**INSTRUCTIONS FOR PURCHASERS:**

**Policy requirements:**

**This template document may be used, subject to OSD approval, to create Due Diligence Posting Notices as described in the** [**OSD’s Best Value Procurement Handbook on the OSD Website**](https://www.mass.gov/doc/conducting-best-value-procurements-handbook/download)**. Please refer to Page 21 and Appendix A of the Handbook for more detailed information on Due Diligence Posting Notices. Additionally, the following information describes the process to follow when posting Due Diligence Notices in COMMBUYS:**

**Due Diligence Posting Notices**

If OSD approves a due diligence posting request submitted at the requisition stage of the process, the Department may proceed to create a Due Diligence Posting as a COMMBUYS Bid. The posting may consist of the interested Seller’s offer to determine if there are other interested Sellers willing to provide comparable value to the Department. The following requirements will apply to such postings on COMMBUYS:

* The posting must be an Open Bid with notification issued to all Sellers who are registered under all the commodity codes included in the profile of the interested Seller (if any) whose offer the Department intends to accept.
* The posting must require all interested parties, including the interested Seller (if any) who’s offer the Department intends to accept, to submit an electronic Quote through COMMBUYS in response to this posting.

**Color coding explanation for purchasers:**

This template document uses color highlighting to identify the following:

* Optional items that may apply to some Bids – shown in gray, and may be deleted. Highlighting should be removed before RFR publication if those items are left in.
* Instructions – shown in yellow and should be deleted before RFR publication.

**Please delete this instructions page and remove highlighting after document completion and before publication.**

**Due Diligence Posting of Notice of Intent to**

**[CHOOSE ONE] “Accept a Best Value Offer”, “Purchase a Proprietary Product or Service”, “Purchase Services from Another Massachusetts Government Entity”**

The [ENTER DEPARTMENT NAME] (“\_\_\_” or “Department”) of the Commonwealth of Massachusetts announces its intent to [CHOOSE ONE: “Accept a Best Value Offer”, “Purchase a Proprietary Product or Service”, “Purchase Services from Another Massachusetts Government Entity” ] pursuant to the Commonwealth’s Due Diligence Posting policy, to [CHOOSE ONE “contract for the following with” or “accept the following from”] [ENTER VENDOR NAME] (“Offeror”), pending the results of this Notice of Intent (“Notice”):

**Description**

[Describe offer of goods and/or services; provide background and timeframe, including start and end dates; include a description of project deliverables, if applicable, enter the number of units and price per unit and total cost, if any.]

The Department is posting this Notice rather than conducting a full procurement because the Department believes this opportunity represents best value to the Commonwealth and is utilizing this Due Diligence Posting to ensure that the process is open, fair and competitive.

**Determination of Other Interested Vendors**

The intent of this posting is to determine if there are any other interested and qualified vendors. Any such vendors must [SELECT ONE OF THE FOLLOWING]:

* Submit documentation that they can provide a comparable or better offer [ONLY SELECT THIS OFFER FOR “Best Value Offer” or “Intent to Purchase Services from Another Massachusetts Government Entity”]
* Submit documentation that they can also provide the same proprietary product or service [ONLY SELECT THIS OFFER FOR “Proprietary Product” or “Proprietary Service “ acquisitions]

**Response Requirement and Deadline**

**All** Interested Vendors and Offerors interested in responding to this Notice, regardless of prior communications with the Department, **must** submit a Response to this posting containing evidence of their qualification and interest [INSERT ANY ADDITIONAL INFORMATION THAT INTERESTED VENDORS MUST PROVIDE]. All required information must be submitted by [INSERT TIME \_\_:00PM] (prevailing Eastern Time) on [INSERT DAY OF WEEK], [INSERT MM/DD/YYYY] as follows:

If, after the posting deadline has passed, interest is generated by this Notice, the Department will review all Responses and will determine whether they will: [INCLUDE ALL THAT APPLY AND DELETE THOSE THAT DO NOT APPLY: (i) withdraw the notice and not accept the Offeror’s offer (and cancel the Notice of Intent) or (ii) accept the offer from the Offeror or (iii) accept an offer from another vendor offering a comparable or better value than the Offeror in their Response or (iv) accept the offer from the Offeror and from any other offerors offering similar value in their response.]

**Additional Terms Required for Doing Business with the Commonwealth** [DELETE THIS SECTION IF THE TOTAL VALUE OF THE COMMODITY / SERVICE BEING PURCHASED IS LESS THAN $10,000. UPDATE BASED ON THE NATURE OF THE POSTING WITH ADDITIONAL FORMS FROM THE [OSD FORMS](http://www.mass.gov/anf/budget-taxes-and-procurement/oversight-agencies/osd/osd-forms.html) PAGE.]

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| --- | --- |
| **Names of Standard Forms** | **Instructions** |
| [Instructions for Vendors Responding to Bids Electronically](https://www.mass.gov/doc/instructions-for-vendors-responding-to-bids/download) | Read and agree prior to submitting a Response. |
| [RFR - Required Specifications](https://www.mass.gov/doc/rfr-required-specifications-for-commodities-and-services/download) | Read and agree prior to submitting a Response. |
| [Prompt Payment Discount Form](https://www.mass.gov/doc/prompt-payment-discount-form/download) | Complete electronically and submit as an attachment to Quote. |
| [Commonwealth Terms & Conditions](https://www.mass.gov/doc/exhibit-f-1-commonwealth-terms-and-conditions-0/download) | Read and agree. Sign and submit original with wet signature upon Award, if any. |
| [Contractor Authorized Signatory Listing](https://www.mass.gov/doc/fy2022-contractor-authorized-signatory-form/download) | Read and agree. Sign and submit original with wet signature upon Award, if any. |
| [Request for Taxpayer Identification Number and Certification (W-9)](https://www.mass.gov/doc/form-w-9-request-for-taxpayer-identification-number-certification/download) | Read and agree. Sign and submit original with wet signature upon Award, if any. |
| [Standard Contract Form and Instructions](https://www.macomptroller.org/wp-content/uploads/instructions_standard-contract-form.pdf) | Read and agree. Sign and submit original with wet signature upon Award, if any. |
| Authorization for Electronic Funds Transfer (ETF) | \*Note: Vendors should acquire this form directly from purchasing departments when awarded. |

**Quote Submission Method**

Online Quote Submission via COMMBUYS is required. All Interested Vendors and Offerors must submit Quotes online using tools available only to Sellers registered in COMMBUYS. COMMBUYS provides Seller registration functionality at no charge. To register, go to [www.COMMBUYS.com](http://www.COMMBUYS.com) and click on the “Register” link on the front page. All Interested Vendors and Offerors who are awarded a contract resulting from this Notice, if any, will be required to maintain an active account during the duration of the Contract, by reviewing their registration information regularly and maintaining its accuracy.

**COMMBUYS Quote Submission Training and Instructions**

The following resources are provided to assist Interested Vendors and Offerors in submitting Quotes:

* An online job aid on [How to Create a Quote](https://www.mass.gov/doc/how-to-create-a-quote-in-commbuys/download);
* Webcast video on [How to Find Bids (Solicitations) and Submit Quotes (Responses) through COMMBUYS](https://app.screencast.com/g2ZDQhqpyr4M4);
* Instructor-led trainings (ILT) and live webinar sessions on “How to Locate and Respond to Bids” may also be available. Check the [OSD Training Courses](https://www.mass.gov/osd-buyer-training) schedule for Sellers/Business Entities for available locations, dates and times. Note that space is limited and pre-registration for trainings is required to attend. Follow instructions on the course schedule to register.

**COMMBUYS Support**

Technical assistance is available during the procurement process. Every effort is made to respond to inquiries within one business day.

* **Website:** Go to [www.mass.gov/osd/commbuys](http://www.mass.gov/osd/commbuys) and select the COMMBUYS Resource Center link offered under Key Resources.
* **Email:** Send inquiries to the COMMBUYS Helpdesk at COMMBUYS@state.ma.us
* **Telephone:** Call the COMMBUYS Help Desk at 1-888-MA-STATE (1-888-627-8283). The Help Desk is staffed from 8:00 AM to 5:00 PM Monday through Friday Eastern Standard or Daylight time, as applicable, except on federal and state holidays.

Interested Vendors and Offerors are advised that COMMBUYS will be unavailable during regularly scheduled maintenance hours of which all users will be notified.