



Request for Qualifications for Municipal Digital Equity Planning Services

RFQ No. 2023-MBI-03

**Massachusetts Technology Collaborative
75 North Drive
Westborough, MA 01581-3340
<http://www.masstech.org>**

Procurement Team Leader: Joshua Eichen

RFQ Issued:	September 14, 2022
Updated 9/16/2022 Bidders Conference:	9/28/2022 3:00 pm
Initial Questions Due:	9/30/2022
Initial Answers to Questions Posted:	10/6/2022
Initial Responses Due:	10/17/2022

1. INTRODUCTION

1.1 Overview

Massachusetts Technology Collaborative (“Mass Tech Collaborative” or “MassTech”), on behalf of the Massachusetts Broadband Institute (“MBI”) is issuing this Request for Qualifications for **municipal digital equity planning services** (RFQ No.2023-MBI-03) (the “RFQ”) to solicit responses from qualified contractors (“Respondents”) with experience in **digital equity and broadband planning**. The submissions of all Respondents shall be compared and evaluated pursuant to the evaluation criteria set forth in this RFQ, and it is expected that multiple Respondents will be prequalified.

Mass Tech Collaborative will be the contracting entity on behalf of MBI for the purposes of this RFQ, and (except where the specific context warrants otherwise), MBI and Mass Tech Collaborative are collectively referred to as Mass Tech Collaborative or MassTech. Mass Tech Collaborative will enter into a **Services Agreement (Federally Funded)** with selected Respondents containing certain standard provisions (the “Agreement”), located [HERE](#).

1.2 Mass Tech Collaborative and MBI

Mass Tech Collaborative is an independent public instrumentality of the Commonwealth of Massachusetts chartered by the Commonwealth to serve as a catalyst for growing its innovation economy. Mass Tech Collaborative brings together leaders from industry, academia, and government to advance technology-focused solutions that lead to economic growth, job creation, and public benefits in Massachusetts. Mass Tech Collaborative has five primary divisions: Innovation Institute, the Massachusetts Broadband Institute, the Massachusetts e-Health Institute, the MassCyberCenter, and the Center for Advanced Manufacturing. For additional information about Mass Tech Collaborative and its programs and initiatives, please visit our website at www.masstech.org.

MBI is the State Broadband Office for the Commonwealth. Its primary mission is to extend affordable, robust, high-speed Internet access to all homes, businesses, schools, libraries, medical facilities, government offices and other public places across Massachusetts, with an initial focus on the hard-to-serve areas of western and central Massachusetts. For more information about MBI and its programs and activities generally, please visit the web site at <https://broadband.masstech.org/>.

2. SERVICES REQUIRED

2.1 Overview

Following the passage of An Act Relative to Immediate COVID-19 Recovery Needs, also known as the Massachusetts “ARPA 1.0” legislation (codified as Chapter 102 of the Acts of 2021), a Broadband Innovation Fund was established to bridge the digital divide as a component of the Commonwealth’s COVID-19 recovery and response efforts. MBI seeks to establish a Municipal Digital Equity Grant Planning Program (“Municipal Planning Program”) to enable municipalities to engage in planning activities related to digital equity. Planning activities will result in a set of strategic recommendations designed to:

- Guide municipal decision-making and investments related to services and infrastructure that will increase access, adoption, and usage of the internet for the populations most impacted by the COVID 19 pandemic.
- Prepare municipalities to submit grant proposals to existing or forthcoming state or federal programs to support digital equity activities.

The purpose of this RFQ is to identify qualified consultants who can provide a broad suite of digital equity planning activities to municipalities.

The ability to engage in digital equity planning activities will be a critical step for municipalities to build a broad understanding of how internet access, or lack thereof, affects residents of their community. MBI plans to release a municipal planning solicitation in the fall of 2022, and municipalities selected under that solicitation will be able to choose between two planning activity options. This process will accommodate the diverse needs of communities within our state. For example, some municipalities may elect to start with a one day or multi-day planning charrette. Other municipalities may elect to pursue the development of a comprehensive digital equity plan. MBI seeks to meet each municipality where they are, allow for municipalities to coordinate on a regional basis, and allow municipalities to advance from one stage of planning to another.

Respondents that are prequalified by MBI through this RFQ will then become part of a pool of eligible consultants that can be deployed to provide digital equity planning activities to eligible municipalities that apply and are selected for support through the Municipal Planning Program.

The municipality will then be able to make a selection from a subset of prequalified consultants provided by MBI to the municipality. MBI will base the subset of firms on the consultant's prequalification status to provide the municipality's selected planning activity (charrette or plan) and the geographic alignment of the consultant's service area with the municipality. The selected consultant will submit a scope of work and budget to MassTech based on the municipality's planning request and in alignment with the consultant's approach, rates, and fee structure set forth in the Services Agreement, and MassTech will enter into a statement of work with the vendor selected by the municipality.

Respondents are eligible to be prequalified for one or both of the services options outlined in Section 2.2.1 and 2.2.2.

2.2 Scope of Services

MBI intends to offer municipalities two service options to pursue digital equity planning activities with the support from their selected planning consultant, described in the following sections. Both service options are intended to yield similar outcomes in terms of deliverables, but will differ in process, duration of the planning activities, and level of detail and nuanced information provided to the municipality as an outcome of the planning process. Municipalities will be able to take advantage of both planning options if they so choose, thus enabling a pathway for municipalities to advance their thinking related to digital equity planning over time.

Municipalities applying under the Municipal Planning Program will be required to designate a staff member – either a municipal employee or elected official – who will be responsible for coordinating the municipality's involvement and engagement in the planning activities. This designation will be a prerequisite for any municipality to be eligible to receive digital equity planning support. Consultants should expect that the municipal designee will assist with identifying key stakeholders in the community, reserving space for meetings/events, providing consultants with community context related to other activities relevant to digital equity planning, and other activities that require specific knowledge of a locality.

Municipalities will be allowed to apply for digital equity planning services jointly as "regions", so long as there is one designated lead for each participating municipality.

MBI seeks consultants who can provide services related to the planning service options detailed in the following sections. All Respondents will need to demonstrate their ability to execute all activities associated with the service options outlined in section 2.2.1 and 2.2.2 for which they seek prequalification. MassTech expects that consultants may need to sub-contract with specialized organizations for community engagement or other elements outlined in section 2.2.1 and 2.2.2. Respondents must indicate in the proposal if they are proposing to use subcontracted services for those additional resources to meet the standard for prequalification. Respondents may be prequalified for one or both of the service options.

2.2.1 Planning Service Option 1: Digital Equity Charrette

The Digital Equity Charrette option is intended to be a low barrier to entry option to support municipalities with limited staff capacity and existing knowledge or activities related to digital equity. As part of the Digital Equity Charrette, consultants will organize and facilitate an intensive workshop engaging municipal officials, community groups, and other stakeholders (“digital equity stakeholders”) to gather information on the needs of residents and the digital equity issues facing the municipality and focusing on the populations most impacted by the COVID 19 pandemic. With guidance from the municipality’s chosen consultant, digital equity stakeholders will work together to identify priorities, challenges, and solutions addressing the digital equity divide in the municipality.

Consultants should anticipate charrette meetings totaling 8 hours with digital equity stakeholders, spread across one or two days with additional time required for site preparation and clean up. Consultants will be expected to work with municipal staff to enable in person, hybrid, or fully virtual activities as needed by the community

At the end of the charrette, the consultant will capture and synthesize all data and input received from the digital equity stakeholders into a report deliverable. The report deliverable must provide strategic recommendations for the municipality to begin or expand on digital equity programs/investments and a detailed, realistic vision for future action.

At a minimum, consultants should expect to engage in the following activities as part of running a Digital Equity Charrette:

Workshop Preparation

- Capturing and preparing relevant community data (US Census ACS SF2801, MLab, Microsoft, FCC, NTIA, AllConnect, and other relevant sources)
- Designing community specific materials (maps, charts, posters, etc.)
- Coordinating charrette agenda and facilitative process
- Outreach and engagement, in partnership with municipal staff
- Reservation of appropriate space, in partnership with municipal staff

Workshop Execution and Facilitation

- Site preparation
- Procurement and preparation of needed equipment and materials
- Presentations and dissemination of information
- Facilitation of stakeholder conversations/activities
- Site clean up after charrette(s) end

Workshop Documentation and Reporting

- Intake and synthesis of data (transcription of notes, quantifying collected data, etc.)
- Development of strategic recommendations
- Creation of report deliverable
- Final documentation or reporting to municipal leaders as requested.

2.2.2 Planning Service Option 2: Digital Equity Planning

The Digital Equity Planning option is designed to provide municipalities an opportunity to execute a full comprehensive planning exercise. For the Digital Equity Planning option, consultants will provide expanded data collection and dive into deeper conversations and engagement with digital equity stakeholders.

At a minimum, planning consultants should expect to engage in the following activities as part of the Digital Equity Plan option:

Existing Conditions Analysis

Consultants will leverage the broadband coverage and related data gathered by MBI through the public online mapping portal that MBI will launch in Fall 2022. The consultant will conduct additional, complimentary data aggregation and synthesis from other data sources related to internet access, reliability, and service provider marketplace to supplement the data in the mapping portal when available. Data sources that could be analyzed include US Census ACS SF2801, MLab, Microsoft, FCC, NTIA, AllConnect, and other relevant sources.

This analysis will provide a baseline overview of digital access and equity gaps affecting the municipality's populations.

Community Engagement / Stakeholder Outreach

Planning consultants, in partnership with municipal staff and digital equity stakeholders, will establish community engagement/stakeholder outreach methods and execute a stakeholder outreach process. These outreach methods should be in alignment with similar planning processes (e.g., Master Plan, Housing Production Plan, Open Space and Recreation Plan, etc.) the municipality has engaged in, and meet the needs of the target populations. Outreach methods could include surveys, focus groups, informational interviews, online/in person forums, development of online or print collateral, translation/interpretation (which may include Spanish, Haitian Creole, Khmer, Vietnamese, Arabic, Portuguese, Chinese, or other major languages spoken in the Commonwealth), or other methods.

This process will allow for the collection of a more nuanced and localized layer of data onto the existing conditions analysis that will inform community specific needs related to digital literacy, devices, connectivity, affordability, and other issues related to digital equity.

Recommendation Development

Through data synthesis and integration from both the existing conditions and community engagement processes, consultants will develop a suite of recommendations for consideration and adoption by the municipality that meet the needs and goals of the target populations within the municipality.

Future Funding Investigation

Consultants will identify which recommendations will require future funding and the potential sources of funding so that municipal partners are best equipped to take immediate action upon completion of the planning process. This will include a review of all relevant state and federal funding programs, including programs under American Rescue Plan Act ("ARPA") and Infrastructure Investment and Jobs Act ("IIJA").

Documentation and Plan Writing

Consultants will document all planning activities and integrate their findings and recommendations into a cohesive written document specific to the municipality. Consultants must prepare a final presentation of summary findings and recommendations to the lead municipal partner, executive official, city council, school board, or other municipal body to be determined by the applicant municipality. This will include developing the written content and integrating any relevant photographs, maps, charts, or other visual collateral into a formatted plan that can be published in print and digital formats. The final report will also include a list of all participants in the planning process. A final report of planning activities will be a required element of all municipal grants.

Municipal Coordination

Consultants must coordinate with municipal leaders, schedule regular updates with staff and elected representatives as requested, and liaise with any relevant municipal body (i.e. school board, broadband task force, human rights commission, etc.)

2.3 Contracting Process

Respondents prequalified under this RFQ become part of a pool of eligible consultants that may be offered by MBI to participating municipalities, depending on geography and the alignment of a municipalities planning needs. MassTech will execute a **Services Agreement (Federally Funded)** (located [HERE](#)) with all prequalified consultants, which establishes the types of services the consultant is approved to provide, and the agreed upon rates. Entering into a Services Agreement does not commit MassTech, or any municipality, to use the consultant for any projects. Consultant(s) approved by MassTech for a specific planning service(s) will be provided to a participating municipality with aligning digital equity planning needs and within the consultants stated geography of service. Each time a municipality selects an approved consultant, MassTech will amend the Services Agreement with the selected vendor to add a municipality-specific scope of work and funding allocation. Consultants will be paid the base case fixed fees for each type of planning service provided and, if applicable as approved in the specific municipality's scope of work, additional fees tied to approved hourly rates for additional services or an expanded scope of work when the planning activities exceed the base case parameters. Any expanded scope of work and associated additional fees, determined during the performance of the work, must be approved in advance in writing by MassTech and if approved shall be incorporated into an amended scope of work/task order. Consultants prequalified through this RFQ will not contract directly with the municipalities. Federal flow down provisions will be incorporated into the Services Agreement.

3 APPLICATION PROCESS

3.1 Application and Submission Instructions

Respondents are cautioned to read this RFQ carefully and to conform to its requirements. Failure to comply with the requirements of this RFQ may serve as grounds for rejection of an Application.

- a. All full Applications **must** be submitted electronically, in Microsoft Word, to proposals@masstech.org (please include the Solicitation number in the subject heading).
- b. Required Submissions- All Applications must include the items listed below:
 - Application Cover Sheet ([Attachment A](#))
 - Application, which shall include:
 - A description of the firm responding to the RFQ (including descriptions of proposed subcontractors, if any) and the firm's qualifications to perform the Services including references to other projects/planning activities where these Services have been successfully implemented. Describe any lessons learned from these projects that are relevant to the Services that the Respondent would provide under the Municipal Planning Program. Specifically, please state whether the Respondent completed any previous work related to digital equity/broadband planning. Please provide specific examples and links to any published materials.
 - If the Respondent has not completed any previous work in digital equity/broadband planning, please describe how the Respondent would go about building the skill set and knowledge to become proficient in this new topic area.
 - For each Service Option listed in 2.2 that the Respondent seeks to be prequalified for, provide the approach that would be taken. Respondent should provide a base case fixed fee price proposal for each Service Option. The base case fixed fee price proposal shall be supported by the Respondent's key assumptions that informed the development of the base case, the projected level of effort, the timeline for providing the services, and the variables that

- would impact costs or timeline from the base case assumptions. Respondents should also provide the hourly rates for each member of the project team that will be involved in providing the services.
- For each type of service option, provide a list of the Respondent's staff that would support related activities, including names, titles, and the hourly billable rate that would be charged for each staff and total costs assumptions for a base case municipality for each planning service option. Please provide this information in the Budget Template (Attachment C). As a general policy, the Mass Tech Collaborative does not pay mark-ups on reimbursables or out-of-pocket expenses. MassTech does not pay for any alcoholic beverages. For travel costs, the Mass Tech Collaborative pays the IRS rate per mile.
 - Respondents are also invited to propose alternative(s) which provide substantially better or more productive or cost-effective structures than as stated in this RFQ scope of services.
 - Three references for work previously performed by the Respondent that is substantially similar to the Services for which the Respondent seeks prequalification. References should include a contact person, address and phone number.
 - The names of the municipalities or counties within the Respondents service area within which they would be available to provide planning services.
 - Identify Respondent's staff that would provide services in the following areas and provide their qualifications and related experience in the following areas.
 - Community Engagement
 - Meeting Facilitation
 - Development of Actionable and Quantifiable Recommendations
 - Data Analysis and Mapping
 - Project Management
 - Translation/Interpretation capacity in Spanish, Haitian Creole, Khmer, Vietnamese, Arabic, Portuguese, Chinese, and other major languages spoken in the Commonwealth.
 - Respondents may need to sub-contract with specialized organizations for community engagement or technology/technical components of the planning process. Please describe where the Respondent anticipates a need or benefit from additional on the ground resources.
- It should be noted in the Application if the firm and/or any subcontractors is a minority business enterprise, women's business enterprise or a labor surplus area firm (based on the Fiscal Year 2022 list of areas published by the United States Department of Labor).
 - Authorized Application Signature and Acceptance Form (Attachment B). **By executing the Authorized Respondent's Signature and Acceptance Form and submitting a response to this RFQ, Respondents certify that they (1) are in compliance with the terms, conditions and specifications contained in this RFQ, (2) acknowledge and understand the procedures for handling materials submitted to the Mass Tech Collaborative as set forth in subsection d. below, (3) agree to be bound by those procedures, and (4) agree that the Mass Tech Collaborative shall not be liable under any circumstances for the disclosure of any materials submitted to the Mass Tech Collaborative pursuant to this RFQ or upon the Respondent's selection.**
 - Exceptions to the *Services Agreement (Federally Funded)*, located at [HERE](#), if any.

- c. Applications **must** be delivered as follows:

Electronic versions must be submitted to-

proposals@masstech.org (please include the RFQ number in the subject heading).

- d. Any and all responses, Applications, data, materials, information and documentation submitted to Mass Tech Collaborative in response to this RFQ shall become Mass Tech Collaborative’s property and shall be subject to public disclosure. As a public entity, the Mass Tech Collaborative is subject to the Massachusetts Public Records Law (set forth at Massachusetts General Laws Chapter 66). There are very limited and narrow exceptions to disclosure under the Public Records Law. If a Respondent wishes to have the Mass Tech Collaborative treat certain information or documentation as confidential, the Respondent must submit a written request to the Mass Tech Collaborative’s General Counsel’s prior to submission. The request must precisely identify the information and/or documentation that is the subject of the request and provide a detailed explanation supporting the application of the statutory exemption(s) from the public records cited by the Respondent. The General Counsel will issue a written determination within ten (10) business days of receipt of the written request. If the General Counsel approves the request, the Respondent shall clearly label the relevant information and/or documentation as “**CONFIDENTIAL**” in the Application. Any statements in an Application reserving any confidentiality or privacy rights that is inconsistent with these requirements and procedures will be disregarded.

3.2 Application Timeframe

The application process will proceed according to the following schedule. The target dates are subject to change. Therefore, Respondents are encouraged to check Mass Tech Collaborative’s website and CommBuys frequently for updates to the schedule. While Applications shall be accepted on a rolling basis, Respondents are encouraged to submit Applications to the earliest quarterly submission deadline as the Municipal Planning Program will be launched in the Fall of 2022.

Task	Date:
RFQ Released	September 14, 2022
Initial Questions Due	September 30, 2022 @ 5 PM EST
Initial Question and Answer File Posted	October 6, 2022 @ 5 PM EST
Updated Bidders Conference	September 28, 2022 @ 3 PM EST
Initial Applications Due	October 17, 2022 @ 5 PM EST
Subsequent Quarterly Application Submission Deadlines	December 5, 2022 @ 5 PM EST March 13, 2023 @ 5PM EST June 12, 2023 @ EST September 11, 2023 @ 5:00 PM EST

3.3 Questions

Questions regarding this RFQ must be submitted by electronic mail to proposals@masstech.org with the following Subject Line: “Questions – RFQ No. 2023-MBI-03”). Initial questions must be received by 5:00 p.m. EST on September 30. Responses to initial questions received will be posted on or before 5:00 p.m. on October 6 to Mass Tech Collaborative and Comm-Buys website(s). Thereafter responses to questions will be posted on a rolling basis up to two weeks prior to an application submission deadline.

3.4 Respondents' Videoconference

A Respondents' videoconference will be held on September 28, 2022 at 3:00 pm. To register, please follow this [link](#) to a Zoom registration page. MassTech Collaborative will post summary responses to procedural questions and issues addressed at the respondents' teleconference on the MassTech Collaborative's and the COMMBUYS websites.

4 EVALUATION PROCESS AND CRITERIA

4.1 Process

The Mass Tech Collaborative shall evaluate each Application that is properly submitted. As part of the selection process, Mass Tech Collaborative may invite finalists to answer questions regarding their Application in person or in writing. In its sole discretion, Mass Tech Collaborative may also choose to negotiate with Respondent(s).

4.2 Criteria

Selection of a Respondent to provide the services sought herein may be based on criteria that include but are not limited to:

- Documented previous work related to digital equity/broadband planning
- Demonstrated expertise, approach, and ability to execute all activities associated with the service option(s) the Respondent seeks to be prequalified in, as outlined in Section 2.2
- Staff qualifications in:
 - o Community Engagement
 - o Data Analysis and Mapping
 - o Project Management
 - o Translation/Interpretation in Spanish, Haitian Creole, Khmer, Vietnamese, Arabic, Portuguese, Chinese, and other major languages spoken in the Commonwealth.
- Status of the Respondent and/or any subcontractor(s) as a minority business enterprise, women's business enterprise or a labor surplus area firm.
- Reasonableness of Fee Structures and Hourly Rates Offered

Lack of debarment status by either the state or federal government is also required.

The order of these factors does not generally denote relative importance. The goal of this RFQ is to select and enter into Agreements with the Respondents that will provide the best value for the Services to achieve MassTech Collaborative's goals and meet municipalities' needs. Mass Tech Collaborative reserves the right to consider such other relevant factors as it deems appropriate in order to obtain the "best value".

5.0 GENERAL CONDITIONS

5.1 General Information

- a) If an Application fails to meet any material terms, conditions, requirements or procedures, it may be deemed unresponsive and disqualified. The Mass Tech Collaborative reserves the right to

waive omissions or irregularities that it determines to be not material.

- b) This RFQ, as may be amended from time to time by Mass Tech Collaborative, does not commit Mass Tech Collaborative to select any firm(s), award any contracts for services pursuant to this RFQ, or pay any costs incurred in responding to this RFQ. Mass Tech Collaborative reserves the right, in its sole discretion, to withdraw the RFQ, to engage in preliminary discussions with prospective Respondents, to accept or reject any or all Applications received, to request supplemental or clarifying information, to negotiate with any or all qualified Respondents, and to request modifications to Applications in accordance with negotiations, all to the same extent as if this were a Request for Information.
- c) On matters related solely to this RFQ that arise prior to an award decision by the Mass Tech Collaborative, Respondents shall limit communications with the Mass Tech Collaborative to the Procurement Team Leader and such other individuals as the Mass Tech Collaborative may designate from time to time. No other Mass Tech Collaborative employee or representative is authorized to provide any information or respond to any questions or inquiries concerning this RFQ. Respondents may contact the Procurement Team Leader for this RFQ in the event this RFQ is incomplete.
- d) The Mass Tech Collaborative may provide reasonable accommodations, including the provision of materials in an alternative format, for Respondents with disabilities or other hardships. Respondents requiring accommodations shall submit requests in writing, with supporting documentation justifying the accommodations, to the Procurement Team Leader. The Mass Tech Collaborative reserves the right to grant or reject any request for accommodations.
- e) Respondent's Application shall be treated by the Mass Tech Collaborative as an accurate statement of Respondent's capabilities and experience. Should any statement asserted by Respondent prove to be inaccurate or inconsistent with the foregoing, such inaccuracy or inconsistency shall constitute sufficient cause for Mass Tech Collaborative in its sole discretion to reject the Application and/or terminate of any resulting Agreement.
- f) Costs that are not specifically identified in the Respondent's response and/or not specifically accepted by Mass Tech Collaborative as part of the Agreement or determined ineligible under the applicable federal guidelines will not be compensated under any contract awarded pursuant to this RFQ.
- g) Mass Tech Collaborative's prior approval is required for any subcontracted services under any Agreement entered into as a result of this RFQ. The selected Respondent will take all appropriate steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. The selected Respondent is responsible for the satisfactory performance and adequate oversight of its subcontractors. Subcontractors are required to meet the same requirements and are held to the same reimbursable cost standards as the selected Respondent.
- h) Submitted responses must be valid in all respects for a minimum period of sixty (60) days after the deadline for submission.
- i) Mass Tech Collaborative reserves the right to amend the Agreement at any time prior to execution. Respondents should review the Agreement as they are required to specify any exceptions to the Agreement and to make any suggested counterproposal in their Application. A failure to specify exceptions and/or counterproposals will be deemed an acceptance of the Agreement's general terms and conditions, and no subsequent negotiation of such provisions shall be permitted.
- j) The MassTech Collaborative's prior approval is required for any subcontracted services under any Agreement entered into as a result of this RFQ. The selected Respondent will take all appropriate steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. The selected Respondent is responsible for the satisfactory performance and

adequate oversight of its subcontractors. Subcontractors are required to meet the same requirements and are held to the same reimbursable cost standards as the selected Respondent.

- k) The MassTech Collaborative embraces a workplace where the values of diversity and inclusion support varying perspectives and backgrounds to produce a richer environment. MassTech expects Respondents as well as all our consultants, contractors and vendors, to demonstrate a similar commitment and, pursuant to 2 C.F.R. § 200.321(a), take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. If Respondent will be subcontracting under this RFP, affirmative steps must include at least the following six steps: 1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists; 2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources; 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises; 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and 6. Requiring all subcontractors to take the same affirmative steps as listed in numbers 1 through 5.
- l) Respondent shall not discriminate against any qualified employee or applicant for employment because of race, color, national origin, ancestry, age, sex, religion, physical or mental handicap, or sexual orientation. Respondents shall comply with all applicable Federal and State statutes, rules and regulations prohibiting discrimination in employment including but not limited to: the Americans with Disabilities Act, as amended (42 U.S.C. §§ 12101 et seq.), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. §§ 2000d et seq.), the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), M.G.L. c. 151B, M.G.L. c. 272 §§ 92A, 98, and 98A, M.G.L. c. 111 § 199A, 42 U.S.C. 9918 (c) and 45 C.F.R. 80.
- m) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) – Respondent's that are awarded an amount exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- n) Debarment and Suspension- (Executive Orders 12549 and 12689) – Respondents understand that a contract award may not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM).
- o) Respondent's must be able to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- p) As appropriate and to the extent consistent with law, Respondents should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. The requirements of this section must be included in all contracts and sub awards awarded hereunder.
- q) Respondent understands and agrees that the Executive Office of Housing and Economic Development ("EOHED") staff and authorized representatives may evaluate any subcontractors with whom MBI and/or Mass Tech Collaborative executes a contract or other form of legal agreement in order to complete the activities funded under this RFP/Solicitation,

through ongoing monitoring. As deemed appropriate by EOHEd, EOHEd's staff and authorized representatives may also conduct further reviews and site-visits during the contract term, which may include fiscal reviews. EOHEd staff shall use interviews, inspection of files, site visits and direct observation to identify program areas of concern so that contractors can improve their productivity, efficiency, quality, and management capacity.

- r) The awarded Respondent shall maintain and utilize systems and procedures to prevent, detect, and correct fraud, waste, and abuse in activities funded under this RFQ.
- s) Pursuant to 2 C.F.R. § 200.303, the awarded Respondent shall establish effective control over, and accountability for, all funds, property, and other assets funded under this RFQ and assure that they are used solely for authorized purposes.
- t) The awarded Respondent shall maintain an accounting system and supporting fiscal records adequate to audit and otherwise verify that assistance payments and administrative costs meet Federal and State requirements.
- u) The Awarded Respondent shall use its best efforts to ensure that it will not knowingly use contract funds to purchase, or enter into contracts to purchase, any equipment, services, or systems that use prohibited telecommunications equipment or services as a substantial or essential component of a system subject to 2 CFR § 200.216.

5.2 Commonwealth of Massachusetts Coronavirus State Fiscal Recovery Funds Terms and Conditions

- a) Use of Funds.
 - I. The Awarded Respondent will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
- b) Period of Performance. The period of performance for this award will not extend beyond December 31, 2026.
- c) Maintenance of and Access to Records.
 - I. The Awarded Respondent shall maintain records and financial documents sufficient to evidence compliance with any guidance provided by the Commonwealth.
 - II. The Treasury Office of Inspector General and the Government Accountability Office, the Executive Office of Administration and Finance, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Awarded Respondent related to the RFQ in order to conduct audits or other investigations.
 - III. Records shall be maintained by Awarded Respondent for a period of five (5) years after all funds have been expended or returned to the Commonwealth, whichever is later.
- d) Conflicts of Interest. The Awarded Respondent understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Awarded Respondent must disclose in writing to the Commonwealth, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.
- e) Compliance with Applicable Law and Regulations.
 - I. Federal regulations applicable to this award include, without limitation, the following:
 - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury.
 - ii. OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.

- iii. Awarded Respondent Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
 - iv. Generally applicable federal environmental laws and regulations.
 - II. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
 - i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
 - ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
 - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
 - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
 - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
- f) False Statements. The Awarded Respondent understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.
- g) Protections for Whistleblowers.
 - I. In accordance with 41 U.S.C. § 4712, the Awarded Respondent may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
 - II. The list of persons and entities referenced in the paragraph above includes the following:
 - i. A member of Congress or a representative of a committee of Congress;
 - ii. An Inspector General;
 - iii. The Government Accountability Office;
 - iv. A Treasury employee responsible for contract or grant oversight or management;
 - v. An authorized official of the Department of Justice or other law enforcement agency;
 - vi. A court or grand jury; or
 - vii. A management official or other employee of Awarded Respondent, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
 - III. The Awarded Respondent shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.
- h) Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Awarded Respondent should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.
- i) Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Awarded Respondent should encourage its employees, subrespondents, and

contractors to adopt and enforce policies that ban text messaging while driving, and Awarded Respondent should establish workplace safety policies to decrease accidents caused by distracted drivers.

5.3 Posting of Modifications/Addenda to RFQ

This RFQ has been distributed electronically using the Mass Tech Collaborative and COMMBUYS websites. If the Mass Tech Collaborative determines that it is necessary to revise any part of this RFQ, or if additional data is necessary to clarify any of its provisions, an addendum will be posted to the websites. It is the responsibility of each potential Respondent to check the Mass Tech Collaborative, MBI and COMMBUYS websites for any addenda or modifications to the RFQ. The Mass Tech Collaborative accepts no liability and will provide no accommodation to Respondents who submit a response based on an out-of-date RFQ.

Attachment A
Application Cover Sheet

Name of Respondent			
Mailing Address	City/Town	State	Zip Code
Telephone	Fax	Web Address	
Primary Contact for Clarification		Primary Contact E-mail Address	
Authorized Signatory		Authorized Signatory E-mail Address	
Legal Status/Jurisdiction (e.g., a Massachusetts Corporation, LLC, LLP, etc.)		Respondents DUNS No.	
Status of Respondent and/or subcontractor(s) as a minority business enterprise, women's business enterprise or a labor surplus area firm.			

Attachment B
Massachusetts Technology Collaborative
Authorized Respondent's Signature and Acceptance Form

The undersigned is a duly authorized representative of the Respondent listed below. The Respondent has read and understands the RFQ requirements. The Respondent acknowledges that all of the terms and conditions of the RFQ are mandatory, and that Respondent's response is compliant with such requirements.

The Respondent understands that, if selected by the Mass Tech Collaborative, the Respondent and the Mass Tech Collaborative will execute an Agreement specifying the mutual requirements of participation. The undersigned has either (*please check one*):

- specified exceptions and counter-proposals to the terms and conditions of the **Services [Agreement](#)**; **(Federally Funded)** or
- agrees to the terms and conditions set forth therein;

The undersigned acknowledges and agrees that the failure to submit exceptions and counter-proposals with this response shall be deemed a waiver, and the Agreement shall not be subject to further negotiation.

Respondent agrees that the entire bid response will remain valid for sixty (60) days from receipt by the Mass Tech Collaborative.

I certify that Respondent is in compliance with all corporate filing requirements and State tax laws.

I further certify that the statements made in this response to the RFQ, including all attachments and exhibits, are true and correct to the best of my knowledge.

Respondent: _____
(Printed Name of Respondent)

By: _____
(Signature of Authorized Representative)

Name: _____

Title: _____

Date: _____

Attachment C
Budget Template

SEE EXCEL SPREADSHEET