

Question Number	RFP Page #	Section Reference	Question	Response
1	n/a	n/a	Did the 2021 RFP for these services fail? Why did it fail?	The Department exercised its Reservation of Rights to: Withdraw this RFP, at any time, in whole or in part, prior to OSC approval of award of the contract.
2	n/a	Attachment 8 – Schedule of Fees	We were unable to bid in 2021 because we cannot completely bundle credit card fees. We did ask for that to be changed, but NYS held firm that only the one line-item in the Schedule of Fees could be used for credit cards. A simple example for the need for additional line-items is a charge back. That means that for whatever reason the credit card payment needs to be reversed. Normally, you would see such a reversal on the statement. There are other examples as well.	See Amended Attachment 8 Schedule of Fees.
3			As was the case last time, we will not be able to bid if credit card processing can only charge a single pricing line item.	See Amended Attachment 8 Schedule of Fees.
4		9 1.8 Timeline of Key Events	It is not feasible for the bidder community to meet the one month turn around given the complexity of the contract terms and absence of key information. The key information bidders will need to get started include: analysis statements from your current provider (3 months if the activity is not seasonal; 12 if seasonal). Also, if you have started to use credit cards, bidders will want to see those statements as well (3 months if not seasonal; 12 if seasonal). Bidder will also want to see your exact current lockbox instruction and samples of remittance slips.	See new attachments 10b and 10c. 10 b- Analysis Statement, 10 c Remittance Slips. Lockbox instructions would be the responsibility of each proposer.
5			Recommend you push your timeline out including the deadline by 45 days from when you respond to bidders and provide them with the data they need to evaluate the work.	The Department rejects request to extend the deadline by 45 days.
6	n/a	misc.	Can you confirm what you mean by "electronic lockbox". Based on your notes on page 47 it sounds like it's what we would refer to as a "concentrator service" where the bank scoops up consumer bill payments the payor has made through their personal banks. The bank grabs those, consolidates them and credits your account with a single credit but provides detailed reporting for reconciliation purposes. Is that a correct description of the service you refer to as "electronic lockbox" and which you are currently using? Then, going forward, you want to add an online portal through which payors can pay via credit cards. Is that correct? Would you also want them to be able to pay via ACH through this same online portal? Can you confirm if you have an online payment portal now? Which brings me to another point: the concentrator service is a different and distinct service from an online portal through which payers can pay via credit card. Bidders will minimally need a line item for both of those services: concentrator and online portal for credit card payments.	"The bank grabs those, consolidates them and credits your account with a single credit but provides detailed reporting for reconciliation purposes." Is that a correct description of the service you refer to as "electronic lockbox" <b>Official Response- That statement is true.</b>  "Then, going forward, you want to add an online portal through which payors can pay via credit cards. Is that correct? Would you also want them to be able to pay via ACH through this same online portal?" <b>Official Response: The Department does not currently have a portal, but if a Bidder would like to propose a portal that can accept both ACH and Credit Card in their proposal the Department would consider innovative approaches to the required services of this RFP.</b>  "Can you confirm if you have an online payment portal now?" <b>Official Response: The Department does not have a portal now.</b>  Bidders will minimally need a line item for both of those services: concentrator and online portal for credit card payments. <b>Official Response: The services are defined in the RFP and on Attachment 8 Schedule of Fees</b>
7	n/a	Attachment 8 – Schedule of Fees	Bidders would benefit from a two to three additional pricing line items for the lockbox, electronic lockbox (concentrator service) and online portal to accept credit card payments. Is this acceptable?	See Amended Attachment 8 Schedule of Fees.
8	P 4-5	1.2 Period of Performance	The term is unusually long at 10 years. Would you consider reducing it to either 3 or 5 years which is more in keeping with industry standards. Extension options could be added and would require both parties' approval to invoke. Is this acceptable?	Request to modify Contract Term is rejected. Resulting Contractor must comply with the Term as specified in Section 1.2 of this RFP and the resulting Contract.

9	13	6. Bid Deviations	There would be a need to add to and modify the contract terms (not to Appendix A – we understand that can't we modified). It's very difficult to attempt to negotiate contract terms during the Q&A. Thus, we prefer to simply submit our proposal with a clear listing of the contract terms we wish to negotiate (using the template you provided to do so). Is this acceptable?	Please refer to Attachment 4: Non-Material Deviations Template, to submit all exceptions for consideration.
10	P 7	1.5 CONUS	CONUS – this was brought up in 2021 and removed. Can this language be loosened in acknowledgement of most Bank's large scale operations that may include at least a limited level of access/repair work done abroad.	Please refer to section 1.5 of the RFP, The Department has a <b>strong preference</b> for all of Offeror's data, access, and processing locations (each a "Facility") to be located within the Contiguous United States ("CONUS").
11	20	3	When setting up two Electronic Lockboxes – will there be two distinct payor names and addresses the payees will be sending payment to?	Currently there are 2 different names assigned to the Lockboxes. As long as there is a means to separate Agency and Enrollee payments the Department would not require separate addresses.
12	22	3.2	Will both physical lockboxes be established to accept the OCR coupon you mention?	Yes. Enrollee and Agency have their own independent remittance slips.
13	23	3.2	What is your historical percentage of items that do not include a mailed-in coupon?	The average total for the last 3 most current months is 1,235 items per month.
14	23	3.2	Are there other supporting documents we will need to image in addition to the coupon?	Yes, sometimes there are additional items that need to be imaged that include identifying information.
15	23	3.2	Are you currently using an online exception processing tool for items without a stub or proper information in addition to the lookup file?	Yes.
16	23	3.3	Will you be anticipating credit card payments through the lockbox?	No. We do not currently anticipate this at this time but the Department would be interested in receiving innovative solutions from Offerors.
17	27	3.4	What information will the State / user want to capture? Is this at item or deposit level?	Refer to attachment 11 Agency Transaction File Layout and 12 Enrollee Transaction File Layout of the RFP which states the information that needs to be included on the Transaction Files.
18	27	3.4	Does state want separate or consolidated with other daily deposit activity?	The department prefers to have transactions batched or separated by type on our daily bank statements.
19	47	7.3	Can the State provide a breakdown of remote deposits vs lockbox deposits?	Average number of Lockbox deposits are included on page 47 of the RFP. 16 Average Monthly Remote Deposit Transactions.
20	9	2.1	Will the State be willing to add question and answer period in order to have any legal deviations presented prior to submission?	Request to add an additional question and answer period is rejected.
21	47	7.3	Would the State provide a current account analysis?	Please refer to Question #4.
22	47	7.3	What is the average monthly balance for the State?	The 12 month average monthly balance for calendar year 2022 was \$55,299,227.61.
23	6	1.4.G	Why only a C+ rating, typically the State looks to higher?	This is the minimum rating required.
24	7	1.6 H. b	Should the other appendices that have higher precedence like Appendix A also be carved out from this provision of the Order of Precedence to clarify that the version attached to the Contract has precedence over those attached to the RFP?	The order of precedence for the appendices is set on page 23 of this RFP and in the Draft Contract.
25	8	1.7 Banking Service Schedules	Would the State consider revision to the language to reflect a "material variance or conflict" standard, consistent with the State's ability to negotiate non-material deviations, so it is clear that standard applies to the Banking Schedules as well?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
26	9	1.8	Based on section 1.9 Timeline of Key Events the implementation plan is due 30 days after OSC approval of contract. In our experience OSC can take up to 90 days to approve a contract. Based on the lockbox requirements a lockbox implementation typically takes six months to implement. Is the expectation that the lockbox will be live to accept payments on July 1, 2024? If so, the timeline provided does not allow for enough time to implement lockbox. Will Civil Service work with the awarded offeror on a realistic start date for lockbox?	OSC may take up to 90 days to approve a contract. The expectation is to have lockboxes working by July 1, 2024. If possible, Civil Service will work with the Awarded offeror if additional time is needed.
27	9	1.8	Does the contract services start date on the timeline apply to credit card payments as well?	The Lockbox services are the higher priority, however, the Department asks the credit card payment services be implemented as soon as practical.
28	22	3.2	Please provide current lockbox processing instructions provided by your current provider	Please refer to Question #4.

29	22	3.2	Please provide sample coupons/remittances that will accompany the check.	Please refer to Question #4.
30	28	3.5	Page 28 states that the awardee have 180 days to implement, and starts upon OSC approval, however per section 1.8 the timeline contradicts. Is it anticipated that the awardee will have 180 days to implement?	It is anticipated that the implementation period be 180 days or less however if there is a delay in approval of the contract by OSC the Department will consider extending the implementation period to allow up to a full 180 days.
31	47	7.3	Page 47 indicates that the credit card average payment is \$300,000/900 = \$333.33 It the projected average payment?	This is an estimate as the Department does not currently accept credit card payments.
32	47	7.3	The footnotes for the average monthly transactions don't match to the bottom of the page. Please confirm correct footnotes.	<p>1 Currently the electronic lockbox is mostly deposits from "bill pay" enrollees (payment directly from an enrollee's bank account to the Department's bank account). It does not currently permit payment by credit cards.</p> <p>2 Checks and money orders only.</p> <p>4 This will be a new payment method for the Department. Therefore, the monthly transactions are estimated based on enrollee demographics.</p>
33	Attachment 1		This document contains numerous provisions that are expressly subject to penalties of perjury because state law requires the same. However, the document itself is also generally subject to penalties of perjury with a sworn jurat, whereas legally only a corporate acknowledgement (as with Attachment 2) is required in New York. Given that many of the items on Attachment 1 are not even statements of fact, and the heightened legal and operational standards applicable to sworn testimony that could preclude providing this information in the form of an affidavit, would the State consider revising the form to reflect a corporate acknowledgement instead of the jurat, while preserving the individual sections that are specifically and expressly subject to penalties of perjury?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
34	Attachment 8		Please confirm if you will accept for credit card payments a fixed percentage rate or if it must be a fixed flat dollar rate. Or can it be either method?	The Department can accept either.
35	Attachment 8		The standard industry practice for credit card payments is to charge fees as a percentage. The Schedule of Fees references a fixed fee. Would the Department allow offeror to provide a rate for credit card payments? For example, payment of \$10,000 with a credit card rate of 3% would be calculated as \$10,000 x 3% equals a fee of \$300.	The Department will multiply the estimated fees time either the percentage or the fixed fee the bidder supplies.
36	Attachment 8		The fee schedule chart includes 7 years. Is the chart designed to list the pricing per each year. Do you expect the pricing to be flat or with increases. Many contracts have a provision in the contract to increase pricing after 5 years with the CPIU. It does not have any indication of fee increases in the future years, is it acceptable to increase with CPIU not to exceed 3% in future years? This would also capture any possible contract extensions.	The Department is allowing vendors to provide escalation over the term of the contract.
37	Attachment 8		On the fee schedule, is the monthly fee for lockboxes each box multiplied by 2 or is it meant to be the price for per each box?	The Department is seeking pricing for 2 lockboxes in each category. Two electronic lockboxes and two USPS lockboxes.(each category multiplied times 2).
38	Attachment 8		While there is language in the RFP about paying with ECR from balances, I don't see a place to provide the ECR on the Attachment 8 Schedule of fees. Is Civil Service looking for offerors to provide an ECR or will Civil Service look to use the Contact rate (the 90 day average treasury) provided monthly from NYS OSC?	The Department is not looking for offerors to provide the ECR, but will use the rate provided by OSC.
39	Attachment 10		Is the Agency Lookup file layout used for just the lockbox payments or all payment channels?	Currently used for only lockbox payments, but the Department is interested in using it for all payment channels where appropriate.
40	Attachment 12		Is it the intent of the State to include both lockbox payments and electronic payments in the same end of day posting file?	The Department currently receives lockbox payments and electronic payments on separate posting files, but can accept Agency lockbox and electronic payments on one file and Enrollee lockbox and electronic payments on another file.
41	General		Please provide the Departments monthly average balance.	Please refer to Question #22.
42	General		Can the Department provide sample lockbox bills?	Please refer to Question #4.
43	General		Can the Department provide a copy of their current account analysis statement?	Please refer to Question #4.

44		General	Given the request for all bidders to raise material deviations to all proposed requirements during the Q&A period, have you considered extension to allow bidders more than two weeks to incorporate the responses into respective proposals?	Request to add an additional question and answer period is rejected.
45	87	Appendix C	The firm has adopted industry IT security practices, including, but not limited to COBIT (Control Objectives for Information and related Technology) for IT governance, International Organization for Standardization (ISO 27K family of standards), Federal Financial Institution Examination Council (FFIEC) Guidance, and BSIMM (Building Security In Maturity Model). The firm follows a comprehensive set of Technology Controls and Cybersecurity policies and standards and meets requirements from over 150 regulators worldwide, which are updated to ensure that controls are consistent with industry best practices as well as applicable regulatory requirements. Therefore, JPMC is unable as a matter of practice to contractually agree to the IT Policies and Standards of its clients as it cannot operationally accommodate. We are confident that we can provide sufficient information to the State, as we have numerous times, to allow you to be comfortable with the effectiveness of our information security programs, even if we cannot agree to all of the specific provisions. To be clear, we can agree to all "legal requirements." Would the State consider revising the RFP requirement to preclude only "material deviations" to allow us to negotiate the provisions upon award or conditional award, even if they may be substantive?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
46	48	Section 8 Additional Provisions Item 2	The firm often provides services that are subject to HIPAA implementing regulations, to the extent that we have our own Business Associate Agreement that addresses the applicable legal requirements in connection with the specific services to be provided. Similar to the information security provisions, we are unable to agree to client-specific requirements that go beyond applicable law. Would the State consider negotiating any applicable and material State requirements into the provided agreement?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
47	55	Section 8 Additional Provisions Item 4 Entire Contract	Would the State consider language permitting the update of bank schedules that may be incorporated into the contract without a formal amendment process? From the Bank's perspective, such updates apply across all of our clients, and operationally we would provide you notification of any changes, allowing you to determine if a formal amendment is required. If so, the insertion of "unless otherwise agreed" in this provision allows appropriate language to address those scenarios and the State's corresponding protections to be negotiated within the account and service terms, consistent with other NYS clients.	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
48	65	Appendix B	2. For Banks subject to federal regulation, will the State consider removing non-specified policies that cannot be contractually agreed to from this requirement upon award?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
49	66	Appendix B	5: We are generally amenable to this provision but note that we cannot agree to provide notice to the State of substantial changes that do not impact the services to be provided (such as those at an affiliate). Is the State amenable to negotiating mutually agreeable language upon award? (similar to the following provision)	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
50	69	Appendix B		Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
51	70	Appendix B	20: Would the state consider clarifying language that Contractor employees obligation to comply with Department security and administrative requirements is limited to those requirements expressly agreed to by the Contractor? We are unable to contractually agree to non-specified obligations.	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
52	75/76/85	Appendix B	26 and 27: Upon completion of the agreed statement of work, will the State consider removing altogether or affirmatively adding language to provisions 26 and 27 acknowledging whether or not the services do actually require unique product development for the State to render the intellectual property provisions applicable?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
53			41: We note that this non-disclosure provision does not permit the disclosure of Confidential Information to third parties that is necessary to provide the requested services. Given the broad definition of Confidential Information, this provision precludes Banks from providing client information as may be necessary to provide the services, including third party payment networks and fraud prevention tools. Upon award, we will seek to add language memorializing that the State does indeed wish to receive the services contemplated in the RFP. Is the State amenable to negotiating clarifying language upon award that information sharing in connection with the performance of services, including with a named subcontractor, is permitted?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
54	18 of 29	Attachment 13	General: We note some of the same concepts that we have asked questions about as they appear in other areas of the RFP as they now appear in Attachment 13.	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.

55	19 of 29	Attachment 13	1.2: We are unfamiliar with this provision generally. Will the State consider additional language clarifying that nothing in the contract is meant to impede appropriate resolution and recovery plans required by the Bank's regulators to avoid any ambiguity or potential regulatory conflicts?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
56	21 of 29	Attachment 13	6.3: We understand the State has proposed an extended term for this RFP, and our proposal will reflect pricing according to all of these factors. Many factors go into the pricing offered to clients generally, and as the State understands, the State's own required terms can result in higher risk to the Contractor (and pricing to the State accordingly). Moreover, operationally, we serve thousands of public sector clients, and there is simply no way to operationally identify if one were similarly situated in terms, duration, pricing and other factors. Will the State consider removing this warranty? And, if not, can the State affirmatively indicate how many times it has requested vendors to alter pricing based on this provision and further be willing to consider language modifications to reflect all of the variety of factors for pricing (not just scope/volume)?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
57	20	Section 3: Project Services. 2	Can DCS define e-check?	Payments submitted by customers through online bill pay.
58	20	Section 3: Project Services. 2	Can DCS clarify, DCS desires ACH transactions to be deposited into electronic lockbox processing stream and post to one checking account?	The Department is interested in receiving ACH payments from customers through electronic lockboxes processing stream and posted to one account.
59	20	Section 3: Project Services. 2	Will the ACH transactions be composed of both debit and credit transactions? Will these transactions be originated by DSC?	The Department receives incoming ACH transactions from some Agencies who make payments this way.
60	21	Section 3: Project Services. 5	Can DCS clarify, does DCS require the use of branch deposit network?	The Offeror must be a state or federally chartered bank or financial payment processor authorized to do business in New York State and must have at least one branch or office with a physical location in New York State.
61	23	3.3 Credit Cards	Would DCS consider awarding separate contracts for credit card processing and lockbox services? contracts?	The Department wishes to award one contract for all services to one vendor.
62	40	5.4 Reporting b.	Can DSC clarify? "Describe how the Offeror will be available 42 hours a day, 7 days a week to designated individuals employed by the Department as well as individuals from other State Agencies designated by the Department, except for scheduled maintenance. Does DCS mean the reporting platform or bank employees?"	This is a requirement for the reporting platform.
63	40	5.4 Reporting c.	Will DSC consider on-line data retention of 2 years?	The Department prefers online access to all data for the full period requested.
64	6	1.4 G	U.S. Bank does not currently have a Kroll rating. Can the RFP be amended to allow for a rating to be procured post RFP deadline (Nov10)?	This rating will be independently verified by OSC. Proposers are not required to subscribe to the Kroll service and a Kroll rating is not contingent upon any such subscription.
65		Appendix D	Please confirm the State considers BNY Mellon exempt from Executive Order No. 162 Ensuring Pay Equity by State Contractors (see Guideline for Implementation of Executive Order No. 162 Ensuring Pay Equity by State Contractors).	EO 162 Final Implementation Guidance Document. <a href="https://esd.ny.gov/sites/default/files/EO_162_Final_Implementation_Guidance.pdf">https://esd.ny.gov/sites/default/files/EO_162_Final_Implementation_Guidance.pdf</a>
66	6	1.4 Minimum Offeror Eligibility Requirements	Is the State willing to negotiate its standard contractual terms and all terms in Appendices A - E or is the State willing to consider using an Offerer's contract?	Offerors may make submissions for bid deviations according to Section 2.1.6 of the RFP.
67	20	Section 3. Project Services	Is it a strict requirement of the state to have a NY address for their lockboxes?	There is no requirement that states the lockboxes must have a NY address.
68	21	Section 3. Project Services	Please provide the average monthly volume of look up transactions you request the offeror to perform.	Please refer to Question #13.
69	21	Section 3. Project Services	Please provide the average monthly volume of unprocessables i.e., checks, money orders and related remittance slips, that the Department requests to review through our online portal to decision (deposit/ or not deposit)?	The average total web decided items for the last 3 most current months is 344 items per month.
70	21	Section 3. Project Services	Are there any additional processing rules we should be aware of? Special Sorting, Batching, etc.?	The Department does not have this information at this time. Additional processing rules may be identified during the implementation period.
71	24	3.3 Credit Cards	Does the state require the lockbox processing site to be PCI DSS compliant?	If Credit Card payments are accepted via the lockbox, then yes, the lockbox would need to be PCI DSS compliant.

72	10. b Remote Deposit	3.4 Reporting	If we do not provide scanning equipment such as scanners directly to the State, would it be acceptable to work with the State to review and purchase hardware via a website?	The Department has a preference to have the equipment provided however if there is an alternative method, such as using a mobile device to submit a remote deposit the Department would consider this option as well.
73	10. Remote Deposit	3.4 Reporting	Please confirm the State's remote deposit volumes.	Please refer to Question #19.
74	10. Remote Deposit	3.4 Reporting	Is the State interested in a service that provides an additional method to capture and deposit payments remotely using a camera-equipped device?	The Department has a preference to have the equipment provided however if there is an alternative method, such as using a mobile device to submit a remote deposit the Department would consider this option as well.
75		3.3 Credit Cards	Is this a new service being offered or is it replacing an existing solution (APIs, CSR/Call Center, IVRs, Mobile, and Web Portal)?	This is a new service the Department would like to offer.
76		3.3 Credit Cards	What bill payment methods are being offered today (CSR/Call Center, IVRs, Mobile, and Web Portal)?	The Department does not currently offer any credit card payment methods.
77		3.3 Credit Cards	What bill payment methods would you like to offer moving forward (CSR/Call Center, IVRs, Mobile, and Web Portal)?	Web Portal.
78		3.3 Credit Cards	Please confirm your monthly volume of bill payment transactions (ACH and Cards).	The Department does not currently offer any credit card payment methods.
79		3.3 Credit Cards	Who is your Merchant Credit Card Processor?	The Department does not currently offer any credit card payment methods.
80		General	Would the State be interested in Account Validation Services or an open banking payments solution that helps organizations receive consumer payments from bank accounts?	The Department is interested in obtaining the services found in the RFP. If a bidder would like to provide innovative and progressive options in their proposal the Department would review during the evaluation process.
81		6 F	Would a Municipal Letter of Credit (MULOC) through the FHLBNY be an acceptable form of collateral?	We do accept irrevocable LOC's from Federal Home Loan Banks.
82		6 F	If using Securities, what percentage of collateral is required? If using a MULOC, what percentage of collateral is required?	100% collateral is required.
83		43	6.1 Would the State be willing to supply a redacted copy of a monthly Account Analysis Statement?	Please refer to Question #13.
84	Attachment 8	Schedule of Fees	Would the State be willing to offer a monthly average number of Wires &/or drawdowns, ACH transactions and Remote Deposit check items deposited?	ACH Transaction are provided on the chart on page 47 of the RFP. 21 Average Monthly Outgoing Wire Transactions. 16 Average Monthly Remote Deposit Transactions.