**STATE OF MAINE**

**Department of Administrative and Financial Services**

*Bureau of Alcoholic Beverages & Lottery Operations*



**RFP# 202502029**

**Lottery Marketing, Advertising, and Public Relations Services**

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| **RFP Coordinator** | **NAME:** | Michael Boardman |
| **TITLE:** | *Deputy Director* |
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| *All communication regarding the RFP must be made through the RFP Coordinator.* | | |

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| --- | --- |
| **Submitted Questions Due Date** | June 13, 2025, no later than 11:59 p.m., local time |
| *All questions must be received by the RFP Coordinator by the date and time listed above.* | |

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| --- | --- | --- |
| **Proposal Submission Deadline** | **DATE:** | June 26, 2025, no later than 11:59 p.m., local time. |
| **TO:** | [Proposals@maine.gov](mailto:Proposals@maine.gov) |
| *Proposals must be received electronically by the Office of State Procurement Services by the date and time listed above.* | | |

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PUBLIC NOTICE

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**State of Maine**

**Department of Administrative Services and Financial Services**

**RFP# 202502029**

**Lottery Marketing, Advertising, and Public Relations Services**

The State of Maine is seeking proposals for Lottery marketing and advertising services for the promotion of all lottery games offered by the Maine Lottery. This includes instant lottery, draw games, fast play games, and multi-jurisdictional games.

A copy of the RFP and all related documents can be obtained at: <https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps>

Proposals must be submitted to the Office of State Procurement Services, via e-mail, at: [Proposals@maine.gov](mailto:Proposals@maine.gov). Proposal submissions must be received no later than 11:59 p.m., local time, on June 26, 2025. Proposals will be opened the following business day.

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**RFP TERMS/ACRONYMS with DEFINITIONS**

The following terms and acronyms, as referenced in the RFP, have the meanings indicated below:

|  |  |
| --- | --- |
| **Term/Acronym** | **Definition** |
| **Bureau/BABLO** | Bureau of Alcoholic Beverages & Lottery Operations |
| **Department** | Department of Administrative and Financial Services |
| **MUSL** | Multi-State Lottery Association |
| **NASPL** | National Association of State and Provencal Lotteries |
| **RFP** | Request for Proposals |
| **State** | State of Maine |
| **Tri-State Lotto/Tri-State** | A group of lotteries comprised of Maine, New Hampshire, and Vermont |

**State of Maine**

**Department of Administrative and Financial Services**

*Bureau of Alcoholic Beverages & Lottery Operations*

**RFP# 202502029**

**Lottery Marketing, Advertising, and Public Relations Services**

**PART I INTRODUCTION**

1. **Purpose and Background**

The Department of Administrative and Financial Services (Department) is seeking full-service marketing, advertising, and public relations services as defined in this Request for Proposals (RFP) document. This document provides instructions for submitting proposals, the procedure and criteria by which the awarded Bidder will be selected, and the contractual terms which will govern the relationship between the State of Maine (State) and the awarded Bidder.

The Maine Lottery is responsible for generating revenue for Maine’s General Fund which provides funding for important State programs. The Bureau’s objective for issuing this RFP is to obtain integrated marketing services including but not limited to advertising, marketing, promotions, digital, and social media advertising as needed.

1. **General Provisions**
   1. From the time the RFP is issued until the award notification is made, all contact with the State regarding the RFP must be made through the RFP Coordinator. No other person/ State employee is empowered to make binding statements regarding the RFP. Violation of this provision may lead to disqualification from the bidding process, at the State’s discretion.
   2. Issuance of the RFP does not commit the Department to issue an award or to pay expenses incurred by a Bidder in the preparation of a response to the RFP. This includes attendance at personal interviews or other meetings and software or system demonstrations, where applicable.
   3. All proposals must adhere to the instructions and format requirements outlined in the RFP and all written supplements and amendments (such as the Summary of Questions and Answers), issued by the Department. Proposals are to follow the format and respond to all questions and instructions specified below in the “Proposal Submission Requirements” section of the RFP.
   4. Bidders will take careful note that in evaluating a proposal submitted in response to the RFP, the Department will consider materials provided in the proposal, information obtained through interviews/presentations (if any), and internal Departmental information of previous contract history with the Bidder (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating a Bidder’s experience and capabilities.
   5. The proposal must be signed by a person authorized to legally bind the Bidder and must contain a statement that the proposal and the pricing contained therein will remain valid and binding for a period of 180 days from the date and time of the bid opening.
   6. The RFP and the awarded Bidder’s proposal, including all appendices or attachments, will be the basis for the final contract, as determined by the Department.
   7. Following announcement of an award decision, all submissions in response to this RFP will be public records, available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) ([1 M.R.S. § 401](http://www.mainelegislature.org/legis/statutes/1/title1sec401.html) et seq.). State contracts and information related to contracts, including bid submissions, are generally public records per FOAA.
   8. If a Bidder believes any information that it submits in response to this RFP is confidential, it must mark that information accordingly and include citation to legal authority in support of the Bidder’s claim of confidentiality. If the Department receives a FOAA request that includes submissions marked as confidential, the Department shall evaluate the information and any legal authority from the Bidder to determine whether the information is an exception to FOAA’s definition of public record. If the Department determines to release information that a Bidder has marked confidential, it shall provide advance notice to the Bidder to allow them to seek legal relief.
   9. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in proposals received in response to the RFP.
   10. All applicable laws, whether or not herein contained, are included by this reference. It is the Bidder’s responsibility to determine the applicability and requirements of any such laws and to abide by them.
2. **Eligibility to Submit Bids**

All interested parties are invited to submit bids in response to this Request for Proposal.

1. **Contract Term**

The Department is seeking cost-efficient proposals to provide services, as defined in this RFP, for the anticipated contract period defined in the table below. The dates below are estimated and may be adjusted, as necessary, to comply with all procedural requirements associated with the RFP and the contracting process. The actual contract start date will be established by a completed and approved contract.

Contract Renewal: Following the initial term of the contract, the Department may opt to renew the contract for two (2) renewal periods, as shown in the table below, and subject to continued availability of funding and satisfactory performance.

The term of the anticipated contract, resulting from the RFP, is defined as follows:

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Initial Period of Performance | August 1, 2025 | June 30, 2028 |
| Renewal Period #1 | July 1, 2028 | June 30, 2029 |
| Renewal Period #2 | July 1, 2029 | June 30, 2030 |

1. **Number of Awards**

The Department anticipates making one (1) award because of this RFP process.

Two or more businesses may join to submit a proposal in response to this RFP. If a joint proposal is submitted, the proposal must define the responsibilities that each business is proposing to undertake. Of the businesses submitting a joint proposal, one must be designated as the primary Bidder. Any contract award issued because of the submission will be made exclusively to the primary Bidder. The proposal must designate a single authorized official from one of the joint businesses to serve as the sole point of contact between the Bureau and the joint responding businesses.

**PART II SCOPE OF SERVICES TO BE PROVIDED**

1. **Services to be Provided**

The successful Bidder will be responsible for providing full marketing and advertising services, including fullservice capabilities in each of the following areas:

* 1. Strategic Planning.
  2. Account Management.
  3. Creative Development.
  4. Job Trafficking.
  5. Media Planning and Buying.
  6. Production Planning and Execution.
  7. Public Relations.
  8. Web-based Advertising and Promotions.
  9. Social Media Advertising and Promotions.
  10. Direct Marketing (via mail, web based and social media).
  11. Event Planning.
  12. Sales Promotions.
  13. Evaluation and recommendation of promotions and sponsorships
  14. Other special abilities

1. **Implementation Workplan Specifications**

The following specifications establish the minimum standards with which the successful Bidder must comply.

* 1. **Advertising Strategy**

The successful Bidder will demonstrate familiarity with or become familiar with the Maine Lottery business including games, advertising media and public relations efforts. The successful Bidder will work with the Department to develop and execute a comprehensive marketing and advertising plan to support Lottery products and overall image to favorably position Lottery products for sale with respect to entertainment dollars.

* 1. **Creative and Production Services**

The successful Bidder will provide creative and production services for TV and radio commercials.

* 1. **Media Services**

The successful Bidder will provide a strategic approach for Media planning and buying for:

* + 1. TV.
    2. Radio.
    3. Web, Digital.
    4. Social Media; and
    5. Out of Home Advertising.
    6. Other if applicable.

1. **Advertising and Public Relations Services**

The successful Bidder will provide professional advertising and public relations services upon request by the Lottery. These services include, but are not necessarily limited to, the following:

* 1. Develop and deliver an annual Lottery Marketing Plan, including but not limited to, recommendations for radio, television, print, digital, promotions, website and social media, development and marketing efforts, agent and consumer incentives, and public relations efforts.
  2. Develop and manage social media marketing strategies. Assist in managing daily operations of the Lottery social media channels such as but not limited to Facebook, X, Instagram and YouTube. Provide detailed analysis, monitor and track performance of these venues. Monitor emerging trends in social media and make recommendations for building awareness of overall lottery products.
  3. Develop and create short and long term creative strategic planning for product branding, development, and positioning to reach established sales goals.
  4. Provide production supervisory services for all collateral and advertising needs.
  5. Prepare story boards, layouts, comprehensive sketches and suggested copy to be approved prior to production.
  6. Arrange the medium, space, time, location and/or other means to be used for advertising, endeavoring to secure the most advantageous rates available.
  7. Check and verify insertions, displays, broadcasts or other media used, to ensure that third parties have performed their services as per contract. Contract verification shall include but not be limited to accuracy, date, time, appearance, size, extent, site, workmanship, and mechanical reproduction, as are appropriate to the advertisements.
  8. Negotiate, arrange and contract for any special talent required including, but not limited to, television and radio production, photography, models, special effects, printing and any other necessary technical material for use in the marketing program.
  9. Audit all invoices from all suppliers. Negotiate credit for erroneous billing and/or insufficient services.
  10. Develop and administer a public relations plan to include but not limited to increase public awareness of the favorable aspects of the lottery, in-state winners’ awareness, promoting a positive lottery image, provide press information for new games, promotions and products. Draft and distribute press releases and coordinate press conferences for the Lottery as needed.
  11. Write, design, illustrate or otherwise create and prepare advertisements including broadcast commercials and print material. Advertising materials include but are not limited to indoor and outdoor signage, point-of-sale pieces, brochures, miscellaneous promotional items, jackpot signage, posters and agent and player communications.
  12. Plan and coordinate Lottery promotional live events such as, but not limited to, anniversary celebrations and second chance drawing events.
  13. Negotiate, arrange and draft contracts with television stations for the drawing and/or airing of lottery winning numbers.
  14. Assist the Lottery in staffing promotional events upon request.
  15. Provide an account executive responsible for the development, management and coordination of all jobs, projects, marketing, advertising and public relations efforts administered by the agency. The executive must be able to provide the Lottery with insight on new and upcoming trends within the retail environment and the Lottery industry and make recommendations on implementation of such. This person must possess strong organizational skills, be detail orientated and have excellent communication skills. The executive must have the ability to assist in creating and maintaining web based and social media promotions. This executive will be the Lottery’s key contact person and will be required to meet with the Lottery staff as needed.

**PART III KEY RFP EVENTS**

1. **Questions**
   1. **General Instructions:** It is the responsibility of all Bidders and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.
      1. Bidders and other interested parties should use **Appendix E** (Submitted Questions Form) for submission of questions. If used, the form is to be submitted as a WORD document.
      2. Questions must be submitted, by e-mail, and received by the RFP Coordinator identified on the cover page of the RFP as soon as possible but no later than the date and time specified on the RFP cover page.
      3. The RFP Number and Title must be included in the subject line of the e-mail containing the submitted questions. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.
   2. **Question & Answer Summary:** Responses to all questions will be compiled in writing and posted on the following website no later than seven (7) calendar days prior to the proposal due date: [Office of State Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). It is the responsibility of all interested parties to go to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.
2. **Amendments**

All amendments released in regard to the RFP will also be posted on the following website: [Office of State Procurement Services RFP Page](https://www.maine.gov/dafs/bbm/procurementservices/vendors/rfps). It is the responsibility of all interested parties to go to this website to obtain amendments. Only those amendments posted on this website are considered binding.

1. **Proposal Submission**
   1. **Proposals Due:** Proposals must be received no later than 11:59 p.m. local time, on the date listed on the cover page of the RFP.
      1. Any e-mails containing original proposal submissions or any additional or revised proposal files, received after the 11:59 p.m. deadline, will be rejected without exception.
   2. **Delivery Instructions:** E-mail proposal submissions must be submitted to the Office of State Procurement Services at [Proposals@maine.gov](mailto:Proposals@maine.gov).
      1. Only proposal submissions received by e-mail will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
         1. Proposal submission e-mails that are successfully received by the [proposals@maine.gov](mailto:proposals@maine.gov) inbox will receive an automatic reply stating as such.
      2. E-mails containing links to file sharing sites or online file repositories will not be accepted as submissions. Only e-mail proposal submissions that have the actual requested files attached will be accepted.
      3. Encrypted e-mails received which require opening attachments and logging into a proprietary system will not be accepted as submissions. Bidders should work with their Information Technology team to ensure that the proposal submission will not be encrypted due to any security settings.
      4. File size limits are 25MB per e-mail. Bidders may submit files separately across multiple e-mails, as necessary, due to file size concerns. All e-mails and files must be received by the due date and time listed above.
   3. **Submission Format:**
      1. Bidders are to insert the following into the subject line of their e-mail proposal submission: **“RFP# 202502029 Proposal Submission – [Bidder’s Name]”**
      2. Bidder’s proposal submissions are to be broken down into multiple files, with each file named as it is titled in bold below, and include:

* **File 1 [Bidder’s Name] – Preliminary Information:**

*PDF format preferred*

**Appendix A** (Proposal Cover Page)

**Appendix B** (Responsible Bidder Certification)

* **File 2 [Bidder’s Name] – Organization Qualifications and Experience:**

*PDF format preferred*

**Appendix C** (Organization Qualifications and Experience Form) and all required information and attachments stated in PART IV, Section II.

* **File 3 [Bidder’s Name] – Proposed Services:**

*PDF format preferred*

All required information and attachments stated in PART IV, Section III.

* **File 4 [Bidder’s Name] – Cost Proposal:**

*PDF format preferred*

**Appendix D** (Cost Proposal Form) and all required information and attachments stated in PART IV, Section IV.

**PART IV PROPOSAL SUBMISSION REQUIREMENTS**

This section contains instructions for Bidders to use in preparing their proposals. The Department seeks detailed yet succinct responses that demonstrate the Bidder’s qualifications, experience, and ability to perform the requirements specified throughout the RFP.

Bidders’ proposals must follow the outline used below, including the numbering, section, and sub-section headings. Failure to use the outline specified in PART IV, or failure to respond to all questions and instructions throughout the RFP, may result in the proposal being disqualified as non-responsive or receiving a reduced score. The Department, and its evaluation team, has sole discretion to determine whether a variance from the RFP specifications will result either in disqualification or reduction in scoring of a proposal. Rephrasing the content provided in the RFP will, at best, be considered minimally responsive.

Bidders are not to provide additional attachments beyond those specified in the RFP for the purpose of extending their response. Additional materials not requested will not be considered part of the proposal and will not be evaluated. Bidders must include any forms provided in the submission package or reproduce those forms as closely as possible. All information must be presented in the same order and format as described in the RFP.

**Proposal Format and Contents**

**Section I Preliminary Information** (File #1)

* 1. **Proposal Cover Page**

Bidders must complete **Appendix A** (Proposal Cover Page). It is critical that the cover page shows the specific information requested, including Bidder address(es) and other details listed. The Proposal Cover Page must be dated and signed by a person authorized to enter and agree to contracts on behalf of the Bidder.

* 1. **Responsible Bidder Certification**

Bidders must complete **Appendix B** (Responsible Bidder Certification). The Responsible Bidder Certification must be dated and signed by a person authorized to enter and agree to contracts on behalf of the Bidder.

**Section II Organization Qualifications and Experience** (File #2)

* 1. **Overview of the Organization**

Bidders must complete **Appendix C** (Qualifications and Experience Form) describing their qualifications and skills to provide the requested services in the RFP. Bidders must include three (3) examples of projects which demonstrate their experience and expertise in performing these services, as well as highlighting the Bidder’s stated qualifications and skills.

* 1. **Subcontractors**

If subcontractors are to be used, Bidders must provide a list that specifies the name, address, phone number, contact person, and a brief description of the subcontractors’ organizational capacity and qualifications.

* 1. **Organizational Chart**

Bidders must provide an organizational chart.  The organizational chart must include the project being proposed.  Each position must be identified by position title and corresponding to the personnel job descriptions.

* 1. **Litigation**

Bidders must attach a list of all current litigation in which the Bidder is named and a list of all closed cases that have closed within the past five (5) years in which the Bidder paid the claimant either as part of a settlement or by decree.  For each, list the entity suing, the complaint, the accusation, amount, and outcome.

* 1. **Financial Viability**

Bidders must provide a copy of the most current Dun and Bradstreet report:

* + 1. Balance Sheets
    2. Income (Profit/Loss) Statements.
  1. **Certificate of Insurance**

Bidders must provide a certificate of insurance on a standard ACORD form (or the equivalent) evidencing the Bidder’s general liability, professional liability and any other relevant liability insurance policies that might be associated with the proposed services.

**Section III Proposed Services** (File #3)

* 1. **Services to be Provided**

Bidders must discuss the Scope of Services referenced above in Part II of the RFP and what the Bidder will offer, including a description of the methods and resources the Bidder will use and how each task involved will be accomplished. Bidders must also describe how the expectations and/or desired outcomes because of these services will be achieved. If subcontractors are involved, or if the proposal is submitted jointly with another organization, Bidders must clearly identify the work each will perform.

* 1. **Strategic Work Plan**

Bidders must provide a realistic work plan for the implementation of the program through the first contract period. The work plan must be displayed in a timeline chart, and concisely describe each program development and implementation task, the month it will be carried out, and the person or position responsible for each task. If applicable, Bidders must identify all tasks to be delegated to subcontractors.

**Section IV Cost Proposal** (File #4)

* 1. **General Instructions**
     1. Bidders must submit a cost proposal that covers the period starting 7/01/2025 and ending on 06/30/2028.
     2. The cost proposal must include the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.
     3. No costs related to the preparation of the proposal for the RFP, or to the negotiation of the contract with the Department, may be included in the proposal. Only costs to be incurred after the contract effective date that are specifically related to the implementation or operation of contracted services may be included.
  2. **Cost Proposal Form Instructions**

Bidders must fill out **Appendix D** (Cost Proposal Form), following the instructions detailed here and in the form. Failure to provide the requested information, and to follow the required cost proposal format provided, may result in disqualification or reduction in scoring of the cost proposal, at the discretion of the Department.

* 1. **Advertising Costs and Expenditures**
     1. The Lottery shall reimburse the Agency for all costs incurred and all expenditures made on its behalf on approved advertising, which includes cost, promotional material and talent costs.
     2. The Lottery reserves the right to use other advertising as provided by MUSL (Multi-State Lottery Association) for Powerball, Lotto America and/or Mega Millions, and/or by Tri-State for any Tri-State games and /or other lottery organizations.
     3. The Successful Bidder will refund all media commissions to the Lottery. No agency markup on printing charges of Point-of-Sales materials or other printed matter will be charged to the Lottery. All available discounts (such as early payment of an invoice) will be taken by the successful Bidder. Any price increase resulting from lost discounts will not be reimbursed by the Lottery.
     4. Travel requests for meetings and conferences not included in the agency fee shall be pre-approved in writing by the Lottery. Travel expenses shall be subject to the same regulations imposed on State Employees. Travel requests, which are not preapproved, shall not be reimbursed. Travel to and from regular State Liquor and Lottery Commission, Tri-State Commission or Tri-State Marketing Committee meetings and any overnight or meal expenses connected with these meetings are not reimbursable to the Successful Bidder as part of the contract resulting from this RFP. The Successful Bidder agrees to bear the cost of these expenses itself.
     5. In the event the Lottery, after having approved any planned advertising, cancels all or any part thereof, the Lottery shall pay for all costs incurred thereafter, including any non-cancelable commitments for time or space.
     6. The Lottery may pay the successful Bidder for any “special services” it may require that are not otherwise included in the contract resulting from this RFP, and the successful Bidder shall present the Lottery with an estimate for these services before any work has begun.
  2. **Advertising Budgets**

Bidders are required to submit an Agency Fee price for each of the initial three-year contract period. The Agency Fee must be all inclusive of all production fees, creative, and account services fees. There will be no billable hourly rates. By submitting a proposal, Bidders understand that the advertising budgets listed below are subject to change.

**FY Annual Budget**

2026 $3,600,000

2027 $3,600,000

2028 $3,600,000

To help bidders make pricing decisions, the following is an estimated percentage of the areas of expenditure. This is based on previous expenditures and are subject to change.

Media Buy (TV, Radio, Digital) 45%

Production (TV, Radio, Digital) 20%

All Other (Sponsorships, POS, events, etc.) 35%

**PART V PROPOSAL EVALUATION AND SELECTION**

Evaluation of the submitted proposals will be accomplished as follows:

1. **Evaluation Process – General Information**
   1. An evaluation team, composed of qualified reviewers, will judge the merits of the proposals received in accordance with the criteria defined in the RFP.
   2. Officials responsible for making decisions on the award selection will ensure that the selection process accords equal opportunity and appropriate consideration to all who can meet the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the proposals and to ensure that the contract is awarded to the Bidder whose proposal provides the best value to the State of Maine.
   3. The Department reserves the right to communicate and/or schedule interviews/presentations with Bidders, if needed, to obtain clarification of the information contained in the proposals received. The Department may revise the scores assigned in the initial evaluation to reflect those communications and/or interviews/presentations.
   4. Changes to proposals, including updating or adding information, will not be permitted during any portion of the evaluation process. Therefore, Bidders must submit proposals that present their rates and other requested information as clearly and completely as possible.
2. **Scoring Weights and Process**
   1. **Scoring Weights:** Proposal scores will be based on a 100-point scale and will measure the degree to which each proposal meets the following criteria:

|  |  |  |
| --- | --- | --- |
| **Section I.** | **Preliminary Information**  Proposal materials to be evaluated in this section: all elements addressed in Part IV, Section I of the RFP. | **No Points** |
| **Section II.** | **Organization Qualifications and Experience** Proposal materials to be evaluated in this section: all elements addressed above in Part IV, Section II of the RFP. | **45 points** |
| **Section III.** | **Proposed Services**  Proposal materials to be evaluated in this section: all elements addressed above in Part IV, Section III of the RFP. | **30 points** |
| **Section IV.** | **Cost Proposal**  Proposal materials to be evaluated in this section:all elements addressed above in Part IV, Section IV of the RFP. | **25 points** |

* 1. **Scoring Process:** Proposals will be evaluated using a tiered approach as described below:

**Stage One – Qualifications and Experience**:

Proposals will be evaluated for Part IV, Section II “Organization Qualifications and Experience” and will be scored by the evaluation team using the consensus approach. Members of the evaluation team will not score this section individually but, instead, arrive at a consensus as to assignment of points for this section.  Proposals will be able to earn up to a maximum of **45** points for this section with theminimum score of **30** being required for a proposal to move onto Stage Two.

**Stage Two – Proposed Services**:

Proposals with a score of **30** or higher in Stage One will move on to be evaluated for Part IV, Section III “Proposed Services” and will be scored by the evaluation team using the consensus approach. Members of the evaluation team will not score this section individually but, instead, arrive at a consensus as to assignment of points for this section.  Proposals will be able to earn up to a maximum of **30** points for this section with a minimum score of **20** being required for a proposal to move onto Stage Three.

**Stage Three – Demonstrations**:

Proposals with a score of **20** or higher in Stage Two will move on to provide a demonstration to the evaluation team. The RFP Coordinator will contact Bidders who meet the minimum scoring requirement in Stage Two to request dates and times for bidders to present creative examples to the evaluation team.

Members of the evaluation team will arrive at a consensus regarding the degree to which the proposed solution meets the requirements of this RFP. Based on this consensus, the post-demonstration Proposed Services score may be adjusted (upward or downward) based on the demonstrations and according to the scoring weights described in Part V.B. of the RFP. Proposals that maintain the minimum score of **20** points outlined in Stage Two will move onto Stage Four.

**Stage Four – Cost Proposal**:

Proposals which maintain the minimum score of **20** points outlined Part IV, Section III “Proposed Services” after Stage Three Demonstrations will move on to be evaluated for Part IV, Section IV “Cost Proposal.” The total cost proposed for conducting all the functions specified in this RFP will be assigned a score according to a mathematical formula. The lowest bid will be awarded **25** points. Proposals with higher bid values will be awarded fewer points calculated in comparison with the lowest bid.

The scoring formula is:

(Lowest submitted cost proposal / Cost of proposal being scored) x **25** = pro-rated score

No Best and Final Offers: The State of Maine will not seek or accept a best and final offer (BAFO) from any Bidder in this procurement process.  All Bidders are expected to provide their best value pricing with the submission of their proposal.

* 1. **Negotiations:** The Department reserves the right to negotiate with the awarded Bidder to finalize a contract. Such negotiations may not significantly vary the content, nature or requirements of the proposal or the Department’s Request for Proposal to an extent that may affect the price of goods or services requested. The Department reserves the right to terminate contract negotiations with an awarded Bidder who submits a proposed contract significantly different from the proposal they submitted in response to the advertised RFP. If an acceptable contract cannot be negotiated with the highest ranked Bidder, the Department may withdraw its award and negotiate with the next highest ranked Bidder, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

1. **Selection and Award**
   1. The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.
   2. Notification of conditional award selection or non-selection will be made in writing by the Department.
   3. Issuance of the RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to the RFP, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the Bidder.
   4. The Department reserves the right to reject any and all proposals or to make multiple awards.
2. **Appeal of Contract Awards**

Any person aggrieved by the award decision that results from the RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in [5 M.R.S.A. § 1825-E](http://www.mainelegislature.org/legis/statutes/5/title5sec1825-E.html) and [18-554 Code of Maine Rules Chapter 120](https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-120).  The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of conditional contract award.

**PART VI CONTRACT ADMINISTRATION AND CONDITIONS**

1. **Contract Document**
   1. The awarded Bidder will be required to execute a State of Maine Service Contract with appropriate riders as determined by the issuing department.

The complete set of standard State of Maine Service Contract documents, along with other forms and contract documents commonly used by the State, may be found on the Office of State Procurement Services’ website at the following link: [Office of State Procurement Services Forms Page](https://www.maine.gov/dafs/bbm/procurementservices/forms)

* 1. Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Procurement Review Committee. Contracts are not considered fully executed and valid until approved by the State Procurement Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to Bidders. (Referenced in the regulations of the Department of Administrative and Financial Services, [Chapter 110, § 3(B)(i)](https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-110).)

This provision means that a contract cannot be effective until at least 14 calendar days after the award notification.

* 1. The State recognizes that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Procurement Review Committee. Any appeals to the Department’s award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date listed in the RFP may need to be adjusted, if necessary, to comply with mandated requirements.
  2. In providing services and performing under the contract, the awarded Bidder must act as an independent contractor and not as an agent of the State of Maine.

1. **Standard State Contract Provisions**
   1. Contract Administration

Following the award, a Contract Administrator from the Department will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the awarded Bidder in the finalization of the contract.

* 1. Payments and Other Provisions

The State anticipates paying the Contractor based on net 30 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from the RFP.

**PART VII LIST OF RFP APPENDICES AND RELATED DOCUMENTS**

**Appendix A** – Proposal Cover Page

**Appendix B** – Responsible Bidder Certification

**Appendix C** – Qualifications and Experience Form

**Appendix D** – Cost Proposal Form

**Appendix E** – Submitted Question Form

**APPENDIX A**

**State of Maine**

**Department of Administrative and Financial Services**

**PROPOSAL COVER PAGE**

**RFP# 202502029**

**Lottery Marketing, Advertising, and Public Relations Services**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Bidder’s Organization Name:** | |  | | |
| **Chief Executive - Name/Title:** | |  | | |
| **Tel:** |  | | **E-mail:** |  |
| **Headquarters Street Address:** | |  | | |
| **Headquarters City/State/Zip:** | |  | | |
| *(Provide information requested below if* ***different*** *from above)* | | | | |
| **Lead Point of Contact for Proposal - Name/Title:** | |  | | |
| **Tel:** |  | | **E-mail:** |  |
| **Headquarters Street Address:** | |  | | |
| **Headquarters City/State/Zip:** | |  | | |

* This proposal and the pricing structure contained herein will remain firm for a period of 180 days from the date and time of the bid opening.
* No personnel currently employed by the Department or any other State agency participated, either directly or indirectly, in any activities relating to the preparation of the Bidder’s proposal.
* No attempt has been made, or will be made, by the Bidder to induce any other person or firm to submit or not to submit a proposal.
* The above-named organization is the legal entity entering into the resulting contract with the Department if they are awarded the contract.
* The undersigned is authorized to enter contractual obligations on behalf of the above-named organization.

*To the best of my knowledge, all information provided in the enclosed proposal, both programmatic and financial, is complete and accurate at the time of submission.*

|  |  |
| --- | --- |
| **Name (Print):** | **Title:** |
| **Authorized Signature:** | **Date:** |

**APPENDIX B**

**State of Maine**

**Department of Administrative and Financial Services**

**RESPONSIBLE BIDDER CERTIFICATION**

**RFP# 202502029**

**Lottery Marketing, Advertising, and Public Relations Services**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |

*By signing this document, I certify to the best of my knowledge and belief that the organization, its principals and any subcontractors named in this proposal:*

1. *Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from bidding or working on contracts issued by any governmental agency.*
2. *Have not within three years of submitting the proposal for this contract been convicted of or had a civil judgment rendered against them for:*
   1. *Fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a federal, state, or local government transaction or contract.*
   2. *Violating Federal or State antitrust statutes or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.*
3. *Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or Local) with commission of any of the offenses enumerated in paragraph (b) of this certification.*
4. *Have not within a three (3) year period preceding this proposal had one or more federal, state, or local government transactions terminated for cause or default*.
5. *Have not entered into a prior understanding, agreement, or connection with any corporation, firm, or person submitting a response for the same materials, supplies, equipment, or services and this proposal is in all respects fair and without collusion or fraud. The above-mentioned entities understand and agree that collusive bidding is a violation of state and federal law and can result in fines, prison sentences, and civil damage awards.*
6. *Is not a foreign adversary business entity (*[*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies)*).*
7. *Is not on the list of prohibited companies (*[*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies)*) or does not obtain or purchase any information or communications technology or services included on the list of prohibited information and communications technology and services* [*https://www.maine.gov/oit/prohibited-technologies*](https://www.maine.gov/oit/prohibited-technologies) *(Title 5 §2030-B).*

|  |  |
| --- | --- |
| **Name (Print):** | **Title:** |
| **Authorized Signature:** | **Date:** |

**APPENDIX C**

**State of Maine**

**Department of Administrative and Financial Services**

## QUALIFICATIONS and EXPERIENCE FORM

**RFP# 202502029**

**Lottery Marketing, Advertising, and Public Relations Services**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |

|  |
| --- |
| Bidders must indicate the number of years their firm has been in existence and describe in detail their experience as related to advertising consumer products, including clients presently and/or previously under contract. Internal facilities and skills available at the office from which the Department account would be serviced must be provided. Bidders must provide the Department with a minimum of three (3) references for which the Bidder supplied similar services to the one being sought by this RFP. The following information must be provided for each reference:  a. Client name and address:  b. Contact name, phone number and email address; and  c. Years of service with client.  d. Description of services provided.  e. Dates services provided; and  f. Approximate value of services provided.  Bidders must briefly describe any contracts that were terminated and the reason for termination. |
|  |

|  |
| --- |
| Please provide a written description outlining your experience in the following areas:  a. Strategic Planning.  b. Account Management.  c. Creative Development.  d. Job Trafficking.  e. Media Planning and Buying.  f. Production Planning and Execution.  g. Public Relations.  h. Web-based Advertising and Promotions.  i. Social Media Advertising and Promotions.  j. Direct Marketing (via mail, web based and social media).  k. Event Planning.  l. Sales Promotions.  m. Evaluation and recommendation of promotions and sponsorships  n. Overall experience with age restricted products and age demographic; and  o. Other special abilities.  Describe your agency’s experience in the following categories:  a. Gaming (including lottery).  b. Entertainment; (movies, theater, gaming, etc.)  c. Retail.  d. Government Agencies; and  e. Fast moving consumer goods. |
|  |

|  |
| --- |
| **Strategic Approach**  a. Bidders must describe their experience with programs to increase sales of low-cost consumer retail products. Provide an example and give the objectives, strategies, creative approach, media mix and results against those objectives. A low-cost consumer retail product is defined as a product that is marketed directly to consumers primarily through a grocery or convenience store environment (like Lottery products). Bidders must clearly show sales and/or market share results before and after the specific programs. Bidders must define the role or degree of ownership of the program and explain the consumer insight or conclusion driving the program.  b. Bidders must describe their experience with programs to generate brand identity development or awareness. Bidders must provide an example and give the objectives, strategies, creative approach, media mix and results against those objectives.  c. Bidders must describe their experience with programs designed to retain and acquire website and social media users. Bidders must provide examples of creative development and promotions related to the services required in this RFP. |
|  |

|  |
| --- |
| **Creative Samples**  Each Bidder must submit creative samples of work produced by the creative team that will be servicing the Lottery account. Bidders must provide samples that showcase a range of creative talents (heartwarming, humor, etc.). For each creative sample, Bidders must provide a written narrative of not more than one (1) page indicating the account name, product name, marketing objective, target market and creative strategy. Each Bidder is required to submit creative samples as follows:  a. Provide the following sample of each item.  · 2 different Television ads.  · 2 different radio ads.  · 2 different Point of Sale samples.  · 2 different press releases; and  · 2 different Marketing Plans.  · 2 different digital campaigns  b. Provide a minimum of 1 sample of each item:  · 1 Print Ad.  · 1 Outdoor Campaign.  · 1 Brochure.  · 1 Direct Mail/Coupon; and  · 1 Social Media/Digital Marketing Sample |
|  |

**APPENDIX D**

**State of Maine**

**Department of Administrative and Financial Services**

**COST PROPOSAL FORM**

**RFP# 202502029**

**Lottery Marketing, Advertising, and Public Relations Services**

|  |  |
| --- | --- |
| **Bidder’s Organization Name:** |  |
| **Proposed Agency Fee:** | **$** |

Bidders must submit a cost proposal that includes the costs necessary for the Bidder to fully comply with the contract terms, conditions, and RFP requirements.

Bidders are required to submit a cost for each year of the initial three-year contract period as defined in Part I of the RFP. The Agency Fee must be all inclusive of all production fees, creative, and account service fees. There will be no billable hourly rates. By submitting a proposal, Bidders understand that the advertising budgets listed below are subject to change.

|  |  |  |  |
| --- | --- | --- | --- |
| **Fiscal Year** | **Budget** | **Fee as a % of Budget** | **Total Fee Amount $** |
| 2026 | $3,600,000 |  |  |
| 2027 | $3,600,000 |  |  |
| 2028 | $3,600,000 |  |  |
|  |  | **Total Fee for Initial three-year Period** | **$** |

The total cost of the initial three years will be used to score the cost proposal as defined Part V, B, 3 of the RFP.

**APPENDIX E**

**State of Maine**

**Department of Administrative and Financial Services**

**SUBMITTED QUESTIONS FORM**

**RFP# 202502029**

**Lottery Marketing, Advertising, and Public Relations Services**

This form should be used by Bidders when submitting written questions to the RFP Coordinator as defined in Part III of the RFP.

If a question is not related to any section of the RFP, enter “N/A” under the RFP Section & Page Number. Add additional rows as necessary.

|  |  |
| --- | --- |
| **Organization Name:** |  |

|  |  |
| --- | --- |
| **RFP Section & Page Number** | **Question** |
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