

Amendment 1



KATHY HOCHUL
Governor

IFB: C202501 – Custodial Banking Services

BIDDER ACKNOWLEDGEMENT OF AMENDMENT

Amendment Number: One

Date Issued: January 27, 2025

Summary:

QUESTIONS AND ANSWERS ARE ATTACHED.

AMENDMENTS TO SECTION 1.4:

The following dates are provided for informational and planning purposes. The Commission reserves the right to adjust this schedule as necessary.

IFB Issued January 7, 2025

Round One Questions Due by 3:00 pm, ET January 15, 2025, extended to January 22, 2025

Commission Response to **Round One** Questions January 27, 2025

Round Two Questions Due by 3:00 pm, ET February 10, 2025

Commission Response to Round Two Questions February 14, 2025

Bids Due by 3:00 pm, ET ~~February 3, 2025~~ **February 25, 2025**

AMENDMENT TO SECTION 2.2(E):

Section 2.2(E) - the first paragraph is deleted; the second paragraph remains as follows:

Following the notification of award, the Successful Bidder will be expected to sign a final contract with the Commission. The final contract will be in the form incorporated into the IFB as Appendix B (the "Contract"), or as revised through the IFB amendment process. Appendix A, Standard Clauses for NYS Contracts, becomes part of all New York State contracts and is incorporated into the Contract. The Contract will become binding and effective after approval by the Commission, the OAG, and OSC.

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

BIDDER NAME: _____

REPRESENTATIVE SIGNATURE: _____

Custodial Banking Services
C202501
Round One Question and Answer Summary
Issued: January 27, 2025

Q.1: Relative to the governing contract, please confirm that the NYS Gaming Commission is open to negotiating an amicable contract relative to the outlined provisions including the Custodial agreement for securities and the agreement for banking services. Would it be considered to utilize the current contract in place between U.S. Bank and the NYS Gaming Commission as a basis for this purpose?

A.1: As per section 2.2 “Form of Contractual Agreement” in the IFB, subparagraph (E), any revisions to the proposed contract will only be made through the amendment process, so that all potential bidders are aware of amendments to the proposed contract prior to submitting bids. The Commission will provide a Word version of the Contract for bidders to use, if appropriate, to submit actual proposed changes to **Appendix B (the “Contract”)** as part of this process, in the form of bidders’ Questions.

Amendment to section 2.2:

- Section 2.2(E) - the first paragraph is deleted; the second paragraph remains as follows:

Following the notification of award, the Successful Bidder will be expected to sign a final contract with the Commission. The final contract will be in the form incorporated into the IFB as Appendix B (the “Contract”), or as revised through the IFB amendment process. Appendix A, Standard Clauses for NYS Contracts, becomes part of all New York State contracts and is incorporated into the Contract. The Contract will become binding and effective after approval by the Commission, the OAG, and OSC.

Q.2: If a new contract is necessary, is it possible to obtain that contract in a fully editable Word format for review purposes?

A.2: See response to A.1, above. Attached is a Word version of **Appendix B (the “Contract”)**. The Commission will only review and consider proposed changes that are shown clearly, through red-line edits, submitted through the Question and Answer process.

Q.3: As it relates to the insurance provisions, we would also like to confirm that the NYS Gaming Commission is willing to negotiate the following:

- a) Paragraph 2 striking “In the event there is a claim...”
- b) A.3 striking “copies of each full policy...”
- c) A.3.b striking “disclose any deductible...”

A.3: See response to A.1, above. The Commission does not agree to strike any of the provisions proposed.