

RFP #20-021a, Executive Search Firm – Commissioner of Education
Questions and Answers

- 1. Question:** Our legal department has reviewed the RFP and there a few items they would like the ability to revise or to negotiate mutually acceptable terms in the State of New York Agreement Section IV (Indemnification), Appendix A Section 10 (Records – related to the agency’s ability to audit books and records), Appendix A-1 Safeguards for Services and Confidentiality, and Appendix R Data Security and Privacy sections. Can you please provide direction as to how these potential exceptions should be addressed in our proposal response?

Answer: Contractual terms, conditions and assumptions are inappropriate for inclusion in an initial proposal; however, pursuant to NYSED’s Reservation of Rights in the RFP, NYSED reserves the right to negotiate with the successful bidder within the scope of the RFP and in the best interests of the state. Appendix A comprises standard clauses that are required by the Attorney General for all State contracts.