

~~3772-4-10~~ 3772-10-30 Investigation and certification of ~~Standards for~~ contractors of by ~~casino operators.~~

(A) "Contractor" means any individual or entity that provides goods or services to a casino facility.

~~(AB) Each casino operator's internal controls, management company or holding company licensee or applicant shall include submit written minimum internal control procedures for the investigation and certification of contractors that will provide goods and/or services worth in excess of one hundred thousand dollars to a casino facility. standards for commission approval at least sixty days before the licensee or applicant's anticipated casino facility opening.~~

~~(BC) Except as provided in paragraph (CD) of this rule, no each casino operator, management company or holding company licensee or applicant shall conduct business not enter into a contract with a contractor who that will provide goods and/or services worth in excess of one hundred thousand dollars worth of goods and/or services to the licensee or applicant a casino facility in a twelve month rolling period unless the contractor first certifies all of the following:~~

(1) That the contractor's owners, officers or directors have not been convicted of or pleaded guilty to any felony, any gambling offense or any theft offense;

(2) That the contractor's owners, officers or directors have not been convicted of or pleaded guilty to any offense under section 2921.43 of the Revised Code;

(3) That the contractor's owners, officers or directors are not on the state's involuntary exclusion list;

(4) That the contractor does not have an unresolved finding for recovery pursuant to section 9.24 of the Revised Code;

(5) That the contractor has met all tax or other monetary obligations to the federal government, to this state and to any applicable local governments of this state;

(6) That the contractor has all approvals, licenses or other qualifications needed to conduct business in this state and that all are current;

~~(7) That the contractor will immediately notify the casino operator, management company or holding company licensee or applicant if at any time during the term of the contract any information provided in the contractor's certification changes; and~~

(8) That the contractor agrees and acknowledges that the contract is subject to immediate termination if the contractor provided any false or misleading information in its certification or if there is a subsequent material change to the certification.

~~(CD) This rule does not apply to the following persons individuals or entities:~~

(1) Any person licensed ~~or required to be licensed~~ as a gaming-related vendor under Chapter 3772. of the Revised Code and the rules adopted thereunder;

(2) Licensed professional service firms, including attorneys, architects, engineers, and accountants;

(3) Regulated insurance companies;

(4) Employee benefit or retirement plan providers, including the plan administrator;

(5) Regulated banks, credit unions, or savings and loan associations;

(6) ~~Public-Regulated~~ utilities;

(7) ~~Federal, state, and local governments~~ Municipalities; ~~and~~

(8) Employee labor unions; and

(89) Any other regulated entity as requested in writing by ~~the a licensed~~ casino operator and approved by the executive director or executive director's designee.

(E) Certification documents shall be prepared and signed by an employee of the contractor who is directly authorized to sign on behalf of the contractor.

(F) Certification documents, including all of the statements required by this rule, shall be collected by the casino contractor at the following times:

(1) Before a contractor provides goods and/or services when it is known, or at the time in which it becomes known, that the goods and/or services to be provided to a casino facility will be worth in excess of one hundred thousand dollars in a rolling twelve month period;

(2) Whenever any of the certification statement responses required by this rule change; and

(3) Whenever directed by the Executive Director or Executive Director's designee.

(G) A casino operator shall include in its internal controls procedures for monitoring the certification statement responses from contractors to ensure accuracy and completeness.

(DH) The casino operator, ~~management company or holding company licensee or applicant~~ shall notify the commission within five business days, if ~~the licensee or applicant it~~ receives notification ~~from the contractor pursuant to~~ paragraph (BC)(7) of this rule, terminates a contract pursuant to paragraph (BC)(8) of this rule, or discovers that a contractor has provided false or misleading information in its certification.

(I) The casino operator shall maintain the certification documents required by this rule for five years and shall make all documents available to the Commission upon request.