Minnesota State Lottery

Second Amended REQUEST FOR PROPOSALS

Date Posted: September 29, 2026

- Responses must be received not later than 2:00 p.m., Central Time, Friday, November 20, 2026
- Late responses will not be considered
- As of July 1, 2025, certain terms are unenforceable in state contracts. See Session Laws, 2025 Regular Session, Chapter 39, Article 2, Sec. 45.

Minnesota's Commitment to Diversity and Inclusion

The State of Minnesota is committed to diversity and inclusion in its public procurement process. The goal is to ensure that those providing goods and services to the State are representative of our Minnesota communities and include businesses owned by minorities, women, veterans, and those with substantial physical disabilities. Creating broader opportunities for historically under-represented groups provides for additional options and greater competition in the marketplace, creates stronger relationships and engagement within our communities, and fosters economic development and equality.

To further this commitment, the Department of Administration operates a program for Minnesota-based small businesses owned by minorities, women, veterans, and those with substantial physical disabilities. For additional information on this program, or to determine eligibility, please call 651.201.2402 or go to the Office of Equity in Procurement home page, at https://mn.gov/admin/business/vendor-info/oep/.

This is a request for proposal. It does not obligate the State of Minnesota to award a contract or complete the proposed program, and the State reserves the right to cancel this solicitation if it is considered in its best interest.

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SECTION 1 – INSTRUCTIONS TO RESPONDERS

Steps for Completing Your Response	Follow the steps below to complete your response to this Solicitation: Step 1: Read the solicitation documents and ask questions, if any Step 2: Write your response Step 3: Submit your response
Incomplete Submittals	A response must be submitted along with any required additional documents. Incomplete responses that materially deviate from the required format and content may be rejected.

STEP 1 – READ THE SOLICITATION DOCUMENT & ASK QUESTIONS, IF ANY

How to Ask Questions

The contact person for questions is:

Kolby Sabrina, Buyer
kolby.sabrina@mnlottery.com

Questions should be emailed to the contact by 2:00 p.m. on Friday, October 16, 2026. Other personnel are not authorized to answer questions regarding this Solicitation.

STEP 2 – WRITE YOUR RESPONSE

Prepare a written response and supply all requested content. Responses should address the requested information and documents detailed in Section 4. DO NOT INCLUDE Non-Public/Trade Secret data (as defined in this link to Minn. Stat. § 13.37).

Review, sign, and include the Responder Declarations with your response.

STEP 3 –SUBMIT YOUR RESPONSE

Where to Send Your Response

Kolby Sabrina
Minnesota State Lottery
2645 Long Lake Road
Roseville, MN 55113

Proposals must be received not later than 2:00 p.m., Central Time, Friday, November 20, 2026. **Late responses will not be considered.**

Provide two copies of the Proposal. Proposals are to be provided on a USB drive and sealed in mailing envelopes or packages with the responder's name and address written on the outside. Provide one copy of the cost detail on a USB drive in a separately sealed envelope with "Cost Detail" and the responder's name written on the outside.

By submitting a response, responder is making a binding legal offer for the period of time set forth below in Section 6, Conditions of Offer.

SECTION 2 – SUMMARY OF SCOPE

1. Procurement Overview and Goals.

The Minnesota Lottery is a state agency responsible for marketing and selling products that allow Minnesotans to experience the fun and excitement of gaming while knowing their entertainment dollars are supporting environmental and community programs. The agency is requesting proposals from advertising agencies for the Minnesota Lottery advertising/marketing services contract.

The request for proposal consists of an initial submission of a written/technical proposal including an ad agency background section, a cost/fee structure proposal, and other state-required documents.

The Lottery intends to pay a monthly agency fee for the Scope of Work described in Exhibit C to the Proposed Contract. The Scope of Work primarily covers Account Management, Creative, and Media Planning/Buying. Additionally, the Lottery will pay and/or prepay for media and production at cost with no markup. Finally, the Lottery may pay for collateral projects, public relations, and any other costs related to the Scope of Work if they are preceded by a signed estimate. Invoices or expenses that do not comply with the Contract (including the Scope of Work) or are not preceded by a signed estimate (if required) will not be paid.

A review committee will evaluate the initial submissions, and the highest scoring agencies will be invited to make an oral presentation on an assigned sample project.

The successful respondent will assist in the planning and implementation of advertising and promotional campaigns, offering the best combination of strategy, creativity, effectiveness, and return on investment.

1.1 Lottery Background

The Minnesota Lottery, in operation since 1990, uses its advertising partnerships to drive awareness, favorability, and purchase intent among current and potential lottery players. The Lottery's mission is to generate funding for the State and for important environmental causes as detailed on www.mnlottery.com/playing-our-part. Approximately 24% of each ticket sold goes toward that mission. General information regarding the Lottery can be found at www.mnlottery.com.

The Lottery sales and marketing department contains two (2) divisions: marketing, including digital, field marketing, research, and creative services; and sales/retail relations. The Lottery also has an in-house public affairs department.

There are (3) types of lottery games: lotto games, instant lotto (fast play) games, and scratch games. Lotto and instant lotto games are printed by Lottery terminals located at retail stores. Scratch games are pre-printed tickets containing play data under a latex coating. Scratch games are developed primarily by the companies that produce/print the tickets for the Lottery, internally by Lottery staff, and the Lottery's advertising agency.

The Lottery currently conducts nine lotto games plus a seasonal raffle game.

In FY26, the Lottery introduced 48 new scratch games at price points from $1 to $50 per ticket. Information regarding the current Lottery scratch games may be found at www.mnlottery.com/games/scratch.

1.2 Lottery Sales/Financial Results

Total Lottery sales for fiscal year 2026 (ending June 30, 2026) were $728 million. Of the $728M, $504M came from scratch ticket sales and $223M from lotto game sales. When compared to fiscal year 2025, total sales were up 3%. In Fiscal Year 2026 approximately 69% of sales were scratch games and 31% were lotto games.

1.3 **Lottery Retailers**

The Lottery currently contracts with approximately 3,000 retailers throughout the State to sell its lottery tickets. Lottery games provide both a competitive advantage and a revenue enhancement for Minnesota businesses.

Lottery retailers: 69% convenience stores, 12% supermarket/ grocery stores, 9% liquor stores, and 11% miscellaneous business types.

Convenience stores account for 80% of tickets sold and supermarkets/grocery stores account for 14% of tickets sold. All other categories contribute 6% of sales.

1.4 **Marketing Information**

- The advertising budget of $8.3 million has been flat for a few years and is anticipated to remain the same for the next biennium.
- The number of new Lottery players in the younger adult demographic segment (ages 25–44) has increased significantly in the last ten years as new media and retail patterns have emerged and the Lottery continues to focus on filling the consumer pipeline.
- Barriers to play include more entertainment competition, consumers not regularly carrying cash, less frequent in-store shopping, and other convenient gambling options.
- The Lottery is uniquely Minnesotan, MN proud, adventurous, communal, upbeat, and fun-loving. This should be reflected in our advertising and brand presentation.
- The Lottery recently refreshed its brand guidelines and has embraced a modern color palette and design aesthetic while maintaining its uniquely Minnesotan humor and appeal. This aesthetic should be incorporated across all campaigns and materials.
- Our established tag-line – I'MN (pronounced "I'm IN") continues to be a rallying call to Lottery fans across the state and will continue to be part of our advertising toolkit.
- Minnesota Lottery sales results have been mixed this year. High jackpots on multi-state lotto games and higher priced scratch games have helped immensely, but the Lottery, like most businesses, has felt the impact of economic pressures at retail, such as higher gas and grocery prices.
- Our focus remains on filling the sales pipeline by attracting new players ages 25–44. Through research, we have defined the market with four different groups or segments: rational planners, social trend surfers, traditional risk takers, and tech-dependent homebodies. Of these, the social trend surfers and the traditional risk takers were most inclined to play the Lottery and became our target market. We have combined these groups and divided them by generation to identify common lifestyle and media usage habits. These player profiles are included in the appendix.
- Specific statutory restrictions regarding the content of Lottery advertising can be found at Minnesota Statutes, section 349A.09.

1.5 **Marketing Goals**

The Lottery exists to generate funding for important state programs. To meet that expectation, the marketing team works with its ad agency to increase sales, promote a diverse product portfolio, and create engagement opportunities to grow the consumer base

- The Lottery's overarching advertising goal is to promote the Lottery as a fun entertainment option for adult Minnesotans.
- Primary marketing KPIs include increasing targeted product sales, account creations, website traffic, click-through rates, and second chance participation.

- Secondary Marketing KPIs include increasing social media followers, app downloads, giveaway participation, livestream attendance, and social media metrics.

Other goals include:

- Increasing Lottery participation by emerging market consumers, overall Lottery participation rates, and favorability perception as measured by a bi-annual consumer survey conducted by SCSU/Winona state.
- Devising media plans that provide statewide coverage, incorporate local media, and include diverse media and stations that reach unique or hard-to-reach audiences.
- Exploring new digital marketing channels, improving the Lottery's digital footprint, and expanding social video content.

2. **Sample Tasks and Deliverables.**

The Lottery seeks an agency or team of agencies to serve as a true extension of its marketing department. The contracted agency of record will demonstrate a high degree of expertise in the following advertising and marketing communications areas through agency staff or subcontracted services:

- Leadership: Provide Lottery-expert recommendations and thought leadership related to best practices, marketing trends, and consumer behaviors.
- Account Services: Provide a day-to-day point of contact for Lottery staff who are responsible for overall management of the account, including contracts, budgets/billing, quality control, project coordination with client and agency team, presentation of opportunities, and lead strategist.
- Strategic Planning: Prepare annual plan for 6 campaigns to promote Lottery products, brand, and initiatives.
- Media Planning, Buying, and Trafficking: Research, plan, and place advertising in print, broadcast, online/interactive marketing, social media, out-of-home, and other media, consistent with strategic plans. Traffic media to sponsorship/event partners. This includes review and payment of all charges on behalf of the State.
- Creative Services: Provide creative services for the development of television, radio, online/interactive, social media, out-of-home, and print advertising, as well as other advertising as needed. This includes all art direction, copywriting, and scripting (does not include website design). Occasional scratch ticket design may be required.
- Production Services: Prepare and purchase all materials and services necessary to complete advertising assignments for distribution.
- Other Marketing Needs: Prepare and purchase marketing services including, but not limited to, printed collateral, public relations, sponsorship evaluations, sales promotions, research, social media, and marketing partnerships.
- Proof of Service: Check and verify all advertising identified above for accuracy, appearance, and quality.
- Evaluation: Evaluate key advertising placements and all other promotional activities using appropriate measurement tools.
- Reporting: Prepare and present regular reports on the effectiveness of the campaign, media strategies, and insights or opportunities to increase overall success.
- Collaboration: Consultation and/or collaboration with other relevant Lottery vendors and staff, including, but not limited to website development and public relations staff.

The full scope of work is included in Exhibit C.

3. **Key Qualifications.**

The ideal agency or agency team will be highly strategic across all channels with best-in-class digital acumen and experience and the ability to work in a fast-paced retail environment. They will be able to demonstrate their skills across

all channels with a particular focus on video content for broadcast and social, radio, digital advertising, and media management and optimization.

- Expertise and understanding of best practices for marketing to the emerging player segment (ages 25–44) that can be applied to development of relevant and innovative marketing and product strategies.
- Social and digital thought leadership and understanding of multi-channel interaction and consumer usage trends across both owned and earned channels.
- Maximum media buying efficiency based on sound data-based precision targeting and optimization techniques.
- Holistic support and integration across channels and disciplines in development of comprehensive program deliverables: everything from strategic planning to ticket design.
- A deep understanding of Minnesota's cultural and media environment, and how to connect with consumers across the state.
- Experience with entertainment, packaged goods, and other B2C retail services brands.

SECTION 3 – PROPOSAL INSTRUCTIONS AND ADDITIONAL INFORMATION

1. **Anticipated Contract Term.**

The term of this contract is anticipated to be from March 1, 2027 to February 28, ~~2029~~ 2030, with the option to extend up to an additional ~~three (3)~~ two (2) years in increments determined by the State.

2. **Question and Answer Instructions.**

All questions should be submitted via e-mail no later than the date and time listed in Section 1, Instructions to Responders. The State is not obligated to answer questions submitted after the question due date and time.

Only personnel listed above are authorized to discuss this solicitation with responders. Contact regarding this solicitation with any personnel not listed above could result in disqualification. This provision is not intended to prevent responders from seeking guidance from state procurement assistance programs regarding general procurement questions.

If a Responder discovers any significant ambiguity, error, conflict, discrepancy, omission, or other deficiency in the solicitation, please immediately notify the contact person listed above in writing of such error and request modification or clarification of the document.

3. **Additional Tasks or Activities.**

Responders are encouraged to propose additional tasks, activities, or goods above and beyond the scope of what is requested in this solicitation if they will substantially improve the results of this procurement. Any costs associated with these additional tasks, activities, or goods should be clearly marked and separated from costs associated with the tasks, activities, or goods specifically requested under this solicitation. Because cost is a factor in the evaluation of responses to this solicitation, failure to separate costs for additional tasks, activities, or goods may result in those costs being included in a responder's cost proposal and result in a lower cost score for that proposal.

4. **Page Limit**

Written proposals should include all the information, including case studies, requested. Written proposals must be no more than 30 single-sided pages, using reasonable formatting. The required forms found in the appendices to this RFP, any exceptions to the proposed contract, financial statements, and other required documents should be attached to the written proposal and do not count toward the page limit.

Agencies are encouraged to submit video or audio case examples as part of their written proposals. These video or audio examples cannot be hosted on the Internet. Video or audio examples do not count toward the page limit but must be fully described in the text of the written proposal.

The price proposal should include all the information found in Exhibit D. The price proposal should be in the format found in Exhibit D.

SECTION 4 – PROPOSAL CONTENT

The Lottery wants to get to know your agency and your plans for our account. With that in mind, using reasonable formatting, please answer the following questions in 30 pages, at most. Don't feel obligated to use all 30 pages. Your response will be scored out of 700 possible points.

Please submit the following information requested below. **Provide the following information and notate the content number (e.g., "4.1.1.2") next to the corresponding response in your proposal**. Include information regarding any subcontractors or other agencies that you have chosen to partner with in this response.

4.1 **Agency Profile**

4.1.1 *Business Philosophy and Core Capabilities*

4.1.1.1 Provide a brief synopsis of your core business philosophy.

4.1.1.2 Provide a list of the service offerings and competencies within your particular office or with other agencies that you have chosen to partner with in this response. Indicate percentages of creative output by channel (broadcast, print, OOH, digital display, search, social content, etc.). Also, indicate percentage of billings that would be characterized as B2C vs B2B.

4.1.1.3 Indicate major awards won by your agency within the last three years.

4.1.2 *Creative Philosophy*

4.1.2.1 How would you characterize or describe your approach to creation—your process and product?

4.1.2.2 Briefly describe how you incorporate research into your process and, if applicable, provide a brief example of an experience where you optimized or changed your creative approach based on a key learning from target audience research.

4.1.2.3 Include and describe a compilation of what you consider your firm's very best creative work over the last three years across all relevant channels. Indicate work that was developed by team members who would be assigned to the Lottery account. This may include work developed by members of your team as past employers, but these examples should be noted as such.

4.1.3 *Key Strengths*

List your top three strengths in rank order with supporting rationale.

4.1.4 *Client Service Philosophy*

Please answer the following questions regarding your approach to client service.

4.1.4.1 How do you typically manage the client/agency relationship?

4.1.4.2 What are your project management capabilities and what tools or processes do you use to manage workflow?

4.1.4.3 How do you typically expect the client to manage the client/agency relationship?

4.1.4.4 How do you manage multi-channel integration to ensure a consistent brand message along the customer journey?

4.1.4.5 How do you effectively divide responsibilities between client and agency and ensure important timelines are maintained and deadlines achieved?

4.1.4.6 What processes are in place for financial stewardship?

4.1.4.7 How do you use AI? How do you see AI impacting Lottery advertising during the duration of this contract?

4.1.5 *Approach to Media Strategy, Planning, and Buying*

4.1.5.1 What are the top three distinguishing attributes of your media planning and buying approach and team? Include information on technologies or platforms that enable you to optimize targeting and include whether these technologies are in-house or outsourced.

4.1.5.2 Describe your media planning methodology and provide insight into your process for creating audience profiles, buying, monitoring, optimizing, analyzing, and reporting across all channels. Share your approach on how you minimize ad fraud and waste in digital media buys.

4.1.5.3 Provide a breakout of total media placed by your firm across the following channels in 2025 as compared with 2024: TV, CTV, radio, OOH, print, programmatic digital, direct digital, mobile, paid social, paid search, streaming, and others. Include the percentage of total media spent represented by each channel and identify any channels that are considered core areas of expertise for your agency.

4.1.5.4 Describe your experience with identifying and buying local Minnesota media, ensuring regional coverage, including diverse markets, and including small stations or outlets in buys.

4.1.6 *Measurement and Reporting*

4.1.6.1 How do you measure, report, and optimize the performance of client integrated marketing campaigns, and at what intervals? Describe how your team translates campaign data, including paid social, into actionable recommendations that improve ongoing and future campaign performance.

4.1.6.2 Describe your approach for determining attribution and incrementality in a multi-channel campaign, and how important each is in today's environment.

4.1.6.3 Describe your standard measurement process and technology that assists in setup, execution, optimization, and analysis. Provide screenshots of reporting dashboards or reports you have employed for your clients and details about the availability of most-recent data (real time, reporting intervals, etc.), and the depth of the tool.

4.1.7 *PR, Sponsorship, and Event Planning Philosophy*

4.1.7.1 Share your capabilities in public relations, including size of team, client experience, and how this team integrates with your creative and digital teams.

4.1.7.2 Briefly describe your process for reviewing sponsorship/event proposals or promotional media opportunities to determine cost/benefit value for your clients.

4.1.7.3 Include an event planning example that describes your experience developing an event plan for a client, including associated creative, earned media, and other results.

4.1.8 *Social Media Strategy and Content*

4.1.8.1 Describe your agency's experience developing and executing social media strategies. Include your approach to organic and paid social, content strategy, platform specific creative, influencer marketing, and social listening.

4.1.8.2 Describe how your agency stays current with emerging social platforms, trends, content formats, and technologies. How do you evaluate and recommend new opportunities that align with a client's goals and target audiences?

4.1.8.3 Provide 2 or 3 examples of social campaigns that demonstrate innovative creative, audience engagement, or measurable business results.

4.2 **Case Studies**

Provide three case studies with creative examples that illustrate your experience in the following categories.

4.2.1 *Marketing to 25–44 Demographic*

Explain how you helped a client engage with and convert this hard-to-reach audience. Describe the research-based insights and how they led to your recommended strategy. Explain how you evolved the creative and chose channel platforms (owned and earned) that would optimize reach and engagement. If you have no case with that specificity, share a relevant brand case that expanded into other target groups without diminishing the support from the core audience.

4.2.2 *Social Media*

Describe a case where your firm was tasked with creating a breakthrough social media campaign. What was your approach, what channels did you use, and what were your goals and strategies for the campaign? Please provide results including awareness results and key learnings.

4.2.3 *Features and Benefits*

Describe a case where your firm created a campaign to introduce and explain the features and benefits of a new product or service. How did you prioritize information? Explain your goals and strategies along with results and learnings.

4.3 **Staffing Proposal and Key Biographies**

Based on the Scope of Work in Exhibit C, provide us with a staffing proposal and key biographies, including relevant experience and expertise. Include an organizational chart showing the structure of the entire Lottery team across all departments. For each person listed, provide what percentage of that person's time will be dedicated to the Lottery.

4.4 **Agency Corporate Information**

Provide the following general information for your agency and all proposed subcontractors or partners. If any of the following information cannot be provided, please provide a justification.

- The name and address of the agency submitting the Proposal.
- Type of business entity (e.g., limited liability corporation, partnership).
- Place of incorporation or legal address where other forms of organization is domiciled.
- The name, address, telephone number, and email address of the agency's primary contact for the purpose of this RFP.
- Name and location of the major offices, if applicable, relate to the agency's performance as proposed in its proposal.
- The names, addresses, and functions of all subcontractors, associated companies, or consultants that have been or will be involved in any phase of the project or services being procured in this RFP.
- The name(s) of all law firms and/or individuals representing the agency within the State.
- Any substantial change of ownership in the agency or the agency's parent or holding company that occurred since January 1, 2020. Pending changes must be disclosed to the extent permitted by law and by regulatory agencies.
- Copies of audited or reviewed financial statements for two (2) most recent fiscal years. The Lottery reserves the right to request any additional information necessary to determine the financial integrity and responsibility of the agency or agencies. Financial statements may be attached to the written proposal and do not count toward the 30-page limit.

4.5 **License Agreements, Maintenance Agreements, or Other Terms and Conditions**

Responder must provide any license agreements, maintenance agreements, or any other terms and conditions relevant to the work under a resulting contract. Review and approval by the State will be required prior to contract execution. In the event Responder fails to comply with this provision, Responder agrees that it will not seek to enforce terms and conditions of any such agreement against the State. Further, failure to provide any of the pertinent documents upon request may result in the State not agreeing to sign any additional documents, rejecting your response, or cancelling the award.

Submit all requested documentation, including, but not limited to, the following documents:

1. Attachment A: Responder Declarations
2. Attachment B: Exceptions to State's Standard Terms and Conditions
3. Attachment C: Cost Proposal
4. Attachment D: Responder Forms
    a. Workforce and Equal Pay Declaration Page
    b. Equal Pay Certificate Form

<u>DO NOT INCLUDE</u> Non-Public/Trade Secret data (as defined by Minn. Stat. § 13.37).

SECTION 5 – EVALUATION PROCEDURE AND CRITERIA

The State will conduct an evaluation of responses to this Solicitation. The evaluations will be conducted in three phases:

Phase 1 - Review responses for responsiveness and pass/fail requirements
Phase 2 - Evaluate responses
Phase 3 - Finalist, working sessions, presentations

1. Phase 1 – Responsiveness and Pass/Fail Requirements

The purpose of this phase is to determine if each response complies with mandatory requirements. The State will first review each proposal for responsiveness to determine if the Responder satisfies all mandatory requirements. The State will evaluate these requirements on a pass/fail basis.

Mandatory Requirements. The following will be considered on a pass/fail basis:

- Responses must be received by the due date and time specified in this RFP and comply with the rules.
- The agency or team of agencies must have existence or willingness to establish an office space in Minnesota with two or more full-time employees dedicated to the Lottery account.
- Agency staff must have at least five years of experience relating to state-of-the-art digital and traditional marketing, advertising, and media buying.

2. Phase 2 – Evaluate Responses

Only those responses found to have met Phase 1 criteria will be considered in Phase 2.

The factors and weighting on which responses will be evaluated are:

1.	Agency Philosophy, Strengths, and Capabilities	125 points
2.	Client Service	125 points
3.	Media Strategy, Planning and Buying	80 points
4.	Measurement and Reporting	50 points
5.	PR, Sponsorship, and Event Planning	20 points
6.	Social Strategy and Content	100 points
7.	Case Studies	125 points
8.	Staffing Proposal and Key Biographies	75 points
9.	Price	300 points
10.	**TOTAL**	**1,000 points**
11.	Preference Points (if applicable in addition to 1,000 available)	120 points

Preference points are described under Solicitation Terms and will be applied to the total score after points have been awarded.

3. Phase 3 – Finalist, Working Sessions, Presentations

Only those responses that have been evaluated under Phase 2 will be eligible for Phase 3.

The State will make its selection based on best value, as determined by this evaluation process. The State reserves the right, based on scores of the proposals, to create a short-list of responders who have received the highest scores to interview, or conduct demonstrations/presentations. The State reserves the right to seek best and final offers from one or more responders and to re-weigh price based on the lowest price finalist.

If the State exercises its right to short-list responders for an interview or demonstration/presentation phase, the Contract Administrator will short-list the highest scoring responders by determining the natural break in the responders' scores. Only the highest scoring responders will advance as finalists.

Shortly after naming finalists, the State will present each finalist with an identical agenda for a finalist presentation. This agenda will include an assignment requesting that the candidate agencies demonstrate their strategic process by providing a point-of-view presentation about one of the State's core challenges and/or a real-world assignment with recommendations including rough creative concepts and a macro-level media approach.

Prior to the presentation, finalists will be asked to submit any technical or clarification questions in writing. Substantive questions will not be answered in writing but will be deferred to the working session. Also, prior to the presentation, finalists may be asked to participate in a one-hour video working session, where the finalist will be able to discuss initial ideas and strategies and get feedback on creative direction, strategy, and media plans from the Lottery.

After the working session, the finalist presentations will be in person at the Lottery's Roseville office. Each agency will have 90 minutes to introduce their agency and present and 30 minutes to answer questions. These finalist presentations will be evaluated by scoring the proposals on the 700-point scale ~~found in 3.4.3~~.

The Lottery anticipates the following schedule: Finalists will be required to submit any initial questions or clarifications by 5:00 p.m. on Friday, December 11, 2026. The Lottery will respond to any questions by Tuesday, December 15, 2026. Working sessions will occur on or about the week of January 11, 2027. Finalist presentations will occur the week of January 25, 2027.

The State will make its selection based on best value, as determined by this evaluation process. The State reserves the right to pursue negotiations on any exception taken to the State's standard terms and conditions. In the event that negotiated terms cannot be reached, the State reserves the right to terminate negotiations and begin negotiating with the next highest scoring responder or take other actions as the State deems appropriate. If the State anticipates multiple awards, the State reserves the right to negotiate with more than one Responder.

4. **Schedule**

These dates below are for informational and planning purposes and may change.

Event	**Date**
RFP Issued	9/29/26
Deadline for Written Questions	10/16/26
Answers to Questions	~~10/23/26~~ 10/27/26
Written Proposals Due	11/20/26 by 2 p.m. CST
Finalists Designated	~~12/04/26~~ 12/11/26
Assignment Issued	12/14/26
Finalist Written Questions Due	~~12/11/26~~ 12/18/26 by 2 p.m. CST
Answers to Questions	~~12/15/26~~ 12/22/26
Working Sessions	Week of ~~1/11/27~~ 1/18/27
Finalist Presentations	Week of ~~1/25/27~~ 2/1/27
Apparent Winning Proposal Named	On or around ~~2/5/27~~ 2/12/27
Contract Executed	On or around 2/26/27

SECTION 6 – UNENFORCEABLE TERMS AND SOLICITATION TERMS

Unenforceable Terms

As of July 1, 2025, certain terms are unenforceable in state contracts. See Session Laws, 2025 Regular Session, Chapter 39, Article 2, Section 45.

Unenforceable terms

(a) A contract entered into by the state shall not contain a term that:

(1) requires the state to defend, indemnify, or hold harmless another person or entity, unless specifically authorized by statute;
(2) binds a party by terms and conditions that may be unilaterally changed by the other party;
(3) requires mandatory arbitration;
(4) attempts to extend arbitration obligations to disputes unrelated to the original contract;
(5) construes the contract in accordance with the laws of a state other than Minnesota;
(6) obligates state funds in subsequent fiscal years in the form of automatic renewal as defined in section 325G.56; or
(7) is inconsistent with chapter 13, the Minnesota Government Data Practices Act.

(b) If a contract is entered into that contains a term prohibited in paragraph (a), that term shall be void and the contract is enforceable as if it did not contain that term.

Solicitation Terms

1. **Competition in Responding**

The State desires open and fair competition. Questions from responders regarding any of the requirements of the Solicitation must be submitted in writing to the Solicitation Administrator listed in the Solicitation before the due date and time. If changes are made the State will issue an addendum.

Any evidence of collusion among responders in any form designed to defeat competitive responses will be reported to the Minnesota Attorney General for investigation and appropriate action.

2. **Addenda to the Solicitation**

Changes to the Solicitation will be made by addendum with notification and posted in the same manner as the original Solicitation. Any addenda issued will become part of the Solicitation.

3. **Data Security - Foreign Outsourcing of Work is Prohibited**

All storage and processing of information shall be performed within the borders of the United States. This provision also applies to work performed by subcontractors at all levels.

4. **Joint Ventures**

The State allows joint ventures among groups of responders when responding to the solicitation. However, one responder must submit a response on behalf of all the others in the group. The responder that submits the response will be considered legally responsible for the response (and the contract, if awarded).

5. **Withdrawing Response**

A responder may withdraw its response prior to the due date and time of the Solicitation. For solicitations in the SWIFT Supplier Portal, a responder may withdraw its response from the SWIFT Supplier Portal. For solicitations done any other way, a responder may withdraw its response by notifying the Solicitation Administrator in writing of the desire to withdraw.

After the due date and time of this Solicitation, a responder may withdraw a response only upon showing that an obvious error exists in the response. The showing and request for withdrawal must be made in writing to Solicitation Administrator within a reasonable time and prior to the State's detrimental reliance on the response.

6. Rights Reserved

The State reserves the right to:

- Reject any and all responses received;
- Waive or modify any informalities, irregularities, or inconsistencies in the responses received;
- Negotiate with the highest scoring Responder[s];
- Terminate negotiations and select the next response providing the best value for the State;
- Consider documented past performance resulting from a State contract may be considered in the evaluation process;
- Short list the highest scoring Responders;
- Require Responders to conduct presentations, demonstrations, or submit samples;
- Interview key personnel or references;
- Request a best and final offer from one or more Responders;
- The State reserves the right to request additional information ; and
- The State reserves the right to use estimated usage or scenarios for the purpose of conducting pricing evaluations. The State reserves the right to modify scenarios, and to request or add additional scenarios for the evaluation.

7. Samples and Demonstrations

Upon request, Responders are to provide samples to the State at no charge. Except for those destroyed or mutilated in testing, the State will return samples if requested and at the Responder's expense. All costs to conduct and associated with a demonstration will be the sole responsibility of the Responder.

8. Responses are Nonpublic during Evaluation Process

All materials submitted in response to this Solicitation will become property of the State. During the evaluation process, all information concerning the responses submitted will remain private or nonpublic and will not be disclosed to anyone whose official duties do not require such knowledge. Responses are private or nonpublic data until the completion of the evaluation process as defined by Minn. Stat. § 13.591. The completion of the evaluation process is defined as the State having completed negotiating a contract with the selected responder. The State will notify all responders in writing of the evaluation results.

9. Trade Secret Information

9.1 Responders must not submit as part of their response trade secret material, as defined by Minn. Stat. § 13.37.

9.2 In the event **trade secret data are submitted, Responder must** defend any action seeking release of data it believes to be trade secret, and indemnify and hold harmless the State, its agents and employees, from any judgments awarded against the State in favor of the party requesting the data, and any and all costs connected with that defense.

9.3 The State does not consider cost or prices to be trade secret material, as defined by Minn. Stat. § 13.37.

9.4 A responder may present and discuss trade secret information during an interview or demonstration with the State, if applicable.

10. **Conditions of Offer**

Unless otherwise approved in writing by the State, Responder's cost proposal and all terms offered in its response that pertain to the completion of professional and technical services and general services will remain firm for 180 days, until they are accepted or rejected by the State, or they are changed by further negotiations with the State prior to contract execution.

11. **Award**

Any award that may result from this solicitation will be based upon the total accumulated points as established in the solicitation. The State reserves the right to award this solicitation to a single Responder, or to multiple Responders, whichever is in the best interest of the State, providing each Responder is in compliance with all terms and conditions of the solicitation. The State reserves the right to accept all or part of an offer, to reject all offers, to cancel the solicitation, or to re-issue the solicitation, whichever is in the best interest of the State.

12. **Requirements Prior to Contract Execution**

Prior to contract execution, a responder receiving a contract award must comply with any submittal requests. A submittal request may include, but is not limited to, a Certificate of Insurance.

13. **Targeted Group, Economically Disadvantaged Business, Veteran-Owned and Individual Preference**

Unless a greater preference is applicable and allowed by law, in accordance with Minn. Stat. § 16C.16, businesses that are eligible and certified by the State as targeted group (TG) businesses, economically disadvantaged (ED) businesses, and veteran-owned businesses will receive points equal to 12% percent of the total points available as preference.

For TG/ED/VO certification and eligibility information visit the Office of Equity in Procurement website at https://mn.gov/admin/business/vendor-info/oep/ or call the Division's Helpline at 651.201.2402.

14. **Reciprocity**

State shall comply with Minn. Stat. § 16C.06, subd. 7, as that applies to a non-resident vendor. This paragraph does not apply for any project in which federal funds are expended.