



## CLASS B COIN OPERATED AMUSEMENT MACHINE MASTER LICENSE AUCTION APRIL 10, 2024 10:30 am (EST)

### **INTRODUCTION**

Pursuant to O.C.G.A. 50-27-73 (e), the Georgia Lottery Corporation (GLC) may issue Class B Master Coin Operated Amusement Machine (COAM) Licenses (Master Licenses) through a process of competitive auction to be established by GLC and such competitive auction shall occur at least once every three (3) years effective July 1, 2015.

This informational notice (“Notice”) describes and governs the Class B Master License auction that shall occur on **Wednesday, April 10, 2024**.

### **BACKGROUND**

In 2013, Georgia House Bill 487, codified as Article 3 of the Georgia for Lottery Education Act (the “Act”), transferred responsibility for regulatory administration and enforcement of the operation of COAMs to GLC. O.C.G.A. §50-27-70, et. al.

Pursuant to O.C.G.A. §50-27-70 (in pertinent part), a bona fide COAM means every machine of any kind or character used by the public to provide amusement or entertainment whose operation requires the payment of or the insertion of a coin, bill, other money, token, ticket, card, or similar object and the result of whose operation depends in whole or in part upon the skill of the player. COAMs are categorized as either Class A or Class B.

This Notice relates to the auction of a Class B Master License.

No Class B Master Licensee shall have an interest in any location licensee. No Class B Location Licensee shall have an interest in any person or immediate family member of a Master Licensee.

For more information about the COAM industry, visit our website at [www.gacoam.com](http://www.gacoam.com).

### **AUCTION DATE**

The auction shall take place at 250 Williams Street NW, Atlanta, Georgia 30303 in the auditorium located on the street level of the building on **Wednesday, April 10, 2024 at 10:30 a.m.**

**GLC or its representative shall auction at least one (1) Class B Master License.** After a bidder wins the first license, a determination will be made if an additional license or licenses will be auctioned. The Master License that is available for bid at the auction has no COAMs, locations, or equipment associated with the license.

### **SCHEDULE**

The following dates are established for informational and planning purposes. GLC reserves the ability to change any dates:

Description	Date
Prospective Bidder Questions Due	Wednesday, February 21, 2024 by 4:00 p.m.
GLC Responses to Questions	Wednesday, February 28, 2024
Pre-Qualification Auction Participation Form(s) and Deposit Letter Due	Thursday, March 14, 2024 by 3:00 p.m.
GLC Notifies Pre-Qualified Bidders	Tuesday, March 28, 2024
<b>AUCTION</b>	Wednesday, April 10, 2024 Qualified Bidder check-in from 9:00 a.m. to 10 a.m. Auction begins at 10:30 a.m.
Bid Payment Due Via Wire Transfer	Tuesday, April 16, 2024
Class B Master License Online Application Submission	Application for 2025 Class B Master license may be submitted beginning Wednesday, May 1, 2024
Effective Date of 2025 License(s)	July 1, 2024 thru June 30, 2025 (renewal required)

## **PROSPECTIVE BIDDER QUESTIONS**

Any prospective bidder with questions or inquiries related to the auction may submit such questions or inquiries to GLC by **February 21, 2024 at 4:00 p.m. (EST)** via email to [COAMReporting@galottery.org](mailto:COAMReporting@galottery.org) and include "Auction Questions" in the subject line. Questions sent by fax or communicated via telephone are not acceptable.

Any bidder submitting a question or inquiry must identify himself or herself in such submission. GLC will publish answers to questions timely received at [www.gacoam.com](http://www.gacoam.com) (under the "Documents" submenu and then under the "Communications" heading) on or before **February 28, 2024**. GLC responses to questions will not identify the person or entity that asked the questions.

## **MINIMUM QUALIFICATIONS**

Pre-qualification is required to participate in the auction.

Any person or entity wishing to participate in the auction must be approved by GLC to be a bidder for any Class B Master License available at the auction. To be considered for qualification as a bidder at the auction, a person or entity must submit the following:

- COAM Pre-Qualification Auction Participation Form (Exhibit A)
- COAM Class B Master License Auction Deposit Letter (Exhibit B)
- \$100,000 Deposit (Certified Funds or Cashier's Check payable to the Georgia Lottery Corporation - COAM)

**SUCH ORIGINAL INFORMATION AND DEPOSIT IN THE MANNER REQUIRED MUST BE MAILED TO THE GEORGIA LOTTERY CORPORATION LOCATED AT 250 WILLIAMS STREET, SUITE 3000, ATLANTA, GEORGIA 30303, ATTENTION: CAMILLE STOKES, BY MARCH 14, 2024 at 3:00 p.m. (EST).** Such original information and deposit will only be accepted via mail (U.S. Postal Service or mail courier service). If the postmark on the envelope is made by the U.S. Postal Service, the postmark must bear a date on or before **March 14, 2024**. Any incomplete pre-qualification information or any pre-qualification information received after such date and time may not be considered, at the discretion of GLC.

## **PRE-QUALIFICATION AND AMENDMENTS**

Each owner or officer of a prospective bidder that will have an interest in the Master License business (should the bidder be granted a COAM Master License) must be listed on the Pre-Qualification Auction Participation Form. If any owner or officer is ineligible for a COAM license and disqualified from participating in the auction, the other owners or officers within the bidding group may also be disqualified from participating in the auction.

Each bidding group must designate a primary electronic mail (e-mail) address on the Pre-Qualification Auction Participation Form. GLC will rely on such e-mail address to communicate with the bidding group.

A deposit in the amount of \$100,000 must be submitted in the form of certified funds or cashier's check payable to Georgia Lottery Corporation – COAM.

Any prospective bidder and bidding group that pre-qualifies for the auction but does not participate or bid at the auction will have its deposit returned at the conclusion of the auction. The deposit shall only be returned directly to a person identified on the pre-qualification form and after completion of any required receipt to record the return of such deposit by GLC.

For any bidder or bidding group that pre-qualifies for the auction and participates and bids at the auction, the deposit shall be held by GLC for an additional ten (10) business days from the date of the auction. If a bidder or bidding group is informed by GLC that it made a winning bid (either at the auction or after the auction) and the bidder or bidding group declines to pay the winning bid amount within two (2) business days after notification, the deposit made by such bidder or bidding group shall not be returned or refunded by GLC. A deposit made by any winning bidder (or alternate winning bidder) shall not be refunded if the bidder fails to pay the winning bid amount within the time required, chooses to withdraw its application made to GLC, fails to comply with the submission of the application as provided by the Notice; fails to pursue its application made to GLC; or has its application denied by GLC due to criminal history, tax obligations, or fraudulent conduct. Further, except as otherwise provided herein, winning bid amounts (or any portion thereof) paid to GLC are not refundable.

Any alternate bidder that is informed by GLC that it made a winning bid on or after the date of the auction shall have by the end of the next business day to pay the winning bid amount to GLC after such notification by GLC.

A bidder's deposit of \$100,000 shall be applied toward the total winning bid amount for such bidder.

## **DISQUALIFICATION OF A PROSPECTIVE BIDDER**

Any incorrect or false information submitted to GLC may result in a denial of a prospective bidder to participate in the auction. Any incomplete or untimely information submitted to GLC may result in a denial of a prospective bidder to participate in the auction. Any previous determination by GLC or by Executive Order that found a prospective bidder is unsuitable to hold a COAM license or be a Lottery Retailer may result in a denial of a prospective bidder to participate in the auction. GLC will conduct a criminal history background check on each owner or officer that is listed on the Pre-Qualification Auction Participation Form. If any owner or officer is ineligible for a COAM license, he or she may be disqualified from participating in the auction. If an owner or officer within a bidding group is disqualified from participating in the auction, any other owners or officers within the bidding group will also be disqualified from participating in the auction.

GLC, in its sole discretion, reserves the right to determine whether a prospective bidder meets the pre-qualification requirements described in this Notice.

## **PERMISSIBLE CONTACTS**

Below is the point of contact email address with regard to matters relating to the auction described in this document, unless additional points of contact are designated by GLC in writing. Any inquiries, questions or comments relating to the auction must be submitted to [COAMReporting@galottery.org](mailto:COAMReporting@galottery.org) and include "Auction" in the subject line.

Any prospective bidder should not rely on any answers to questions or comments concerning the auction if not communicated by GLC in writing.

## **PROSPECTIVE BIDDER DUE DILIGENCE**

GLC strongly encourages any prospective bidder to review COAM related laws and rules before bidding at the auction.

## **ACKNOWLEDGEMENT OF CONDITIONS**

By submitting a Pre-Qualification Auction Participation Form, each bidder acknowledges and agrees to abide by the provisions of this Notice and COAM related laws and rules.

## **AUCTION PROCESS**

- **Auction Attendance**
  - No more than two (2) persons per bidding team are permitted in the auditorium located on the street level of the building.
  
- **Auction Check-In**
  - Each owner or officer present for the auction must check in prior to the commencement of the auction.
  - Check in will begin at 9:00 a.m. and end at 10:00 a.m.
  - Any member of the bidding team not present and checked in by 10:00 a.m. will not be allowed to bid.
  - Each owner or officer of a bidding group present for the auction must bring a government issued form of identification.
  - Each bidding group must bring the Pre-Qualification Approval letter sent to the bidding group by GLC.
  - GLC will issue bidder numbers at check in. A bidder number is required to participate in the auction. One bidder number will be issued per bidding group.
  
- **Winning Bid**
  - A winning bid is not transferable to any other bidder or party other than the person or entity that made such winning bid.
  - Any winning bid is subject to verification. If any winning bid is disqualified on the day of the auction, GLC may hold another auction to re-bid such license.
  - Bid amount does not include a \$5,000 licensing fee and the cost of permit stickers that are due upon submission of a license application to GLC.
  - After the auction is finalized, GLC will provide the winning bidder or bidders with directions to establish an online account through [gacoam.com](http://gacoam.com) and instructions to wire the winning bid amount to GLC within five (5) business days of the auction. After payment of the winning bid amount is received, GLC will provide the winning bidder with a unique activation key to allow such bidder to submit a Class B Master License application online at [gacoam.com](http://gacoam.com) within ten (10) business days of receiving such key. An application submitted to GLC by the winning bidder (or alternate winning bidder) must include the person or persons whose name or names appeared on the Pre-Qualification Form submitted to GLC. If an application made to GLC by a winning bidder (or alternate winning bidder) does not conform accordingly, the deposit made by such bidder will not be refunded and shall be retained by GLC.

- **Bidder Conduct**
  - Any bidder that disrupts or otherwise attempts to improperly influence the auction process may be disqualified from participating in the auction or future auctions held by GLC.
- **Refunds**
  - A license applicant may receive a refund of any bid amount or fees paid to GLC if the applicant is denied a Class B Master License less the \$100,000 deposit and an administrative cost as provided in O.C.G.A. § 50-27-72.

### **NON-COLLUSIVE BIDDING REQUIREMENT**

Each officer or owner of a bidding group by submitting a Pre-Qualification Auction Participation Form, warrants that it is independently participating in the auction without collusion aimed at restricting competition.

### **CLARIFICATION PROCESS**

GLC may request clarification from a prospective bidder or bidder for the purpose of resolving ambiguities or questioning information. GLC may request clarifications at any time throughout the auction process. Clarification responses shall be in writing. Responses shall be submitted to GLC within the time specified at the time of the request.

### **WITHDRAW FROM PARTICIPATION**

If at any time prior to the auction date, if a bidder or bidding group wishes to no longer participate in the auction, it may inform GLC in writing of such withdrawal.

### **GLC RESERVED AUTHORITY**

In addition to any authority stated elsewhere in this Notice, GLC reserves the authority to:

- Waive any informality or technical defect if in GLC's judgment the best interest of the State will be so served;
- Eliminate any non-material specification that cannot be complied with by any of the prospective bidders;
- Amend this Notice and direct prospective bidders to submit pre-qualification information modifications accordingly;
- Change any of the scheduled dates herein or way in which the auction is conducted;
- Reject any or all pre-qualification information received in response to this Notice and reissue a modified version of this Notice;
- Withdraw this Notice at any time, in its sole discretion;
- Seeks clarifications and revisions to any pre-qualification information;
- Disqualify any prospective bidder or bidder whose conduct fails to conform to the requirements of this Notice;
- Set aside a winning bid or bidder if it is determined that the offeror is non-responsible or unsuitable. GLC may then award a license to the responsible bidder with the next highest bid amount;
- Set aside a winning bid or bidder if the bidder fails to meet the dates or time frames provided in this Notice or is otherwise unsuccessful in finalizing licensing requirements within a time frame acceptable to GLC with such time frame being determined solely by GLC based on the best interests of the State. GLC may then award a license to the responsible bidder with the next highest bid amount.

### **AUCTION NOTICE EXHIBITS**

#### **EXHIBIT A**

COAM Pre-Qualification Auction Participation Form

#### **EXHIBIT B**

Deposit Form

**EXHIBIT A**



**COIN OPERATED AMUSEMENT MACHINE (COAM) PRE-QUALIFICATION AUCTION PARTICIPATION FORM**

GEORGIA LOTTERY CORPORATION • 250 Williams Street, Suite 3000 • Atlanta, GA 30303 • Attention: Camille Stokes  
 If you have any questions, please contact 1-800-746-8546 • OPTION 4 and 1 • COAM Retailer Contracts Administration

<b>INSTRUCTIONS:</b> Each owner, partner, and shareholder that will have an interest in the Master License business must complete the Owner/Partner/Shareholder section of the COAM Pre-Qualification Form. Additional copies of this form may be made if there are more than two (2) owners, partners, or shareholders.							<b>FOR GLC USE ONLY</b>		
							<b>BIDDER NO.:</b> _____		
OWNER/PARTNER/SHAREHOLDER	First, Middle & Last Name of Owner or Principal						% of Ownership		
	Business E-mail <input type="checkbox"/> Check Box if this is the Primary E-mail for Communication				Phone Number		Social Security Number		
	Business Address (Street Number, Street Name, Suite Number)								
	City				State		Zip Code		
	Date of Birth		Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F		Height	Weight	Hair Color	Eye Color
	<b>CONSENT AND AUTHORIZATION FOR RELEASE OF PERSONAL BACKGROUND INFORMATION</b> I hereby certify that the information contained on this form or otherwise submitted by me to the Georgia Lottery Corporation ("GLC") in connection with this Pre-Qualification application to become a Bona Fide Coin Operated Amusement Machine (COAM) licensee is true and correct in every respect. I understand, agree, and consent that GLC may make all investigations of my criminal history record information for qualification of the Applicant as a bidder in any auction for a Master License. I hereby authorize GLC to conduct a criminal background investigation as may be necessary to process my application. I authorize GLC to share any such information, privileged, confidential, or otherwise, necessary to consider this application in all manners consistent with all applicable laws. A photocopy of this release will be valid as an original thereof, even though said photocopy does not contain an original writing of my signature. This release will expire upon the final termination of the Applicant's participation as a bidder for a Master License. I further understand and acknowledge that providing inaccurate or misleading information is grounds for rejection of this Pre-Qualification application and may subject the Applicant and me to the penalties set forth in the Georgia Lottery for Education Act, O.C.G.A. §50-27-1, et seq.								
Signature: _____						Date: _____			
NOTARY	State of: _____						County of: _____		
	Sworn to and subscribed before me this _____ (Day) of _____ (Month) _____ (Year)								
	Notary Public Seal and Signature: _____						My Commission Expires: _____		
	Personal identification must be presented to and verified by Notary Public: ID Type: _____						ID No.: _____		
OWNER/PARTNER/SHAREHOLDER	First, Middle & Last Name of Owner or Principal						% of Ownership		
	Business E-mail <input type="checkbox"/> Check Box if this is the Primary E-mail for Communication				Phone Number		Social Security Number		
	Business Address (Street Number, Street Name, Suite Number)								
	City				State		Zip Code		
	Date of Birth		Race	Sex <input type="checkbox"/> M <input type="checkbox"/> F		Height	Weight	Hair Color	Eye Color
	<b>CONSENT AND AUTHORIZATION FOR RELEASE OF PERSONAL BACKGROUND INFORMATION</b> I hereby certify that the information contained on this form or otherwise submitted by me to the Georgia Lottery Corporation ("GLC") in connection with this Pre-Qualification application to become a Bona Fide Coin Operated Amusement Machine (COAM) licensee is true and correct in every respect. I understand, agree, and consent that GLC may make all investigations of my criminal history record information for qualification of the Applicant as a bidder in any auction for a Master License. I hereby authorize GLC to conduct a criminal background investigation as may be necessary to process my application. I authorize GLC to share any such information, privileged, confidential, or otherwise, necessary to consider this application in all manners consistent with all applicable laws. A photocopy of this release will be valid as an original thereof, even though said photocopy does not contain an original writing of my signature. This release will expire upon the final termination of the Applicant's participation as a bidder for a Master License. I further understand and acknowledge that providing inaccurate or misleading information is grounds for rejection of this Pre-Qualification application and may subject the Applicant and me to the penalties set forth in the Georgia Lottery for Education Act, O.C.G.A. §50-27-1, et seq.								
Signature: _____						Date: _____			
NOTARY	State of: _____						County of: _____		
	Sworn to and subscribed before me this _____ (Day) of _____ (Month) _____ (Year)								
	Notary Public Seal and Signature: _____						My Commission Expires: _____		
	Personal identification must be presented to and verified by Notary Public: ID Type: _____						ID No.: _____		



FOR GLC USE ONLY  
BIDDER NO.:

**COIN OPERATED AMUSEMENT MACHINE CLASS B MASTER LICENSE AUCTION DEPOSIT LETTER**

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

To: Georgia Lottery Corporation  
Coin Operated Amusement Machine (COAM) Division  
250 Williams Street  
Suite 3000  
Atlanta, GA 30303  
Attn: Camille Stokes

Georgia Lottery Corporation/COAM Division:

By submitting the COAM Pre-Qualification Auction Participation Form, this COAM Class B Master License Auction Deposit Letter and the Deposit in the amount of \$100,000 (Certified Funds or Cashier's Check payable to the Georgia Lottery Corporation – COAM), I agree and acknowledge that I have read and understand the contents of the Master License Auction Notice issued by the Georgia Lottery Corporation (GLC). I agree to be bound by the contents of such Notice. Further, as stated therein, I agree that the deposit of \$100,000 made by the undersigned bidder (and on behalf of any bidding group that this bidder is part of) shall be held by GLC. In the event that the undersigned bidder (or any bidding group that this bidder is part of) is informed by GLC (or its authorized representative) that it made the winning bid (either at the auction or after the auction) and the undersigned bidder or bidding group does not pay the winning bid amount within the time frame required by GLC, such deposit shall not be returned or refunded by GLC. Additionally, I agree that a deposit paid by the undersigned bidder (bidder group) shall not be refunded if the bidder (or bidder group): (i) fails to pay the total winning bid amount; (ii) fails to comply with the submission of the application as provided by the Notice; (iii) chooses to withdraw its application made to GLC; (iv) fails to pursue its application made to GLC; or (v) has its application denied by GLC for criminal history, tax obligations or fraudulent conduct. Further, winning bid amounts paid to GLC are not refundable.

Sincerely,

\_\_\_\_\_  
(Prospective Bidder's Signature)

\_\_\_\_\_  
(Title)

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

\_\_\_\_\_  
(Phone Number)

**NOTARY**

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

Sworn to and subscribed before me on this \_\_\_\_\_ (Day) of \_\_\_\_\_ (Month) \_\_\_\_\_ (Year)

Notary Public Seal and Signature: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

Personal identification must be presented to and verified by Notary Public. ID Type: \_\_\_\_\_ ID No.: \_\_\_\_\_