

# Questions received on Audit Services and DASNY's responses:

1. Section 3 - Content of Proposal, 5. Additional Information - Would DASNY provide what is considered "documents" that are required to be provided to DASNY pre- and post-audit?

**Response:**

Any relevant documentation necessary to conduct audits on request.

2. Attachment 2, Sample Contract, ARTICLE VII: WITHHOLDING OF PAYMENTS - Would DASNY provide what DASNY defines "failure to perform" in this context?

**Response:**

Contract terms will be discussed and negotiated during the Award Phase.

3. Attachment 2, Sample Contract - Will DASNY entertain negotiating terms to ensure Contractor's compliance with professional standards?

**Response:**

Contract terms will be discussed and negotiated during the Award Phase.

4. Attachment 2, Sample Contract - Is it possible for DASNY and successful bidder to leverage non-material modifications to DASNY Sample Contract with terms previously negotiated and currently included in within existing contracts/engagement letters?

**Response:**

Contract terms will be discussed and negotiated during the Award Phase.

5. Attachment 2, Sample Contract - If the Contractor is willing to accept the levels of coverage specified in the contract will DASNY entertain negotiating specific requirements of Article X: Insurance?

**Response:**

If Contractor is requesting deviations from the Insurance Requirements outlined in Article X: Insurance, Contractor should request upon notification of Pre-Award.

6. Attachment 2, Sample Contract - Is it possible for DASNY and the contractor to leverage contractual insurance requirements that were previously negotiated and approved by the Department for the new contract?

**Response:**

If Contractor is requesting deviations from the requirements outlined in Article X: Insurance, Contractor should request upon notification of Pre-Award.

7. APPENDIX "D" ADDITIONAL ITEMS, COMPLIANCE WITH LAWS, RULES, AND REGULATIONS, 1. LABOR LAW PROVISIONS - Can DASNY confirm that the LABOR LAW PROVISIONS B-G in APPENDIX "D" ADDITIONAL ITEMS, is not applicable to CPA firms as Section 22o pertains to laborers and mechanics on public work projects?

**Response:**

Confirmed.

8. APPENDIX "D" ADDITIONAL ITEMS, COMPLIANCE WITH LAWS, RULES, AND REGULATIONS, 4. COMPLIANCE WITH LAWS, RULES, AND REGULATIONS - Could DASNY clarify what the “applicable laws, rules and regulations” referenced in this section would be?

**Response:**

Contract terms will be discussed and negotiated during the Award Phase.

9. APPENDIX "D" ADDITIONAL ITEMS, COMPLIANCE WITH LAWS, RULES, AND REGULATIONS, 7. TERMINATION OR SUSPENSION - Will DASNY entertain a thirty-day cure period for Termination for Cause?

**Response:**

Contract terms will be discussed and negotiated during the Award Phase.

10. APPENDIX "D" ADDITIONAL ITEMS, COMPLIANCE WITH LAWS, RULES, AND 18. PROHIBITED INTERESTS/ETHICAL CONDUCT - CONSULTANTS REGULATIONS - Would DASNY provide its definition of “conflict of interest” in this context?

**Response:**

Contract terms will be discussed and negotiated during the Award Phase.

11. APPENDIX "D" ADDITIONAL ITEMS, COMPLIANCE WITH LAWS, RULES, AND 18. PROHIBITED INTERESTS/ETHICAL CONDUCT - CONSULTANTS REGULATIONS, 19. COOPERATION WITH INVESTIGATIONS - If the Contractor is willing to accept audit/inspection rights, will DASNY entertain narrowing who and what can be examined under Section 19. Cooperation with Investigations?

**Response:**

Contract terms will be discussed and negotiated during the Award Phase.

12. Please provide the all-inclusive fees paid to KPMG for the services outlined in the RFP for the March 31, 2024 audit and the March 31, 2023 audit.

**Response:**

DASNY would like each firm to use their professional judgement and similar engagement experiences to develop and present their proposed fee.

13. Please provide the hours incurred by KPMG for the services outlined in the RFP for the March 31, 2024 audit and the March 31, 2023 audit.

**Response:**

DASNY would like each firm to use their professional judgement and similar engagement experiences to design and plan the audit, including proper staffing.

14. Did DASNY engage KPMG to perform any separate projects outside of the services listed in the RFP over the last five years and if so, can you provide the nature of those services?

**Response:**

DASNY’s response is limited to those services listed in the RFP.

15. Do the DASNY bond documents define or further describe the meaning of “nationally recognized” CPA firm? If no, how does DASNY define it within the context of the RFP and eligibility to serve as the auditor of DASNY?

**Response:**

This is based on DASNY’s judgement – may include criteria such as number and location of firm’s offices, firm’s financial statement audit experiences of similar size state government agencies, client list, firm’s membership in a group practice or affiliation with another firm and firm’s industry reputation.

16. We are committed to utilize an MWBE and/or an SDVOB firm to partner on this engagement with our Firm. Does the MWBE/SDVOB have to be specifically named in the proposal submitted or can they be selected at a later date once a decision is made on the awarding of the contract?

**Response:**

NYS Certified MWBE/SDVOB firm must be submitted in the proposal as place holder, but MWBE/SDVOB firm may be finalized at a later date.

17. Many of our engagements are executed using a hybrid approach to the audit fieldwork where some of the work is done remotely and some done onsite. Would this be acceptable to DASNY?

**Response:**

DASNY would like each firm to use their professional judgement and similar engagement experiences to design and plan the audit, which may include a hybrid approach. Per Section 3, number 6, if the firm’s approach includes reliance on remote work, include any impact on the fee if that remote work were not possible.

18. We would be interested in having members of the DASNY internal audit team assist with certain areas of the audit. Can you provide some guidelines as to the extent (number of hours) that they would be available to assist us?

**Response:**

DASNY would like each firm to determine how they might use DASNY’s internal audit staff and the related fee impact.

19. Can you provide the number of days the current firm is on site and how many people?

**Response:**

DASNY would like each firm to use their professional judgement and similar engagement experiences to design and plan the audit, including proper staffing.

20. What are the current fees for the services requested?

**Response:**

DASNY would like each firm to use their professional judgement and similar engagement experiences to develop and present their proposed fee.

21. Is there a copy of the Individual Restricted debt Issue Financial Statements available?

**Response:**

See attached.

22. Can you clarify what is meant in Section 3, number 5a, is it for regulatory auditors?

**Response:**

Any relevant documentation necessary to conduct audits on request.