



RFP: C202102V2 – Certified Public Accounting Services for the Observation and Certification of Studio Drawings, Ball Weight Certifications, Ball Set Destruction, and Other Engagements

BIDDER ACKNOWLEDGEMENT OF ADDENDUM

Amendment Number: One

Date Issued: March 19, 2021

Summary:

Questions and answers are attached.

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

FIRM NAME: _____

REPRESENTATIVE SIGNATURE: _____

Certified Public Accounting Services for the Observation and Certification of Studio Drawings, Ball Weight Certifications, Ball Set Destruction, and Other Engagements

**Question and Answer Summary
Issued: March 19, 2021**

Q.1: Please confirm whether the Gaming Commission released any of the proposal documents that were submitted in response to the previous RFP no. C202102 released on February 9, 2021? We are specifically interested to learn whether the Price Proposals were kept confidential within the Gaming Commission.

A.1: The restricted period that commenced on February 9, 2021 with the issuance of RFP C202102 is still in effect. No information regarding proposal submission has been shared with anyone outside of the Commission's evaluation committee. Pricing Proposals from that submission have not been opened.

Q.2: For forms that have not changed and do not require notarization from the previous RFP no. C202102, may Bidders submit the same form that was signed for the previous bid if all information is the same except for the date and the addition of "V2" to the RFP number?

A.2: You may use previously submitted forms that do not require notarization if you add "V2" to the Contract number so it reads "C202102V2".

Q.3: To reduce the total number of pages and file size, may Bidders embed completed forms from the Appendices within the Proposal document that is to be submitted electronically? The files could be embedded in an easy-to-follow table for the Proposal Evaluators to confirm that each requested form has been submitted per the requirement.

A.3: No. One continuous PDF document should be submitted without embedded information, such as notes, hyperlinks, or other documents.

Q.4: Section 2.1.A: To minimize turnover as desired per the RFP, would the Gaming Commission allow for one intern enrolled as a second-year undergraduate student assuming all other interns are enrolled as a third-year undergraduate students at a minimum, many of whom would also be enrolled in a master's degree business program? It may benefit the Gaming Commission to have a high performing second-year student to maximize the intern's time and understanding of the Lottery's procedures, leading to the intern to becoming a key resource in the training of new interns as they progress.

A.4: No.

Q.5: Section 2.1.A: If the Gaming Commission adds new games to the schedule that also increases the number of hours outlined in the RFP (Midday 12:30pm-3pm and Evening 6:30pm-11pm), please confirm that the Successful Bidder may invoice the Gaming Commission for the additional hours at the hourly rates accepted as part of this contract, regardless of the number of games observed?

A.5: Attachment 2 – Pricing Proposal requires firms to provide the not to exceed hours based on the Scope of Work outlined in the RFP. If there are changes to the Scope of Work a formal contract amendment would be required and the number of hours would be adjusted accordingly.

Q.6: Section 2.1.A: Does the Commission expect the Contractor to travel to the location to observe the daily draw procedures per the schedule outlined in the RFP regardless of weather conditions, even when there is a snowstorm making travel potentially unsafe? Are there contingency procedures if our Auditors are unable to travel to the location in time to observe the procedures?

A.6: Pursuant to RFP Section 2.1 (A), Under all scenarios, the Successful Bidder must ensure that qualified staff is available and present for all Studio Drawings.

Q.7: Section 2.1.B.2: To help ensure proper planning and scheduling of resources, can the Gaming Commission provide an estimated number of hours and number of auditors needed annually to observe the ball set deconstruction, including time needed to review the procedures beforehand to be properly trained and prepared?

A.7: One Auditor is needed at the Commission's headquarters in Schenectady to observe the ball set deconstruction, under observation of the Draw Unit Manager and Lottery Security staff, for an average of 3-4 hours per year.

Q.8: Section 2.1.A:

a. In addition to the time expected to be onsite every day to observe the draw procedures per the schedule in the RFP (Midday 12:30pm-3pm and Evening 6:30pm-11pm), does the Gaming Commission have a sense of the estimated hours required to recruit, train, and onboard new resources to be prepared to deliver quality observation services?

b. Does the Commission have a sense of the ongoing training hours needed ensure that Auditors are continuing to provide quality services after they are onboarded?

c. Does the Commission have a sense of how many hours it takes to do the scheduling to ensure that Auditors are assigned to every shift that occur 2x/day nearly 365 days/year?

d. In general, is there significant time expected beyond the observation of the daily draw procedures for these activities that should be factored into the Price Proposal by the Bidders?

A.8:

a. The Commission does not have this information as it is determined by the Bidder.

b. The Commission does not have this information as it is determined by the Bidder.

c. The Commission does not have this information as it is determined by the Bidder.

d. The Pricing Proposal must be inclusive of all activities required under this Scope of Work.

Q.9: Section 3.5: Can the Gaming Commission please confirm that if student interns are utilized as Auditors, that it is not expected that they would have evidence of certifications or licenses in their resumes?

A.9: The Commission confirms that student interns are not expected to have evidence of certifications or licenses on their resumes.

Q.10: Section 4.5: Can the Commission share the “predetermined formula” referenced in the RFP? Can the Commission provide an example to help clarify this scoring criteria for the Bidders?

A.10: The maximum points available for pricing is 40. The Commission will use the following formulas:

Observation and Certification of Studio Drawings:

$$L/B \times [35] = P$$

(L = low bidder; B = bidder being scored; [35] = percentage allocated to cost; P= resultant points)

$$\underline{\hspace{2cm}} / \underline{\hspace{2cm}} \times [35] = \underline{\hspace{2cm}}$$

Other Engagements:

$$L/B \times [5] = P$$

(L = low bidder; B = bidder being scored; [5] = percentage allocated to cost; P= resultant points)

$$\underline{\hspace{2cm}} / \underline{\hspace{2cm}} \times [5] = \underline{\hspace{2cm}}$$

Q.11: Section 4.5.B: The pricing evaluation criteria indicates that up to 35 of 40 points in the Pricing Evaluation may be awarded for “Observation and Certification of Studio Drawing, Ball Weight Certifications, and Ball Set Destruction” pricing and 5 of 40 points may be awarded for “Other Engagements” pricing. In Amendment Number One to RFP C202102 issued on February 23, 2021, the answer to Q.18 indicated that the pricing formula used by the Commission is: “L/B x [40] = P, where L= low bidder, B = bidder being scored, 40 = percentage allocated to cost, and P = resultant points.” If L/B is being multiplied by 40 in the formula to determine total points for the Price evaluation, can the Commission clarify how the 5 points for “Other Engagements” factored into the formula?

A.11: See answer to question #10.

Q.12: Section 7.7: Pursuant to Section 7.7 of the RFP, the MWBE goal established under this solicitation is 9.6% (7.2% MBE and 2.4% WBE). Once an apparent winner is determined, may the Bidder submit a request to fulfill the goals using alternate ratios?

A.12: Pursuant to Section 7.7 of the RFP, the MWBE goal established under this solicitation is 9.6% (7.2% MBE and 2.4% WBE). Once an apparent winner is determined, the Bidder may submit a request to fulfill the goals using alternate ratios.

Q.13: Section 7.7: Pursuant to Section 7.7 of the RFP, the MWBE goal established under this solicitation is 9.6% (7.2% MBE and 2.4% WBE). Once an apparent winner is determined, may the Bidder submit a request to fulfill the overall MWBE goal of 9.6% using only a WBE or an MBE?

A.13: See answer to question #12.

Q.14: Appendix P: Please clarify the request in the insurance term 3.b. Specifically, please confirm that the Commission is not requesting that the successful Bidder disclose deductibles, self-insured retentions, or exclusions **unless** there is a material change in coverage. Disclosing this information to any client would inflict significant harm on the contractor if it were to be disclosed to various plaintiffs' counsel, and as such, we ask the Commission to strike this term if the intention is to disclose such information.

A.14: Bidders must disclose on Certificates of Insurance any deductible, self-insured retention, aggregate limit or any exclusion to the policy that materially changes the insurance coverage required by the RFP and the Contract. If the Bidder does not include this information on the Certificates of Insurance, it affirms that its deductible, self-insured retention, aggregate limit, or any exclusion do not materially change the insurance coverage required by the RFP and the Contract.

Q.15: Appendix P: Would the Commission consider striking insurance term 3.b so as to not ask that the successful Bidder disclose deductibles, self-insured retentions, or exclusions? Disclosing this information to any client would inflict significant harm on the contractor if it were to be disclosed to various plaintiffs' counsel, and as such, we ask the Commission to strike this term if the intention is to disclose such information.

A.15: See answer to question #14.

Q.16: Appendix P: In lieu of requirement 3.b, will the Commission accept replacing this term with the following: "Any deductible(s) or Self Insured Retention(s) applicable to the policies specified herein shall not individually exceed more than one half of a percent (.5%) of the Contractor's average revenues over a three (3) year period immediately preceding the date of a claim."

A.16. No.

Q.17: Appendix P: Would the Commission accept making this edit in bold to term 3.b? "b. disclose any deductible, self-insured retention, aggregate limit or any exclusion to the policy **any of which** materially changes the insurance coverage required by the RFP and the Contract."

A.17: No. As written, 3.b. references the "deductible, self-insured retention, aggregate limit or any exclusion to the policy", which means if any of those items materially change the insurance coverage required by the RFP and the Contract, the Certificate of Insurance must disclose the variation.