



Memo

Date:	February 16, 2024
To:	Oregon Lottery Commission
From:	Michael Wells, Director
Subject:	2020 Retailer Contract Amendment
Attachment:	Draft 2020 Retailer Contract Amendment

The current contract between the Oregon State Lottery and Lottery Retailers was established in 2020 and is set to expire 4:59 a.m., June 29, 2025.

In 2023, Oregon Lottery learned the internet system providing communications between Lottery and its retailers was deemed obsolete, and the provider will be deactivating the hardware at the end of the year. We have negotiated with our service provider to ensure there are no service interruptions and have contracted to build out a new network for our retailers. Over the next two years, Lottery will partner with our service provider to update the system, which includes new equipment in over 3,500 retail locations across the state. This upgraded service will provide faster service, more stability, and redundancy throughout the network.

In addition, a full system upgrade to an outdated internal retailer and contract management system is underway and is not expected to be completed for another year and a half. Not only will the new system provide many internal benefits, but it will also feature a retailer portal to allow current and new retailers the ability to securely interact and exchange documents with Lottery in a digital fashion.

With both bodies of work occurring at the same time, associated costs still undetermined, and a concern that delivery of the new contract would be hampered by the retail system upgrade, I do not believe delivery of a new contract to retailers at this time is prudent.

I am recommending the Commission approve an amendment to the current 2020 Retailer Contract. This amendment would extend the current contract's termination date to 4:59 a.m. on June 29, 2027, unless terminated earlier by either the Lottery or the Retailer. All other terms and conditions of the 2020 Retailer Contract will remain in full force and effect.

This amendment has been reviewed and approved by Oregon Department of Justice for legal sufficiency.



2020 Retailer Contract Amendment (Amendment)

This Amendment is made by and between the State of Oregon, acting by and through the Oregon State Lottery Commission ("Lottery"), and the Retailer listed on the signature page of this Amendment ("Retailer").

This is an Amendment to the Retailer Contract between the Retailer and the Oregon State Lottery which has an ending date of 4:59 a.m., June 29, 2025 ("Retailer Contract").

In consideration of the provisions contained herein, the Lottery and the Retailer agree as follows:

1. The paragraph on page 1 of the Retailer Contract captioned "TERMINATION DATE" is amended and restated to read in its entirety as follows:

TERMINATION DATE: This Contract remains in effect until 4:59 a.m. on June 29, 2027, unless terminated earlier by either the Lottery or the Retailer (the "**Contract Term**").

2. Provided this amendment is fully executed, and all legally required approvals are obtained, on or before 4:59 a.m. on June 29, 2025, the Lottery and the Retailer agree that the effective date of this Amendment is 4:59 a.m. on June 29, 2025.
3. Except as expressly amended herein, the Lottery and the Retailer agree that all other terms and conditions of the Retailer Contract remain in full force and effect. Retailer certifies that the representations, warranties, and certifications contained in the original Retailer Contract are true and correct as of the effective date of this Amendment to the Retailer Contract and with the same effect as though made at the time of this Amendment.

In witness thereof, the Lottery and the Retailer have executed this Amendment to the Retailer Contract as of the dates set forth below.



Retailer Number _____



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2020 Retailer Contract Amendment (Amendment)

RETAILER

Name: _____
(Print Retailer's corporate, LLC, partnership,
or fraternal legal name. Sole proprietor
use owner's name.)

Signature: _____

Print Name: _____

Title: _____

Date: _____

Email Address: _____

Telephone Number: _____

Fax Number: _____

OREGON STATE LOTTERY COMMISSION

500 Airport Road SE
P.O. Box 12649
Salem, OR 97309-0649

By: _____

Michael Wells

Date: _____

