



Patrick Brenner &lt;pbrenner@southwestpolicy.com&gt;

## NMLA IPRA Request 2026-02-25

Patrick M. Brenner <pbrenner@southwestpolicy.com>  
To: publicrecords@nmlottery.com

Wed, Feb 25, 2026 at 1:34 PM

Dear Records Custodian:

My name is Patrick M. Brenner and I represent the Southwest Public Policy Institute. For the purposes of this request, our address is PO Box 1746, Bernalillo, NM 87004. Our phone number is 202-505-1769. The email address for communications related to this request is [pbrenner@southwestpolicy.com](mailto:pbrenner@southwestpolicy.com).

Pursuant to the Inspection of Public Records Act (IPRA), NMSA 1978, §§ 14-2-1 to 14-2-12, I request to inspect and obtain copies of the records described below. Please construe this request broadly to include all responsive records in the possession, custody, or control of the New Mexico Lottery Authority (NMLA), including those held by staff, Board members, consultants, outside counsel, and contractors acting for NMLA.

Timeframe: June 1, 2024 through February 25, 2026.

Context (for narrowing and routing only): On October 16, 2025, NMLA posted a 'Notice of Intent to Award Sole Source Contract' to Intralot, Inc., which by its terms is a notice and not an executed contract. This request seeks (a) all contract and conversion records with Scientific Games, LLC under RFP #24-002 and (b) all instruments, approvals, and authority—contractual or otherwise—by which Intralot provided services after November 21, 2025, including a certification if no executed contract exists for that period.

### 1. Scientific Games, LLC — RFP #24-002 ('Lottery Solutions'), Contracting & Conversion

- The complete executed contract between NMLA and Scientific Games, LLC (SG) resulting from RFP #24-002, including all exhibits, schedules, statements of work, incorporated technical/financial proposals, BAFO, and any letters of intent or notices to proceed.
- All amendments, addenda, change orders, waivers, extensions, acceptance certificates, readiness/go-live certifications, and any other instruments modifying or interpreting the SG contract—especially provisions setting, revising, assessing or excusing conversion/migration deadlines or liquidated damages/service credits tied to conversion.
- All project plans and schedules referenced by or incorporated into the SG contract (e.g., master project plan, conversion/cutover plan, retailer deployment plan, testing/certification plans, go-live criteria, risk/issue logs), including any revised or superseding schedules.
- SG financial proposal(s), pricing schedules, and BAFO materials submitted under RFP #24-002 (including rates such as % of Total Net Sales, device pricing, transition costs, credits/incentives).
- The procurement/evaluation file for RFP #24-002: evaluation committee score sheets, consensus scoring, cost evaluation, internal audit review of the procurement, recommendation memoranda, notice of award, and Board materials summarizing award and scoring.
- All bid protest records related to RFP #24-002 (including any protest by Intralot and its withdrawal), NMLA and outside counsel correspondence, determinations or settlement/withdrawal documentation, and related Board briefings.
- Communications (emails, letters, texts/chats and attachments) between NMLA personnel/Board members and SG (including SG subcontractors/agents) regarding contract negotiation, conversion schedule, delays, mitigation plans, revised timelines, pricing, go-live/acceptance criteria, and readiness.

### 2. Intralot, Inc. — Post-Nov. 21, 2025 Operations

Because the October 16, 2025 'Notice of Intent to Award Sole Source Contract' is a notice and not itself a contract, please provide:

- Any and all EXECUTED agreements between NMLA and Intralot, Inc. authorizing continued operations after November 21, 2025, including (if applicable) the sole-source agreement(s) contemplated to run from November 22, 2025 through March 22, 2026 and any two-month extension through May 22, 2026, together with all amendments, addenda, and pricing terms.
- If NO executed agreement exists for any portion of the period after November 21, 2025, please provide a WRITTEN CERTIFICATION to that effect and produce all records that authorized Intralot to provide services absent an executed contract, including but not limited to:

- Sole-source procurement determinations, approvals, or filings (including reliance on NMSA § 13-1-126.1 or § 13-1-127);
  - Board resolutions, minutes, committee materials, and internal/external legal memoranda articulating the legal basis to proceed without a signed contract;
  - Notices to proceed, purchasing documents (purchase orders, task orders, delivery orders), interims, letters of authorization, or ratifications/after-the-fact approvals;
  - Operational directives or retailer notifications authorizing continued use of Intralot's gaming system, equipment, or services; and
  - Any correspondence with the State Purchasing Division or other oversight bodies regarding the legal sufficiency of proceeding without a signed contract.
- All communications between NMLA and Intralot (employees, consultants, agents) concerning: (i) expiration of the base contract on November 21, 2025; (ii) the October 2025 Notice of Intent to Award Sole Source and steps (if any) toward finalizing an agreement; (iii) scope of services, SLAs, pricing, and risk allocation for any interim operations; and (iv) coordination with SG during the interim (data migration, interfaces, parallel operations, testing).
3. Governance & Oversight
- Board and committee packets, agendas, minutes, presentations, and staff reports referencing: (i) RFP #24-002 evaluation, award, and contract; (ii) SG conversion timelines, delays, risk/mitigation plans, and internal audit coverage of transition controls; and (iii) sole-source/emergency extension planning, approvals, or reliance for Intralot.
  - Internal or external audit reports (and management responses) addressing (i) the procurement and award under RFP #24-002, (ii) interim operations with Intralot post-Nov. 21, 2025, and (iii) transition/penetration testing and remediation linked to the vendor change.
4. Record Format, Searches, and Metadata
- Please produce records electronically in native format where available (e.g., .msg/.pst for emails with full headers, .xlsx for spreadsheets, .docx/.pptx, searchable .pdf), including all embedded attachments and associated metadata (to/from/cc/bcc, dates, subjects, file properties).
  - Suggested email keywords (non-exclusive): 'Scientific Games,' 'SG,' 'SGEP,' 'AEGIS,' 'conversion,' 'cutover,' 'go-live,' 'delay,' 'protest,' 'Intralot,' 'sole source,' 'emergency,' 'Emergency Extension,' 'RFP 24-002,' 'Lottery Solutions.'
  - Custodians (at minimum): CEO David Barden; General Counsel/Legal; Procurement/Purchaser; Internal Audit; Security/Operations leadership; Board distribution lists; outside counsel and advisors engaged on RFP #24-002, conversion, or interim Intralot operations.
5. Redactions, Withholdings, and Rolling Production
- If you assert any exemption under IPRA or confidentiality under the Lottery Act, please provide an exemption log identifying each record withheld or redacted, with the specific statutory basis by section/subsection, and produce all reasonably segregable, non-exempt portions.
  - To expedite access, I request rolling production as records are identified and reviewed.

Thank you!

--



**Patrick Brenner**

**President and CEO, Southwest Public Policy Institute**



**Mobile** 202-505-1749 **Email** pbrenner@southwestpolicy.com

**Website** southwestpolicy.com