



**EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
RICHARD K. SULLIVAN, JR.
SECRETARY**

**EEA 14 POL 01
DAM, LEVEE AND COASTAL INFRASTRUCTURE
REPAIR AND REMOVAL PROGRAM
REQUEST FOR RESPONSES (RFR)
INCLUDING APPLICATION FORMS**

**POSTING DATE: 1 AUGUST 2013
CLOSING DATE: 29 AUGUST 2013**

OVERVIEW AND GOALS: The primary mission of the Executive Office of Energy and Environmental Affairs (EEA) is to enhance, preserve and protect the natural resources and scenic, historic and aesthetic qualities of the Commonwealth of Massachusetts. EEA seeks to enter into contracts with qualified organizations to implement projects for the repair and removal of dams, levees, seawalls, and other forms of inland and coastal flood control.

Funding for awards will be from a combination of sources, including but not limited to M.G.L. c. 29, §2III as well as Commonwealth capital account funds. Funds awarded under M.G.L. c. 29, §2III are subject to 301 CMR 15.00, entitled Provisions for Administration of the Dam and Sea Wall Repair or Removal Fund. Those regulations are included in this RFR as Appendix G as well as EEA's website (*See <http://www.mass.gov/eea/air-water-climate-change/preserving-water-resources/water-laws-and-policies/water-laws/draft-regs-re-dam-and-sea-wall-repair-or-removal-fund.html>*).

Please note that EEA does not guarantee that any contract will result from this RFR or that any particular funding level will be awarded.

ITEM TO BE BID: The repair and/or removal of dams, levees, seawalls, and other forms of inland and coastal flood control.

CONTACT: Kevin Miller
Executive Office of Energy and Environmental Affairs
100 Cambridge Street – Suite 900
Boston, MA 02114

RESPONSES ARE DUE: 29 August 2013, 3:00 PM

SINGLE/MULTIPLE CONTRACTS: EEA reserves the right to issue multiple contracts under this RFR. Eligible parties may file multiple responses.

BIDDERS' CONFERENCE:

Four Bidders' Conferences will be held:

Date: 5 August 2013	Date: 6 August 2013	Date: 6 August 2013	Date: 7 August 2013
Time: 1:30 PM	Time: 9:30 AM	Time: 2:00 PM	Time: 10:00 AM
Place: 100 Cambridge St Second Floor Conference Room A Boston, MA 02114	Place: Scituate Town Hall Route 3A Hearing Room Scituate, MA 02066	Place: Ipswich Town Hall Selectmen's Room 25 Green Street Ipswich, MA 01938	Place: DEP - Worcester 627 Main Street Worcester, MA 01608

SINGLE OR MULTIPLE DEPARTMENTS MAY CONTRACT UNDER THIS RFR: The contracts awarded under this RFR will be utilized solely by EEA.

ANTICIPATED BUDGET: The maximum award for any one application shall be \$1,000,000 for dams and levees (Category 1 and Category 3 applications), and \$4,000,000 for seawalls and other coastal infrastructure (Category 2 applications). EEA does not guarantee that any award will result from this RFR or that any particular funding level will be achieved.

PREVAILING WAGE APPLICABLE: For publicly owned structures, yes.

IDENTIFICATION OF CONTRACTS WITH COMMONWEALTH AGENCIES OR DIVISIONS: Yes

IDENTIFICATION OF FINANCIALLY INTERESTED PARTIES: Yes

RESUMES OF KEY PERSONNEL: Must be submitted with Response.

RFR DISTRIBUTION: This RFR has been distributed electronically using the Comm-PASS system. It is the responsibility of all Bidders to check Comm-PASS 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 Bidders who fail to check for amended RFRs and submit inadequate or incorrect responses. Potential bidders are advised to check the "last change" field on the summary page of any RFR for which they submit a response to ensure they have the most recent RFR files.

Bidders may not alter RFR language or any RFR component files. Bidders must respond in accordance to the RFR directions and complete only those sections that prompt a bidder 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.

PROJECT/APPLICANT CATEGORIES: Response applications will be accepted for three categories of projects. Responding Applicants are to review each category and submit a project application(s) for the most appropriate category. The categories for which applications for the repair or removal of infrastructure will be accepted are:

Category 1 - Dams and similar regulated and unregulated impoundments (see page 9 for details)

Category 2 - Seawalls, coastal flood and/or wave control structures (see page 11 for details)

Category 3 - Inland flood control structures and levees, excluding dams and non-jurisdictional impoundments (see page 12 for details)

Each category has a distinct set of eligibility and selection criteria. Please be sure to review the criteria carefully.

RESPONDENT ELIGIBILITY: While this RFR is open to public and private entities including cities, towns, charitable organizations, public and privately held firms, interested Responding Applicants must check the eligibility for the specific category for which funds will be requested. Eligibility varies according to the category for which funds are offered.

FORM OF AWARDS: For the selected projects, responding applicants may be offered funding through a package offering a combination grant and loan. It is anticipated that the grant portion of the award shall be for final design, permitting, and bid package preparation, while the loan portion of the award shall be for costs primarily related to construction and implementation. For private dam owners, awards will be offered solely as loans.

The interest rate for loans made shall be fixed at no more than 2% or one half the market rate as established by the Wall Street Journal prime rate in place at the time the loan application is made, whichever is greater.

Private dam owners, if selected, will be offered funds only as 100% loan. The loan will be executed upon completion and acceptance of the project by the EEA contract manager for allowable costs as defined in the award contract. The loan will be issued as a reimbursement of costs incurred over the project life, subject to the maximum amount stated in the contract. This is also true for charitable organizations who are owners of a dam for which a loan has been offered.

Municipal and charitable organizations may, if the project is already fully designed and permitted, request that their entire award be a construction loan. The full value of the eligible award remains the same.

In order to provide an incentive for projects that will maximize the use and/or restoration of natural systems, EEA reserves the right to modify the loan terms. Those projects which minimize or eliminate the use of hard infrastructure are eligible for a zero percent interest rate. Projects will be considered for zero percent interest if:

- implementation will result in improvement to public health;
- design plans recognize the potential impact of climate change and improve resilience; and,
- implementation will improve or expand the functions of naturally occurring systems.

In addition to funds available from the Dam and Sea Wall Repair or Removal Fund established by M.G.L. c. 29, 2III, EEA has supplemental funding which it intends to make available for municipal coastal

infrastructure projects (**Category 2**) critical to the protection of public health and safety as well as key public infrastructure. These funds may be awarded solely in grant form.

CONTRACT DURATION: The contract period will begin on the date of contract execution or a specified later date. Multiple contracts may be awarded under a single application.

All funds awarded from the Dam and Seawall Repair and Removal Fund must be committed by the Grantee within 24 months of contract execution or be forfeited. Funds awarded from Commonwealth capital accounts pursuant to this RFR must expend 100% of costs associated with the approved project on or before the end of fiscal year 2015 (June 30, 2015).

All contracts shall be subject to available funding, whether through the appropriation and authorization of sufficient funds or the receipt of sufficient revenues. If available funding ceases for any reason, contracted partners will be notified in writing and the contract shall be deemed under suspension and contract performance must halt. A contractor will not be entitled to compensation for any performance provided during the period of contract suspension. EEA may lift the suspension, in writing, if additional funding is received. In the absence of foreseeable available funding, EEA may terminate the contract.

RESPONSE APPLICATION SUBMISSION PROCESS: Response packages, including an application (see Appendix A), and other supporting documents must be submitted on or before 29 August 2013 at 3:00 PM. Each response application must clearly identify the RFR number (RFR ENV 14 POL 01) on the outside of the package. A postmark will NOT be accepted for verification of date of submission. Proposals will NOT be accepted by electronic mail or fax machine. One original (clearly identified as an original), four copies, and one digital submission (on CD or DVD) of each Proposal must be submitted to be considered. Proposals **must** be prepared using 12 point font and printed using double-sided format. Digital submissions must be provided in Microsoft Office compatible format or Adobe Acrobat.

NOTE: if selected for funding, additional forms will be required to execute a contract, including:

- Commonwealth Standard Contract Form, filled out and signed by the Respondent
- Commonwealth Scope and Budget Form
- Commonwealth Terms and Conditions filled out and signed by the Respondent
- Commonwealth W-9 tax information form filled out and signed by the Respondent with DUNS number and Federal Tax ID
- Completed Contractor Authorized Signature Verification Form
- Prompt Payment Discount Form
- Electronic Funds Transfer Form
- Dam and Seawall Fund Finance Agreement, substantially in the same form as in Appendix E

Respondents are encouraged to review these forms prior to submission of their proposal. These forms are available through the RFR posting on Comm-PASS under the Forms and Terms tab.

Respondents may submit response applications for one or more projects. If submitting more than one

application, respondents must submit each as a distinct and separate package.

NOTE: If not the applicant is NOT the owner of the structure, a notarized letter from the owner in support of the project and authorizing the applicant to file on their behalf is required, as well as authorization for access to the property for an application site review as well as access during project implementation is required.

RESPONSE FORMAT: Respondents should make their best efforts to organize their Response in the following manner:

- Part I Proponent Qualifications
- Part II Project Identification and Narrative
 - Section A Review of Current Conditions
 - Section B Environmental Concerns
 - Section C Project Plan
- Part III Project Schedule and Cost Estimates
- Part IV Ongoing Operations and Maintenance Plans
- Appendix A Project Site Map
- Appendix B Planning Report(s) used as project basis
- Appendix C Conceptual and/or Final Design Plans (stamped by a registered engineer)
- Appendix D Supplier Diversity Market Plan
(See <http://www.mass.gov/anf/budget-taxes-and-procurement/oversight-agencies/osd/osd-forms.html>) and/or RFR Appendix D.

Guidance for each Response section is offered below:

Part I: Proponent Qualifications - Provide the name of the applicant including telephone number, the e-mail address of its authorized representative, and engineering consultant contact. Identify if the applicant is the owner of the structure or if a partner in the application with the owner. (If not the owner, a notarized letter from the owner in support of the project and authorizing the applicant to file on their behalf is required, as well as authorization for access to the property for an application site review as well as access during project implementation.)

Cite the experience of the applicant in performing or managing projects of this nature in the past, i.e. verify the capacity of the applicant to succeed in the implementation of the project in a timely fashion¹. Offer evidence that the applicant has the authority and financial stability to repay a loan if

¹ Note: All funds awarded from the Dam and Seawall Repair and Removal Fund must be committed by the Grantee within 24 months of contract execution or be forfeited.

awarded under this RFR.

Part II: Project Identification and Narrative - The purpose of the project narrative is to allow proponents to demonstrate their understanding of the nature of the problem to be addressed and how the proposed project will remedy the problem. The narrative should provide the reader a clear and concise understanding of the project, including the potential threat(s) resulting by NOT implementing the project as well as the benefits of implementation. The narrative should inform a reader not previously familiar with any details of the project so they gain a general understanding of the purpose and goals the applicant seeks to achieve. The narrative should be written in such a way that technical information is made clear to a general audience.

Section A: Review of Current Conditions -

- What public safety or public health issues will be addressed; how severe are the situations and how well has the situation been documented? At a minimum, cite recent inspection and/or evaluation reports relied upon for determining the condition of the structure.
- Identify the general project area (include a site plan/project map of sufficient scale, with project and relevant resources overlain) and describe the scope of the project and key tasks being proposed.
- Indicate whether the project is related to any regulation, permit or enforcement action. In table format, list any regulations, permits, or enforcement actions that apply, including federal administrative orders, MA administrative orders, MA order of non-compliance, federal permits, MA permits, federal regulations, and MA regulations. List the type of action, subject matter, reference number, appropriate section/page related to this project and deadlines for compliance.

Section B: Environmental Concerns -

- Describe the environmental impact resulting from the current structure(s).
- Provide documentation, in the form of published reports of Municipal, Local, State or Federal entities engaged in environmental protection. Laboratory results are also acceptable. Please provide web links (if available) and specific page references within any planning document or laboratory report submitted in support of the application. Proponents should note on the project site map where the affected resources are located. Note that any item that does not include documentation within the application will not receive consideration.

Section C: Project Plan –

- Briefly describe the objectives of the project and how implementation will address the issues cited above. If applicable, describe how the project proposed will improve or expand the

functions of naturally occurring systems. Note particular benefits to be derived including:

- Increased public safety;
 - Increase in the protection of public infrastructure;
 - If and how potential threats due to climate change have been considered;
 - Potential improvements to water quality, including the potential restoration of MassDEP designated uses;
 - Reductions of potential adverse impacts to sensitive environmental resources, especially, if applicable, describe how the project is expected to reduce or eliminate threats to native animals, and naturally occurring plant and resident or migratory fish species habitat or movement;
 - Reductions in life cycle costs which may be credited to project implementation, i.e., if the project will reduce long term operation and maintenance costs, include estimates of such savings.
- Indicate if the proposed project is subject to any regulation or permit. In table format, list any regulations, licenses or permits that apply including local, state, and federal.
- If a privately held structure, the applicant must demonstrate that any private benefit is incidental to the public good.
- Cite any feasibility study(s) relied upon for the development of the project plan.

Part III: Project Schedule and Cost Estimates - Outline the proposed timeline for project implementation and qualified cost estimates as provided by a registered engineer. In addition to a total project cost, distinguish between those costs attributable to final design, permitting, and bid package preparation.

Include an anticipated timeline for the completion of each phase of the project, and the anticipated financial draw needed to complete each phase. Proposals are required to include a projected schedule detailing anticipated completion dates for each task. Identify if any work is anticipated to extend beyond 30 June 2014.

If local funding in the full amount necessary to undertake the project has already been authorized, attach a copy of the appropriate documentation. Include documentation that the organization's governing authority (Town Meeting, City Council, Board of Directors, or letter of credit from a Massachusetts chartered bank) has authorized commitment to a loan of sufficient nature to meet the budget needs of the proposed project. Otherwise, indicate the schedule for obtaining the requisite appropriation.

Every application must include a schedule of periodic reports (quarterly updates, final project reports, etc.) as a separate task. **Note: EEA will require a minimum of 4 copies of a final report and one all inclusive digital copy, including before and after photographs, upon completion of the**

project.

Provide a detailed breakdown of the estimated technical (construction services) and construction costs. If available, provide a completed engineers estimate for each construction contract. Contingency costs should be calculated at 10% of total estimated construction cost (Project contingencies are reduced to 5% once as-bid construction costs are established).

Budget proposals will be scrutinized and considered as part of the evaluation process. Prevailing wage provisions shall apply to all publicly owned structures, including organizational, administrative and other work and services, including salaries. For privately held structures, a minimum of three competitive bids shall be required when applying for financing of repair or removal of structures. If an award is offered, allowable project costs will include all costs deemed by EEA to be necessary and reasonable for a project, including:

- Execution of any agreements and sub-agreements deemed by the Secretary or designee to be critical to the project;
- Procurement, provision, and use of engineering, inspection, legal, financial, planning, geological, hydrological and other professional services, estimates and advice; permitting, and construction;
- Organizational, administrative and other work and services, including salaries, equipment and materials necessary; and,
- Training to ensure the proper operation and maintenance of the structures receiving financial assistance from the Fund, including training associated with inspections and emergency preparedness.

The following costs will NOT be considered allowable project costs and should not be included in the request for funding, but may be cited by an applicant as evidence of local commitment to the project:

- Costs incurred in preparing necessary documentation to apply for a loan or grant from the Fund;
- Any costs incurred prior to the execution of a Grant or Loan with EEA;
- Ongoing operations and maintenance;
- Any costs funded by any other Federal or other State grant or loan to the applicant;
- Costs incurred by police details; and
- Costs to acquire an interest in real property.

Part IV: Ongoing Operations and Maintenance Plans – For consideration of any award, recipients must sign an agreement certifying their commitment to the ongoing care and maintenance of any structure repaired/reconstructed (not removed) using funds awarded under this RFR. Recipients will be required to submit an operations and maintenance plan for the proposed structure for review and acceptance by EEA prior to the final release of funds. Requested revisions to that plan may be required before the final payment is made.

ELIGIBILITY AND EVALUATION CRITERIA: Respondents are to review each category and submit a project application for the most appropriate category. The evaluation criteria for each category differs so please review this section carefully prior to compiling your response application.

Priority shall be given to projects that are owned or operated by cities, towns and charitable organizations. Priority shall be also given to those structures identified in writing by the United States Army Corps of Engineers as requiring imminent infrastructure improvement. For all projects, preference will be given to projects that incorporate any or all of the following factors (in no particular order of preference):

- Project results in improvement to public health and/or safety;
- Project results in protection of other public infrastructure;
- If a privately held structure, the applicant demonstrates that any private benefit is incidental to the public good.
- Design plan recognizes the potential impact of climate change and improves resilience;
- Completion of the project will improve/expand use of naturally occurring systems;
- Applicant/applicant partner has obtained all applicable permits required to implement the project;
- Project implementation will improve or expand the functions of naturally occurring systems;
- Applicant/applicant partner have secured borrowing authorization;
- Applicant's (and partner's, if any) commitment to project implementation through direct contribution of funds and/or in-kind support;
- Applicant has proven capacity to implement the project;
- Applicant is credit worthy and not prone to default;
- Project budget is viable for the objectives proposed;
- Structure is in a community with an environmental justice population; and,
- Supplier Diversity Form indicates a commitment to equity of opportunity.

Responding applicants must submit sufficient documentation to assure a full and complete review of the project. In addition to a full budget, responding applicants are to provide evidence of each evaluation item for which they seek consideration as well as a full budget proposal and current design plans including any available engineering plans. While having borrowing authorization is a preference item for the review of a proposal, note that a final award will not be made until full borrowing authorization by the appropriate governing authority is in place. Please see **RESPONSE FORMAT** (page 4, above) for greater detail.

All applicants should expect a site visit and will need to accompany one or more members of the procurement team on such a visit upon request. A review of the entity's financial condition (most recent audit, credit ratings, as examples) will also be conducted.

Other items will also be considered of all applicants. These include:

- **Capacity to implement the project:** Previous experience working with the Massachusetts environmental agencies and the ability to write a clear and concise application for the project.
- **Supplier Diversity:** Consistent with the Commonwealth’s policy to promote equity of opportunity in state contracting and, to that end, encourage full participation of minority and women owned businesses in all areas of state contracting, including contracts for construction, design, goods and services, applicants are asked to submit a Supplier Diversity Program Plan.

Application Category 1 - Dams and similar unregulated impoundments:

Under this RFR, a dam is defined as any artificial barrier, including appurtenant works, that impounds or diverts water, and includes, but is not limited to, dams subject to the regulatory jurisdiction of DCR under 302 CMR 10.00 and other dams and similar impoundments or structures.

These barriers divert and otherwise alter the flow of rivers and streams, and also create a threat to freshwater animal, and plant and resident or migratory fish species habitat or movement. In some cases these structures help protect human life and property. In some cases, their useful purpose has past.

These funds are provided, in part, to address the need to repair such structures where failure will likely cause loss of life and serious damage. Category 1 applicants should focus on the project’s ability to improve the protection of essential public infrastructure, commercial and population centers, protection of tax revenue generating structures and infrastructure necessary for the supply and delivery of public utilities. EEA, in recognition of its mission to enhance, preserve and protect the natural resources and scenic, historic and aesthetic qualities of the Commonwealth, also seeks projects that improve the ecology. Applicants under Category 1 may seek financial support for the repair², full or partial removal³, as well as the reconstruction of dams and other unregulated impoundments. For this category, eligible applicants include and are limited to local government bodies⁴, charitable organizations⁵, and private dam owners. If a privately held structure, the owner must demonstrate in the application that any private benefit is incidental to the public good.

Preference will be given to structures that are classified by the Department of Conservation and Recreation as high hazard or significant hazard dams. Preference will also be given for structures:

² Repair means the reconstruction, rehabilitation, or replacement, whether partial or wholly, of a structure.

³ Remove or Removal means the controlled dismantlement or breaching of a structure, in compliance with applicable law, to the extent that water is not impounded or diverted or no longer impeded; provided, however, that, following a controlled dismantlement or breaching, a minimal degree of impoundment necessary for agricultural uses or wetland retention and open water conditions may be allowed, so long as any impediment to fish passage has been removed and any threats to public safety or property have been alleviated

⁴ Local government body is defined as a town, city, district, commission, board and any regional local governmental unit

⁵ Charitable organizations are defined as an organization that is exempt from federal income tax under section 501(c)(3) of the Internal Revenue Code and that is registered with the Massachusetts Office of the Attorney General as a public charity.

- that have been determined to be in poor or unsafe condition;
- that are a part of a water supply system;
- for which project implementation will reduce or eliminate a threat to native animal, and naturally occurring plant and resident or migratory fish species habitat or movement;

Responding applicants must submit sufficient documentation to assure a full and complete review of the project. In addition to a full budget, responding applicants are to provide evidence of each item above for which they seek consideration as well as a full budget proposal and current design plans including engineering plans. Please see **RESPONSE FORMAT** (page 4, above) for greater detail.

Applicants should consult the Office of Dam Safety for guidance (<http://www.mass.gov/eca/agencies/dcr/conservation/dam-safety/>). Those considering partial or full removal may also contact the Division of Ecological Restoration (<http://www.mass.gov/eca/agencies/dfg/der/>).

All applicants should expect a site visit and will need to accompany one or more members of the procurement team on such a visit upon request.

Application Category 2 - Seawalls, coastal flood and/or wave control structures:

There are a variety of structures used to help protect property and infrastructure from damage during storm events. These include seawalls⁶, revetments⁷, groins⁸, and jetties⁹. While each of these, commonly referred to as “hard infrastructure”, have been constructed over time, recent research indicate naturally occurring systems (also sometimes referred to as “soft infrastructure” or “green infrastructure”) can address the hazards of coastal storm events while better protecting ecosystems.

These funds are provided, in part, to address the need to repair such structures where failure will likely cause loss of life and serious damage. Category 2 applicants should focus on the project’s ability to improve the protection of commercial and population centers, improve the protection of tax revenue generating structures, and/or enhance the protection of public owned infrastructure during significant coastal storm events and/or climate change. Examples of such infrastructure include but are not limited to water treatment facilities, wastewater treatment facilities, water or wastewater delivery/transport systems key transportation routes, critical energy supply infrastructure, educational facilities, emergency preparedness and first-responder equipment and facilities, and publicly owned health facilities.

⁶ Seawall means a structure, often concrete or stone, built along a portion of a coast to prevent erosion and damage by wave action

⁷ Revetment means a facing of stone, concrete, etc., to protect an embankment, or shore structure, against erosion by wave action or currents

⁸ Groin means a shore protection structure built (usually perpendicular to the shoreline) to trap littoral drift or impede erosion of the shore

⁹ Jetties means a structure extending into a body of water, which is designed to prevent shoaling of a channel by littoral materials and to direct and confine the stream or tidal flow. Jetties are built at the mouths of rivers, tidal inlets, and harbors to help deepen and stabilize a channel.

EEA, in recognition of its mission to enhance, preserve and protect the natural resources and scenic, historic and aesthetic qualities of the Commonwealth, is particularly interested in funding project(s) that address flood control issues while also improving natural resource and ecological values by employing/expanding the utilization of naturally occurring systems to address the hazards of climate change impacts, including coastal storm events. Examples of such projects may include dune restoration, beach/berm nourishment, or salt marsh creation/restoration for shoreline stabilization. Applicants for projects like these should include a task for the project to be displayed for others as a demonstration example to promote increased use of such strategies in the future.

For this category, EEA will provide financial support to local government bodies and charitable organizations. No funding will be provided for privately owned structures.

Priority shall be given to those coastal flood or wave control structures rated in fair, poor or critical condition (C-F), and that have a moderate to high protection level (III-V) in accordance with *The Massachusetts Coastal Infrastructure Inventory and Assessment Project* (see http://www.mass.gov/czm/stormsmart/resources/infrastructure/chc_inventory-summary_report_2009.pdf); or annual maintenance and monitoring reports have indicated a worsening condition or a licensed structural engineer has declared such.

Responding applicants must submit sufficient documentation to assure a full and complete review of the project. In addition to a full budget, responding applicants are to provide evidence of each item above for which they seek consideration as well as a full budget proposal and current design plans including engineering plans. Please see **RESPONSE FORMAT** (page 4, above) for greater detail.

Those considering waterfront strategies should be familiar with Chapter 91 (<http://www.mass.gov/eea/agencies/masdep/water/watersheds/chapter-91-the-massachusetts-public-waterfront-act.html>). Technical assistance regarding coastal issues is also available from the Massachusetts Office of Coastal Zone Management (<http://www.mass.gov/eea/agencies/czm/>).

All applicants should expect a site visit and will need to accompany one or more members of the procurement team on such a visit upon request.

Application Category 3 - Inland flood control structures and levees¹⁰, excluding dams and similar unregulated impoundments:

Levees and other similar structures offer flood control for inland waters, commonly used to help protect economic centers, essential public utilities and key infrastructure from the hazards of storm events. While commonly referred to as “hard infrastructure”, recent research indicates natural systems (also sometimes referred to as “soft infrastructure” or “green infrastructure”) may address the hazards of storm events while better protecting ecosystems.

¹⁰ Levees means a dike or embankment generally of earthen materials designed to prevent riverine flooding after periods of exceptional rainfall

These funds are provided, in part, to address the need to repair such structures where failure will likely cause loss of life and/or serious damage. Category 3 applicants should focus on the project's ability to improve the protection of essential public infrastructure, commercial and population centers, protection of tax revenue generating structures and infrastructure necessary for the supply and delivery of public utilities. EEA, in recognition of its mission to enhance, preserve and protect the natural resources and scenic, historic and aesthetic qualities of the Commonwealth, will also consider projects which improve the ecology through expanding the utilization of naturally occurring systems to address the hazards of storm events. For this category, EEA will provide financial support to local government bodies and charitable organizations. No funding will be provided for privately owned structures.

As dams and similar unregulated impoundments are addressed in Category 1, those structures will not be funded under this Category.

Priority will be given to levees and other similar structures that offer flood control for inland waters that have been determined to be in critical or poor condition.

Category 3 applicants should be familiar with Chapter 91 and how it relates to inland waterways (<http://www.mass.gov/eea/agencies/massdep/water/watersheds/chapter-91-the-massachusetts-public-waterfront-act.html>). Valuable information may also be offered by the United States Army Corps of Engineers (<http://www.usace.army.mil/Missions/CivilWorks/LeveeSafetyProgram.aspx>).

All applicants should expect a site visit and will need to accompany one or more members of the procurement team on such a visit upon request.

**THE ATTACHED “SUPPLEMENTAL TERMS AND CONDITIONS” (APPENDIX C)
ARE INCORPORATED INTO THIS RFR BY REFERENCE**

EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS
DAM AND SEAWALL LOAN FUND

APPENDIX A: APPLICATION
APPLICATION ATTACHMENT A: ADMINISTRATIVE SUMMARY

ADMINISTRATIVE SUMMARY

PROJECT TITLE: _____

RESPONDING ORGANIZATION

Contact Name - _____

Address - _____

Telephone - _____

Facsimile - _____

Internet Address- _____

PROJECT CATEGORY (*CHOOSE ONE*):

- Category 1** - Dams and similar unregulated impoundments
- Category 2** - Seawalls, coastal flood and/or wave control structures
- Category 3** - Inland flood control structures and levees, excluding dams and similar unregulated impoundments

FUNDS SOUGHT FROM PROGRAM

State Funds via EEA \$ _____

Anticipated Matching Funds (*cash and in-kind*) \$ _____

AUTHORIZED APPLICATION SIGNATURE

Signature _____ Date _____

Print Name and Title _____ Date _____

I certify that I have read RFR ENV 14 POL XX, including the Supplemental Terms and Conditions, and comply with all terms including Item 24: Anti-Collusion.

Signature _____ Date _____

Print Name and Title _____ Date _____

NOTE: If not the applicant is NOT the owner of the structure, a notarized letter from the owner in support of the project and authorizing the applicant to file on their behalf is required, as well as authorization for access to the property for an application site review as well as access during project implementation is required.

APPLICATION ATTACHMENT B: RESPONSE PROPOSAL

Respondents should make their best efforts to organize their Response in the following manner:

- Part I Proponent Qualifications
- Part II Project Identification and Narrative
 - Section A Review of Current Conditions
 - Section B Environmental Concerns
 - Section C Project Plan
- Part III Project Schedule and Cost Estimation
- Part IV Ongoing Operations and Maintenance Plans
- Appendix A Project Site Map
- Appendix B Planning Report(s) used as project basis
- Appendix C Conceptual and/or Final Design Plans (stamped by a registered engineer)
- Appendix D Supplier Diversity Market Plan Form
(See <http://www.mass.gov/anf/budget-taxes-and-procurement/oversight-agencies/osd/osd-forms.html>)

Every application must include a schedule of periodic reports (quarterly updates, final project reports, etc.) as a separate task. **Note: EEA will require a minimum of 4 copies of a final report and one all inclusive digital copy, including before and after photographs, upon completion of the project.**

OTHER SOURCES OF COMMITTED FUNDS - Be sure to include all other sources of other funds and the amount of cash and/or in kind services contributed or anticipated by each source. Letters of Intent from third party contributors for funds anticipated later during the design and implementation period must be submitted as part of the response application package.

APPENDIX C
EEA SUPPLEMENTAL TERMS AND CONDITIONS

1. For the purposes of these *Supplemental Terms and Conditions*, Department shall mean the Executive Office of Environmental Affairs (EEA) and the office requesting Proposals as identified within this RFR.
2. These *Supplemental Terms and Conditions* are incorporated by reference into this RFR. If any amendment, attachment [not including the Commonwealth's *Standard Terms and Conditions*, *Standard Form Contract*, or any other form jointly published by the Executive Office for Administration and Finance (EOAF), the Office of the Comptroller (CTR) and the Operational Services Division (OSD), or any provision or form required by State or Federal law] or other part of this RFR deletes, modifies, replaces or otherwise contains language that conflicts with these *Supplemental Terms and Conditions*, these *Supplemental Terms and Conditions* shall supersede and control to the extent necessary to accomplish these conditions. The remaining provisions of this RFR shall remain in effect and enforced to the fullest extent permitted.
3. The Commonwealth's *Standard Terms and Conditions* [as currently and jointly issued by EOAF, CTR, and OSD] are incorporated by reference into this RFR. To the extent that any amendment, attachment, condition or other part of this RFR deletes, modifies, replaces or otherwise contains language that conflicts with the Commonwealth's *Standard Terms and Conditions*, the official printed language of the Commonwealth's *Standard Terms and Conditions* shall supersede and control to the extent necessary to accomplish its conditions. The remaining provisions of this RFR shall remain in effect and enforced to the fullest extent permitted.
4. The terms of 801 CMR 21.00: Procurement of Commodities and Services (and 808 CMR 1.00: Compliance, Reporting and Auditing for Human and Social Services, if applicable) are incorporated by reference into this RFR. For Grants, 815 CMR 2.00: Grants and Subsidies shall apply and be incorporated into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00 (and 808 CMR 1.00 or 815 CMR 2.00, if applicable). Additional definitions may also be identified in this RFR. Unless otherwise specified in this RFR, all communications, Proposals, 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 Proposals must be submitted in accordance with the specific terms of this RFR. No electronic Proposals may be submitted in Proposal to this RFR.
5. Respondent Communication. Respondents are prohibited from communicating directly with any employee of EEA 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. Respondents may contact the contact person for this RFR in the event this RFR is incomplete or the Respondent is having trouble obtaining any required attachments electronically through Comm-PASS.
6. Reasonable Accommodation. Respondents with disabilities or hardships that seek reasonable accommodation, which may include the receipt of this 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 Respondent requesting accommodation must submit a written statement, which describes the Respondent's disability and the requested accommodation to the contact person for the RFR. The Department reserves the right to reject unreasonable requests.

The Department may require the Contractor to provide all materials, software, maps, studies, reports, and other products or data in alternative formats upon request.
7. Public Records. All Proposals and information submitted in Proposal to this RFR are subject to the Massachusetts Public Records Law, M.G.L. Chapter 66, section 10 and Chapter 4, section 7(26). Any statements in submitted Proposals that are inconsistent with the Public Records Law shall be void and disregarded.

8. All materials, software, maps, studies, reports, and other products or data, regardless of physical form or characteristics, produced in furtherance of the Contract and funded, in whole or in part, under the Contract shall be considered in the public domain and available to EEA or its agencies at the reasonable cost of reproduction in any of the formats in which it is stored or maintained. The Contractor shall not obtain, attempt to obtain or file for a patent, copyright, trademark or any other interest in any such materials, software, maps, reports, and other products or data without the express, written consent of the Department and subject to any other approvals required by state or federal law.
9. Best Value Selection and Negotiation. The Department may select the Proposal(s), which demonstrates the best value overall, including proposed alternatives, that will achieve the procurement goals of the Department. The Department and a Selected Respondent, or a Contractor, may negotiate a change in any element of contract performance or cost identified in the original RFR or the Selected Respondent's or Contractor's Proposal which results in lower costs or a more cost effective or better value than was presented in the Selected Respondent's or Contractor's original Proposal.
10. The Department reserves the right to fund a portion, change the scope, and/or delete tasks of any Proposal to more closely meet the purposes of the program or to obtain the best procurement value for the Department. Selected Respondents may decide not to enter into a contract if the revised scope does not meet its approval. The Department does not guarantee that any Contract will be awarded under the RFR. Any potential Contract with a Selected Respondent shall be subject to the appropriation and availability of funds.
11. Costs. Costs that are not specifically identified in the Respondent's Proposal, 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 Respondents responding to this RFR.
12. Comm-PASS. This RFR has been distributed electronically using the Comm-PASS system, RFR attachments that are referenced will be found either as separate .pdf files along with the RFR at www.comm-pass.com, or in the "OSD Forms" section at www.mass.gov/osd. Respondents are solely responsible for obtaining and completing required attachments that are identified in this RFR and for checking Comm-PASS for any addenda or modifications that are subsequently made to this RFR or attachments. The Commonwealth and its subdivisions accept no liability and will provide no accommodation to Respondents who fail to check for amended RFRs and submit inadequate or incorrect Proposals. Respondents are advised to check the "last change" field on the summary page of RFRs for which they intend to submit a Proposal to ensure that they have the most recent RFR files. Respondents may not alter (manually or electronically) the RFR language or any RFR component files. **Modifications to the body of the RFR, specifications, terms and conditions are prohibited and may disqualify a Proposal.** Respondents having difficulty obtaining any required attachments electronically through Comm-PASS should seek assistance from the contact person for this RFR.

If the Department is also distributing this RFR directly to Respondents, those Respondents, that requested and received a copy of this RFR directly from the Department, will be sent a copy of any modifications or amendments to the RFR by the Department.

13. Subcontracting. Prior written approval of the Department is required for any subcontracted service (which includes consultants) of the contract. Contractors are responsible for the performance and oversight of its subcontractors. Subcontractors are required to meet the same state and federal financial and program reporting requirements and are held to the same reimbursable cost standards as contractors.
14. Affirmative Market Program (For Contracts over \$50,000 only, Not applicable to Grants). Massachusetts Executive Order 390 established a policy to promote the award of state contracts in a manner that develops and strengthens Minority and Women Business Enterprises (M/WBEs). As a result, Non-M/WBE Respondents are strongly encouraged to develop creative initiatives to help foster *new business relationships* with M/WBEs within the primary industries affected by this RFR. The highest number of points will be awarded for Proposals that clearly illustrate how the proposed business relationship(s) will result in the development and growth of M/WBEs within these primary industries. A lesser number

of points will be awarded for traditional subcontracting relationships. The least number of points will be awarded for ancillary uses of M/WBEs.

In order to satisfy this section, the Respondent must submit: the names, addresses, phone numbers and contact persons of each M/WBE firm; a description of each business relationship to be established; and the actual dollar amounts, or percentages, to be awarded to each M/WBE firm. MBE and WBE firms must submit a copy of their SOMWBA certification letter for the current period. A directory of SOMWBA certified firms is available via the internet at www.mass.gov/somwba. M/WBEs are strongly encouraged to submit Proposals to this RFR, either as prime vendors, as joint venture partners, or as subcontractors.

A Minority Business Enterprise (MBE) or a Woman Business Enterprises (WBE) is defined as a business that has been certified as such by the State Office of Minority and Women Business Assistance (SOMWBA). Minority and women-owned firms that are not currently SOMWBA-certified but would like to be considered as an M/WBE for this RFR should apply for certification. A fast track application is available, and will be considered for the purposes of this RFR. For further information on SOMWBA certification contact the State Office of Minority and Women Business Assistance at (617) 727-8692 or via the internet at www.mass.gov/somwba.

15. The Commonwealth makes no guarantee that any commodities or services will be purchased from any contract resulting from this RFR. Any estimates or past procurement volumes referenced in this RFR are included only for the convenience of Respondents, and are not to be relied upon as any indication of future purchase levels.
16. Unless otherwise specified in this RFR, any reference to a particular trademark, trade name, patent, design, type, specification, producer or supplier is not intended to restrict this RFR to any manufacturer or proprietor or to constitute an endorsement of any commodity or service, and the Department may consider clearly identified offers of substantially equivalent commodities and services submitted in Proposal to such reference.
17. Alternatives. A Proposal which fails to meet any material term or condition of the RFR, including the submission of required attachments, may lose points or may be deemed unresponsive and disqualified. Unless otherwise specified, Respondents may submit Proposals proposing alternatives which provide equivalent, better or more cost effective performance than achievable under the stated RFR specifications. These alternatives may include related commodities or services that may be available to enhance performance during the period of the contract. The Proposal should describe how any alternative achieves substantially equivalent or better performance to that of the RFR specifications. The Department will determine if a proposed alternative method of performance achieves substantially equivalent or better performance. The goal of this RFR is to provide the best value of commodities and services to achieve the procurement goals of the Department. Respondents that propose discounts, uncharged commodities and services or other benefits in addition to the RFR specifications may receive a preference or additional points under this RFR as specified.
18. 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.
19. Environmentally Preferable Products and Services. At the Department's sole discretion, the Department and contractor may negotiate during the contract term to permit the substitution or addition of Environmentally Preferable Products (EPPs) when such products become available at a competitive cost and satisfy the Department's performance needs. Unless otherwise specified in the RFR, during evaluation of Proposals, an EPP may be considered best value even when the price is greater than (but does not exceed 10% in price) that of a non-EPP. Respondents are encouraged to submit appropriate information to identify important environmental attributes of items being procured, even when such attributes are not being required. Information or technical assistance regarding EPPs may be obtain from OSD at 617-

727 7500 ext. 351 or via the internet at <http://www.mass.gov/epp/products.htm>

20. **GIS Standards.** All GIS (Geographic Information System) data collected, compiled or created under this RFR shall conform to standards developed or established by the Office of Geographic and Environmental Information (a/k/a MassGIS) within EEA. Such GIS data shall be made available to MassGIS upon request and at the reasonable cost of reproduction (cost to copy and/or transmit the data to MassGIS).
22. Nothing in this RFR authorizes or purports to grant the right to any Respondent, governmental entity or other person to enter or remain on any public or private property. If access to any property is necessary in any way for any purpose, such as responding to this RFR (e.g. surveying), that Respondent, governmental entity or other person must obtain appropriate permission authorizing such access from the person or governmental agency that has lawful control of the property.
23. **Anti-Collusion.** In reviewing Proposals to the RFR and awarding a contract, the Department will strictly interpret all provisions of the RFR, Proposal and contract and other state regulations to ensure that collusion or the appearance of collusion has not occurred at any stage of the contracting process. Any attempt to secure information about this procurement through procedures other than those outlined in this RFR will be considered in violation of this provision and will result in disqualification of the Respondent.

Respondents must provide a statement with their Proposals certifying that all parties to this Proposal, including members of teaming arrangements agree that:

- A contract has not been solicited or secured, directly or indirectly, in a manner contrary to the laws of the Commonwealth of Massachusetts and that said laws have not been violated as they related to the procurement or the performance of the contract by any conduct, including the paying or giving of any fees, commission, compensation, gift, gratuity, or consideration of any kind, directly or indirectly, to any State employee, agent, officer or official; and
- Unless otherwise required by law, any information quoted in this Proposal, including prices, has not knowingly been disclosed by the respondent directly or indirectly to any other respondent or to any competitor and will not knowingly be disclosed by the respondent prior to award of a contract. Respondents are further advised that the contractor, including any of its employees, agents or representatives, is prohibited from paying or giving any fee, commission, compensation, gift, gratuity or consideration of any kind or amount, directly or indirectly, to any person connected with this procurement

24. **Debriefings and Appeals. (Applicable to Procurement of Services only, not applicable to Grants)** Any Respondent not selected may request a debriefing for the purposes of examining the Respondent's Proposal with a member of the RFR review team. This debriefing will be solely for the purpose of examining this Proposal as submitted. Debriefings are designed to identify the weak areas of a Proposal and suggest improvements for future procurements. Comparisons with other Proposals will not be made during a debriefing.

If a Respondent is still unsatisfied with the selection process, that Respondent may submit a request in writing to EEA for a formal review of the RFR section process by EEA staff.

In order to be considered for an appeal at EEA, the Respondent's request must meet the following criteria:

- 1) The request for formal review must be submitted (with a copy to the Contact Person for this RFR identified above) via first class mail to:

Richard Sullivan, Secretary
Executive Office of Energy and Environmental Affairs
100 Cambridge Street - Suite 900
Boston, MA 02114

- 2) The request must be submitted to EEA within 10 days of the date of the debriefing meeting. Attendance at a debriefing is a prerequisite to filing a formal request for review.
- 3) The request must detail specific allegations that:
 - a) the department failed to comply with applicable purchase of service regulations and guidelines. These would be limited to the requirements of 801 CMR 21.00 or any successor regulations, the *Procurement Policies and Procedures Handbook*, policies and procedures issued by OSD and the specifications of the RFR; or
 - b) there was a fundamental unfairness in the procurement process.

EEA may reject appeal requests based on grounds other than those stated above or those submitted without sufficient detail on the basis for the appeal. If EEA grants the request for a hearing, EEA will establish a date and time for a meeting with the Respondent that will allow the Respondent to present the allegations outlined in the request in person. The meeting will be scheduled by EEA within five days of receipt of the request.

Non-successful Respondents who participate in the EEA appeal process and remain aggrieved by the selection decision of the department may appeal the department decision to the Operational Services Division. The basis for an appeal to OSD is limited to the following grounds:

1. The competitive procurement conducted by the department failed to comply with applicable regulations and guidelines. These would be limited to the requirements of 801 CMR 21.00 or any successor regulations, the *Procurement Policies and Procedures Handbook*, subsequent policies and procedures issued by OSD, and the specifications of the RFR; or
2. There was a fundamental unfairness in the procurement process. The allegation of unfairness or bias is one that is easier to allege than prove, consequently, the burden of proof rests with the Respondent to provide sufficient and specific evidence in support of their claim. OSD will presume that departments conducted a fair procurement absent documentation to the contrary.

Requests for an appeal must be sent to the attention of the Deputy Purchasing Agent at Room 1017, One Ashburton Place, Boston, MA 02108 and be received within fourteen (14) calendar days of the postmark of the notice of the department head's decision on appeal. Appeal requests must specify in sufficient detail the basis for the appeal. Sufficient detail requires a description of the published policy or procedure, which was applied and forms the basis for the appeal and presentation of all information that supports the claim under paragraphs 1 or 2 above.

OSD reserves the right to reject appeal requests based on grounds other than those stated above or those submitted without sufficient detail on the basis for the appeal.

The decision of the Deputy Purchasing Agent shall be rendered, in writing, setting forth the grounds for the decision within sixty (60) calendar days of receipt of the appeal request. Pending appeals to the Deputy Purchasing Agent shall not prohibit the department from proceeding with executing contracts.

APPENDIX D: Supplier Diversity Program (SDP) Plan Form
CONTRACT/RFR DOCUMENT NUMBER: RFR ENV 14 POL 01

Instructions: Completing all parts of this form is mandatory. Please read instructions in the SDP section of the solicitation. **Complete one form for each Supplier Diversity Office (SDO) Certified M/WBE Partner Business.**

For a complete list of certified vendors: <http://www.somwba.state.ma.us/BusinessDirectory/BusinessDirectory.aspx>.

Part I Bidder/Contractor Information

[Help with Part I](#)

Business Name:

Full Address: number, street, and apt. or suite no., city, state, zip

Contact Name:

Phone # () - x

Email address:

Check **one** of the following *if applicable*:

MBE WBE M/WBE M/W Non-Profit

Certification Expiration Date If Applicable (copy of the SDO certification letter must be attached):

Part II SDP Partner (Cannot be the same company as the Bidder/Contractor or an affiliate)

[Help with Part II](#)

M/WBE Business Name:

Full Address: number, street, and apt. or suite no., city, state, zip

Contact Name:

Phone # () - x

Email address:

Check **one** of the following *if applicable*:

MBE WBE M/WBE M/W Non-Profit

Certification Expiration Date If Applicable (copy of the SDO certification letter must be attached):

Part III Description of Business Relationship

[Help with Part III III](#)

Check a **minimum of one** of these options that best describe the business relationship between Bidder/Contractor and SDP Partner:

- Subcontract:** include a copy of the written agreement between the Bidder and Subcontractor.
- Ancillary:** include a copy of the written agreement between the Bidder and Ancillary Partner.
- Growth & Development:** enclose plan for education, training, sponsorship, mentoring, resource sharing, and/or other initiatives.

Briefly describe the products and/or services the SDP Partner will provide your business:

Part IV Financial Commitment[Help with Part IV](#)

Provide information on the committed amount (as a percentage of Bidder/Contractor gross revenue derived from this contract or as an exact dollar figure) to be spent with the certified SDP Partner as part of this relationship.

Annual Amount or Percentage	or separately for each contract year	Year 1 Amount or Percentage	Year 2 Amount or Percentage	Year 3 Amount or Percentage	Year 4 Amount or Percentage	Year 5 Amount or Percentage

Part V Past Performance[Help with Part V](#)

Have you had past relationships/spending with this SDP partner Yes No

If yes, please provide total spending in previous two years \$.

Print Name ▶ _____	Title ▶ _____
Authorized Signature ▶ _____	Date ▶ _____

Supplier Diversity Program (SDP) Plan Form Instructions**Part I**

Bidder/Contractor Information: Business name, full address, contact name, phone #, email address and your SDO certification status, if you have one, i.e. if you are SDO certified, please put in the expiration date of your certification. Please be aware you will not receive additional points based on your certification status. Submit a copy of your SDO certification, if applicable.

Part II

SDP Partner must be a Women Owned (WBE), Minority Owned (MBE) or Minority and Woman Owned (M/WBE) Business Enterprise or Woman Nonprofit (WNP) or Minority Nonprofit (MNP) certified by the Supplier Diversity Office (fka SOWMBA). You must include the partner's business name, full address, contact name, phone #, email address and SDO certification status. You must also submit a copy of the partner's SDO certification. For a complete list of SDO certified vendors please visit their website at www.mass.gov/SDO. Please note that if you are a SDO certified vendor you cannot put yourself as the SDP partner or an affiliate but will be required to partner with another SDO certified business. SDO certified vendors responding to Requests for Response (RFR) are not exempt from this requirement.

Part III

Description of Business Relationship: In this section the prime Bidder/Contractor must provide a description of the business relationship with the SDP Partner. Please refer to the SDP section of the solicitation (RFR) to determine if any of these options are required in your response and to determine how many options you can use for your SDP plan. For example, unless the RFR requires otherwise, you can select Subcontracting and Growth and Development or you can select Ancillary Services and Growth and Development. However, you must select at least one business relationship and provide a description of the services rendered.

- 1) Subcontracting: submit SDP Plan form, a partnership agreement and SDP partner's certification.
- 2) Ancillary: submit SDP Plan form, a partnership agreement (if available) and SDP partner's certification.

- 3) Growth and Development: submit SDP Plan form, growth and development plan (please use a separate sheet) and SDP partner's certification.

Definitions and examples of the three components can be found at:
<http://www.mass.gov/Eoaf/docs/osd/sdo/sdp/subcontracting.doc>

The Supplier Diversity Program offers training on the SDP Plan requirements. The dates of upcoming trainings are located on the SDP website at www.mass.gov/SDP.

Part IV

Financial Commitment: provide the minimum amount you will spend with the SDP partners as a percentage of the gross revenue derived from the contract or an exact dollar amount. If you select the same percentage or dollar amount for each contract year, please input this information in the Annual Amount or Percentage field(s). If the committed amount is different each contract year, input the percentage or dollar amount in the field that corresponds with the appropriate contract year.

Part V Past Performance: Historical spending with the SDP partner. If you have a previous relationship with this partner provide the total for the past two years

Resources available to assist Prime Bidders in finding potential M/WBE partners can be found at:
<http://www.mass.gov/Eoaf/docs/osd/sdo/sdp/20guidance.doc>