



Gaming  
Commission

**RFP: C150022: CPA Services - Observation of Studio Drawings, Ball Weight Certifications, and Other Engagements**

**VENDOR ACKNOWLEDGEMENT OF ADDENDUM**

Amendment Number: Two

Date Issued: February 22, 2016

Summary: Questions and Answers

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

FIRM NAME: \_\_\_\_\_

REPRESENTATIVE SIGNATURE: \_\_\_\_\_



## REQUEST FOR PROPOSALS

### Certified Public Accounting Services

Observation of Studio Drawings, Ball Weight Certifications, and Other Engagements

Round 2 – Questions and Answers

Release Date: February 22, 2016

Q.19: Ref. A.3 – if hiring interns or subcontracting with a local CPA, is it enough to state so in the proposal? Or do we need to name the interns or the local CPA?

**A.19: The Proposal must identify who will be performing the scope of services (see Part 4 of the RFP). Therefore, if a bidder will be subcontracting with a local CPA, the relationship of the parties must be defined in the Proposal. Or, if the bidder plans to hire interns, the Proposal must indicate from which college and how the intern program will be managed, as required in Part 4 of the RFP.**

Q.20: Ref. A.7 – how many interns does the current contractor have at any one time?

**A.20: The current CPA firm has nine interns they use in the staffing rotation at this time. The minimum number of interns they have used in the rotation is four.**

**The contingency staff of the CPA firm (not the interns) is six. They generally have a minimum of two staff assigned as contingency staff.**

Q.21: Ref. A.12 – the time of a full-time project director is not reflected in the average hours in the last 3 months. A full-time staff would be 1,820 hours less holiday, vacation and sick hours. Is the required full-time project director new?

**A.21: Section 4.4 (1) of the RFP states:**

“Identify all staff (name and title/position) to be used on this engagement, including a full time dedicated staff project director, principal supervisory and management staff, and personnel who will be responsible for observing the drawings.”

**To clarify, the dedicated staff Project Director is not expected to work full time, but is expected to be available to the assigned staff when needed.**

**The Proposal must identify one person who will direct the staff/oversee the scope of services.**

**Actual hours billed in December 2015 are as follows, including the individual serving as the Project Director:**

<b>Project Director:</b>	<b>28</b>
<b>Drawing staff (interns):</b>	<b>282 hours</b>
<b>Partner:</b>	<b>2 hours</b>
<b>Manager:</b>	<b>4 hours</b>

**Q.22:** In response to Question 14 (a) and (c), we understand the Commission is not requiring the Contractor to provide copies of insurance policies at this time but to provide them to the Commission in the future upon request, and that the Contractor can ask for such items as proprietary as part of Section 1.15 of the RFP. While we appreciate this protection, [Bidder] is concerned that despite this protection inadvertent disclosure could still occur through the Freedom of information Law. If this information were to become public, litigators would have a distinct advantage in cases brought against the firm. Therefore we would like to request that the Commission consider replacing the language in section 2.14 of the RFP as follows to allow the Commission to achieve its objective:

- (a) In the Introduction to Section 2.14, delete the “Note” and replace it with “In the event there is a claim asserted that is covered by insurance and upon request of the NYS Gaming Commission, the Contractor shall make available for inspection to NYS Gaming Commission employees in a New York State location during reasonable business hours any applicable policy required by this Contract.”
- (b) In section 2.14 subsection A.3, delete item b and replace it at the end of subsection A.3 with: “In the event there is a claim asserted that is covered by insurance and upon request of the NYS Gaming Commission, the Contractor shall make available for inspection to NYS Gaming Commission employees in a New York State location during reasonable business hours any applicable policy required by this Contract.”

**A.22: (a) Section 2.14 – Insurance Requirements:**

In the introduction of Insurance Requirements, the second paragraph is hereby deleted and replaced with:

**Upon award, the Contractor shall deliver to the Commission evidence of such policies as defined below. In the event there is a claim asserted that is covered by insurance and upon request of the Commission, the Contractor shall make available for inspection to the Commission, at Commission headquarters, during reasonable business hours, any applicable policy required by this Contract.**

- (b) The Commission declines to make this change. However, under Section 2.14 (b) reference to "...deductible, self-insured retention..." is deleted and this item is revised as follows:

**"Disclose any aggregate limit or any exclusion to the policy that materially changes the coverage required by the Contract."**

Q.23: Relating to Section 2.14 of the RFP:

**7. Subcontractors.** *Should the Contractor engage a Sub-Contractor, the Contractor shall endeavor to impose the insurance requirements of this document on the Sub-contractor, as applicable. Required insurance limits should be determined commensurate with the work of the Sub-contractor. Proof thereof shall be supplied to the Commission.*

The provision uses the term "endeavor". Is the Commission granting the Prime the rights to negotiate the terms with the Sub-contractor that are substantially similar or is the Commission expecting the Sub-contractor to adhere to the exact same terms as the Prime?

A.23: **The insurance requirements for subcontractors should be commensurate with the work (liability) to be performed. Such insurance documentation should be provided to the Commission prior to the start of work.**