

Maryland Non-Gaming Vendor applicants



Pay Careful Attention to the Following:

Vendor applicants must complete specific steps before submitting an application to the Maryland Lottery and Gaming Control Commission.

Applications received with any of the four (4) following defects will cause significant delays in the processing of the vendor's request for approval and may result in the disqualification of a vendor. The denial of an application will permanently prohibit the vendor from conducting any business with any Maryland licensed casino.

- 1) All vendors must obtain a '**Casino's Certification of Business Relationship**' form page. Certification form pages can only be issued by a licensed Maryland casino or by designated casino construction companies authorized to issue certifications. A vendor applicant is prohibited from completing the 'Casino's Certification of Business Relationship' form page. Certification form pages bearing the signature of a vendor applicant may be considered a material misrepresentation to the Commission, and may result in an automatic disqualification.
- 2) All vendors must register with the **Maryland State Department of Assessments and Taxation (MD SDAT)** and submit verification of their compliance with MD SDAT regulations to the Commission. MD SDAT will determine whether the vendor is required to either:
 - A. File for and maintain "Good Standing" (the vendor is required to furnish the Commission with a copy of the 'Certificate of Good Standing' with the Vendor Form application); or
 - B. File for a "Trade Name Registration".
- 3) All vendors must submit the required application **Fee**. Instructions for original / initial and 'Upgrade' applications are found in **Section 'C'**, and the non-refundable fee is either \$100 or \$1,000. Instructions for Renewal applications are found in **Section 'D'**, and the non-refundable fee is either \$100 or \$500. The application fee (except Wire Transfers) must be submitted with this application.
- 4) All vendors must submit **accurate, legible and complete applications** on single-sided pages. Vendor applicants should carefully read all of the instructions and thoroughly review the entire document before submitting it to the Commission. Failure to submit required information may result in denial of an application. Refusal to rectify deficiencies following notification, or the submission of false or misleading information, will result in the denial of an application.



Lottery and Gaming Control Commission

1800 Washington Boulevard, Suite 330, Baltimore, MD 21230

NON-GAMING VENDOR REGISTRATION APPLICATION

Form #1023

Vendor's Business Name (Applicant): _____
This name **MUST** match the name registered with MD SDAT To be completed by the Vendor Applicant

Enter 'D/B/A' or 'T/A' name, if applicable: _____
To be completed by the Vendor Applicant

Casino –or- Casino Construction Company: _____
To be completed by the Vendor Applicant

MD SDAT Compliance Attached: Certificate of 'Good Standing' or 'Trade Name Registration'
Circle one

Date submitted to MLGCC: _____
To be completed by the Vendor Applicant

(This box is for MLGCA Use Only)

Vendor # **V** _____

Status: Initial / New Renewal

MD SDAT Department ID # _____

Application approval date: _____

Application approved by / title: _____

Payment: Wire Money Bank, Business, Cashier's or
 Transfer Order Certified Check # _____

ACKNOWLEDGEMENT and CHECK LIST

The Vendor Applicant (“Applicant”) must complete, sign and submit this ‘**Acknowledgement and Check List**’.

I, _____, the Applicant, have thoroughly read Sections ‘A’ through ‘G’. I understand that the Applicant is under a continuing obligation to promptly provide **written notification** of any changes in the information provided to the Commission (including physical/email addresses; or phone numbers) whether in the application or on any material(s) submitted with or subsequent to the application.
 (Signature) _____

I, _____, the Applicant, declare and affirm that the information I am submitting to the Commission is accurate and correct, I am not failing to disclose any material information relevant to this application and I am not submitting false or misleading information. (Signature) _____

- 1) I checked the “APPROVED VENDORS” list to ensure that the Applicant is not already approved. (<http://gaming.mdlottery.com/licensing/approved-vendors>) (initials) _____
- 2) The Applicant’s **Business Name** is listed exactly as it is registered with MD SDAT. (initials) _____
- 3) The Applicant has registered with the Maryland Department of Assessments and Taxation (MD SDAT) and has attached verification (Certificate of ‘Good Standing’ or ‘Trade Name Registration’) (initials) _____
- 4) All officers, partners, directors, owners, supervisors & managers were disclosed (**H.4**) (initials) _____
- 5) The ‘Business Relationship’ page (Page 11) has been signed by a Casino Representative **or** an authorized Casino Construction Representative **only**. **The Applicant is not authorized to sign the form.** (initials) _____
- 6a) The application fee is attached to this application; -or- (initials) _____ or N/A _____
- 6b) The application fee was sent via Wire Transfer, and transmission was confirmed *before* submitting this application to the Commission. (initials) _____ or N/A _____

SECTION A - REGULATIONS

A.1 A “Vendor” is any person who provides non-gaming related goods and services to a video lottery operation licensee (Maryland licensed casino) or video lottery operation license applicant (applying to become a Maryland licensed casino). A Maryland non-gaming Vendor:

- a) Includes suppliers of alcoholic beverages; suppliers of food and non-alcoholic beverages; refuse handlers; vending machine providers and service personnel; janitorial and maintenance companies; tenant businesses or franchises located within casinos if such goods and services are not gaming related; providers of transportation services if such services are not gaming related; persons involved in the construction of a casino; lessors of real property or goods; payroll services and other employer related services; employee recruiting services; or
- b) Is a person whose services the Commission determines must be registered or certified; and

c) Is **prohibited** from providing or attempting to provide any gaming related goods, services or supplies unless licensed by the Commission as a Gaming Manufacturer or Gaming Contractor.

A.2 Pursuant to Code of Maryland Regulation (COMAR) 36.03.02.17, a Vendor, unless exempt, is required to be Registered or Certified with the Commission **prior to conducting any business** with a licensed casino or casino license applicant.

SECTION B - APPLICATION CLASSIFICATION

B.1 A Vendor must determine the correct form based on the combined total value of non-gaming related goods and services provided to, or anticipated to be provided to, a licensed casino or casino license applicant within a calendar year.

B.2 A Vendor that provides, or anticipates providing non-gaming related goods and services within a calendar year with a combined total value:

- a) Of less than \$9,999 is exempt from submitting an application to the Commission;
- b) From \$10,000 to \$299,999 to a single casino or casino license applicant is required to be Registered by the Commission;
- c) From \$10,000 to \$599,999 to multiple casinos or casino license applicants is required to be Registered by the Commission (unless at or above \$300,000 to a single casino or casino license applicant, in which case the Vendor must be Certified by the Commission);
- d) At or above \$300,000 to a single casino or casino license applicant is required to be Certified by the Commission; or
- e) At or above \$600,000 to multiple casinos or casino license applicants is required to be Certified by the Commission.

Examples of the requirements above are:

If a Vendor has three contracts, one at Casino 'A,' one at Casino 'B' and one at Casino 'C', each for \$190,000, the Vendor is required to be Registered by the Commission, since none of the contracts is above \$300,000 and the combined total value (\$570,000) is under \$599,999.

If a Vendor has three contracts, one at Casino 'A,' for \$350,000, one at Casino 'B' for \$110,000 and one at Casino 'C' for \$110,000, the Vendor is required to be Certified by the Commission, since one of the contracts is above \$300,000 even though the combined total value (\$570,000) is under \$599,999.

B.3 The Commission monitors the licensed Maryland casino's payments to each vendor. If it is determined that a Vendor's combined total value of non-gaming related goods and services is approaching the prescribed threshold, the casino may delay or cease payments to prevent a violation of Gaming regulations. If it is determined that a Vendor's combined total value of non-gaming related goods and services has exceeded the prescribed threshold, the casino is required to cease payments.

If a Vendor, approaching the prescribed threshold, anticipates providing non-gaming related goods and services which have a combined value exceeding the threshold, the Vendor is required to submit the correct classification of application to the Commission. The Vendor is prohibited from conducting business which will exceed the threshold until the Commission approves the Vendor's application.

If a Vendor has exceeded the prescribed threshold, the Vendor is required to submit the correct classification of application to the Commission. The Vendor is prohibited from conducting any further business until the Commission approves the Vendor's application.

Violations of Gaming regulations related to the combined total value of non-gaming related goods and services provided by a Vendor may result in penalties or sanctions.

SECTION C - APPLICATION TYPE

- C.1 Construction based vendors.** Construction based vendors provide, or anticipate providing, non-gaming related goods and services during the construction phase of the casino. This includes construction management, general contractors and subcontractors.
- C.2 Non-construction based vendors.** Non-construction based vendors provide, or anticipate providing, non-gaming related goods and services for the duration of the gaming and hospitality phase.
- C.3** The Commission provides the casinos with an **emergency services response vendor** application, **Form 1024**. A prospective Vendor does not complete the form. The form is completed and submitted by a casino if a casino encounters an emergent threat to public health, safety, or welfare that is outside its control and requires immediate provision of goods or services by a vendor. The casino is required to submit the **Form 1024** to the Commission no later than the next State business day.
- C.4** Following a casino's submission of a **Form 1024** to the Commission:
- a) Unless exempt, a Vendor that provided services or goods as an **emergency services response vendor**, valued from \$10,000 to \$299,999, whether during the construction phase or during the gaming and hospitality phase, the Vendor is responsible for submitting a Vendor Registration Form, **Form 1023** to the Commission within 20 business days;
 - b) Unless exempt, a Vendor that provided services or goods as an **emergency services response vendor**, valued at or above \$300,000, during the construction phase, the Vendor is responsible for submitting a Vendor Certification Form, Construction Version, **Form 1021CC** to the Commission within 20 business days;
 - c) Unless exempt, a Vendor that provided services or goods as an **emergency services response vendor**, valued at or above \$300,000, during the gaming and hospitality phase, the Vendor is responsible for submitting a Vendor Certification Form, **Form 1021** to the Commission within 20 business days.
- C.5 Construction based vendor** applicants should refer to the chart below to determine that the correct form and fee is submitted:

If a construction based vendor provides or anticipates providing in a calendar year the following amounts related to non-gaming goods and services:	Submit Form #	Initial Fee
\$9,999 and below	Exempt, none	\$ 0
from \$10,000 to \$299,999 at a single casino	1023	\$100
from \$10,000 to \$599,999 at two or more casinos Refer to B.2(c)	1023	\$100
above \$300,000 at any casino	1021CC	\$1,000
above \$600,000 at two or more casinos	1021CC	\$1,000

C.6 Non-construction based vendor applicants should refer to the chart below to determine that the correct form and fee is submitted:

If a non-construction based vendor provides or anticipates providing in a calendar year the following amounts related to non-gaming goods and services:	Submit Form #	Initial Fee
\$9,999 and below	Exempt, none	\$ 0
from \$10,000 to \$299,999 at a single casino	1023	\$100
from \$10,000 to \$599,999 at two or more casinos Refer to B.2(c)	1023	\$100
above \$300,000 at a single casino	1021	\$1,000
above \$600,000 at two or more casinos	1021	\$1,000

SECTION D - TERM OF REGISTRATION, TERM OF CERTIFICATION, RENEWALS

D.1 Term: A Maryland non-gaming vendor’s registration or certification is valid for five years from the date of approval.

D.2 Renewal Process: The Commission may renew the non-gaming vendor’s registration or certification if the Vendor:

- a) Submits an application for renewal to the Commission at least 90 days before the vendor’s registration or certification expires, but not more than 120 days before the vendor’s registration or certification expires;
- b) Continues to comply with all vendor registration or certification requirements; and
- c) Pays the vendor’s registration renewal fee or certification renewal fee listed below:

If a construction based vendor provides or anticipates providing in a calendar year the following amounts related to non-gaming goods and services:	Submit Form #	Renewal Fee
\$9,999 and below	Exempt, none	\$ 0
from \$10,000 to \$299,999 at a single casino	1023	\$100
from \$10,000 to \$599,999 at two or more casinos Refer to B.2(c)	1023	\$100
above \$300,000 at a single casino	1021CC	\$500
above \$600,000 at two or more casinos	1021CC	\$500

If a non-construction based vendor provides or anticipates providing in a calendar year the following amounts related to non-gaming goods and services:	Submit Form #	Renewal Fee
\$9,999 and below	Exempt, none	\$ 0
from \$10,000 to \$299,999 at a single casino	1023	\$100
from \$10,000 to \$599,999 at two or more casinos Refer to B.2(c)	1023	\$100
above \$300,000 at a single casino	1021	\$500
above \$600,000 at two or more casinos	1021	\$500

SECTION E - REMITTANCE OF FEES

E.1 Vendor application fees, made payable to “**Maryland Lottery and Gaming Control Agency**”, are due at the time of application. The fees may be sent as a bank /business /cashier’s /certified check, money order or as a wire transfer. Application fees are non-refundable.

E.2 Unless the Vendor applicant is paying via wire transfer, the Vendor should send the application and the payment together to:
Maryland Lottery and Gaming Control Agency
Attn: Casino Licensing and Background Investigation Division
1800 Washington Blvd, Suite 330
Baltimore, Maryland 21230

E.3 If the Vendor applicant chooses to send the fees via a wire transfer, payments are made as follows:

- a) The Maryland Lottery and Gaming Control Agency Account Number is: **446014266944**
- b) The Name of the Account is: **Maryland Lottery VLT Escrow 026009593**
Bank of America, New York, NY
- c) If necessary, SWIFT code is: **BOFAUS3N Ref: Bank of America in the State of Maryland.**

SECTION F - IMPORTANT NOTICES

F.1 This form is an official document of the Commission, and may not be altered or changed, except to insert the information that is required. Any alteration or change to this document is prohibited and may cause the application or the Vendor’s certification to be delayed or denied.

F.2 An Applicant ***must*** make accurate statements and include all material facts. Failure or refusal to provide any required information; intentional omissions of material facts; misrepresentation of details; or failure or refusal to meet any other requirement as set out in law or regulation may result in the denial of the application. False or misleading statements to the Commission may subject a Vendor applicant to civil and/or criminal penalties. All submissions are subject to verification.

F.3 The Commission's decision to deny or cancel a vendor registration or vendor certification, or denial of the renewal of a vendor registration or vendor certification, does not give rise to an appeal right under the contested case provisions of the Maryland Administrative Procedure Act.

- F.4** A Vendor applicant is under a continuing obligation to promptly disclose any changes in the information provided to the Commission (including physical/email addresses; or phone numbers) whether in the application or on any material(s) submitted. The Applicant shall provide **written notification** of any change(s). The duty to inform the Commission is in effect from the date the application is submitted and continues through the entire period the vendor registration or certification is granted.
- F.5** If a Vendor changes the name of the company with which it conducts business with a licensed Maryland casino or casino license applicant, the Vendor **must** submit a new Vendor Registration or Vendor Certification application. The Vendor will list all the changes in name, address, contact information etcetera, as well as all company officers that are applicable to the name change. It is not necessary to submit a fee with the application, so long as the term of the initial application has not expired, or is not within 90 days of expiring. Once the Commission reviews the new application, the Vendor will be notified if further action or additional information is required. The Commission will update the company name on the website at the conclusion of the review.
- F.6** Vendor applicants are required to attach proof of registration with the Maryland Department of Assessments and Taxation (MD SDAT) to do business within the State.
- Assistance with this process may be obtained from: <http://dat.maryland.gov/Pages/default.aspx> or by sending email inquiries to charterhelp@dat.state.md.us if necessary.
- The Commission will periodically monitor each Vendor's compliance with MD SDAT.
- F.7** A Vendor must present sufficient justification to establish that it is suitable for approval by the Commission. The burden of proof remains with the Vendor, and the Vendor must continuously maintain suitability. Failure or refusal to maintain the criteria for approval, to include compliance with all MD SDAT regulations, may lead to the Commission suspending or cancelling the Vendor's Certification.
- F.8** Once a vendor is approved by the Commission, the vendor is authorized to conduct business with all Maryland casinos. The vendor is not required to submit a new application for each casino.

SECTION G - INSTRUCTIONS

These instructions are applicable to any Applicant seeking a Maryland Non-Gaming Vendor Registration or Non-Gaming Vendor Certification.

- G.1** Read each question carefully. **Do not leave blank spaces or blank blocks.** If a question does not apply, write "Does not apply" or "N/A." If the correct answer to a particular question is "None," write "None."
- G.2** Do not omit or otherwise bypass answers to any response throughout the application. Vendor applicants who submit incomplete applications may be denied. Refer to **F.2** and **F.3**.
- G.3** All entries must be legible, and should be typed or printed with block lettering. If the responses are not legible, the application may not be accepted.
- G.4** The Vendor application must be submitted to the Commission on single-sided paper.

SECTION H - APPLICANT INFORMATION

H.1 BUSINESS NAME OF APPLICANT *

*As written in the Articles of Incorporation, By-Laws, Charter Partnership Agreement or other official documents filed with a State or Federal Government:

Doing Business As (d/b/a) or Trading As (t/a) Name(s):

H.2 APPLICANT'S PRINCIPAL ADDRESSES

Describe the Applicant's use of this address: (check all that apply to this address)

Mailing Residential Corporate Production Development/Testing Warehouse Other _____

Address Line 1

Address Line 2

City

State

Zip

Mailing Address Line 1, if different from above, otherwise enter "Same"

Mailing Address Line 2, if different from above, otherwise enter "Same"

City

State

Zip

Vendor's website

Describe the Applicant's use of this address: (check all that apply to this address) **No Secondary Address**

Mailing Residential Corporate Production Development/Testing Warehouse Other _____

Address Line 1

Address Line 2

City

State

Zip

Mailing Address Line 1, if different from above, otherwise enter "Same"

Mailing Address Line 2, if different from above, otherwise enter "Same"

City

State

Zip

Vendor's website

H.3 APPLICANT'S POINT-OF-CONTACT

*Point-of-Contact: (Name) _____ (Company title) _____

*This individual must either have the authority to make decisions on behalf of the Vendor and/or be on-site at the casino.

E-mail address: _____

All notifications will be made to this e-mail address. If necessary, check the "SPAM" folder for e-mails from "...@maryland.gov".

Office Telephone Number: _____ Cell Number: _____

H.4 APPLICANT'S OWNERS, OFFICERS, DIRECTORS, ETC.

Provide the names of the owners, officers, directors, CEOs, etc. who will be directly/significantly involved in providing goods and/or services to the casino. Also, provide the names of those individuals who manage, administer or control the Applicant's activities at the casino, such as project managers, field supervisors, account managers, site superintendents, distribution managers, sales supervisors, account representatives etc.

Name	Position / Title

Note: Attach additional copies of this page as needed.

H.5 COMPLIANCE WITH MD SDAT REGISTRATION

Maryland SDAT (MD SDAT). Compliance is required (not from the Maryland Comptroller's Office)

MD SDAT Department ID Number (1 letter plus 8 numbers): _____
Circle one: Certificate of 'Good Standing' or 'Trade Name Registration'

H.6 CASINO / CASINO CONSTRUCTION COMPANY ASSOCIATION

Casino / Casino Construction Company with which the Vendor has contracted:

H.7 COMBINED TOTAL VALUE OF GOODS AND SERVICES

Every vendor applicant shall provide the Commission with the combined total value of goods and services the vendor expects to provide, or has been contracted to provide, during a calendar year.

The actual contracted value of goods and services will be \$ _____ * Refer to **B.2**
 * List an exact contracted \$ amount, **NOT a range**

H.8

APPLICANT'S BUSINESS BACKGROUND

(a) DESCRIPTION OF THE VENDOR'S PRESENT BUSINESS. Furnish the Commission with a 'snapshot' of the Vendor Applicant's company and describe the Vendor's capacity and capabilities to provide the services declared in the application.

(b) DESCRIPTION OF THE SPECIFIC TYPE OF GOODS OR SERVICES TO BE PROVIDED TO THE CASINO BY THE VENDOR.

(c) NAME OF CASINO(S) TO WHICH SUCH GOODS OR SERVICES WILL BE PROVIDED.

(d) LIST OTHER LICENSED CASINOS SERVED BY THE VENDOR. Provide the Commission with a list of other jurisdictions where the Vendor conducts business related to a casino operation. (List the other jurisdictions by Casino Name, City, State, County).

(e) TALLY OF THE WORK FORCE SUPPORTING THE VENDOR'S PROVISION OF GOODS AND SERVICES TO THE CASINO. Furnish the Commission with the total number of employees IN MARYLAND who will be directly associated with providing the goods or services to the casino. Furnish the Commission with the total number of employees OUTSIDE MARYLAND who will be directly associated with providing the goods or services to the casino.

In Maryland =

Outside of Maryland =

(f) DESCRIPTION OF THE VENDOR'S ABILITY TO PROVIDE GOODS OR SERVICES TO MORE THAN ONE CASINO. If applicable, state if the Vendor is capable of serving one, two, or more Casinos in Maryland and the other casinos with which the Vendor intends to conduct business.

Note: Attach additional copies of this page as needed

CASINO'S CERTIFICATION OF BUSINESS RELATIONSHIP

This page is to be completed only by a Casino Rep or an authorized Casino Construction Rep.

Casino / Casino Construction Company: _____

Vendor Applicant's Business Name: _____
(Include 'T/A' or 'D/B/A' Name, if applicable)

The Vendor Applicant ("Applicant") listed above has entered into a **Business Relationship (agreement/contract)** with the Maryland licensed casino or a Maryland casino license applicant listed above. The Applicant will provide non-gaming goods and/or services with an anticipated value of \$ _____ in a calendar year.

The Applicant is required by the Commission to submit a Non-Gaming Vendor Registration Application since: 1) the above listed total value of non-gaming goods and/or services to be provided to one Maryland licensed casino exceeds \$10,000 but does not exceed \$299,999; or 2) the combined total value of non-gaming goods and/or services to be provided to more than one Maryland licensed casino exceeds \$10,000 but does not exceed \$599,999.

The Applicant listed above has entered into a written agreement or contract to provide the following non-gaming goods and/or services:

I, _____, representing _____,
Printed name of Casino Representative - or - Casino - or - Name of company
authorized Casino Construction Representative

*am authorized to complete and execute / sign Business Relationship Agreements on behalf of the Maryland licensed casino listed as **Facility Name** at the top of this form.*

Signature of Casino Representative - or - Title within the company Date
authorized Casino Construction Rep **A vendor applicant is prohibited from signing this form.**

NOTARY

The undersigned, a Notary Public in and for the County of _____, in the State of _____, certifies that the above named individual appeared in person, and before me, either known to me or satisfactorily proven to be the individual whose name subscribed to the within instrument and signed the Authorization and Notification.

This _____ day of _____, 20_____, and to which witness my hand and seal.

Notary Public

Printed Name

Stamp or Seal

My commission expires _____, 20_____