

# THE COMMONWEALTH OF MASSACHUSETTS

## Executive Office of Energy and Environmental Affairs



**MDAR- MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES**

**100 Cambridge Street, 9<sup>th</sup> Floor  
BOSTON, MA 02114**

**DEPARTMENTAL REQUEST FOR RESPONSE (RFR)**

**Bid #: BD-26-1002-1003-001-121108**

**RFR File # AGR-MA-Vet-Voucher-Program-FY26**

**FOR**

***MDAR is seeking licensed veterinarians to be added to the Qualified Contractor List  
for the Mass Animal Fund Spay/Neuter Voucher Program***

**This is a Rolling RFR. Proposals will be accepted until March 1, 2024.**

Purchasing Department:	MA Department of Agricultural Resources
Address:	100 Cambridge St. 9 <sup>th</sup> Floor, Boston, MA 02114
Procurement Contact:	Robert Monahan
Email:	<a href="mailto:robert.monahan@mass.gov">robert.monahan@mass.gov</a>

**DEPARTMENTAL REQUEST FOR RESPONSE**  
**Qualified Contractor List- Mass Animal Fund Veterinarians- Spay & Neuter Program**  
**RFR # AGR-MA-Vet-Voucher-Program-FY26**

ISSUE DATE: September 26, 2025

Purchasing Department	Department of Agricultural Resources
Address	100 Cambridge Street, 9 <sup>th</sup> Floor, Boston MA 02114
Program Contact	Sheri Gustafson
E-Mail Address	<a href="mailto:Sheri.Gustafson@mass.gov">Sheri.Gustafson@mass.gov</a>
RFR Name/Title	Qualified Contractor List- Mass Animal Fund Veterinarians
RFR Number	AGR-MA-Vet-Voucher-Program-FY26
COMMBUYS Bid Number	BD-26-1002-1003-001-121108
UNSPSC Code	70-12-20, Animal Health

**1. Description or Purpose of Procurement:**

**BACKGROUND:** Section 1 of Chapter 193 of the Acts of 2012 created the Massachusetts Homeless Animal Prevention and Care Fund (the "Mass Animal Fund"). The Mass Animal Fund is administered by the Massachusetts Department of Agricultural Resources ("Department") used to end the problem of animal homelessness in Massachusetts.

**PURPOSE OF PROCUREMENT:** The Mass Animal Fund is seeking licensed veterinarians ("Contractors") to be added to the Qualified Contractor List and participate in the spay/neuter voucher program ("Program"). The fund is used to offset costs associated with the vaccination, spaying, and neutering of homeless dogs and cats; to offset costs associated with the vaccination, spaying, and neutering of dogs and cats owned by low-income residents; and to assist with the training of animal control officers.

**1.1. SELECTED APPLICANTS**

Contractors that are awarded a contract with the MDAR will be added to a Qualified Contractor List so that the Department has a ready source of Contractors ready to participate in the Program. Qualified Contractor Lists do not guarantee work for any Contractor and the Department is under no legal obligation to use any or all of the Qualified Contractors.

**1.2. ELIGIBLE APPLICANTS:**

Participating Contractors must:

- Be actively licensed to practice veterinary medicine and be employed by a veterinary clinic, hospital, shelter within the state they are licensed for.
- Be compliant with state-mandated reimbursement documentation requirements and procedures and maintain open communication with the coordinator of the Mass Animal Fund about their participation in the Program.
- Be willing to assist in providing information about the Mass Animal Fund tax check-off.
- Understand that the needs of the Program will vary month to month and year to year and will be contingent upon the local population and clients' choice of veterinary service provider.
- Provide spay/neuter services –admit an animal for an initial exam, vaccinations, and surgery all on the same day whenever possible.
- Be willing and able to schedule spay/neuter surgery within 60 days of any voucher recipient's request for services.
- Provide the following to cats/dogs under the Program:
  - DHPP/FVRCP and rabies vaccines;

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- anesthesia and pain management medications;
- spay/neuter surgery;
- IV fluids (if necessary);
- blood tests (if necessary);
- additional medications (if necessary); and
- additional supplies (if necessary).

**1.3. ANTICIPATED EXPENDITURES AND COMPENSATION STRUCTURE**

Contractors shall provide the above services to the voucher recipient and for flat-fee reimbursement from the Mass Animal Fund, using the current pay schedule.

- Current Rates are posted here:
  - <https://www.mass.gov/guides/mass-animal-fund-voucher-program-partner-resources#voucher-program-reimbursement-rates>
- Rates are periodically updated and posted at the above website. Notifications will be sent to all existing Qualified Contractors when there are changes to the pay schedule or other legislative changes to the program.
- Contractors will be reimbursed for services performed and shall invoice the Department monthly.

Estimated Annual Value of this Entire Procurement: Small Procurement (less than \$250,000).

The funding for any contract resulting from this procurement is conditioned upon receipt of Departmental funds.

**1.4. CONTRACT PERFORMANCE AND SPECIFICATIONS**

Unless otherwise specified by the Department, the contractor will be expected to:

- All services shall be performed in a manner consistent with sound veterinary practices and USDA-APHIS guidelines
- Complete services in a timely manner and submit invoices and required documents at least once a month to the Department.

**1.5. INSTRUCTIONS FOR APPLICATION PREPARATION FOR SUBMISSION:**

Interested Veterinary offices may initially contact to review the program if they have initial questions regarding the program.

Sheri Gustafson  
Spay/Neuter Community Liaison- Massachusetts Animal Fund  
Massachusetts Department of Agricultural Resources  
100 Cambridge Street, 9<sup>th</sup> Floor, Boston, MA 02114  
E: [sher.gustafson@mass.gov](mailto:sher.gustafson@mass.gov) P: 617-626-1740

Interested applicants must submit the following, via COMMBUYS to be considered complete proposals:

- Completed Attachment A- APPLICATION COVER SHEET **(Required)**
- Completed Attachment B- Prompt Pay Discount Form **(Required)**

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**Documents should be combined into as few attachments as possible.**

**COMMBUYS Submission Requirement:**

Only electronic quotes submitted via COMMBUYS will be accepted in response to this RFR. Responses must be sent via the "Create Quote" functionality in COMMBUYS. For instructions concerning how to submit a Quote, please see the RFR Documents- #4, c & d.

Any submission which fails to meet the submission requirements of the RFR will be found non-responsive without further evaluation unless the evaluation team, at its discretion, determines that the non-compliance is insubstantial and can be corrected. In these cases, the evaluation team may allow the vendor to make minor corrections to the submission.

**1.6. EVALUATION CRITERIA:**

While all businesses, no matter the size or principal place of business, may submit responses to this solicitation, SBPP participants are encouraged to respond. Those that meet the best value criteria as described in this solicitation, the SBPP participant shall be awarded the contract.

Contractors must submit responses that meet all the submission requirements of the RFR. Only responsive proposals that meet the submission requirements will be evaluated, scored, and ranked by the evaluation team according to the evaluation criteria. Additional information may be requested for evaluation purposes.

In order to be eligible for inclusion on the Qualified Contractors List, the applicant must meet the criteria in section 1.3 of this RFR.

Must have the ability to perform these services to the satisfaction of the Department.  
The selected Contractor(s) must be in good standing with the Department.

**1.7. REVIEW PROCESS:**

Submissions will be accepted during the entire contract period and the RFR will remain open and interested applicants who submit a complete proposal will be evaluated based on their experience, references, and meeting the licensure requirements. Those applicants who meet the criteria will be added to a Qualified Contractor List (master agreement) and be eligible to participate in the Program. The Department may request references before entering into a contract with a Provider.

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**2. Applicable Procurement Law**

Check	Type of Purchase	Applicable Laws
	<b>Executive Branch Goods &amp; Services</b>	
<input checked="" type="checkbox"/>	Goods and Services	MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

**3. Bid Calendar Type:**

Check	Category
<input checked="" type="checkbox"/>	ROLLING- Submissions will be accepted during the entire period listed below. Bidders may submit a Response up to and including the Last Submission Date, March 1, 2034.

**4. Acquisition Method:**

Check	Category
<input checked="" type="checkbox"/>	Fee-For-Service

**5. Estimated Value of the Contract**

Check	Annual Estimate Per Vendor, Per Department
<input checked="" type="checkbox"/>	Small Procurement (<= \$250,000)
<input type="checkbox"/>	Large Procurement (> \$250,000)

**6. Whether Single or Multiple Contractors are Required for Contract:**

Check	Number of Contractors
<input type="checkbox"/>	Single Contractor
<input checked="" type="checkbox"/>	Multiple Contractors

**7. Entities Eligible to Use the Resulting Contract**

Check	Eligible Entities
<input checked="" type="checkbox"/>	Limited User Contract – Restricted to Use by Defined Entities Only: <ul style="list-style-type: none"> <li>DAR- Department of Agricultural Resources</li> </ul>

Contracts issued under this Procurement will be Limited Departmental Contracts executed between the Contractor and the Department and will not be considered a Statewide Vendor or Contract.

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**8. Expected Duration of Contract (Initial Duration and any Options to Renew):**

Contract Duration	Number of Options	Number or Years/Months	Instructions
<b>Initial Duration</b>		Up to 9 years depending on contract Effective Start Date	The earliest contract Effective Start Date will be November, 2025. The contract end date will be June 30, 2034, regardless of the Effective Start Date of the contract.
<b>Renewal Options</b>	None	None	There will be no options to renew.
<b>Total Maximum Contract Duration</b>		Up to 9 years depending on contract Effective Start Date	The earliest contract Effective Start Date will be November 1, 2025. Applications will be evaluated and awarded on a rolling basis. The contract end date will be June 30, 2034, regardless of the Effective Start Date of the contract.

The actual start date will be the Contract Effective Date, which is the date the Contract is executed by the Department.

The Purchasing Department may execute a contract with a Bidder that is determined to meet the criteria and necessary qualifications of a Qualified Contractor up to the COMMBUYS Opening Date of March 1, 2034.

Existing Contracts can be amended by the Department during Contract duration as needed and agreed upon terms with the Vendor(s).

The contract end date will be June 30, 2034, regardless of the Effective Start Date of the contract.

**9. Fiscal Terms:**

**9.1.1. Commonwealth Tax Exemption:** Invoices or invoices submitted to Massachusetts government entities must not include sales tax.

**9.1.2. Prompt Payment Discount Form: REQUIRED** to Complete as directed below; include with online submission. Pursuant to the Prompt Payment Discount terms set forth in the RFR Required Specifications for Contracts and on the Prompt Payment Discount Form itself, all Bidders must execute this form. After entering the "Bidder Name" and "Date of Offer for Prompt/Early Payment Discount," the Bidder must identify the prompt payment discount(s) terms by indicating the "Percentage Discount off of the Proposed Pricing" and the "Turn-around-time for Payments." In the event of a hardship that prevents the Bidder from offering any prompt payment discount, the Bidder must document this fact on their submitted for and provide justification. If awarded a contract, the final negotiated prompt payment discounts should be reflected on the Commonwealth Standard Contract Form.

**9.1.3. Payment Terms:** Contractor shall submit monthly invoices, including a detailed report showing completed, agreed services provided. Payments are processed within a 45 day payment cycle through EFT, in accordance with the Commonwealth Bill Paying Policy for investment and cash flow purposes. Departments may NOT negotiate accelerated payments and Payees are NOT entitled to

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accelerated payments UNLESS a prompt payment discount (PPD) is provided to support the Commonwealth's loss of investment earnings for this earlier payment, or unless a payment is legally mandated to be made in less than 45 days.

**9.1.4. Commonwealth Terms & Conditions:** Vendors may submit a copy of their standard agreement terms and conditions for review and to be incorporated. However, the Commonwealth of Massachusetts Terms & Conditions supersede any vendor's terms and conditions, and all vendors are required to agree to the Commonwealth of Massachusetts Terms & Conditions as a condition of contracting with the Department by only signing the Commonwealth Standard Contract Form.

**9.1.5. Deliverable Ownership & Credit Due:** Copies of all materials created by the Contractor shall be submitted to the Department. At no point shall the Contractor hold him or herself out as an employee of the Department, utilize Department letterhead or logos, or any other Department materials without the express written consent of the Department.

**10. SMALL BUSINESS PURCHASING PROGRAM (SBPP): APPLICABLE**  
**As the estimated annual value, Per Vendor, Per Department is less than \$250,000.00.**

**10.1. Program Background**

The Massachusetts Small Business Purchasing Program (SBPP) was established pursuant to Executive Order 599 to increase state contracting opportunities with small businesses having their principal place of business within the Commonwealth of Massachusetts. Pursuant to the SBPP, it is the intention of the issuing department to award this Small Procurement to one or more SBPP participating business(es) as described below

**10.2. SBPP Award Preference**

While all businesses, no matter the size or principal place of business, may submit responses to this solicitation, should an SBPP participant respond and meet the best value criteria as described in this solicitation, the SBPP participant shall be awarded the contract. The Strategic Sourcing Services Team (SSST) will not evaluate submissions from non-SBPP participants unless no SBPP Bidder meets the SSST's best value evaluation criteria.

**10.3. SBPP Participation Eligibility**

To be eligible to participate in this procurement as an SBPP participant, an entity must meet the following criteria, and be marked as an SBPP-registered business in COMMBUYS:

1. Have its principal place of business in the Commonwealth of Massachusetts;
2. Been in business for at least one year;
3. Employ a combined total of 50 or fewer full-time equivalent employees in all locations, or employees work less than a combined total of 26,000 hours per quarter; and
4. Have gross revenues, as reported on appropriate tax forms, of \$15 million or less, based on a three-year average.
5. Non-profit firms also must be registered as a non-profit or charitable organization with the MA Attorney General's Office and be up to date with all filings required by that office and be tax exempt under Section 501(c) of the Internal Revenue Code.

**10.4. SBPP Compliance Requirements**

It is the responsibility of the Bidder to ensure that their SBPP status is current at the time of submitting a response and throughout the life of any resulting contract. Misrepresentation of SBPP status will result in disqualification from consideration, and may result in debarment, contract termination, and other actions. To learn more about the SBPP, including how to apply, visit the SBPP Webpage.

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**10.5. Program Resources and Assistance**

Bidders and Contractors seeking assistance regarding SBPP may visit the SBPP webpage, <http://www.mass.gov/sbpp>, or contact the SBPP Help Desk at [sbpp@mass.gov](mailto:sbpp@mass.gov).

**11. SUPPLIER DIVERSITY PLAN (SDP): NOT APPLICABLE**

*As the estimated annual value, Per Vendor, Per Department is less than \$250,000.00*

**Program Background for Reference:**

*Pursuant to Executive Order 599 the Commonwealth's [Supplier Diversity Program](#) (SDP) promotes business-to-business relationships between awarded Contractors and diverse businesses and non-profit organizations ("SDP Partners") certified or recognized (see link for more information) by the [Supplier Diversity Office \(SDO\)](#).*

*Bidders and Contractors are strongly encouraged to create a profile on the SDO's Supplier Diversity Hub to access the Commonwealth's supplier diversity resources and tools.*

**12. ENVIRONMENTALLY PREFERABLE PRODUCTS:**

Products and services purchased by state agencies must be in compliance with Executive Order 515, issued October 27, 2009. Under this Executive Order, Executive Departments are required to reduce their impact on the environment and enhance public health by procuring environmentally preferable products and services (EPPs) whenever such products and services perform to satisfactory standards and represent best value, consistent with 801 CMR 21.00. In line with this directive, all Contracts, whether departmental or statewide, must comply with the specifications and guidelines established by OSD and the EPP Program. EPPs are products and services that help to conserve natural resources, reduce waste, protect public health and the environment, and promote the use of clean technologies, recycled materials, and less toxic products. Bid responses must identify how a contractor meets these goals.

**13. ESTIMATED PROCUREMENT CALENDAR**

Procurement Activity	Date
Bid Release Date	September 26, 2025
Deadline for Responses ("Bid Opening Date/Time" in COMMBUYS)	March 1, 2034
Notification of Apparent Successful Bidder(s) (Estimated)	Applications will be evaluated on a Rolling Basis and awardees will be notified as Approved by the Department
Estimated Contract Start Date: <i>This is the approximate start date. The actual start date will be the Contract Effective Date.</i>	The actual start date will be the Contract Effective Date which is the date the Contract is executed and countersigned by the Department.
Contract End Date:	The contract end date will be June 30, 2034, regardless of the Effective Start Date of the contract.

Bidders are required to monitor COMMBUYS for changes to the procurement calendar for this Bid.



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**14. RFR DISTRIBUTION METHOD:**

This RFR has been distributed by MDAR's Farm and Market Newsletter, posted to the program's website at [www.mass.gov/agr](http://www.mass.gov/agr), and by a distribution list of requested applicants.

This RFR has been distributed electronically via COMMBUYS. It is the responsibility of every applicant to check COMMBUYS for any addenda or modifications to an RFR to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to applicants who fail to check for amended RFRs and submit inadequate or incorrect responses. Potential Respondents are advised to check the "last change" field on the summary page of RFRs for which they intend to submit a response to ensure they have the most recent RFR files.

Respondents may not alter RFR language or any RFR component files. Those submitting a proposal must respond in accordance with the RFR directions and complete only those sections that prompt a Respondent for a response. Modifications to the body of this RFR, specifications, terms and conditions, or which change the intent of this RFR are prohibited. Any unauthorized alterations will disqualify response.

**15. ONLINE QUESTIONS (COMMBUYS Bid Q&A):**

Written Questions must be entered using the "Bid Q&A" tab for the Bid in COMMBUYS no later than the "Online Questions Due" date and time indicated in the Estimated Procurement Calendar (above). The issuing department reserves the right to not respond to questions submitted after this date. It is the Bidder's responsibility to verify receipt of questions.

Written questions and responses will be posted on the Bid Q&A Tab for this Bid in COMMBUYS.

**16. Required Forms**

Responses to this RFR must contain the following documents (X), as well as any additional required documents detailed in section **1.5 INSTRUCTIONS FOR APPLICATION PREPARATION FOR SUBMISSION:**

Check if REQUIRED	Form/Document	Notes/Instructions
<input checked="" type="checkbox"/>	Attachment A- APPLICATION Cover Sheet- REQUIRED	Electronic Submission
<input checked="" type="checkbox"/>	Attachment B- Prompt Pay Discount Form- REQUIRED	Electronic Submission
<input type="checkbox"/>	Required <b>only</b> if awarded a contract with the Department. 1. Standard Contract Form& Instructions 2. Commonwealth Terms and Conditions 3. Contractor Authorized Signatory Listing 4. W9- Tax Identification Form 5. EFT- Electronic Funds Transfer Form	Posted with the Bid on COMMBUYS. <b>For reference only now, DO NOT complete.</b>
<input type="checkbox"/>	Additional Environmentally Preferable Products/Practices	NA
<input type="checkbox"/>	Supplier Diversity Plan Form (SDP Plan Commitment)	NA
<input type="checkbox"/>	Business Reference Form	NA- Part of Application Form

**The above attachments are available as part of the Bid record on COMMBUYS**

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**17. RFR Attachments**

1. RFR- (This document)
2. Attachment A: APPLICATION Form (Required with Submission)
3. Attachment B: Prompt Pay Discount Form (Required with Submission)
4. Attachment C: OSD Required Specifications for RFRs

**Additional Attachments included in the COMMBUYS Bid**

- MDAR Instructions- Abbreviated How To Submit a COMMBUYS quote Instructions
- Appendix a: Evaluation Criteria- OSD Requirement to be posted separately in addition to included in the RFR document.
- Appendix b: REVIEW ONLY- Contract Forms needed only IF awarded
- Appendix c: Job Aid- How to Register as a Vendor in COMMBUYS
- Appendix d: OSD Instructions for Vendors Responding to Bids

## Qualified Contractor List- Mass Animal Fund Veterinarians ATTACHMENT A- APPLICATION COVER SHEET

### Required with Submission

<b>Date:</b>	
--------------	--

### CONTRACTOR INFORMATION:

<b>Legal Name:</b>			
<i>Contractor, Business or Municipality:*</i>			
<b>Legal Address</b>			
<b>City, Town, Zip</b>			
<b>Main Phone:</b>		<b>Email:</b>	
<b>Contact Name:</b>			
<b>Contact Phone:</b>		<b>Email:</b>	

\*Note: All legal contractor names must match Tax ID numbers associated with the legal name being referenced

### If different from above:

<b>Do Business As d/b/a:</b>			
<b>Address:</b>			
<b>City, Town, Zip</b>			
<b>Contact Name:</b>			
<b>Contact Phone:</b>		<b>Email:</b>	
<b>Alt Phone:</b>		<b>Alt Email:</b>	

### Veterinarian Name & License Number:

#	NAME	LICENSE NUMBER
1.		
2.		
3.		
4.		
5.		



# OFFICE OF THE COMPTROLLER

PROMPT PAY DISCOUNT FORM

REQUIRED WITH SUBMISSION

Attachment B

**Contractor/Bidder Name**

**Vendor Code (VCUST)**

**Contract/RFR Number(s)**

All contractors/vendors doing business with the Commonwealth must provide a Prompt Payment Discount (PPD) for receiving early payments unless the Contractor/vendor can provide compelling proof that providing a prompt pay discount would be unduly burdensome. Contractors benefit from PPD by increased, usable cash flow as a result of fast and efficient payments for commodities or services rendered. Contractors who agree to accept Electronic Funds Transfer (EFT) increase the prompt pay benefit by ensuring that funds are paid directly to their designated bank accounts, thus eliminating the delay of check clearance policies and traditional mail lead time. Payments processed through the state accounting system (MMARS) can be tracked and verified through the Comptroller's [VendorWeb](#) system using the Vendor/Customer Code assigned to you by a Commonwealth department.

The Commonwealth benefits because contractors reduce the cost of products and services through the applied discount. While Bidders/Contractors have flexibility in determining the actual % discount(s) offered to the Commonwealth, the discount(s) must be identified for 10, 15, 20 and/or 30 days for payment issuance in the column entitled "% Discount Off Proposed Price" below. The Commonwealth may use the prompt pay discounts submitted as a basis for selection and may negotiate discounts as deemed in the best interest of the Commonwealth. The requirement to offer PPD discounts may be waived by the Commonwealth on a case-by-case basis if participation in the program would be unduly burdensome, provided the specific reason for the hardship is outlined below.

All discounts offered will be taken in cases where the payment issue date is within the specified number of days listed below and in accordance with the Commonwealth's Bill Paying Policy. Payment days will be measured **from** the date goods are received and accepted / performance was completed OR the date an invoice is received by the Commonwealth, **whichever is later to** the date the payment is issued as an EFT (preferred method) or mailed by the State Treasurer. The date of payment "issue" is the date a payment is considered "paid" not the date a payment is "received" by a Contractor. If internal Bidder/Contractor systems require an alternate method of measuring payment issue dates, the Bidder/Contractor must note the issues below or on an attached page if necessary to be considered by the PMT. In cases where the Bidder/Contractor considers that offering a Prompt Payment Discount would be a hardship, the Bidder must clearly define the issues and reasons for said hardship. *Providing volume discounts or other discounts on prices is not considered a hardship, since the PPD provides the additional benefit of early cash flow for the Contractor.*

Enter the Prompt Payment Discount percentage (%) off the invoice payment, for each of the payment issue dates listed, if the payment is issued within the specified Payment Issue days. For example:

5% - 10 Days

4% - 15 Days

3% - 20 Days

2% - 30 Days

If no discount is offered enter 0% and complete hardship field.

Prompt Payment Discount %	Payment issue date within
%	10 Days
%	15 Days
%	20 Days
%	30 Days

**The Contractor is unable to provide a prompt payment discount due to the following hardship**

**Contractor/Bidder Authorized Signature**

**Date**

**Contractor/Bidder Authorized Signatory Name**

**Title**



## ATTACHMENT C

### RFR - Required Specifications for Commodities and Services

Revision Date: July 10, 2024

In general, most of the required contractual stipulations are referenced in the *Standard Contract Form and Instructions* and the *Commonwealth Terms and Conditions*. However, the following RFR provisions must appear in all Commonwealth departmental competitive procurements conducted under 801 CMR 21.00.

The terms of 801 CMR 21.00: *Procurement of Commodities and Services* are incorporated by reference into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00. Additional definitions also may be identified in this RFR. Other terms not defined elsewhere in this document may be defined in OSD's [Glossary of Terms](#). Unless otherwise specified in this RFR, all communications, responses, and documentation must be in English, all measurements must be provided in feet, inches, and pounds and all cost proposals or figures in U.S. currency. All responses must be submitted in accordance with the specific terms of this RFR.

**1. COMMBUYS Market Center.** COMMBUYS is the official source of information for this Bid and is publicly accessible at no charge at [www.commbuys.com](http://www.commbuys.com). Information contained in this document and in COMMBUYS, including file attachments, and information contained in the related Bid Questions and Answers (Q&A), are components of the Bid, as referenced in COMMBUYS, and are incorporated into the Bid and any resulting contract.

Bidders are solely responsible for obtaining all information distributed for this Bid via COMMBUYS. Bid Q&A supports Bidder submission of written questions associated with a Bid and publication of official answers.

It is each Bidder's responsibility to check COMMBUYS for:

- Any amendments, addenda, or modifications to this Bid, and
- Any Bid Q&A records related to this Bid.

The Commonwealth accepts no responsibility and will provide no accommodation to Bidders who submit a Quote based on an out-of-date Bid or on information received from a source other than COMMBUYS.

**2. COMMBUYS Registration.** Bidders may elect to register for a free COMMBUYS Seller account which provides value-added features, including automated email notification associated with postings and modifications to COMMBUYS records. However, to respond to a Bid, Bidders must register and maintain an active COMMBUYS Seller account.

All Bidders submitting a Quote (previously referred to as Response) in response to this Bid (previously referred to as Solicitation) agree that, if awarded a contract: 1) they will maintain an active seller account in COMMBUYS; 2) they will, when directed to do so by the procuring entity, activate and maintain a COMMBUYS-enabled catalog using Commonwealth Commodity Codes; 3) they will comply with all requests by the procuring entity to utilize COMMBUYS for the purposes of conducting all aspects of purchasing and invoicing with the Commonwealth, as added functionality for the COMMBUYS system is activated; and 4) in the event the Commonwealth adopts an alternate e-procurement platform, successful Bidders will be required to utilize such system, as directed by the procuring entity. Commonwealth Commodity Codes are based on the United Nations Standard Products and Services Code (UNSPSC).

## RFR - Required Specifications for Commodities and Services

COMMBUYS uses terminology with which bidders must be familiar to conduct business with the Commonwealth. To view this terminology and to learn more about COMMBUYS, please visit the [Learn about COMMBUYS Resources](#) page on mass.gov.

**3. Multiple Quotes.** Bidders may not submit Multiple Quotes in response to a Bid unless the RFR authorizes them to do so. If a Bidder submits multiple quotes in response to an RFR that does not authorize multiple responses, only the latest dated quote submitted prior to the bid opening date will be evaluated.

**4. Quote Content.** Bid specifications for delivery, shipping, billing, and payment will prevail over any proposed Bidder terms entered as part of the Quote, unless otherwise specified in the Bid.

**5. Supplier Diversity Office (SDO) Programs.** Pursuant to [Executive Order 599](#), the Commonwealth supports the use of diverse and small businesses through the Small Business Purchasing Program (SBPP) and the Supplier Diversity Program (SDP). Based on the estimated value of the procurement, one of the above-mentioned programs shall be applicable to this RFR. For more information on the program that applies to this solicitation, see the body of this RFR.

### **6. Small Business Purchasing Program (SBPP)**

**Program Background.** The Massachusetts [Small Business Purchasing Program](#) (SBPP) was established pursuant to [Executive Order 599](#) to increase state contracting opportunities with small businesses having their principal place of business within the Commonwealth of Massachusetts. Pursuant to the SBPP, it is the intention of the issuing department to award this Small Procurement to one or more SBPP participating business(es) as described below.

**SBPP Award Preference.** While all businesses, no matter the size or principal place of business, may submit responses to this solicitation, should an SBPP participant respond and meet the best value criteria described in this solicitation, the SBPP participant shall be awarded the contract. The Strategic Sourcing Services Team (SST) will not evaluate submissions from non-SBPP participants unless no SBPP Bidder meets the SSST's best value evaluation criteria.

**SBPP Participation Eligibility.** To be eligible to participate in this procurement as an SBPP participant, an entity must meet the following criteria, and be marked as an SBPP-registered business in [COMMBUYS](#):

1. Have its principal place of business in the Commonwealth of Massachusetts;
2. Been in business for at least one year;
3. Employ a combined total of 50 or fewer full-time equivalent employees in all locations, or employees work less than a combined total of 26,000 hours per quarter; and
4. Have gross revenues, as reported on appropriate tax forms, of \$15 million or less, based on a three-year average.

Non-profit firms also must be registered as a non-profit or charitable organization with the MA Attorney General's Office and be up to date with all filings required by that office and be tax exempt under Section 501(c) of the Internal Revenue Code.

**SBPP Compliance Requirements.** It is the responsibility of the Bidder to ensure that their SBPP status is current at the time of submitting a response and throughout the life of any resulting contract. Misrepresentation of SBPP status will result in disqualification from consideration, and may result in debarment, contract termination, and other actions. To learn more about the SBPP, including how to apply, visit the SBPP webpage, <http://www.mass.gov/sbpp>.

**Program Resources and Assistance.** Bidders and Contractors seeking assistance regarding SBPP may visit the [SBPP Webpage](#), or contact the SBPP Help Desk at [sbpp@mass.gov](mailto:sbpp@mass.gov).

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## 7. Supplier Diversity Program (SDP)

**Program Background.** Pursuant to [Executive Order 599](#), the Commonwealth's [Supplier Diversity Program](#) (SDP) promotes business-to-business relationships between awarded Contractors and diverse businesses and non-profit organizations ("SDP Partners") certified or recognized (see below for more information) by the [Supplier Diversity Office \(SDO\)](#).

All Bidders and Contractors are strongly encouraged to create a profile on the SDO's Supplier Diversity Hub to access the Commonwealth's supplier diversity resources and tools.

**Financial Commitment Requirements.** All Bidders responding to this solicitation are required to make a significant financial commitment ("SDP Commitment") to partnering with one or more SDO-certified or recognized diverse business enterprise(s) or non-profit organization(s). This SDP Commitment must be expressed as a percentage of contract sales resulting from this solicitation that would be spent with the SDP Partner(s).

After contract award (if any), the Total SDP Commitment shall become a contractual requirement to be met annually on a Massachusetts fiscal year basis (July 1 – June 30) for the duration of the contract. The minimum acceptable Total SDP Commitment in response to this solicitation shall be 1%. Bidders shall be awarded additional evaluation points for higher SDP Commitments.

No contract shall be awarded to a Bidder without an SDP Commitment that meets the requirements stated herein. This requirement extends to **all** Bidders regardless of their own supplier diversity certification.

### **Eligible SDP Partner Certification Categories**

SDP Partners must be business enterprises and/or non-profit organizations certified or recognized by the SDO in one or more of the following certification categories:

- Minority-Owned Business Enterprise (MBE)
- Minority Non-Profit Organization (M/NPO)
- Women-Owned Business Enterprise (WBE)
- Women Non-Profit Organization (W/NPO)
- Veteran-Owned Business Enterprise (VBE)
- Service-Disabled Veteran-Owned Business Enterprise (SDVOBE)
- Disability-Owned Business Enterprise (DOBE)
- Lesbian, Gay, Bisexual, and Transgender Business Enterprise (LBGTBE)

**Eligible Types of Business-to-Business Relationships.** Bidders and Contractors may engage SDP Partners as follows:

- **Subcontracting**, defined as a partnership in which the SDP partner is involved in the provision of products and/or services to the Commonwealth.
- **Ancillary Products and Services**, defined as a business relationship in which the SDP partner provides products or services that are not directly related to the Contractor's contract with the Commonwealth but may be related to the Contractor's own operational needs. These may include but are not limited to the following examples: professional services (e.g., IT, legal, advertising, HR, accounting etc.), maintenance services (e.g., cleaning, landscaping, tradespersons services, etc.), office expenses (e.g., office supplies, furniture, IT supplies, etc.). Anything declared as a business expense in which a certified vendor is used would qualify.

Other types of business-to-business relationships are not acceptable under this contract. If subcontracting is proposed, it must meet all the subcontracting provisions (if any) listed in this RFR.

**Program Flexibility.** The SDP encompasses the following provisions to support Bidders in establishing and maintaining sustainable business-to-business relationships meeting their needs:

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- SDP Partners are **not** required to be subcontractors.
- SDP Partners are **not** required to be Massachusetts-based businesses.
- SDP Partners **may be changed or added** during the term of the contract, provided the Contractor continues to meet its SDP Commitment.

**SDP Plan Form Requirements.** All Bidders must complete the SDP Plan Form included in this solicitation and attach it to their bid response. In addition to proposing an SDP Commitment, each Bidder must propose one or more SDP Partner(s) to utilize to meet its SDP Commitment. Certified diverse Bidders may not list their own companies, their subsidiaries, or affiliates as SDP Partners and may not meet their SDP Commitment by spending funds internally or with their own subsidiaries or affiliates.

**Bidders may propose SDP Partners that are:**

- **Certified or recognized by the SDO:** Such partners appear in the [SDO Directory of Certified Businesses](#) or in the [SBA Veteran Small Business Certification \(VetCert\)](#) directory. After contract award (if any), spending with such partners will contribute to meeting the Contractor's SDP Commitment.
- **Certified by one of SDO's recognized third-party certification bodies but not yet listed in the SDO Directory of Certified Businesses:** Such partners must be certified in eligible categories by one of SDO's recognized third-party certification bodies, which include the [City of Boston](#), the [Greater New England Minority Supplier Development Council \(GNEMSDC\)](#), the [Center for Women & Enterprise \(CWE\)](#), [Disability: IN](#), [National LGBT Chamber of Commerce \(NGLCC\)](#), or the [National Veteran Owned Business Association \(NaVOBA\)](#) but have not yet opted to be listed in the SDO Directory of Certified Businesses. In order to opt into SDO's Directory of Certified Businesses, the SDP partner must follow the applicable expedited instructions on SDO's Apply for Recognition as a Third-Party Certified Business webpage. Self-certification is not acceptable. While Bidders may list such proposed SDP Partners on their SDP Plans, spending with such partners will not contribute to meeting the Contractor's SDP Commitment unless they apply for and are granted SDO supplier diversity certification or recognition. If proposed SDP Partners do not receive SDO supplier diversity certification or recognition, the Contractor must find alternative SDP Partners to meet the SDP Commitment.
- **Not yet certified or recognized by the SDO or one of SDO's recognized third-party certification bodies:** Such partners must be certified in eligible categories by other third-party certification bodies that are not yet recognized by the SDO, such as another city or state supplier diversity certification office, the [National Minority Supplier Development Council](#), or the [Women Business Enterprise National Council](#), but are not listed in the above-mentioned directories. Self-certification is not acceptable. While Bidders may list such proposed SDP Partners on their SDP Plans, spending with such partners will not contribute to meeting the Contractor's SDP Commitment unless they apply for and are granted SDO supplier diversity certification or recognition. If proposed SDP Partners do not receive SDO supplier diversity certification or recognition, the Contractor must find alternative SDP Partners to meet the SDP Commitment.

It is the responsibility of the Contractor to ensure that their proposed SDP Partners obtain such certification or recognition by the SDO after contract award (if any). The issuing department and the SDO will not conduct outreach to proposed SDP Partners to ensure their certification. Furthermore, no guarantee may be made that a proposed SDP Partner will be certified, or regarding the time it may take to process a proposed SDP Partner certification. Contractors may direct partners to the SDO's homepage, [www.mass.gov/sdo](http://www.mass.gov/sdo) and the [Certification Self-Assessment Tool](#) for guidance on applying for certification.

It is **desirable** for Bidders to provide a description of supplier diversity businesses practices. Specifically, listing contact information for the individual or unit responsible for establishing and maintaining supplier diversity relationships, and including a written policy for establishing and maintaining supplier diversity relationships.



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It also is **desirable** for Bidders to use the SDP Plan Form to describe additional creative initiatives (if any) related to engaging, buying from, and/or collaborating with diverse businesses. Such initiatives may include but not be limited to:

- Serving as a mentor in a mentor-protégé relationship.
- Technical and financial assistance provided to diverse businesses.
- Participation in joint ventures between nondiverse and diverse businesses.
- Voluntary assistance programs by which nondiverse business employees are loaned to diverse businesses or by which diverse business employees are taken into viable business ventures to acquire training and experience in managing business affairs.

**Evaluation of SDP Forms.** To encourage Bidders to develop substantial supplier diversity initiatives and commitments as measures valuable to the Commonwealth, at least 25% of the total available evaluation points for this bid solicitation shall be allocated to the evaluation of the SDP Plan submissions. Because the purpose of the SDP is to promote business-to-business partnerships, the Bidders' workforce diversity initiatives will not be considered in the evaluation.

**SDP Spending Reports.** After contract award, Contractors must submit reports at least annually to demonstrate compliance with the agreed-upon SDP Commitment. To submit SDP spending reports using the Hub, Contractors must first create a profile in the Hub. Once registered, awarded contractors must report information such as, but not limited to, SDO or SDO-recognized SDP partner(s), spend with SDO partner(s), and total contract sales. Contractors must follow report submission instructions from the issuing department and the SDO.

**SDP Spending Compliance.** Only spending with SDP Partners that appear in the [SDO Directory of Certified Businesses](#) or in the [SBA Veteran Small Business Certification \(VetCert\)](#) directory shall be counted toward a Contractor's compliance with their SDP Commitment. Spending with SDP Partners that do not appear in the directories above shall not be counted toward meeting a Contractor's SDP Commitment.

It is the responsibility of the Contractor to ensure they meet their SDP Commitment, and the SDO and the issuing department assume no responsibility for any Contractor's failure to meet its SDP Commitment.

**SDP Spending Verification.** The SDO and the contracting department reserve the right to contact SDP Partners at any time to request that they attest to the amounts reported to have been paid to them by the Contractor.

**Program Resources and Assistance.** Contractors seeking assistance in the development of their SDP Plans or identification of potential SDP Partners may visit the SDP webpage, [www.mass.gov/sdp](http://www.mass.gov/sdp), or contact the SDP Help Desk at [sdp@mass.gov](mailto:sdp@mass.gov).

### **8. Agricultural Products Preference (only applicable if this is a procurement for Agricultural Products).**

Chapter 123 of the Acts of 2006 directs the State Purchasing Agent to grant a preference to products of agriculture grown or produced using locally grown products. Such locally grown or produced products shall be purchased unless the price of the goods exceeds the price of products of agriculture from outside the Commonwealth by more than 10%. For purposes of this preference, products of agriculture are defined to include any agricultural, aquacultural, floricultural, or horticultural commodities; the growing and harvesting of forest products; the raising of livestock, including horses; raising of domesticated animals, bees, and/or fur-bearing animals; and any forestry or lumbering operations.

**9. Best Value Selection and Negotiation.** The Strategic Sourcing Services Team or SSST may select the response(s) which demonstrates the best value overall, including proposed alternatives that will achieve the procurement goals of the department. The SSST and a selected bidder, or a contractor, may negotiate a change in any element of contract performance or cost identified in the original RFR or the selected bidder's or contractor's response which results in lower costs or a more cost effective or better value than was presented in the selected bidder's or contractor's original response.

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**10. Bidder Communication.** Bidders are prohibited from communicating directly with any employee of the procuring department or any member of the SSST regarding this RFR except as specified in this RFR, and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this RFR. Bidders may contact the contact person for this RFR in the event this RFR is incomplete or the bidder is having trouble obtaining any required attachments electronically through COMMBUYS.

**11. Contract Expansion.** If additional funds become available during the contract duration period, the department reserves the right to increase the maximum obligation to some or all contracts executed as a result of this RFR or to execute contracts with contractors not funded in the initial selection process, subject to available funding, satisfactory contract performance and service or commodity need.

**12. Costs.** Costs which are not specifically identified in the bidder's response and accepted by a department as part of a contract will not be compensated under any contract awarded pursuant to this RFR. The Commonwealth will not be responsible for any costs or expenses incurred by bidders responding to this RFR.

**13. Electronic Communication/Update of Bidder's/Contractor's Contact Information.** It is the responsibility of the prospective bidder and awarded contractor to keep current on COMMBUYS the email address of the bidder's contact person and prospective contract manager, if awarded a contract, and to monitor that email inbox for communications from the SSST, including requests for clarification. The SSST and the Commonwealth assume no responsibility if a prospective bidder's/awarded contractor's designated email address is not current, or if technical problems, including those with the prospective bidder's/awarded contractor's computer, network, or internet service provider (ISP) cause email communications sent to/from the prospective bidder/awarded contractor and the SSST to be lost or rejected by any means including email or spam filtering.

**14. Electronic Funds Transfer (EFT).** All bidders responding to this RFR must agree to participate in the Commonwealth Electronic Funds Transfer (EFT) program for receiving payments, unless the bidder is able to provide compelling proof that it would be unduly burdensome. EFT is a benefit to both contractors and the Commonwealth because it ensures fast, safe, and reliable payment directly to contractors and saves both parties the cost of processing checks. Contractors may track and verify payments made electronically through the Comptroller's [Vendor Web system](#). A link to the EFT application may be found on the [OSD Forms](#) page ( [www.mass.gov/lists/osd-forms](http://www.mass.gov/lists/osd-forms)). Additional information about EFT is available on the [VendorWeb](#) site ([www.mass.gov/osc](http://www.mass.gov/osc)). Click on MASSfinance.

Successful bidders, upon notification of contract award, will be required to enroll in EFT as a contract requirement by completing and submitting the *Authorization for Electronic Funds Payment Form* to this department for review, approval, and forwarding to the Office of the Comptroller. If the bidder already is enrolled in the program, it may so indicate in its response. Because the *Authorization for Electronic Funds Payment Form* contains banking information, 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.

The requirement to use EFT may be waived by the SSST on a case-by-case basis if participation in the program would be unduly burdensome on the bidder. If a bidder is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in its response. The SSST will consider such requests on a case-by-case basis and communicate the findings to the bidder.

**15. Executive Order 509, Establishing Nutrition Standards for Food Purchased and Served by State Agencies.** Food purchased and served by state agencies must be in compliance with Executive Order 509, issued in January 2009. Under this Executive Order, all contracts resulting from procurements posted after July 1, 2009, that involve the purchase and provision of food must comply with nutrition guidelines established by the Department of Public Health (DPH). The nutrition guidelines are available at the Department's website: [Tools and Resources for Implementation of Executive Order 509](#).

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**16. HIPAA: Business Associate Contractual Obligations.** Bidders are notified that any department meeting the definition of a Covered Entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) will include in the RFR and resulting contract sufficient language establishing the successful bidder's contractual obligations, if any, that the department will require in order for the department to comply with HIPAA and the privacy and security regulations promulgated thereunder (45 CFR Parts 160, 162, and 164) (the Privacy and Security Rules). For example, if the department determines that the successful bidder is a business associate performing functions or activities involving protected health information, as such terms are used in the Privacy and Security Rules, then the department will include in the RFR and resulting contract a sufficient description of business associate's contractual obligations regarding the privacy and security of the protected health information, as listed in 45 CFR 164.314 and 164.504 (e), including, but not limited to, the bidder's obligation to: implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the protected health information (in whatever form it is maintained or used, including verbal communications); provide individuals access to their records; and strictly limit use and disclosure of the protected health information for only those purposes approved by the department. Further, the department reserves the right to add any requirement during the course of the contract that it determines it must include in the contract in order for the department to comply with the Privacy and Security Rules. Please see other sections of the RFR for any further HIPAA details, if applicable.

**17. Minimum Quote (Bid Response) Duration.** Bidders Quotes made in response to this Bid must remain in effect for at least 90 days from the date of quote submission.

**18. Prompt Payment Discounts (PPD).** All bidders responding to this procurement must agree to offer discounts through participation in the Commonwealth's Prompt Payment Discount (PPD) initiative for receiving early and/or on-time payments, unless the bidder provides compelling proof that it would be unduly burdensome. PPD benefits both contractors and the Commonwealth. Contractors benefit by increased, usable cash flow as a result of fast and efficient payments for commodities or services rendered. Participation in the Electronic Funds Transfer (EFT) 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 contractors reduce the cost of products and services through the applied discount. Payments that are processed electronically may be tracked and verified through the Comptroller's Vendor Web system. The PPD form may be found as an attachment for this Bid on [COMMBUYS](#).

Bidders must submit agreeable terms for Prompt Payment Discount using the PPD form within their proposal, unless otherwise specified by the SSST. The SSST 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 SSST on a case-by-case basis if participation in the program would be unduly burdensome on the bidder. If a bidder is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in or attached to the PPD form.

**19. Public Records.** All responses and information submitted in response to this RFR are subject to the Massachusetts Public Records Law, M.G.L., c. 66, s. 10, and to c. 4, s. 7, ss. 26. Any statements in submitted responses that are inconsistent with these statutes, including marking by bidders of information as confidential during the quote submission process in COMMBUYS, shall be disregarded.

**20. Reasonable Accommodation.** Bidders with disabilities or hardships that seek reasonable accommodation, which may include the receipt of RFR 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 bidder requesting accommodation must submit a written statement which describes the bidder's disability and the requested accommodation to the contact person for the RFR. The SSST reserves the right to reject unreasonable requests.

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**21. Restriction on the Use of the Commonwealth Seal.** Bidders and contractors are not allowed to display the Commonwealth of Massachusetts Seal in their bid package or subsequent marketing materials if they are awarded a contract because use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law.

**22. Subcontracting Policies.** Prior approval of the department is required for any subcontracted service of the contract. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors. Human and social service subcontractors are also required to meet the same state and federal financial and program reporting requirements and are held to the same reimbursable cost standards as contractors.

**23. Acceptable Forms of Signature**

Effective June 15, 2021, for all 1) CTR forms, including the Standard Contract Form, W-9s, Electronic Funds Transfer (EFT) forms, ISAs, and other CTR-issued documents and forms, or 2) documents related to state finance and within the statutory area of authority or control of CTR (i.e. contracts, payrolls, and related supporting documentation), CTR will accept signatures executed by an authorized signatory in any of the following ways: 1. Traditional “wet signature” (ink on paper); 2. Electronic signature that is either: a. Hand drawn using a mouse or finger if working from a touch screen device; or Page 2 b. An uploaded picture of the signatory’s hand drawn signature 3. Electronic signatures affixed using a digital tool such as Adobe Sign or DocuSign. If using an electronic signature, the signature must be visible, include the signatory’s name and title, and must be accompanied by a signature date. Please be advised that typed text of a name not generated by a digital tool such as Adobe Sign or DocuSign, even in computer-generated cursive script, or an electronic symbol, are not acceptable forms of electronic signature.