



**EXECUTIVE OFFICE OF ENERGY &
ENVIRONMENTAL AFFAIRS
KATHLEEN THEOHARIDES, SECRETARY
GRANT ANNOUNCEMENT**

FY 23 PLANNING ASSISTANCE GRANTS
ENV 23PLN 01
DATED: APRIL 14, 2022
RESPONSES DUE: MAY 20, 2022

COMMBUYS BID #BD-22-1042-ENV-ENV01-74067

OVERVIEW AND GOALS: The Executive Office of Energy & Environmental Affairs (EEA) hereby offers Massachusetts' municipalities technical assistance to improve their land use practices. Through this announcement, Kathleen Theoharides, Secretary of the Executive Office of Energy and Environmental Affairs (the Secretary), makes available grant funding to the Commonwealth's municipalities and Regional Planning Agencies in support of their efforts to plan, regulate (zone), and act to conserve and develop land consistent with the Massachusetts' Sustainable Development Principles.

These Planning Assistance Grants are part of an effort to encourage municipalities to implement land use regulations that are consistent with the Baker-Polito Administration's land conservation and development objectives including reduction of land, energy, and natural resource consumption and provision of sufficient and diverse housing. They also support efforts to mitigate and adapt to climate change and build a more resilient Commonwealth, including priority projects identified through EEA's Municipal Vulnerability Preparedness program. Funds are intended to help communities undertake the public process and retain appropriate technical expertise.

PROPOSALS SOUGHT FOR: Technical assistance to Massachusetts municipalities to improve land use practices.

TYPE OF PROCUREMENT: Grant

CONTACT PERSON: Kurt Gaertner
Executive Office of Energy & Environmental Affairs
100 Cambridge Street, 9th Floor
Boston, MA 02114
Kurt.Gaertner@mass.gov

RESPONSE DUE DATE: May 20, 2022 at 4:00 PM

SUBMIT RESPONSES TO: Kurt Gaertner (*see above*)

MULTIPLE CONTRACTS: Each community may submit or participate in only one application. Multiple applicants may be selected for funding.

BIDDERS CONFERENCE: None. However, questions will be accepted through May 10, 2022 at 5pm and should be directed to Kurt Gaertner at kurt.gaertner@mass.gov. Answers will

be posted on COMM-BUYS.

SINGLE OR MULTIPLE DEPARTMENTS MAY CONTRACT UNDER THIS RFR:

ALL contracts awarded under this RFR will be utilized solely by EEA.

TOTAL ANTICIPATED DURATION OF CONTRACT (S): The contract period will end by June 30, 2024 for most contracts issued pursuant to this RFR, and deliverables for these contracts must be received, along with final billing, by July 31, 2024 (exceptions and contract extensions will be handled on a case by case basis and addressed in individual contracts).

ANTICIPATED BUDGET: Up to \$50,000 per proposal (or per community assisted in the case of multi-jurisdictional proposals) will be available to municipalities, though exceptions may be made at the Secretary's discretion. Proposals are expected to vary in the amount of funding requested based on the anticipated activity. For example, a community proposing to develop a tree retention bylaw might request \$5,000; while a city undertaking a comprehensive re-write of the local zoning ordinance to achieve Master Plan consistency might request the maximum of \$50,000.

MATCH REQUIREMENT: A proposed budget must include a minimum non-state match of 25%. Neither District Local Technical Assistance nor Unified Planning Work Program funds are considered "state" funds under this grant, and are eligible for use as match. Respondents may also propose the use of in-kind services from planning professionals as matching funds. Note: Volunteer time will not be accepted for matching purposes. Respondents must submit letters of commitment from all organizations providing matching funds, including the amount to be provided, on the letterhead of the granting organizations. If such funds are not yet formally available, Respondents must include a notice of intent to provide matching funds from the potential funding organizations and the amount that will be provided from each. Respondents may not use any grant funding from any agency of the Commonwealth of Massachusetts as matching funds. Any funding from any non-state grant, public or private, must be accompanied by a letter from the grantor on their letterhead authorizing the use of matching funds.

PREVAILING WAGE APPLICABLE: No

IDENTIFICATION OF CONTRACTS WITH COMMONWEALTH AGENCIES OR SUBDIVISIONS: Yes

IDENTIFICATION OF FINANCIALLY INTERESTED PARTIES: No

RFR DISTRIBUTION (Comm-Buys): This RFR has been distributed electronically using the COMM-BUYS system. It is the responsibility of every Respondent to check 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 Respondents 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 to 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.

RESPONDENT ELIGIBILITY: This RFR is open to -

- Municipalities (individually or as a group with an identified lead community with whom the state will contract). Municipalities are expected, subject to EEA approval, to sub-contract with non-profits, planning consultants, and regional planning agencies to complete approved proposals.
- Regional Planning Agencies (RPAs) on behalf of a community or communities for the implementation of specific task (e.g. helping a group of five communities zone for transit oriented development). Note: Applications from RPAs may be weighted on a community-by-community/task-by-task basis in order to ensure equitable scoring. RPAs may, subject to EEA approval, sub-contract with non-profits and planning consultants.

Applications require a letter of endorsement from the chief elected official of every community participating in the proposed project.

PROJECT DEFINITION: EEA seeks to further implement the MA Sustainable Development Principles. Applications that implement techniques found in the Smart Growth Toolkit are desirable. Applicants are encouraged to review the Sustainable Development Principles (see Appendix A) and the Massachusetts Smart Growth Toolkit (see http://www.mass.gov/envir/smart_growth_toolkit/).

In order to advance specific priorities \$150,000 in funding will be set-aside for each of the following:

1. Zoning for sustainable housing production, including zoning to address compliance with Section 3A of the Zoning Act (MBTA Communities) or any of the Housing Choice Best Practices (e.g. Accessory Dwelling Units, 40R Smart Growth Zoning, Transit Oriented Development, or Mixed-Use zoning);
2. Zoning that results in permanent land conservation (e.g. Natural Resource Protection Zoning or Transfer of Development Rights); and
3. Mitigation of climate change through zoning and other regulations that reduce energy use and greenhouse gas emissions via a better mix of land uses, more compact growth, enhanced design, etc.

In the event insufficient proposals are received to utilize funds set aside in each of these categories funds will be reassigned at EEA's discretion to fund other grant proposals.

Responses can be for a project within a single municipality or for an implementation activity across a region. For example, five communities interested in passing a Village Center bylaw are encouraged to submit a regional application. Regional responses will require the endorsement, via a letter of support, from any community that is to be the subject of a proposal.

Tasks suitable for funding under this RFR include but are not limited to:

- Actions implementing the results of a Climate Vulnerability Assessment – priorities that were identified either through the Community Resilience Building Framework under the MA Vulnerability Preparedness Program or a similar Climate Vulnerability

- Assessment
- Zoning for solar or other renewable energy systems;
 - Implementation of techniques from the Smart Growth/Smart Energy Toolkit - Smart Parking, Form Based Codes, Low Impact Development, etc.
 - Rezoning for consistency with a Master Plan or implementation of specific actions or recommendations from a Master Plan.
 - Development of a mixed-use zoning district (e.g. mill building reuse, Village Center)
 - Feasibility studies, land-use analyses, and other plans necessary for successful redevelopment or other use, such as an urban park, of sites and buildings
 - Zoning for agriculture, forestry preservation, or tree retention;
 - Work necessary to utilize a package wastewater treatment plant to advance development under village center or other smart growth consistent zoning;
 - Development of complete streets policy and plans that enable biking and walking instead of driving; reduced road standards in subdivision rules and regulations consistent with Complete Streets or the *Sustainable Neighborhood Road Design: A Guidebook for Massachusetts Cities and Towns*; and
 - Drafting a Water Conservation Plan that meets state water conservation standards

GRANT REQUIREMENTS: As a condition of funding assistance contracts executed under this RFR will include a clause noting that grant recipients agree to share the end product of the funded activities with EEA and with other communities in the Commonwealth through reports, meetings, workshops, and to highlight these activities in print, on the web or other media outlets. EEA is to be credited for project funding.

All contracts resulting from this RFR will require a brief project update every quarter. For regional responses each community must be included in the update. These updates will include a summary of tasks achieved and include all public outreach materials created during this period. A final report is also required. This final report must include a copy of the completed tasks as contracted (by-laws, site plans, etc.). An electronic and paper copy of all deliverables must be sent to EEA.

Grantees must seek appropriate approval for any plan or regulation produced via a grant from this Program. For example, a vote of town meeting or city council is expected for any zoning developed with grant funds (EEA recognizes that the outcome of the vote cannot be guaranteed).

INVOICING: EEA may, at its discretion, provide up to 50% of granted funds upon contract execution. The balance of granted funds will be disbursed on a reimbursement basis. Reimbursement requests should be submitted at least quarterly. Grantees must prepare a final report and invoice upon project completion that details all costs incurred and matching funds provided. Only work completed during the period of the executed contract will be eligible for reimbursement. Upon receipt of all required deliverables the community will be reimbursed for the balance of any grant funds outstanding.

SUBMISSION REQUIREMENTS: Submit an electronic copy of the proposal via email to kurt.gaertner@mass.gov. Each Proposal must clearly indicate that it is an application to the Planning Assistance Grant Program. Failure to provide any of the materials listed below may result in the disqualification of the Proposal. Proposals must be submitted on or before May 20, 2022 at 4:00 PM.

Project proposals must include the following:

- A task-by-task description of each major element of the proposed project including means of accomplishment, projected budget, a timeline indicating anticipated initiation and completion; any product to be delivered or outcome to be realized, and proposed measures of success;
- Budget summary for the entire requested grant, including local match, and a breakdown of the requested grant funds by state fiscal year (FY23 and FY24);
- Explanation as to how proposed activities meet the evaluation criteria;
- Regional proposals should be organized by municipality, with tasks listed under each community. Regional proposals must include a letter of endorsement from all participating communities;
- A letter(s) committing to at least a 25% local match of the funds requested from EEA;
- If proposed task is implementing a recommendation from a Master Plan or other plan, Climate Vulnerability Assessment, or other document include a copy of relevant pages;
- If proposing zoning or other regulatory revision, please include a specific listing of bylaws/ordinances or other regulations to be developed;

If selected, the Respondent will be required to submit the following forms to complete a contract:

- Commonwealth Standard Contract Form, filled out and signed by the Respondent
- Commonwealth Scope and Budget Form (available from EEA)
- Completed Contractor Authorized Signature Verification Form.

Respondents are encouraged to review these forms prior to submission of a Response. They are available at: <http://www.mass.gov/anf/budget-taxes-and-procurement/oversight-agencies/osd/osd-forms.html>

EVALUATION CRITERIA: Each Response will be scored using the following measures:

- Advances sustainable development by directly, quickly, and significantly improving growth;
 - Establishes by-right zoning that expedites local permitting;
 - Enhances land use regulation (e.g. reduces land, energy, or natural resource consumption or better provides infrastructure or municipal services) in an area of rapid growth or high natural resource value;
- Utilizes funding efficiently & provides it where it is most needed;
 - Assists a community in need (low equalized property valuation per capita);
 - Benefits a neighborhood meeting a least two of the environmental justice criteria;
 - Distributes funds to communities that have not received a grant or that have received little funding assistance in prior grant rounds.
- Implements a Master, Climate Change (mitigation or adaptation), Open Space, Housing Production, or other Plan (including priority implementation projects identified by a Municipal Vulnerability Program Community);
- Involves more than one municipality collaborating regionally on similar and related tasks;
- Provides a match above the required 25%;
- Implements a Smart Growth Toolkit technique;
- Pursues a zoning practice eligible for a simple majority vote under Ch. 40A Sec. 5 (see Appendix B);
- Advances a Community Compact Best Practice commitment; and
- Demonstrates consistency with the MA Sustainable Development Principles

- Provides for sustainable housing production;
- Delivers a substantial energy or environmental benefit (e.g. better climate resilience, reduced energy use, protection of critical habitats, or reduced greenhouse gas emissions);
- Facilitates walking, biking, and transit use.

NOTE: EEA reserves the option to interview some or all of those submitting a proposal for the purpose of clarifying a proposal prior to making a final award.

PROJECT TERMS: A final contract is subject to successful negotiation of a Final Scope of Services. Please note that EEA does not guarantee that any contract may result from this RFR or that any particular funding level will be awarded. It is anticipated that projects could commence immediately upon contract execution. The awarded contract will be reviewed during its course and, upon request by the Contractor, may be extended at the sole discretion of EEA for up to one additional year. Any extension granted will not necessarily change, or increase, the monetary value of the contract.

APPENDIX A

Massachusetts Sustainable Development Principles

The Commonwealth of Massachusetts shall care for the built and natural environment by promoting sustainable development through integrated energy and environment, housing and economic development, transportation, public health and safety, and other policies, programs, investments, and regulations. The Commonwealth will encourage the coordination and cooperation of all agencies; invest public funds wisely in smart growth and equitable development; and give priority to investments that will deliver good jobs and wages, transit access, housing, and open space, in accordance with the following Sustainable Development Principles. Furthermore, the Commonwealth shall seek, through incentives and assistance, to advance these Principles in partnership with regional and municipal governments, non-profit organizations, businesses, and other stakeholders.

1. Concentrate Development and Mix Uses

Support the revitalization of city and town centers and neighborhoods by promoting development that is compact, conserves land, reduces infrastructure and service costs, protects historic resources, integrates uses, enables pedestrian and bicycle access, and connects to transit. Encourage remediation, restoration, and reuse of existing sites, structures, and infrastructure rather than new construction on farm, forest, or other undeveloped land. Create pedestrian and bicycle friendly districts and neighborhoods that mix commercial, civic, cultural, educational, and recreational activities with open spaces and homes. Promote the creation of vibrant public spaces that facilitate strong civic and social engagement, through deliberate planning, design, construction, and management.

2. Advance Equity

Promote, through plans, regulations, and investments, equitable sharing of the benefits and burdens of development including access to housing, recreational opportunities, and transportation choices. Provide technical and strategic support for inclusive community planning and decision making to ensure social, economic, and environmental justice. Ensure that the interests of our most vulnerable populations and future generations are not compromised by today's decisions.

3. Make Efficient Decisions

Make state and local regulatory, investment, and permitting processes clear, predictable, coordinated, and timely. Ensure that zoning and other development guidelines and regulations result in projects that align with the goals of smart growth, environmental stewardship, and healthy communities. Set goals and track performance to enhance consistency with these Principles.

4. Protect Land and Ecosystems

Protect and restore environmentally sensitive lands, natural resources, productive forest and agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Increase the quantity, connectivity, quality and accessibility of open spaces and recreational opportunities.

5. Use Natural Resources Wisely

Site, design, construct, and promote developments, buildings, and infrastructure that conserve natural resources by reducing waste and pollution through efficient use of land, energy, water, and materials. Operate fleets, facilities, and other assets in a manner that reduces greenhouse gas emissions, costs, and resource consumption. Advance the use and reuse of durable, sustainable materials considering their production, transportation, use, and disposal. Protect, enhance, and restore natural infrastructure and promote ecological design.

6. Expand Housing Opportunities

Support the construction and rehabilitation of homes to meet the needs of people of all abilities, income levels, and household types. Build homes near jobs, transit, and where services are available. Encourage energy-efficient design, the use of sustainable materials, and consideration of resiliency to climate change and extreme weather. Foster the development of housing, particularly multifamily and smaller single-family homes, in a way that is compatible with the community's character and vision, while providing new housing choices for people of all means.

7. Provide Transportation Choice

Maintain and expand transportation options to enhance mobility, maximize access, promote healthy and active lifestyles, reduce congestion, minimize fuel consumption, improve air quality, reduce greenhouse gas emissions, and ensure the safety of those traveling by all modes. Prioritize rail, bus, boat, rapid and surface transit, shared-vehicle and shared-ride services, bicycling, and walking in order to increase travel by these modes. Consider climate change impacts in transportation planning, project selection, and prioritization, ensuring infrastructure resilience and provision of transportation options during extreme weather events. Distribute resources equitably. Invest strategically in existing and new passenger and freight transportation infrastructure that supports sound economic development and housing construction consistent with smart growth objectives.

8. Increase Job and Business Opportunities

Encourage businesses to locate near housing, infrastructure, and transportation options. Promote economic development through policies and programs intended to enhance the business climate in Massachusetts across industry sectors. Expand access to education, training, and entrepreneurial opportunities. Support the growth of local businesses, including sustainable natural resource-based businesses, such as agriculture, forestry, clean energy technology, and fisheries. Protect and enhance the basis of natural resource economies.

9. Mitigate and Adapt to Climate Change

Endeavor to limit and prepare for climate change. Reduce greenhouse gas emissions from buildings, electricity generation, transportation, and other sources through decreased consumption of fossil fuels. Maximize energy efficiency and renewable energy opportunities. Support energy conservation strategies, local clean power generation, distributed generation technologies, and innovative industries. Encourage ecological siting and design before mechanical solutions. Protect against hazards in order to enhance resilience and decrease vulnerability to climate change and natural disasters in the natural and built environment. Promote redundancy of critical systems and coordinated regional, state, and local resilience planning in response to climate change and extreme weather events.

10. Plan Regionally

Support the collaborative development and implementation of local, regional, state, and interstate plans that are consistent with these Principles. Foster development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit. Consider the long-term ecological, economic, and social costs, benefits, and impacts to the residents and natural resources of the Commonwealth.

APPENDIX B

Zoning practices eligible for a simple majority vote Chapter 40A Section 5, specifically zoning that:

1. Allows for multi-family housing or mixed-use developments “as of right” or by special permit in an eligible location.
2. Allows for open space residential development as of right.
3. Allows accessory dwelling units, either within the principal dwelling or within a detached structure on the same lot, as-of-right.
4. Allows by special permit accessory dwelling units in a detached structure on the same lot.
5. Reduces the parking requirements for residential or mixed-use development under a special permit.
6. Permits an increase in the permissible density of population or intensity of a particular use in a proposed multi-family or mixed-use development in an eligible location that requires a special permit.
7. Changes dimensional standards such as lot coverage or floor area ratio, height, setbacks, minimum open space coverage, parking, building coverage to allow for the construction of additional residential units on a particular parcel or parcels of land.
8. Provides for transfer of development rights zoning or natural resource protection zoning in instances where the adoption of such zoning promotes concentration of development in areas that the municipality deems most appropriate for such development, but will not result in a diminution in the maximum number of housing units that could be developed within the municipality.
9. Adopts a smart growth or starter home district in accordance with section 3 of Chapter 40R of the General Laws.