



Gaming Commission

RFP: C190013V2 – Gaming Market Study

BIDDER ACKNOWLEDGEMENT OF ADDENDUM

Amendment Number: One
Date Issued: September 27, 2019
Summary: Attached

By signing below, the bidder attests to receiving and responding to the amendment number indicated above.

FIRM NAME	
REPRESENTATIVE SIGNATURE	

**Gaming Market Study
Question and Answer Summary
Issued: September 27, 2019**

Q.1: Our firm submitted a litigation bond in connection with C190013, the first version of the RFP. Will you return that litigation bond to us for amendment or cancellation/reissue or will you accept the bond as previously submitted and not require that a new bond be submitted?

A.1: We will return a litigation bond submitted as part of a proposal in response to Gaming Market Study Request for Proposals (C190013), upon the Commission's receipt from the relevant bidder of an unconditional release of the Commission from legal action arising or potentially arising from the Gaming Market Study Request for Proposals (C190013) and related procurement process. A new litigation bond specifically associated with this RFP must be submitted regardless of whether a prior litigation bond remains in place or is released.

Q.2: Will the Commission consider offering a waiver for the litigation bond? Are there alternative ways to satisfy this requirement (i.e., Winning bidder must procure the bond)? Can a consultant provide a statement ensuring that they will not sue the state?

A.2: The Commission will not waive the litigation bond requirement. The Commission will be amenable to a bidder providing an irrevocable letter of credit naming the Commission as beneficiary as an alternative method to satisfy the bonding requirement, with the letter subject to be Commission review and approval.

Q.3: Assuming that we submit the same references as we submitted in connection with C190013 (all of which you contacted), will you contact such references again in connection with C190013V2?

A.3: The Commission reserves its right to contact references again if additional information is desired by the Evaluation Committee.

Q.4: What is the anticipated budget for this project?

A.4: While no formal budget has been established for this procurement, we expect the engagement not to exceed \$1.5 million, inclusive of data acquisition, travel and all other miscellaneous expenses.

Q.5: Can the Commission please provide a list of litigation bond issuing companies approved by the commission?

A.5: The Commission has long maintained a requirement that bonds submitted with RFP responses be written by a company with a current rating of “A-” or better as rated by A.M. Best & Co., have a record of successful continuous operation, are licensed, admitted, and are authorized to conduct business in the State of New York.

Commission records have identified five procurements in the past 15 years that required bond submission. In connection with such procurements, the following companies had satisfied the standard AT THE TIME OF SUCH PROCUREMENT. The Commission does not know if they are currently qualified.

**2019: RLI Insurance Company
Beazley Insurance Company, Inc.**

2015: Travelers Casualty and Surety Company of America

**2014: Westchester Fire Insurance Company
The Hartford**

**2014: Liberty Mutual Insurance Company
Westchester Fire Insurance Company**

2005: Liberty Mutual Insurance Company

Q.6: Is there a list of MWBE and SDVOD owned firms that have expressed interest in participating in this project? If so, can you please provide the list?

A.6: No list has been prepared.

Q.7: As part of the financial viability section of the RFP, the Commission is asking for annual reports and a client list for the past three years. We plan to submit a joint proposal with two other firms acting as subconsultants. Do all three firms need to submit the annual reports and a client list, or is that information required only from the primary bidder?

A.7: The obligation to provide three years of annual reports and client lists rests with the submitting entity. The bidder and all subcontractors performing work valued over \$100,000 will undergo a Vendor Responsibility Review. Accordingly, a NEW YORK STATE VENDOR RESPONSIBILITY QUESTIONNAIRE FOR-PROFIT BUSINESS ENTITY should be completed and attached for each qualifying bidder and subcontractor.

Q.8: Is there an economic model (i.e., REMI, IMPLAN, etc.) that the State of New York prefers to be used for the economic impact piece of this project?

A.8: No, but the bidder's choice of model will be a factor in evaluating the overall analytical approach.

Q.9: Under section 3.1 Work and Deliverables, the RFP states *The vendor will provide a study that will analyze the entire gaming industry in the state, inclusive of the fiscal, economic, and social implications of gaming.* Can the New York State Gaming Commission define and provide a full listing of what it means by the “entire gaming industry” for the purposes of the study?

A.9: The RFP expects study of all forms of legal, regulated gaming in New York. Please reference Section 3.2. Scope for detail.

Q.10: Section 3.2A of the scope states: “The analysis shall include factors impacting the New York gaming market, including a review of relevant economic, demographic, tourism (domestic and international), and other commercial factors that impact or may impact the gaming industry in New York such as changes in status in neighboring states.” As it relates to real estate, what does the Commission consider to be relevant economic and other commercial factors? Can you please provide us with some specific examples of analyses the Commission is looking for, for example, property tax changes; changes in land and/or business value; construction cost estimates?

A.10: The awarding of additional casino licenses and the choice of locations will directly impact the local real estate markets with implications for the residential and non-residential real estate market values as well as changes to local property tax bases. The successful bidder should provide a holistic analysis of the anticipated impacts and guide the Commission into a better understanding of the affected real estate markets.

Q.11: Similarly, in regard to tourism and lodging, we presume the Commission is interested in analyses of visitation, tourism spending, lodging capacity, occupancy rates, REVPAR, average stay, and other common metrics for lodging and tourism. Are there other factors the Commission considers relevant that should be part of these analyses?

A.11: The referenced metrics provide a reasonable enumeration of appropriate and relevant statistics for analysis.

Q.12: Under section 3.3 Deliverables and Scope Priorities, the RFP states *To assist in the allocation of resources and the development of workplans, the successful bidder shall prioritize the scope items in the following order:*

A. *Items A, B, C and F should be given the highest priority as items supporting near-term policy development.*

Can the Commission provide any indication of ideal timescale for completion of the deliverables under A, B, and C as a guide to bidders?

A.12: As indicated in RFP Section 3.3. DELIVERABLES AND SCOPE PRIORITIES, the Commission anticipates that the successful bidder will have the analysis of items A, B, and C substantially complete upon submission of the Draft Report. RFP Section 1.4. SCHEDULE sets the date for delivery for of the Draft Report as April 1, 2020.

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