAIN THIS INFORMATION ON THE FACE OF THE ENVELOPE OR THE BID MAY NOT BE CONSIDERED:</p> <p>SEALED BID</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
LOT450

PAGE
5

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	F.O.B.	FREIGHT TERMS
03/05/2009				

BID OPENING DATE: 03/18/2009 BID OPENING TIME 01:30PM

LINE	QUANTITY	UOP	CAT NO	ITEM NUMBER	UNIT PRICE	AMOUNT
BUYER: SHELLY MURRAY RFQ. NO.: LOT450 BID OPENING DATE: 03/18/2009 BID OPENING TIME: 1:30 PM  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 LOT450 ***** 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'

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

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

**1.1 Description of Lottery Drawing Auditor Services:**

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

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

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

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

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

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

## **1.2 Time Requirements of Lottery Drawing Auditor**

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

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

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

## **1.3 Personnel Requirements of provider of Lottery Drawing Auditor Services.**

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

# QUOTATION SHEET

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

Print firm name \_\_\_\_\_

Print officer name \_\_\_\_\_

Signature \_\_\_\_\_

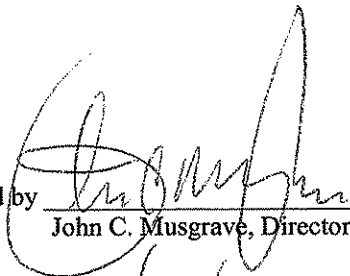
Title \_\_\_\_\_

Date \_\_\_\_\_

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

WEST VIRGINIA LOTTERY  
DIRECTOR'S PROCEDURES FOR CONDUCT OF  
"CASH 25" DRAWINGS

AMENDED OCTOBER 6, 2008

Approved by   
John C. Musgrave, Director

Date 2/24/9

## Contents

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

## 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 6:59:30 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. Either the Security Officer or 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 security officer will wait for the printed fax confirmation and attach a copy of the fax confirmation to the drawing report. Security will make a copy 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. The Lottery’s computer vendor 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 on-site drawing staff in the presence of the Independent Auditor will use the combination to retrieve the spare key contained in the mounted lock box.

2. If the spare key is needed and retrieved in the presence of the Independent Auditor, the drawing staff will 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 Lottery's vendor computer center 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:

The Event Manager will make every attempt to contact a back-up security officer. Failing, the event mgr. will act in both capacities. The drawing will not be delayed.

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 6:59:30 p.m., a phone call must be made to the Associated Press releasing the winning numbers.

WIRE SERVICE

PHONE NUMBER

Associated Press

346-0897

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

In addition, either the event manager or security officer 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

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

Name	Phone	Cell	Notes
Nikki Orcutt	304-768-4721	304-550-5063	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	
Lloyd Brown	304-346-9910		304-382-7920	

**Event Manager**

Name	Phone (home)	Phone (work)	Cell	Notes
David Kinder			304-389-0016	
Sharon Lee-Tignor	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)

**WVPBS**

(Conference room fourth floor/Green Room: 304-556-4983)

Name	Phone (home)	Phone (work)	Cell	Notes
Chuck Roberts		304-556-4939	304-550-8682	Production Supervisor
Control Room		304-556-4978		
Lottery Line		304-348-0561		
Lottery Line		304-348-0562		

**Suttle & Stalnaker, PLLC**

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

Name	Phone (home)	Phone (work)	Cell	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	304-984-1658	304-720-3107	304-415-4827	
Christine Watson	304-768-1546	304-720-3130	304-552-7180	

**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	Also 558-3969

**TV Control Rooms**

Name	Phone
WSAZ-TV	304-697-4241
WBOY-TV	304-326-6723
WTRF-TV	304-230-6255
WTAP-TV	304-485-4584
WOAY-TV	304-465-1046
WVVA-TV	304-324-0672
NBC25 (WHAG)	301-797-4420

**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
Karl 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 WVPBS, please contact:**

Name	Phone (home)	Phone (work)	Cell	Notes
Chuck Roberts				as previously listed
Rich Carter		304-556-4970	304-545-6931	Director TV production
Bill Acker		304-556-4905	304-533-6805	Chief Engineer

**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>
<b>Daily game "3" pre-test:</b>				
Results Test 1	_____	_____	_____	_____
Results Test 2	_____	_____	_____	_____
Results Test 3	_____	_____	_____	_____
Results Test 4	_____	_____	_____	_____
Results Test 5	_____	_____	_____	_____
<b>Daily game "4" pre-test:</b>				
Results Test 1	_____	_____	_____	_____
Results Test 2	_____	_____	_____	_____
Results Test 3	_____	_____	_____	_____
Results Test 4	_____	_____	_____	_____
Results Test 5	_____	_____	_____	_____
<b>* "Cash25" pre-drawing test:</b>				
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 _____	<b><u>Case "A" Daily Game Balls</u></b>	Seal No. Replaced _____
Seal No. Removed _____	<b><u>Case "B" Daily Game Balls</u></b>	Seal No. Replaced _____
Seal No. Removed _____	<b><u>Case "C" Daily Game Balls</u></b>	Seal No. Replaced _____
Seal No. Removed _____	<b><u>Case "D" Daily Game Balls</u></b>	Seal No. Replaced _____
Seal No. Removed _____	<b><u>Set "A" "Cash 25" Balls</u></b>	Seal No. Replaced _____
Seal No. Removed _____	<b><u>Set "B" "Cash 25" Balls</u></b>	Seal No. Replaced _____
Seal No. Removed _____	<b><u>Set "C" "Cash 25" Balls</u></b>	Seal No. Replaced _____
Seal No. Removed _____	<b><u>Set "D" "Cash 25" Balls</u></b>	Seal No. Replaced _____

**Emergency Security box:** Key removed \_\_\_\_\_ Key replaced/box secured \_\_\_\_\_

**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 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) Lottery Computer vendor 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 6:59:30 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).

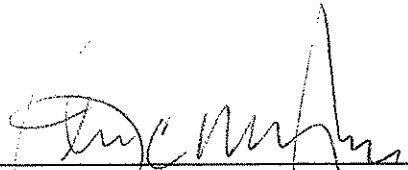
18. The Lottery Security staff will collect and West Virginia Lottery will retain and file original certification forms; Independent Auditor will prepare and supply certification letter on a monthly basis unless otherwise requested.

19. The 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 security officer 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 security officer 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**  
**"DAILY 3" & "DAILY 4" DRAWINGS**

AMENDED OCTOBER 6, 2008

Approved by   
\_\_\_\_\_  
John C. Musgrave, Director

Date 2/26/09

## 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: <i>DAILY 3</i> AND <i>DAILY 4</i> MACHINES .....	7
EXHIBIT 2A: <i>DAILY 3</i> AND <i>DAILY 4</i> SCRIPT.....	8
EXHIBIT 2B: DAILY NUMBERS EMERGENCY SCRIPT.....	8
EXHIBIT 2C: <i>DAILY 3</i> AND <i>DAILY 4</i> 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 <i>CASH 25</i> 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 6:59:30 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 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 security officer will wait for the printed fax confirmation and attach a copy of the fax confirmation to the drawing report. Security will make a copy 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. The Lottery's computer vendor 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 from Lottery headquarters in a timely manner, the drawing staff on hand may use the combination to the lock box to retrieve the necessary key.
2. If the spare key is needed and retrieved in the presence of the Independent Auditor, the drawing staff will 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**

The Event Manager will make every attempt to contact a back-up security officer. Having failed, the event manager will act in both capacities. The drawing will not be delayed.

### **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 6:59:30 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 security officer or 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:

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

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

<b>Name</b>	<b>Phone</b>	<b>Cell</b>	<b>Notes</b>
<b>Nikki Orcutt</b>	304-768-4721	304-550-5063	Marketing Deputy
<b>Jim Toney</b>	304-346-7020	304-545-8185	Finance Deputy
<b>John Musgrave</b>	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
<b>Pam Lopez</b>	304-346-7838		304-549-4243	

**Security (cell in briefcase: 389-9756)**

Name	Phone (home)	Phone (work)	Cell	Notes
<b>Jimmy Cochran</b>	304-586-1276	304-746-2147	304-444-3678	
<b>Pat Legg</b>	304-346-4733		304-389-9760	
<b>Ray Moore</b>	304-658-5923		304-389-9759	
<b>Steve Compston</b>	304-369-1314		304-389-3633	
<b>Angel Mosley</b>	304-549-6417		304-389-3598	
<b>Lloyd Brown</b>	304-346-9910		304-382-7920	

**Event Manager**

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

**WVPBS****(Conference room fourth floor/Green Room: 304-556-4983)**

Name	Phone (home)	Phone (work)	Cell	Notes
<b>Chuck Roberts</b>		304-556-4939	304-550-8682	Production Supervisor
<b>Control Room</b>		304-556-4978		
<b>Lottery Line</b>		304-348-0561		
<b>Lottery Line</b>		304-348-0562		

**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	304-984-1658	304-720-3107	304-415-4827	
Christine Watson	304-768-1546	304-720-3130	304-552-7180	

**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	Also: 304-558-3969

**TV Control Rooms**

Name	Phone
WSAZ-TV	304-697-4041
WBOY-TV	304-326-6723
WTRF-TV	304-230-6255
WTAP-TV	304-485-4584
WOAY-TV	304-465-1046
WVVA-TV	304-324-0672
NBC25 (WHAG)	301-797-4420

**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**

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

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

**Emergency Talent**

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

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

<b>Name</b>	<b>Phone(home)</b>	<b>Phone (work)</b>	<b>Cell</b>	<b>Notes</b>
<b>Chuck Roberts</b>				As previously listed
<b>Rich Carter</b>		304-556-4970	304-545-6931	Director TV production
<b>Bill Acker</b>		304-556-4905	304-533-6805	Chief Engineer

**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			
_____	_____	_____	_____	_____	_____	_____	_____

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

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

All sets of daily numbers 0-9 present and installed:	<u>Y</u>	<u>N</u>	_____	_____	_____
--	----------	----------	-------	-------	-------

1-25 present and installed	<u>Y</u>	<u>N</u>	_____	_____	_____
----------------------------	----------	----------	-------	-------	-------

Test sign placed on equipment	<u>Y</u>	<u>N</u>	_____	_____	_____
-------------------------------	----------	----------	-------	-------	-------

		<u>Sec</u>	<u>Man</u>	<u>Aud</u>
<b>Daily game "3" pre-test:</b>				
Results Test 1	_____	_____	_____	_____
Results Test 2	_____	_____	_____	_____
Results Test 3	_____	_____	_____	_____
Results Test 4	_____	_____	_____	_____
Results Test 5	_____	_____	_____	_____

<b>Daily game "4" pre-test:</b>				
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: Key removed \_\_\_\_\_ Key replaced/Lock secured \_\_\_\_\_

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 Lottery Vendor 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 6:59:30 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 security officer 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 or 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 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

### Vendor Disclosure Form

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

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



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



Fingerprint Information  
All fields are mandatory unless otherwise noted

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

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

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

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

Date of Birth: [ ] YYYY/MM/DD Place of Birth: [ ]

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

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

**RELEASE OF INFORMATION**

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

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

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

Signature: [ ]  
*I attest that all information written on this form is true and correct*

Date: [ ]

ID CHECKED AND VERIFIED

INITIALS OF INVESTIGATOR \_\_\_\_\_

OCA #



FEIN No. \_\_\_\_\_

### West Virginia Lottery Individual Affidavit

To Whom It May Concern:

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

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

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

NOTARY

APPLICANT

State of \_\_\_\_\_

County of \_\_\_\_\_

Taken, Subscribed, and Sworn to before me this  
day of \_\_\_\_\_,

\_\_\_\_\_  
(Notary Public Signature)

My Commission Expires:

\_\_\_\_\_  
(Notary Seal)  
\*Revised 4/20/05

Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_

Phone No. \_\_\_\_\_

Date of Birth \_\_\_\_\_

Date \_\_\_\_\_

Authorized  
Signature \_\_\_\_\_

# West Virginia Lottery CORPORATE AFFIDAVIT

To whom it may concern:

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

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

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

## Notary Statement

State of \_\_\_\_\_  
County of \_\_\_\_\_

Taken, Subscribed and Sworn to  
before me this \_\_\_\_\_ day of  
\_\_\_\_\_, \_\_\_\_\_

My Commission expires:  
\_\_\_\_\_

*This form may be copied as necessary*

\_\_\_\_\_  
(Corporate, Firm, Association Name)

Current Address \_\_\_\_\_  
\_\_\_\_\_

Telephone Number \_\_\_\_\_

F.E.I.N. \_\_\_\_\_

Today's Date \_\_\_\_\_

Signature \_\_\_\_\_



# PERSONAL DATA AND FINANCIAL DISCLOSURE FORM

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

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

---

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

---

3. PRESENT EMPLOYER: \_\_\_\_\_

---

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

LIST NAMES OF ANY RELATIVES EMPLOYED BY THE WV LOTTERY: \_\_\_\_\_

---

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

1. \_\_\_\_\_  
2. \_\_\_\_\_  
3. \_\_\_\_\_

THIS FORM CAN BE COPIED AS NECESSARY

### NOTARY STATEMENT

State Of \_\_\_\_\_  
County Of \_\_\_\_\_

\_\_\_\_\_  
Type or Print Name and Title

Taken, Subscribed, and Sworn to before this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
(Signature)

My commission expires: \_\_\_\_\_

FORM F

\*Revised 4/20/05

WEST VIRGINIA LOTTERY  
INDIVIDUAL DISCLOSURE  
REGARDING POLITICAL CONTRIBUTIONS

I hereby certify that:

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

\_\_\_\_\_ I have made the following political contributions:

State of \_\_\_\_\_  
County \_\_\_\_\_

Full Name \_\_\_\_\_

Current Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Social Security No. \_\_\_\_\_

Date \_\_\_\_\_

Taken, subscribed and  
sworn to me this \_\_\_\_\_ day  
of \_\_\_\_\_, 19\_\_

\_\_\_\_\_  
(Name)

My commission expires:  
\_\_\_\_\_

\_\_\_\_\_  
(Signature)

WEST VIRGINIA LOTTERY  
CORPORATE DISCLOSURE  
REGARDING POLITICAL CONTRIBUTIONS

I hereby certify that:

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

\_\_\_\_\_ I have made the following political contributions:

(Notary Statement)

State of \_\_\_\_\_

County of \_\_\_\_\_

Taken, subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_

\_\_\_\_\_

(Name)

My Commission Expires:  
\_\_\_\_\_

(Applicant)

Full Name \_\_\_\_\_

Current Address \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FEIN No. \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

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

STATE OF WEST VIRGINIA  
Purchasing Division

## PURCHASING AFFIDAVIT

**VENDOR OWING A DEBT TO THE STATE:**

*West Virginia Code* §5A-3-10a provides that: 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.

**PUBLIC IMPROVEMENT CONTRACTS & DRUG-FREE WORKPLACE ACT:**

If this is a solicitation for a public improvement construction contract, the vendor, by its signature below, affirms that it has a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code*. The vendor **must** make said affirmation with its bid submission. Further, public improvement construction contract may not be awarded to a vendor who does not have a written plan for a drug-free workplace policy in compliance with Article 1D, Chapter 21 of the *West Virginia Code* and who has not submitted that plan to the appropriate contracting authority in timely fashion. For a vendor who is a subcontractor, compliance with Section 5, Article 1D, Chapter 21 of the *West Virginia Code* may take place before their work on the public improvement is begun.

**ANTITRUST:**

In submitting a bid to any agency for the state of West Virginia, the bidder offers and agrees that if the bid is accepted the bidder will convey, sell, assign or transfer to the state of West Virginia all rights, title and interest in and to all causes of action it may now or hereafter acquire under the antitrust laws of the United States and the state of West Virginia for price fixing and/or unreasonable restraints of trade relating to the particular commodities or services purchased or acquired by the state of West Virginia. Such assignment shall be made and become effective at the time the purchasing agency tenders the initial payment to the bidder.

I certify that this bid is made without prior understanding, agreement, or connection with any corporation, firm, limited liability company, partnership or person or entity submitting a bid for the same materials, supplies, equipment or services and is in all respects fair and without collusion or fraud. I further certify that I am authorized to sign the certification on behalf of the bidder or this bid.

**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. Vendor further agrees to comply with the Confidentiality Policies and Information Security Accountability Requirements, set forth in <http://www.state.wv.us/admin/purchase/privacy/noticeConfidentiality.pdf>.

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

Vendor's Name: \_\_\_\_\_

Authorized Signature: \_\_\_\_\_ Date: \_\_\_\_\_



State of West Virginia  
**VENDOR PREFERENCE CERTIFICATE**

Certification and application\* is hereby made for Preference in accordance with *West Virginia Code*, §5A-3-37. (Does not apply to construction contracts). *West Virginia Code*, §5A-3-37, provides an opportunity for qualifying vendors to request (at the time of bid) preference for their residency status. Such preference is an evaluation method only and will be applied only to the cost bid in accordance with the *West Virginia Code*. This certificate for application is to be used to request such preference. The Purchasing Division will make the determination of the Resident Vendor Preference, if applicable.

- 1. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 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,**  
 Bidder is a partnership, association or corporation resident vendor and 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 80%** of the ownership interest of Bidder is held by another individual, partnership, association or corporation resident vendor who has maintained its headquarters or principal place of business continuously in West Virginia for four (4) years immediately preceding the date of this certification; **or,**  
 Bidder is a 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; **or,**
- 2. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 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; **or,**
- 3. **Application is made for 2.5% resident vendor preference for the reason checked:**  
 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 Bidder's 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; **or,**
- 4. **Application is made for 5% resident vendor preference for the reason checked:**  
 Bidder meets either the requirement of both subdivisions (1) and (2) or subdivision (1) and (3) as stated above; **or,**
- 5. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**  
 Bidder is an individual resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard and has resided in West Virginia continuously for the four years immediately preceding the date on which the bid is submitted; **or,**
- 6. **Application is made for 3.5% resident vendor preference who is a veteran for the reason checked:**  
 Bidder is a resident vendor who is a veteran of the United States armed forces, the reserves or the National Guard, if, for purposes of producing or distributing the commodities or completing the project which is the subject of the vendor's bid and continuously over the entire term of the project, on average at least seventy-five percent of the vendor's employees are residents of West Virginia who have resided in the state continuously for the two immediately preceding years.

Bidder understands if the Secretary of Revenue determines that a Bidder receiving preference has failed to continue to meet the requirements for such preference, the Secretary may order the Director of Purchasing to: (a) reject the bid; 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.

By submission of this certificate, Bidder agrees to disclose any reasonably requested information to the Purchasing Division and authorizes the Department of 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.

**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.**

Bidder: \_\_\_\_\_ Signed: \_\_\_\_\_

Date: \_\_\_\_\_ Title: \_\_\_\_\_

\*Check any combination of preference consideration(s) indicated above, which you are entitled to receive.