

ADDENDUM No. 02

Date: 9/28/2022

DORMITORY AUTHORITY - STATE OF NEW YORK
Banking Services
Solicitation 7589

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 and Addendum No. 1 shall remain in force except as noted by this **ADDENDUM No. 02**.

The purpose of Addendum No. 2 is to issue Attachment A to the RFP, revise the list of attachments, and revise sections 1.5 Key Events/Dates; 1.6 Inquiries; 2.4 Qualifications; 3.1.1 Cover Letter; and 8.4 Contractual Requirements.

The following attachment to the RFP is issued by this Addendum:

	<u>Attachment No.</u>
Sample Agreement	1

Attachments:

- A. Sample ~~Contract Agreement~~ (to be provided by addendum)
- B. Omnibus Certification
- C. W-9 Form
- D. Sample Insurance Certificate & Requirements
- E. Qualifications Questionnaire
- F. Flow of Funds
- G. Diversity Questionnaire
- H. Schedule of Fees and Expenses – Basic Banking
- I. EO 16 Certification

1.5 Key Events/Dates

Provided below is a schedule of milestones for this RFP. The Authority reserves the right to change any or all of these dates as it deems necessary or convenient in its discretion. In the event of a change, such modifications will be posted on the Authority’s website at www.dasny.org. **Proposers responding to this RFP shall be solely responsible for periodically checking the website throughout the RFP process for such changes or updates, and no individualized notices shall be provided.**

<u>Event</u>	<u>Date</u>
RFP Release	9/16/2022
Deadline for RFP Questions*	9/30/2022 10/3/2022
Post Responses to RFP Questions*	10/4/2022 10/5/2022
Proposal Due Date	10/17/2022 at 3:00 pm
Virtual Interviews/Demonstrations	10/26/2022
Notice of Award (not earlier than)	10/27/2022

1.6 Inquiries

*All inquiries concerning this RFP or any other aspects of this procurement must be emailed to: UpstateRFPCoordinator@dasny.org during the Q&A period identified. Verbal and telephonic inquiries are prohibited. In order to provide the Authority with sufficient time to reply, questions must be received no later than ~~3:00 pm on September 30, 2022~~ **October 3, 2022**. Responses to questions will be periodically posted to the Authority's website during the Q&A period. A final record of the questions and associated responses will be posted to the Authority's website, www.dasny.org on ~~October 4, 2022~~ **October 5, 2022**. Proposers responding to this RFP shall be solely responsible for checking the website throughout the RFP process for responses to questions, and no individualized notices shall be provided.

No institution which is considering submitting a proposal or which has submitted a proposal shall contact any DASNY employee other than the contact person listed above during the period of the RFP process about any matters related to the RFP or any proposals submitted in response to this RFP. Such contact may result in the rejection of the proposal.

2.4 Qualifications

Proposals will be considered only from qualified financial institutions capable of performing the basic banking services identified in Section 2.2.1 and 3.1.4 and able to ~~show evidence of~~ **confirm the ability to obtain** the insurance requirements listed below and detailed in Attachment A., Sample ~~Contract Agreement~~ **(to be provided as an addendum to this RFP)**:

1. Workers Compensation
2. Disability Insurance
3. Commercial General Liability (or Umbrella and/or Excess Liability)
4. Technical Errors and Omissions
5. Cyber Risk Insurance
6. Crime Insurance

3.1.1 Cover Letter

- A. Provide the name, title, telephone number, and email address of the individual within your firm who will be the Authority's primary contact concerning this RFP;
- B. The Authority intends to select one financial institution able to provide basic banking services, as identified in Section 2.2.1 of this RFP and services associated with maximizing returns, as identified in Section 2.2.2 of this RFP. Identify the services you are able to provide as described in Section 2.2 and Section 3 by indicating whether you are able to provide (i) Basic Banking only; or (ii) Basic Banking and Maximizing Returns;
- C. Provide a brief summary highlighting significant and unique features of your financial institution's proposal that distinguishes it from its competitors and describe your financial institution's commitment to work closely and cooperatively with the Authority to facilitate the implementation of the requested services;
- D. Provide a statement confirming that your institution understands it is not guaranteed that the Authority will retain your financial institution for any service;

- E. Provide a statement certifying that all information contained within your financial institution's proposal is true and accurate to the best of your knowledge and confirm that in the event of a material adverse change in the financial condition of your financial institution, you will notify the Authority immediately in writing; and
- F. Provide signature by the individual(s) authorized to bind your Firm contractually and indicate the title or position that the signer holds within your Firm. The Authority reserves the right to reject a technical proposal that contains an unsigned cover letter.
- G. Provide a statement confirming your financial institution's ability to obtain the required insurance as identified in Section 2.4 and detailed in Attachment A., Sample Agreement.

8.4 Contractual Requirements

1. Contract

- a. By submitting a proposal, the successful Proposer agrees to reference the RFP as part of the resulting contract.
- b. DASNY may award a contract for any or all parts of a proposal and may negotiate terms and conditions to meet the Authority's needs consistent with the RFP. (See sample ~~contract agreement~~ ~~which is forthcoming and to be~~ provided as an addendum to this RFP).
- c. Award of Contract is subject to contract negotiation and approval of such terms and conditions by the appropriate DASNY authorities.

2. Modification of Contract or Engagement Letter

- a. Any modification to the original contract signed between the successful Proposer and DASNY will require the mutual consent of the successful Proposer and DASNY.
- b. Any contract or amendments thereto will be considered effective only after approval by the appropriate DASNY authorities.

3. Interpretation

- a. Any Agreements with DASNY shall be construed and interpreted in accordance with the laws of New York State. New York State shall also be the forum for disputes.

4. Public Announcements

- a. Upon selection of the successful Proposer and contract execution, public announcements or news releases pertaining to the contract shall not be made without prior written consent of DASNY.

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