



June 27, 2018

Dear Potential Provider:

The Cannabis Control Commission (Commission) requests response from individuals and entities interested in developing and providing professional training, technical assistance, mentoring and associated materials and services, to support eligible applicants and individuals for the Social Equity Program. **The purpose of this request is to create an approved list of individuals and entities who are qualified and capable of providing the full range of training materials and services that Commission may require from time to time.** The services will include, but are not limited to, the categories set forth in the Scope of Services in Section 3.0 of the Request for Qualifications (RFQ), which can be obtained at CommBUYS' website, <https://www.commbuys.com/bsol/>, and at the Commission's website, <https://mass-cannabis-control.com/>.

Further instructions for response submission are included in the attached RFQ. To pose questions concerning the RFQ, a provider must submit an electronic copy of its questions via email by 5:00 p.m., Eastern Standard Time (EST), 8/9/18. To be considered by the Commission, a provider must submit an electronic copy of its response via email by 5:00 p.m., EST, 8/9/18.

We appreciate the time and effort required to respond to this RFQ. Everyone submitting a response can be assured that commensurate time and effort will be expended in evaluating the responses that are submitted for consideration. We look forward to your response.

Sincerely,

Shawn Collins, Executive Director

REQUEST FOR QUALIFICATIONS (RFQ)  
FOR SOCIAL EQUITY TRAINING MATERIALS & SERVICES

June [27], 2018

Key Procurement Dates\*

[REDACTED]

RFQ ISSUED 06/27/18

[REDACTED]

PROVIDERS' WRITTEN INQUIRIES CONCERNING RFQ

DUE 08/09/18

[REDACTED]

COMMISSION'S WRITTEN RESPONSES POSTED ON COMMBUYS

08/23/18

[REDACTED]

PROVIDERS' RESPONSES TO PROPOSALS

DUE 09/07/18

PROVIDERS' SUBMISSION OF REQUIRED FORMS

DUE 09/07/18

[REDACTED]

EVALUATION COMMITTEE INTERVIEWS FINALISTS, IF NECESSARY

09/24/18 to 09/28/18

[REDACTED]

ANTICIPATED ANNOUNCEMENT OF APPROVED PROVIDER LIST

10/18/18

ANTICIPATED CONTRACT WITH INDIVIDUAL PROVIDERS

On an as-needed basis.

[REDACTED]

[REDACTED]

\* All deadlines are 5:00PM on the date listed unless otherwise specified.

ELECTRONIC SUBMISSION INFORMATION

CommBUYS' website

<https://www.commbuys.com/bs/>

Commission's website

<https://mass-cannabis-control.com/>

HARDCOPY SUBMISSIONS INFORMATION

Shawn Collins, Executive Director

Massachusetts Cannabis Control Commission

101 Federal Street, 13<sup>th</sup> Floor Boston, MA 02110

617-701-8400

[CannabisCommission@State.MA.US](mailto:CannabisCommission@State.MA.US)

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## Introduction & Procurement Requirements

This Request for Qualifications (RFQ) is issued by the Commonwealth of Massachusetts Cannabis Control Commission (Commission). The purpose of this RFQ is to solicit proposals for developing and providing professional training, technical assistance, mentoring, and associated materials and services, to support applicants and licensees eligible for the Social Equity Program established under 935 CMR 500.105(17). The providers who demonstrate the qualifications and capacities to provide the professional training materials and services will be placed on a Provider List. On an as-needed basis, the Commission will use the list to implement the program.

The intent of this RFQ is to qualify responsible Providers whose proposals conform to this RFQ and are most beneficial to the Commission and the Social Equity Program. The successful Providers will demonstrate familiarity with the legal requirements for the program. Experience, quality, price, timeliness, and other factors will also be considered.

The Commonwealth's Standard Contract and Standard Terms and Conditions apply to all contracts or purchase agreements made with the Commission. These standard forms are in addition to the terms and conditions set forth in this RFQ, and in any Statement of Work that may be negotiated by the Commission and the successful Providers and should be read in conjunction with them unless the RFQ specifically indicates otherwise. The standard forms are necessary and required components of any agreement entered for the acquisition of goods and the performance of services. They are non-negotiable. In submitting this RFQ, you are responsible for submitting an executed Standard Contract and Terms and Conditions, the links to which are provided below.

The Commission anticipates that responses to this RFQ may be subject to a public records request. The Massachusetts Public Records Law (PRL), found at M.G.L. c. 66, § 10, applies to records made or received by a Massachusetts agency. Unless the requested records fall under an exemption to the PRL, the responsive documents must be made available to a requester. For this reason, the Commission asks Providers to submit a second copy of its materials that redacts records or portion of records that fall under the exemptions to the PRL. A link to a guide to the PRL is provided below.

### a. BACKGROUND

The Commission is responsible for safely, equitably and effectively implementing the laws governing the adult-use marijuana industry in the Commonwealth, specifically, M.G.L. c. 94G and 935 CMR 500.000 (the regulations), and the enabling legislation, St. 2016, c. 334, The Regulation and Taxation of Marijuana Act, as amended by St. 2017, c. 55, An Act to Ensure Safe Access to Marijuana, (collectively, the marijuana laws). Although the Commission will also assume responsibility for the medical-use marijuana program no later than December 31, 2018, the Social Equity Program is part of the adult-use marijuana program.

The purpose of this RFQ is to qualify individuals and entities for the implementation of the Social Equity Program established under 935 CMR 500.105(17), which requires that the Commission provide professional training and technical assistance to eligible applicants and licensees which may include, but shall not be limited to:

1. Management, recruitment and employee trainings;
2. Accounting and sales forecasting;
3. Tax prediction and compliance;
4. Legal compliance;
5. Business plan creation and operational development;
6. Marijuana industry best practices; and
7. Assistance with identifying or raising funds or capital.

To the extent that Providers must abide by any statutory and regulatory requirements established by the Commission whether currently in place, or yet to be established, they are encouraged to familiarize themselves with G.L. c. 94G and 935 CMR 500.000, available at the website, <https://www.mass.gov/files/documents/2018/03/27/935cmr500.pdf>, and to check the website regularly.

#### **b. GENERAL PROCUREMENT REQUIREMENTS**

The issuance of this RFQ is consistent with the principles that govern the procurement of goods and services by state agencies, to the extent that the Commission seeks to acquire training materials and services through a competitive process.

All responses must be submitted in accordance with the specific terms of this RFQ. The Commission reserves the right to amend this RFQ at any time prior to the date the responses are due. Any such amendment will be posted to the Commonwealth's procurement website, CommBUYS (see below for information on CommBUYS), and the Commission's website. All responses must be submitted in accordance with specifications established in this RFQ, including in Section 3.0. Providers are cautioned to check these sites regularly, as these provide notice of changes (see Section below for more information).

The Commission reserves the right to cancel the procurement at any time and without notice. It makes no guarantee that a contract, or an obligation to purchase materials or services, will result from this RFQ. It also reserves the right to conduct additional bids based on the Provider List established by this RFQ and to separately procure related or additional materials and services that are the subject of or related to this procurement, when deemed by the Commission to be in its best interest.

#### **c. PROCUREMENT CHARACTERISTICS**

- Acquisition method: Time and materials
- Single or multiple vendor(s): Multiple
- Use of Procurement by single or multiple agencies: Single
- Anticipated Duration of Contract: The initial duration of a contract that may result from this RFQ shall be one (1) year from the date on which it is awarded. A contract may be extended in any increment at the discretion of the Commission up to a maximum term, including all contract extensions, of two (2) one-year

extensions for a maximum contract duration from initial term to maximum extensions of four (4) years. The Commission reserves the right to include language in a Statement of Work that allows for an option to renew the contract.

- Anticipated Payment Structure: The vendor will be paid in accordance with the Commission and the Commonwealth’s bill-paying policies. The vendor will be paid for services rendered, after submission and approval of invoices.

d. **PROCUREMENT TIMETABLE**

RFQ ISSUED 06 / 27 /18
PROVIDERS’ WRITTEN INQUIRIES CONCERNING RFQ DUE 07/ 11 /18
COMMISSION’S WRITTEN RESPONSES POSTED ON COMMBUYS 07/ 18 /18
PROVIDERS’ RESPONSES TO PROPOSALS DUE 07/ 25 /18
PROVIDERS’ SUBMISSION OF REQUIRED FORMS DUE 07/ 25 /18
EVALUATION COMMITTEE INTERVIEWS FINALISTS, IF NECESSARY 08/ 6 /18 to 8/ 10 /18
ANTICIPATED ANNOUNCEMENT OF APPROVED PROVIDER LIST 08/ 15 /18
ANTICIPATED CONTRACT WITH INDIVIDUAL PROVIDERS On an as-needed basis.

**LATE RESPONSES WILL NOT BE CONSIDERED.** Unless otherwise specified, the time of day for the following events shall be between 9:00 a.m. and 5:00 p.m., Eastern Standard Time (EST). All other times specified in this RFQ are EST. Responses and attachments received after this deadline date and time will not be evaluated. A facsimile response will not qualify as a “submission” for deadline purposes in advance of or in lieu of a hard-copy submission.

The Cost Proposal may be submitted in the same package as the rest of the response, but must be submitted separately in a sealed envelope with “Cost Proposal” clearly labeled. Failure to meet this requirement will result in disqualification of the bid.

The Commission may adjust the requirements and schedule as it deems necessary. Notification of any adjustment to the RFQ Timetable will be posted on CommBUYS website, and the Commission’s website.

## 2. SCOPE OF SERVICES

### a. GENERAL

The Commission seeks Providers to develop face-to-face and on-demand curriculum as well as provide professional training, technical assistance, mentoring, and associated materials and services, for individuals and businesses seeking assistance with entry into the adult-use marijuana industry through the Social Equity Program.

To contract with the Commission, Providers must demonstrate a reputation for providing services in a manner that is professional, unbiased, and independent. Positive references must be available from private or public-sector clients for the specific services solicited.

**The Social Equity Program’s goals include providing professional support and services to individuals from communities that have been disproportionately harmed by the criminalization of marijuana, to address the disparities in their life circumstances and improve the quality of life in their communities; reduce barriers to entry in the adult-use marijuana industry; and promote sustainable, socially and economically reparative practices in the adult-use marijuana industry in the Commonwealth.**

The vendor will work with Commission for the specific purposes of:

- i. Providing education and training for entry into various areas of the marijuana industry.
  1. Management, recruitment and employee trainings;
  2. Accounting and sales forecasting;
  3. Tax prediction and compliance;
  4. Legal compliance;
  5. Business plan creation and operational development;
  6. Marijuana industry best practices; and
  7. Assistance with identifying or raising funds or capital.
- ii. **Supporting and training individuals and business in areas of disproportionate impact by providing skills to address their disparities in life circumstances and improve their and their communities’ quality of life; while improving the quality of life in areas of disproportionate impact.**
  1. Areas of disproportionate impact include 29 cities based primarily on arrest rates. The 29 areas are Abington; Amherst; Boston; Braintree; Brockton; Chelsea; Fall River; Fitchburg; Greenfield; Haverhill; Holyoke; Lowell; Lynn; Mansfield; Monson; New Bedford; North Adams; Pittsfield;



Quincy; Randolph; Revere; Southbridge; Spencer; Springfield; Taunton; Walpole; Wareham; West Springfield; and Worcester.

- a. Only certain neighborhoods in Boston, Lowell, Springfield and Worcester (cities with a population of more than 100,000 people) are designated by the Commission as areas of disproportionate impact. Please refer to the Commission’s guidance document to determine if the neighborhood or street falls in an area of disproportionate impact.
  - b. Areas of disproportionate impact will be reevaluated and periodically re-designated.
2. Disproportionately impacted individuals and/or groups include minorities (specifically those who identify as Black/African American and Latino/Hispanic), women, veterans, and farmers.

**b. PHASE 1 ACTIVITIES.**

- Curriculum development designed to inform the development of the individual/business and their needs.
- Development of learning materials.
- Coursework delivery.
- Conversion of curriculum into digital content for each target audience.
- Development of collateral materials for use on [masscannabiscontrol.com](http://masscannabiscontrol.com) as well as dissemination through community partners.

**c. PHASE 2 ACTIVITIES**

- Placement and monitoring of applicants in trainings, technical assistance, and/or mentoring.
- Orientation – On-site training.
- Reporting on effectiveness of each element and plans for adjusting as needed to ensure most effective avenues are being utilized.
- Developing recommendations for future phases and iterations of the program.
- Developing and/or revising trainings for additional audiences and marijuana-related issues.
- Developing and collecting evaluations from participants from each training.

In recognition of the increasing diversity of platforms on which consumers get information, the Commission requires that any produced video messages can be syndicated through a variety of platforms including, but not limited to, traditional broadcast television, local cable access, YouTube, and other social media and web-based platforms. All formats must meet state accessibility requirements for the sight and hearing impaired; including closed captioning; alternate file formats accessible by screen readers; content transcripts; and other requirements as provided by the Commission.

The Commission will own and distribute all materials through its websites and our existing social media accounts. All materials will also be made available to local municipalities and programs across the Commonwealth to distribute to their residents via their communications channels.

#### d. PERFORMANCE REQUIREMENTS

The Commission is endeavoring to deliver the best value to facilitate our needs. However, it is important to measure the Provider's performance to ensure the engagement is compliant with what has been requested and what the Provider has offered in this RFQ. The following performance areas will be subject to measurement:

- Timely delivery (commodities, services, reports, billing, etc.)
- Responsiveness to commission Inquiries
- Quality of deliverables (commodities, services, reports, etc.)
- Performance targets/benchmarks (quantities, outcomes, etc.)
- Attendance at scheduled meetings
- Adherence to policies and procedures of the commission

#### e. ENGAGEMENT PERFORMANCE MONITORING

To ensure performance monitoring, the selected vendor(s) will be required to update the Commission on progress toward the goals of the engagement by submitting training evaluations from participants with timely communication, which can be by email, telephone, or in-person meetings.

### 3. RESPONSE REQUIREMENTS

#### a. GENERAL SUBMISSION INSTRUCTIONS

Complete responses must be submitted by the date listed in the Procurement Timetable, no later than 5:00 p.m., EST. Responses must be as directed below to:

Shawn Collins  
Executive Director  
Massachusetts Cannabis Control Commission  
101 Federal Street, 13<sup>th</sup> Floor  
Boston, MA 02110  
617-701-8400

The Provider may submit their response electronically or via physical delivery using the following instructions:

If response is delivered physically, at least one physical copy for each RFQ must be submitted. To submit via physical delivery:

- Submission must be logged into the reception desk at the Commission located at 101 Federal Street, 13<sup>th</sup> Floor, Boston, Massachusetts, 02110, on or before the date and time listed in this document;
- Provide one (1) original document with original signatures.
- Business responses must be separately packaged from the cost response and the cost response must be in a separately sealed envelope.
- Ensure that you receive a written confirmation of timely receipt
- Provide a single PDF electronic copy of the business submission in electronic form (USB flash drive)

- Provide a single PDF electronic copy of the cost response in electronic form (USB flash drive)
- Providers may call the Commission 617-701-8400 to determine if the Commission is in receipt of their submission. However, only a physical receiving receipt will be considered authoritative if there is a dispute.

To submit via email (electronically) delivery:

- Submission must be received at the following email address [CannabisCommission@mass.gov](mailto:CannabisCommission@mass.gov) on or before the date and time listed in this document (submissions even slightly late will not be accepted even if the delay is not caused by the organization submitting the proposal).
- Sending party is solely responsible for ensuring receipt at the Commission by the proper time and date. The Commission will provide a return email confirming receipt of the email. It is therefore highly recommended (but not mandatory) that Providers submitting electronically transmit their response at least three (3) hours prior to the closing deadline to have sufficient time to re-submit should there be a failure in receipt.
- Provide a single PDF electronic copy of the business submission in electronic form.
- Provide a single PDF electronic copy of the cost response in electronic form.
- Providers may call the Commission at 617-701-8400 to determine if the Commission is in receipt of their submission. However, only an email receipt confirmation will be considered authoritative if there is a dispute.
- Provide one (1) original document with original signatures which must be physically delivered to the Commission within three days of the official due date.
- Business responses must be separately packaged from the cost response and the cost response must be in a separately sealed envelope.

#### b. COMPLETE RESPONSE

A complete response must be submitted in the following format:

- Proposal must adhere to the page limits described below (excluding required forms, tables listing client references and résumés, which may be attached as exhibits).
- Each copy should be labeled with the name of the response document it contains.
- The sections of the response documents should be identified by either a separator page (if submitted electronically) or numbered/labeled tab (if submitted in hardcopy) to match the order and names of the sections listed in the checklist below.
- Complete Response Checklist (please structure your response in the same order listed)
  - Cover Letter; instructions provided in Section 3(b)i.
  - Required Forms and all forms are found in the “Forms and Terms” tab on CommBUYS; instructions provided in Section 3(b)ii.;
    - An executed Commonwealth Standard Contract Form an executed Commonwealth Standard Terms and Conditions
    - Contractor Authorized Signatory Listing
    - Massachusetts Substitute W-9 form – Request for Taxpayer Identification Number and Certification

- Certificate of Tax Compliance
- Authorization for Electronic Funds Payment (EFT)
- Prompt Payment Discount Form (PPD)
- Executive Order 504 Contractor Certification
- Consultant Contractor Mandatory Submission Form.
- Supplier Diversity Program (SDP) Plan
- Business Reference Form
- List of Potential Subcontractors
- Programmatic Response; instructions provided in Section 3(b)iii.;
- Cost Response MUST BE IN A SEPARATE SEALED ENVELOPE AND EMAIL; instructions provided in Section 3(c);
- A copy of the above-referenced materials appropriately redacted in accordance with the public records laws; instructions provided in Section 3(b)ii.

#### i. COVER LETTER

A cover letter that clearly states the name of the Provider organization, principal address, local (greater Boston) address (if applicable, and if different from principal address), website (if applicable), and the name, address, email, fax and telephone number of the Provider’s primary contact person. The letter must:

- Provide an executive summary of the Provider’s proposal, which identifies the services to be provided;
- Identify the name, title, address, phone number, and email address of the individual serving as the Provider’s primary contact;
- Be signed by an individual authorized to bind the Provider;
- Clearly commit the key personnel for a minimum of six (6) months from the response due date and describe the way subsequent staff or assignments will be made to ensure continuity;
- Clearly identify any significant subcontractors, their roles, and responsibilities for a minimum of six (6) months from the response due date and describe the way subsequent subcontract assignments will be made to ensure continuity; and
- Include a statement that the Provider’s proposal will remain in effect for at least 120 days or until a contract resulting from this RFQ is executed, whichever is earlier.

Unnecessary attachments or other documents not specifically asked for should not be submitted.

#### ii. REQUIRED FORMS & MATERIALS

Providers must submit as part of their business submission the following Commonwealth-required forms. All of the referenced forms are available on the forms and terms tab for this solicitation on CommBUYS ([www.commbuys.com](http://www.commbuys.com)).

- An executed Commonwealth Standard Contract Form
  - Although this form is non-negotiable, bidders must identify any objections or other obstacles to contracting with the Commission.
- An executed Commonwealth Terms and Conditions

- Although this form is non-negotiable, bidders must identify any objections or other obstacles to contracting with the Commission.
- Contractor Authorized Signatory Listing
- Massachusetts Substitute W-9 form – Request for Taxpayer Identification Number and Certification
- Certificate of Tax Compliance
- Authorization for Electronic Funds Payment (EFT)
- Prompt Payment Discount Form (PPD)
- Executive Order 504 Contractor Certification
- Mandatory Submission Form Consultant Contractor, available at <http://www.mass.gov/ig/publications/forms/consultant-contractor-mandatory-submission-form.pdf>
- Supplier Diversity Program (SDP) Plan
- Business Reference Form
- List of Potential Subcontractors
  - Please note that it is the Commission’s policy not to enter into end-user agreements. Any such agreement and the necessity of that agreement must be identified as part of the Provider’s response or it will not be considered.

Redacted Materials. The Commission anticipates that materials submitted in response to this RFQ may be subject to a public records request. The Massachusetts Public Records Law (PRL), found at M.G.L. c. 66, § 10, applies to records made or received by a Massachusetts agency. Unless the requested records fall under an exemption to the PRL, the responsive documents must be made available to a requester. A list of exemptions may be found at M.G.L. c. 4, §§ (26). For additional information about the PRL, requestors can refer to the Secretary of the Commonwealth’s Public Records Division publication, A Guide to the Massachusetts Public Records Law (PDF), which may be found at <https://www.sec.state.ma.us/pre/prepdf/guide.pdf>.

For this reason, the Commission requires that Providers submit a second copy of all of its materials that redacts records or portion of records that fall under the exemptions to the PRL. The Commission reserves the right not to consider materials that have not been appropriately redacted. The Commission reserves the right to post appropriately redacted materials on its website in the event of such a request.

### iii. PROGRAMMATIC RESPONSE

As part of its programmatic response, the Provider shall describe its approach and plans for accomplishing the work outlined in the Scope of Work section, i.e., Section 3.0. The Provider must set forth its understanding of the requirements of this RFQ and its ability to successfully complete a contract.

Responses will be reviewed and evaluated according to the criteria set by the Commission, adherence to the submission requirements, experience working with impacted communities, proven ability to develop and deliver effective training and technical assistance services, and proven commitment to social equity.

## 1. PROVIDER STRUCTURE

The Provider shall provide a brief description of business organization, including its organizational structure, its scope of business, its internal organization, number of personnel, and relationship with subcontractors.

## 2. STRATEGIC APPROACH

The Provider shall set forth its overall strategic approach and plans to meet the requirements of the RFQ in a narrative format. This narrative should convince the Commission that the Provider understands the objectives that a contract is intended to meet, the nature of the required work, and the level of effort necessary to successfully complete a contract. It should convey that the Provider's detailed plans and approach proposed to complete the Scope of Work are realistic, attainable and appropriate and that the Provider's proposal will lead to successful contract completion. Mere reiterations of RFQ tasks and subtasks are strongly discouraged, as they do not provide insight into the Provider's qualifications and capacities to complete a contract.

Providers will differentiate themselves by demonstrating to the Commission that the Provider understands the cannabis industry, and has an approach, contacts and experience providing comparable services in the industry or a related industry.

### a. Required elements of response include rates, budget and deliverables.

- i. Describe your past and present experience developing and implementing curricula in any of the areas listed. Please be encouraged to identify all areas of expertise. Specify if this experience is directly tied to the marijuana industry. (15 points)
  1. Accounting and sales forecasting.
  2. Business plan creation and operational development.
  3. Farming best practices.
  4. Identifying/raising funds or capital.
  5. Management, recruitment, and employee trainings.
  6. Marijuana industry best practices.
  7. Navigating licensing/certification processes.
  8. Navigation of municipal processes.
  9. Tax prediction and legal compliance.
  10. Understanding and navigating law.
  11. Trade skills
  12. Other - Provide details, specify how this would be transferable to the marijuana industry.

**ii. Detail curriculum framework. (30 points)**

1. Specify how long the development of the curriculum will take, overall duration of the curriculum broken down in terms of number of sessions, teaching hours, months and/or years and the number of courses necessary to adequately train a participant. (Specify if you are able to provide alternative time frames).
  2. Specify the content to be learned in clear, definable standards of what the applicant should know and be able to do once the program concludes.
  3. Describe how the curriculum is related or transferable to the marijuana industry.
  4. Describe the location and area of your training site or your plan to procure space and appropriate equipment. Detail any spacing and equipment needs or limitations. (state-wide)
- iii. Describe your experience working specifically with minorities, veterans, women, farmers, or other disproportionately impacted communities. (10 points)
- iv. Describe experience developing effective digital content designed to reach various target audiences. (5 points)

**b. Appendix A - PAST & PRESENT EXPERIENCE**

- i. Provide up to 5 examples of your experience with providing trainings and/or technical assistance in areas of: management, recruitment, and employee trainings; accounting and sales forecasting; tax prediction and legal compliance; business plan creation and operational development; marijuana industry best practices; identifying/raising funds or capital; navigating licensing/certification processes; farming best practices; navigation of municipal processes; and understanding and navigating law. Examples must be able to be reviewed in under 10 minutes. (5 points)

c. **Appendix B – KEY & BACKUP STAFF & KEY RELATIONSHIPS**

- i. As described below, identify the manager and any other key staff who will routinely work with applicants. Briefly describe the relevant experience of each of those individuals. Describe your plan to obtain additional staff members if needed and whether you will be relying on subcontractors. (5 points)

d. **Appendix C - TIMELINE**

- i. Present a timeline to meet the deliverables in the scope of service. Include adequate time for the Cannabis Control Commission to approval of the initial concepts; initial draft and design samples; and final products. (10 points)

e. **Appendix D - BUDGET**

- i. Provide a detailed budget and justification, including hourly rates of the Project Manager and the hourly rates of other staff or consultants who will routinely work with applicants, within the allowable limits. Please provide the agency overhead or indirect fee for this campaign. (10 points)

f. **Appendix F – REFERENCES**

- i. The bidder shall provide references from at least three (3) organizations for which the bidder has provided services similar to the work contemplated by this RFR. Bidders are required to use the Business Reference Form posted along with this procurement on CommBUYS.

Responses must be limited to 5 narrative pages plus requested appendices. Narrative should use 12-point font and have 1-inch page margins. The appendices should each be submitted as a Word document, PDF or excel sheet with the appendices clearly numbered and marked in the title of the documents. Each answer should be numbered, because each question will be rated separately, unless the reader is referred to another specific answer. Electronic media should be able to be easily accessed.

### 3. **CONTRACT MANAGEMENT**

As part of the Strategic Overview, the Provider should describe its specific plans to manage, control and supervise a contract to ensure satisfactory contract completion according to the required schedule. The Provider should include the address of the Provider's office that will be responsible for managing a contract and the telephone number and name of the primary contact and its approach to communicate with the Commission's primary contact, including, but not limited to, status meetings, status reports, etc.

### 4. **KEY STAFF & ORGANIZATION**

- Contract-Specific Chart. The Provider should include a contract organization chart, with names showing management, supervisory and other key personnel (including subcontractor management, supervisory or other key personnel) to be assigned to a contract. The chart should include the labor category and title of each such individual.



- Chart for Entire Firm. The Provider should include an organization chart showing the Provider's entire organizational structure. This chart should show the relationship of the individuals assigned to a contract to the Provider's overall organizational structure.
- Resumes. Key staff must have demonstrated qualifications to provide professional training and technical assistance.
  - Detailed resumes should be submitted for all management, supervisory and key personnel to be assigned to a contract. Resumes should be structured to emphasize relevant qualifications and experience of these individuals in successfully completing contracts of a similar size and scope to those required by this RFQ. Resumes should include the following:
    - At the top of the resume, identify which of the following qualifications the individual possesses. It is highly desired that a most individuals possess at LEAST 3 of the following characteristics:
      - A minimum of ten (10) years of experience
      - Professional licensing experience
      - Cannabis or similar industry experience
      - Previous experience in completing each similar contract.
- Related contracts. The entity, and its staff, must have demonstrated experience providing comparable materials and services.
  - Beginning and ending dates should be given for each similar contract.
  - A description of the contract should be given and should demonstrate how the work on a completed contract relates to the ability to contribute to successfully providing the services required by this RFQ.
  - With respect to each similar contract, the Provider should include the name and address of each reference together with a person to contact for a reference check and a telephone number.

The Provider should provide detailed resumes for each subcontractor's management, supervisory and other key personnel that demonstrate knowledge, ability and experience relevant to that part of the work which the subcontractor is designated to perform.

## 5. BACKUP STAFF

The Provider should include a list of backup staff that may be called upon to assist or replace key individuals assigned. Backup staff must be clearly identified as backup staff. In the event the Provider must hire management, supervisory and/or key personnel if awarded a contract, the Provider should include, as part of its recruitment plan, a plan to secure backup staff in the event personnel initially recruited need assistance or need to be replaced during a contract term.

The Provider should provide documented experience to demonstrate that each subcontractor has successfully performed work on contracts of a similar size and scope to the work that the subcontractor is designated to perform in the Provider's proposal. The Provider must provide a detailed description of services to be provided by each subcontractor.

## 6. KEY RESOURCES

The Provider shall also provide a listing of the major resources and other sources (both domestic and international) that will enable the Provider to perform the services contemplated by this RFQ in a time-efficient and authoritative manner. These must include the following information:

- The individual or organization's name and address; and
- What this resource or information source will be used for.

The limit on each such contact is one (1) page.

## 7. FINANCIAL CAPABILITY OF THE PROVIDER

To provide the Commission with the ability to judge the Provider's financial capacity and capabilities to undertake and successfully complete a contract, the Provider should submit certified financial statements. If certified financial statements are not available, the Provider should provide either a reviewed or compiled statement from an independent accountant setting forth the same information required for the certified financial statements, together with a certification from the authorized individual, e.g., the Chief Executive Officer and the Chief Financial Officer, that the financial statements and other information included in the statements fairly present in all material respects the financial condition, results of operations and cash flows of the Provider as of, and for, the periods presented in the statements. In addition, the Provider should submit a bank reference. If the information is not supplied with the proposal, the Commission may still require the Provider to submit it. If the Provider fails to comply with the request within seven (7) business days, the Commission may deem the proposal non-responsive.

A Provider may designate specific financial information as not subject to disclosure when the Provider has a good faith legal/factual basis for such assertion. Provider may submit specific financial documents in a separate, sealed package clearly marked "Confidential-Financial Information" along with the Proposal. The Commission reserves the right to make the determination to accept or reject the assertion and shall so advise the Provider.

## 8. POTENTIAL PROBLEMS

In addition to the Strategic Overview, the Provider should set forth a summary of all problems that the Provider anticipates during the term of a contract. For each problem identified, the Provider should provide its proposed solution.

## 9. PAST OR PENDING PROFESSIONAL DISCIPLINE & LITIGATION

Each Provider shall describe any previous instances of past or pending professional discipline or litigation relevant to the services solicited by this RFQ.

## 10. POTENTIAL CONFLICTS OF INTEREST

Each Provider shall also describe any previous assignments undertaken for any entities which might pose a potential conflict of interest.

## 11. COST RESPONSE

The Provider must include with its response a table of Time and Material Rates that shall apply in the event that it contracts with the Commission and be valid during the entire term of a contract including extensions. The Commission prefers rates that are fully loaded inclusive of travel. All rates specified are to be firm and fixed throughout the term of a contract and any related extensions.

### Cost Response Table 1:

Blended Rate = \$ \_\_\_\_\_ per hour

OR

### Cost Response Table 2: Rates by Category

Rate Category	Category Description	Rate (\$)
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## 4. RESPONSE EVALUATION PROCESS

### a. EVALUATION PROCESS.

The RFQ Evaluation Process will be conducted in three phases. Staff and designated Commissioners at the Commission will conduct this portion of the review.

Phase I Review will be conducted for all proposal submissions. The purpose of the Phase I Review is to eliminate any bids that are nonresponsive to the requirements of the RFQ. Bids that are deemed to be qualified based on the Phase I Review will be submitted to the Procurement Management Team (PMT) for additional review (Phase II Review). The PMT will make a recommendation to the Commissioners who will then accept or reject the recommendation of the PMT. (Phase I through Phase III of this RFQ will be evaluated separately).

The Commission reserves the right to waive or permit cure of non-material errors or omissions and to take any other measures with respect to this RFQ in any manner necessary to serve the best interests of the Commission and its staff.

- (a) Phase I Review: Providers' responses will be reviewed based on listed criteria and completeness of response including mandatory attachments and compliance to submission criteria. Bids that do not comply with these components may be rejected and not proceed to Phase II Review.
- (b) Phase II Review (Total 90 points): Qualified bids, based on the Phase I Review, will be considered for additional review in Phase II. Scoring criteria for the evaluation of proposals was established above.
- (c) Phase III Review (Total 10 points):
  - (i) Only after the completion of Phase II will the sealed cost proposals be opened and evaluated as a part of Phase III.
  - (ii) Cost will be evaluated in relationship to the Phase II Review and scoring of Providers' responses, to determine "best fit".

- (iii) The successful bids will be determined based on the one that represents the "best fit" overall, including that it meets the needs of the Commission and achieves the procurement goals.

Prior to contracting with a Provider, the Commission reserves the right to request a "Best and Final Offer" (BAFO) from some or all the Providers.

## **b. COMMUNICATIONS WITH THE COMMISSION**

### **i. PROVIDER QUESTIONS**

Providers are encouraged to submit written questions and receive written answers from the Procurement Management Team (PMT) regarding this Solicitation. Because this procurement may extend to individuals or entities not intimately versed in Commonwealth procurements, respondents are encouraged to ask whatever questions they need resolved to aid in producing a compliant response. All Providers' questions must be submitted via email (no phone calls) to [CannabisCommission@State.MA.US](mailto:CannabisCommission@State.MA.US), and state in the subject line "Social Equity Program Provider Inquiry". The Commission will review inquiries received before the deadline and at its discretion prepare written responses to questions which Commission determines to be of general interest and that help to clarify the RFQ. Any written response will be posted on CommBUYS and the Commission's web site. Only written responses will be binding on Commission.

Please note that any questions submitted to the PMT using any other medium (including those that are sent by physical mail, fax, or voicemail, etc.) will not be answered. The Commonwealth reserves the right to either publicly post questions as asked by or to combine questions.

Providers are responsible for submitting content suitable for public viewing, since some or all of the questions will be posted on CommBUYS and the Commission's web site. Providers must not include any information that could be considered objectionable, including information about the Provider's company or other companies. The PMT reserves the right to edit or delete any submitted questions that raise any of these issues or that are not in the best interest of the Commonwealth or Commission. Only written response(s) posted on CommBUYS and the Commission's web site, which have been "finalized" will be binding on the Commonwealth.

There are two periods of time where Providers may submit questions as detailed in the procurement timeline in Section 1.4.2;

- a. "Written inquiries from interested Providers concerning RFQ" – during this time any Provider may submit questions on any topics relating to the RFQ that will help Providers response, determine if they wish to participate, or clarify requirements, or any other RFQ related topics.
- b. "Written inquiries from Providers and Commission responses regarding response questions and logistics (e.g. how to fill out response correctly)" – during this time

only questions relating to how to make sure their submission is properly filled-in, use of proper forms, or other bid submittal questions will be responded to. Therefore, it is essential that questions of scope or RFQ meaning and intent are addressed during the initial question period.

#### ii. ORAL PRESENTATIONS/INTERVIEWS.

After completion of Phase I and Phase II but prior to Phase III, the PMT shall have the option to invite all or some Providers to make oral presentations/come in for interviews. Providers will not be informed of their rank at the time of the oral presentation/interview. Additionally, the PMT reserves the right to adjust any Phase II score following any oral presentation/interview, and before proceeding on to Phase III.

The time allotments and the format shall be the same for all oral presentations/interviews. The PMT will give the Provider reasonable notice regarding the date of an oral presentation. The PMT may require the Providers assign key personnel to conduct the oral presentation/interview.

A Provider is limited to the presentation of material contained in its proposal, with the limited exception that a Provider may address specific questions posed by the PMT or provide clarification of information contained in its proposal. A Provider's failure to agree to an oral presentation/interview may result in disqualification from further consideration.

#### c. RECOMMENDATION FOR QUALIFICATION

After the PMT completes its evaluation, comparison and ranking of all proposals, and, if applicable, interview(s) and BAFO, the PMT may recommend to Commission a Provider or Providers with which to designate as qualified. The decision shall be based on the PMT's recommendation and on the best interests of the Commonwealth. The Commission is under no obligation to award a contract pursuant to this RFQ.

### 5. ADDITIONAL TERMS AND CONDITIONS

#### a. ISSUING OFFICE

Massachusetts Cannabis Control Commission  
101 Federal Street, 13<sup>th</sup> Floor  
Boston, MA 02110

#### b. COMMBUYS

CommBUYS is the official system of record for all procurement information which is publicly accessible at no charge at [www.commbuys.com](http://www.commbuys.com). Information contained in this document and in each tab of the Solicitation, including file attachments, and information contained in the related Providers' Forum(s), are all components of the Solicitation.

Providers are solely responsible for obtaining all information distributed for this Solicitation via CommBUYS, by using the free Browse and Search tools offered on each record-related tab on the main navigation bar (Solicitations and Forums). Forums support Provider submission of written questions associated with a Solicitation and publication of

official answers. All records on CommBUYS are comprised of multiple tabs, or pages. For example, Solicitation records contain Summary, Rules, Issuer(s), Intent or Forms & Terms and Specifications, and Other Information tabs. Each tab contains data and/or file attachments provided by the Procurement Management Team. All are incorporated into the Solicitation.

It is each Provider's responsibility to check CommBUYS for:

- Any addenda or modifications to this Solicitation, by monitoring the "Last Change" field on the Solicitation's Summary tab; and
- Any Providers' Forum records related to this Solicitation (see Locating an Online Providers' Forum for information on locating these records).

The Commonwealth accepts no responsibility and will provide no accommodation to Providers who submit a response based on an out-of-date Solicitation or on information received from a source other than CommBUYS.

Every public purchasing entity within the borders of Massachusetts may post records on CommBUYS at no charge. CommBUYS has the potential to become the sole site for all public entities in Massachusetts.

**c. RFQ COPIES**

Providers may request a copy of the RFQ, or any of its components, by going to [www.commbuys.com](http://www.commbuys.com) and searching for the solicitation number as noted on the front page of this document.

**d. REASONABLE ACCOMMODATION**

Providers with disabilities or hardships that seek reasonable accommodation, which may include the receipt of RFQ information in an alternative format, must communicate such requests in writing to the contact person. Requests for accommodation will be addressed on a case-by-case basis. A Provider requesting accommodation must submit a written statement which describes the Provider's disability and the requested accommodation to the contact person for the RFQ. Commission reserves the right to reject unreasonable requests.

**e. PROVIDER COMMUNICATIONS**

Except as provided above, Providers are prohibited from communicating directly with any employee of Commission regarding this RFQ, and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this RFQ. Providers may contact the contact person for this RFQ in the event this RFQ is incomplete or the Provider is having trouble obtaining any required attachments electronically through CommBUYS.

**f. OPEN MEETING LAW**

The Commission is subject to the Open Meeting Law, GL. c. 30A, §§18-25. Accordingly, the RFQ process and responses received as the result of this RFQ may be discussed during public meetings. The Commission will make reasonable efforts to protect confidential or proprietary

information. To that end, the Commission encourages Providers to identify what it considers to be confidential or proprietary information.

**g. CONFIDENTIALITY**

Providers shall demonstrate that they can comply with all state and federal laws and regulations relating to confidentiality and privacy, and security of personal information, including but not limited to G.L. c. 93H, G.L. c. 66A, and associated regulations.

**h. AMENDMENT OR WITHDRAWAL OF RFQ**

If Commission decides to amend or clarify any part of this RFQ, any written amendment will be posted on CommBUYS and on the Commission's website. Providers are cautioned to check these sites regularly, as this will be the sole method used for notification of changes. Commission reserves the right to amend the RFQ at any time prior to the deadline for submission of responses and to terminate this procurement in whole or in part at any time before or after submission of responses.

**i. CLOSING DATE**

Responses received after the response due date and time specified this RFQ will be rejected. Due to statutorily imposed timelines, requests for extensions of time for submitting responses cannot be granted. All responses become the property of the Commonwealth of Massachusetts.

**j. RESPONSE DURATION**

The Provider's response shall remain in effect until any contract with the Provider is executed or the Provider withdraws its proposal.

**k. COSTS**

The Commonwealth will not be responsible for any costs or expenses incurred by Providers in responding to this RFQ. Costs which are not specifically identified in the Provider's response, and accepted by Commission as part of a contract, will not be compensated under any contract awarded pursuant to this RFQ.

**l. INCORPORATION OF RFQ**

This RFQ and the selected Provider's response may be incorporated into any contract awarded because of this RFQ to that Provider.

**m. ACCEPTANCE OF RESPONSE CONTENT**

The entire contents of the Provider's response shall be binding on the Provider. The specifications and contents of a successful Provider's response may be incorporated into a contract.

**n. OPTION TO MODIFY SCOPE OF WORK**

The Commission reserves the right, at its sole discretion and at any time after release of the RFQ and during to modify, increase, reduce or terminate any requirements of the procurement, whenever Commission deems necessary or reasonable to reflect any change in policy or program goals. Commission additionally reserves the right, at its sole discretion and at any time after release of the RFQ and to amend the procurement to implement state or federal statutory or regulatory requirements, judicial orders, settlement agreements, or any state or

federal initiatives or changes affecting Commission. In the event of a change in the scope of work, Commission will provide written notice to the Provider and will initiate negotiations with the Provider. **SUBCONTRACTING POLICIES**

Prior approval of the Commission is required for any subcontracted service of a contract. Providers are responsible for the satisfactory performance and adequate oversight of its subcontractors. They are held to the same reimbursable cost standards as contractors.

It is the policy of the Commission not to execute any end-user agreements or other agreements required by its subcontractors. Any such agreement and the necessity of that agreement must be identified as part of the Provider's response or it will not be considered.

Subcontractors are also required to meet the same state and federal requirements as Providers.

**o. AUTHORIZATIONS AND APPROPRIATIONS**

Any contract awarded under this RFQ is subject to all necessary federal and state approvals, as applicable, and is subject to appropriation of sufficient funding as determined by Commission.

**p. REPRESENTATIONS AND WARRANTIES**

If a contract is awarded as a result this RFQ, Provider promises to execute various Representations and Warranties, including an attestation that all that it has reviewed all the information provided in the RFQ, that information is either true and correct and does not omit any material facts or responsive information, or that since the submission of its response, it has corrected information.

**q. ELECTRONIC FUNDS TRANSFER (EFT)**

All Providers must agree to participate in the Commonwealth Electronic Funds Transfer (EFT) program for receiving payments. A link to the EFT application can be found on the OSD Forms page ([www.mass.gov/osd](http://www.mass.gov/osd)). Additional information about EFT is available on the Comptroller's Vendor Web site located at: <https://massfinance.state.ma.us/VendorWeb/vendor.asp>.

If a contract is awarded as a result of this RFJ, Providers are required to enroll in EFT by completing and submitting the "Authorization for Electronic Funds Payment Form" to the SSST for review, approval and forwarding to the Office of the Comptroller, unless already enrolled in EFT. A link to the EFT application can be found on the Comptroller's Vendor Web site (see above link). This form, and all information contained on this form, shall not be considered a public record and shall not be subject to public disclosure through a public records request.

**r. PROMPT PAYMENT DISCOUNTS (PPD)**

All Providers responding to this procurement must agree to offer discounts through participation in the Commonwealth Prompt Payment Discount (PPD) initiative for receiving early and/or on-time payments, unless the Provider can provide compelling proof that it would be unduly burdensome. PPD benefits both contractors and the Commonwealth. Providers benefit by increased, usable cash flow as a result of fast and efficient payments for materials or services rendered. Participation in the Electronic Funds Transfer initiative further maximizes the benefits



with payments directed to designated accounts, thus eliminating the impact of check clearance policies and traditional mail lead time or delays. The Commonwealth benefits because Providers reduce the cost of products and services through the applied discount. Payments that are processed electronically can be tracked and verified through the Comptroller's Vendor Web system. The PPD form can be found under the Forms and Terms tab of this solicitation.

Providers must submit agreeable terms for Prompt Payment Discount using the PPD form within their proposal, unless otherwise specified by the PMT. The PMT will review, negotiate or reject the offering as deemed in the best interest of the Commonwealth.

The requirement to use PPD offerings may be waived by the PMT on a case-by-case basis if participation in the program would be unduly burdensome on the Provider. If a Provider is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in or attached to the PPD form.

**s. ELECTRONIC COMMUNICATION/UPDATE OF PROVIDER'S/CONTRACTOR'S CONTACT INFORMATION**

It is the responsibility of the prospective Provider and qualified Provider? to keep current the email address of the Provider's contact person and prospective contract manager, if awarded a contract, and to monitor that email inbox for communications from the PMT, including requests for clarification. The PMT and the Commonwealth assume no responsibility if a prospective Provider's/qualified contractor's designated email address is not current, or if technical problems, including those with the prospective Provider's/qualified contractor's computer, network or internet service provider (ISP) cause email communications sent to/from the prospective Provider/qualified contractor and the PMT to be lost or rejected by any means including email or spam filtering.

**t. RESTRICTION ON THE USE OF THE COMMISSION'S LOGO OR THE COMMONWEALTH SEAL**

Providers and contractors are not allowed to display the logo or seal in their bid package or subsequent marketing materials if they are awarded a contract. Use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law.