

ADDENDUM No. 02

Date: 09/21/2021

DORMITORY AUTHORITY - STATE OF NEW YORK

**Legal Services
Solicitation 7575**

This **ADDENDUM** is hereby included in and made part of the Contract whether or not attached thereto. All requirements of the original Request for Proposal shall remain in force except as noted by this **ADDENDUM No. 02**.

The purpose of Addendum No. 2 is to revise Section 11D – DASNY Rights & Prerogatives, and Attachment 4a – Sample Insurance Certificate.

D. DASNY Rights and Prerogatives

DASNY reserves the right to exercise the following prerogatives:

1. To accept or reject any or all proposals and amend, modify, or withdraw this RFP.
2. To correct any arithmetic errors in the proposals.
3. To change the final due date and time for proposals.
4. To accept or reject any of the firm's employees assigned to provide services on this project and to require their replacement at any time.
5. To waive or modify any irregularities in proposals received after prior notification to the proposer. This will in no way modify the RFP documents or excuse the proposer from full compliance with its requirements.
6. To consider modifications to proposals at any time before the award is made, if such action is in the best interest of DASNY.
7. To request a revised cost proposal from firms selected as finalists, if applicable.
8. To accept a proposal for the engagement containing other than the lowest cost proposal, if applicable.
9. To interview any or all of the proposers prior to selection.
10. To reject any proposal containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the proposer.
11. To begin negotiations with the next most responsive proposer to this RFP should DASNY be unsuccessful in negotiating a contract with the selected proposer within a reasonable time frame.
12. To empanel and subsequently contract with more than one firm.\
13. To configure or reconfigure the composition and membership of panels during the legal services term from and among the pool of law firms selected by the Evaluation Committees to serve on any particular panel, in order to adapt to changed circumstances. Such determination shall be made in DASNY's sole discretion, and may require additional approval from the DASNY Board.
14. To change or reconfigure the composition and membership of panels as required during the legal services term to account for employment changes by key counsel assigned to DASNY matters arising during the legal services term; provided, however, that any new law firm shall be required to submit the information required pursuant to this RFP to DASNY for prior review and possible addition of said Firm to the applicable panel(s). Such determination shall

be made in DASNY's sole discretion, and may require additional approval from the DASNY Board.

Attachment 4a – Sample Insurance Certificate has been revised and added to the RFP posting on the DASNY website under the title “Attachment 4a (Revised) – Sample Insurance Certificate.

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