**PRE-REQUEST FOR RESPONSE (Pre-RFR)**

Massachusetts Division of Ecological Restoration

Department of Fish and Game

River and Wetland Restoration Priority Projects

RFR ID: DER 2021-01

**Dated: March 29, 2021**

**PURCHASING DEPARTMENT: Department of Fish and Game**

**1. Opportunity Summary**

**1A. Applications Sought**

The Massachusetts Division of Ecological Restoration (DER) is seeking applications for new Priority Projects, as defined in this Request for Responses (RFR), including dam removal and river restoration, cranberry bog wetland restoration, and coastal wetland restoration projects, or any combinations thereof.

Applications should align with DER’s mission to restore and protect the Commonwealth’s rivers, wetlands, and watersheds for the benefit of people and the environment. DER is interested in projects that are at all stages of development. Selected projects will be eligible to receive technical assistance from DER staff, technical services by qualified contractors, and/or direct funding[[1]](#footnote-2).

**1B. Overview and Goals**

DER’s mission is to restore and protect the Commonwealth’s rivers, wetlands, and watersheds for the benefit of people and the environment. Through the Priority Projects program, DER selects projects that help advance this work. This opportunity allows DER to review and select proactive and voluntary ecological restoration projects that present significant benefits to the Commonwealth. Selections are based upon consideration of the project’s cost, size, practicality, feasibility, opportunity for public benefits (including ecological services), education and recreation, ecological restoration potential, available DER resources, direct benefits to aquatic resources, and partner support.

Selected Priority Projectswill be eligible to receive support that may include: (1) technical assistance from DER staff; (2) technical services from consultants under contract to DER; and/or (3) direct grant funding. DER staff will work in partnership with the Lead Project Sponsor (See 1C.) and other project partners to advance the project through the various phases of restoration. Selected projects will remain eligible to receive support until the project is complete, unless new information or circumstances warrants a revision of status.

In cases where potential ecological benefits are high, yet insufficient information exists to inform acceptance of a project as a full Priority Project, DER may award the project Provisional Project status. For projects awarded a Provisional Project status, DER will work with the Lead Project Sponsor for one year to collect necessary information to determine whether the project should receive full Priority Project status. At the conclusion of the first year, DER will determine if the requisite project information has been obtained and whether full Priority Project status is granted. This timeline may be extended at the discretion of DER.

In addition to ongoing, ad hoc assessment of project status and progress, all Priority and Provisional Projects undergo a standard internal review annually to evaluate progress and viability to determine if a change in status is warranted.

*Please note: A Priority Project designation obtained through this RFR only establishes a project’s eligibility for assistance; it does not guarantee that a project will receive contracted technical services or direct funding.*

**1C. Definitions**

Applicant is the person or entity that submits the Priority Project application materials to DER. The applicant may be the landowner, Lead Project Sponsor, or another entity. For-profit firms, which are not project site landowners, are not eligible as applicants.

Cooperative Agreement is a non-binding agreement between DER and the Lead Project Sponsor that clarifies the terms of the partnership under the Priority or Provisional Project designation.

Landowner is the person or entity that owns the parcel(s) where restoration work will take place.

Lead Project Sponsor is the person or entity that is the main project proponent and will enter into a Cooperative Agreement with DER, if the project is selected for Priority or Provisional Status. This may or may not be the same person or entity as the landowner or applicant. Designation of a Lead Project Sponsor is subject to approval by DER as part of the application review process. For-profit firms which are not project site landowners are not eligible to serve as Lead Project Sponsors.

Cranberry Bog Wetland Restoration is intended to rejuvenate historical wetlands and streams on abandoned or retired cranberry farmland. To date, these projects have targeted legacy agricultural impacts that limit natural recovery – such as fill, ditches, and altered hydrology. Specific restoration actions may include, but are not limited to, removing fill, plugging ditches, removing dams, dikes, and other water controls, reconstructing channels and floodplains, adding large wood, roughening simplified bog surfaces, and installing plants. Land protection is often a precursor to ecological restoration for these sites and may be described as part of overall project planning and sequencing. Projects that include monitoring and evaluation, creation or enhancement of public open space, and/or sea level rise adaptation are of particular interest to DER for this round.

Dam Removal and River Restoration are jointly defined as an action that removes a human-made barrier(s) from a river or stream. A dam proposed for removal may or may not be under the jurisdiction of the Massachusetts Office of Dam Safety. Projects that include multiple, hydrologically connected stream barrier removals (i.e., a dam removal in conjunction with replacement of an undersized road-stream crossing(s) or channel daylighting; multiple dam removals in a river system) are allowed and encouraged. Projects must result in habitat and ecosystem improvement in areas such as water quality, floodplain connectivity, aquatic connectivity, natural flow regime, and ecological services. Projects may include ancillary bank and channel stabilization to protect infrastructure or mitigate other secondary project impacts, so long as they do not significantly impair or impede ecological processes that would otherwise be restored by removing the dam. Standalone single or multiple freshwater road-stream crossing replacement projects, standalone bank repair and stabilization, and removal of dams made by beaver or other natural forces are not eligible.

Coastal Wetland Restoration is defined as actions that restore the ecological functions of coastal wetlands, which have been significantly impacted by anthropogenic activities (historic fill, channelization, diversions, undersized crossings, hydrologic modification, barriers to inland marsh migration etc.). For the purposes of this RFR, DER is defining coastal wetlands as tidally influenced systems with a direct connection to coastal waters. Coastal wetlands include marine or estuarine habitats (i.e., salt marsh), and brackish or freshwater wetlands that are subject to tidal action on a routine basis (at a minimum, they experience water level changes due to monthly maximum spring tide levels, as identified in tide tables published by the National Ocean Service). Isolated freshwater wetlands or ponds that do not have a direct (i.e., daylighted stream) connection with coastal waters.

**1D. Eligible Applicants**

Eligible applicants include private site landowners, non-profit and/or non-governmental organizations, regional planning organizations, municipalities, and state and federal agencies. Projects may be undertaken by a single applicant but more often are successfully completed in collaboration with state, federal, non-profit, and other organizational partners.

The applicant may, or may not be, the Lead Project Sponsor, which is the entity that will enter into a Cooperative Agreement with DER if the project is awarded Priority or Provisional status. For-profit firms, which are not project site landowners, are not eligible to serve as applicants or Lead Project Sponsors.

**1E. Eligible Projects**

DER is seeking applications for new Priority Projects, as defined in this Request for Responses (RFR), including dam removal and river restoration, cranberry bog wetland restoration, and coastal wetland restoration projects, or any combinations thereof. Eligible project sites must be in Massachusetts.

DER is interested in projects that are at all stages of development. Preference will be given to projects that utilize proven approaches, are part of a larger restoration plan, address root causes of impairment over symptoms, result in implementation of actions that deliver significant restoration benefits, and achieve a self-sustaining long-term restoration trajectory with minimal ongoing maintenance. Projects that include innovative restoration methods should include associated monitoring to help evaluate new practices and document outcomes. DER is also interested in supporting restoration projects that have complementary economic, public health and safety, environmental justice, and climate change adaptation benefits.

The following project types are *not* eligible under this RFR:

* Low Impact Development (LID) and stand-alone stormwater management projects.
* Installation of new, previously non-existent tide gates; installation of new replacement tide gates to improve operations for ecological gains may be considered.
* Marsh platform elevation management through the use of stand-alone techniques, including Thin Layer Deposition or Thin Layer Placement.
* Standalone single or multiple freshwater road-stream crossing replacements.
* Partial dam removal.
* Repair of technical fishways.
* Creation of new technical fishways.
* Standalone bank repair and stabilization.
* Pond dredging.

Communities seeking support for municipally owned and maintained freshwater culverts should apply to DER’s Culvert Replacement Municipal Assistance Grant program. Please connect with DER’s continuity program staff for more information DERCulverts@mass.gov.

For each targeted project type for this RFR, specific examples of restoration actions include (but are not limited to):

Cranberry bog wetland restoration projects:

* Involve conservation easements or other arrangements to ensure permanent land protection;
* Remove small dams, dikes, and other in-stream barriers;
* Remove agricultural fill (fully or partially);
* Roughen former farm surfaces to create microtopography and habitat;
* Reconstruct stream channels and floodplains;
* Add large wood to create habitat
* Plug ditches and use other techniques to repair wetland hydrology;
* Remove tidal restrictions and restore tidal hydrology (if in a coastal setting);
* Create or maintain trail systems;
* Encourage rapid recolonization by native wetland vegetation; and,
* Smooth perimeter transitions between wetlands and uplands to facilitate wildlife movement.

Dam Removal and River Restoration projects:

* Single or multiple hydrologically connected dam removals;
* The following actions may be proposed at other sites *in conjunction with* the removal of a hydrologically connected dam:
	+ Stream daylighting;
	+ Replacement of an undersized road-stream crossing(s) to meet the MA Stream Crossing Standards.

Coastal Wetland Restoration:

* Removing tidal restrictions and restoring tidal hydrology to coastal wetlands;
* Fill removal / re-grading of coastal wetland surfaces;
* Removal of anthropogenic barriers to marsh migration;
* Removal of tide gates;
* Replacement of tide gates to improve operations for ecological gains;
* Restoration of bordering habitats to facilitate future marsh migration;
* Planting to supplement natural native revegetation of restored areas if needed;
* Coastal wetland floodplain reconnection and enhancement may be considered, but must be demonstrated to be relevant to future marsh migration corridors.

**1F. Property Owner Support**

To be eligible for Priority Project & Provisional Project designation, applications that propose (or will eventually result in) any physical work on one or more properties must be accompanied by a letter signed by the property owner(s) demonstrating their commitment to pursue the project’s stated restoration goals and actions. Commitment letters from property owners must indicate clear support for the details of the application, including the identified partner roles and responsibilities.

An application may be eligible for Priority Project designation if it includes evidence of a pending sale of the project site to an entity and includes a letter signed by that entity demonstrating a commitment to pursue the project’s stated restoration goals and actions.

**1G.**  **Voluntary Restoration Support Disclaimer**

DER will only support voluntary, proactive restoration projects that have no direct connection to compensatory mitigation and/or have no independent prior obligation to perform restoration / mitigation pursuant to statute, regulation, ordinance, consent decree, judgment, court order, permit condition, contract, enforcement order or other requirement of law. This requirement does not strictly apply to owners facing an order from the MA Office of Dam Safety.[[2]](#footnote-3)

**1H.**  **Application Deadline**

May 17, 2021 5:00 P.M.

**1I.**  **Funding availability**

The maximum value of any technical services or direct funding awarded to each project will vary according to the scope, nature of the project, and available funding each year until the project is completed or new information warrants a revision of project status. The value of technical services or funding for individual projects in past years has typically ranged from $10,000 - $70,000 annually.

Decisions on project selection are expected to be made within four months following the close of the RFR. Decisions regarding DER financial assistance in Fiscal Year 2022 (July 1, 2021 to June 30, 2022) for projects selected under this RFR will be determined subsequently.

**1J.**  **Match Requirement**

Applicants are not required to provide match to be awarded Priority Project or Provisional status. DER is rarely able to fund the full cost of a restoration project and will require assistance from the project partners in securing additional funds to complete a project. Applicants are encouraged to report other known sources of funding for the proposed project in the Application Form, both secured and anticipated sources.

DER reserves the right to request documentation of additional funds and/or in-kind contributions through project completion if an applicant is awarded Priority Project or Provisional status.

**1K.**  **Duration of Priority Project Status**

Once a project has been awarded Priority Project status, it remains a Priority Project until it is complete or until new information or circumstances warrant reconsideration of status. Project partners do not need to re-apply in subsequent years. An accepted Provisional Project will have one year from the award date to work with DER to address issues identified as necessary to resolve to determine if full Priority Project status will be awarded. This timeline may be extended at the discretion of DER.

**1L.**  **Applicable procurement law**

Grants MGL c. 7A, § 7; St. 1986 c. 206, § 17; 815 CMR 2.00

**2. PERFORMANCE AND CONTRACT SPECIFICATIONS**

**2A. Cooperative Agreement with Lead Project Sponsor**

Each application must identify a designated Lead Project Sponsor (which could be the Applicant, Landowner, or another entity) that is responsible for collaborating and communicating directly with DER. The Lead Project Sponsor must commit to pursuing sustained good-faith efforts to develop and implement the Project and will be expected to sign a Cooperative Agreement with DER. The purpose of this agreement is to establish the roles and responsibilities of the two parties. Samples of these agreements may be found on [DER’s website](https://www.mass.gov/how-to/become-a-der-priority-project). Applicants **should NOT** submit the Cooperative Agreement with their applications; these agreements will be developed collaboratively by DER and the Lead Project Sponsor during the Priority Project acceptance process.

**2B. Priority Project Support**

Once a project is selected as a Priority or Provisional Project it will be eligible to receive support that may include: (1) technical assistance from DER staff; (2) technical services from consultants under contract to DER; and/or (3) direct grant funding. For Priority Projects, the type and level of support will be determined annually until project completion or until new information or circumstances warrants a revision of project status.

Examples of technical assistance that may be provided by DER staff include: Planning, project scoping, partnership building, initial survey and data collection, conceptual design, fundraising support, streamflow gauging and analysis, tidal monitoring, project management support, engineering design review, permitting support and regulatory coordination, community outreach support, and monitoring plan development.

Examples of technical services that may be provided by pre-approved DER contractors include: Data collection and assessment, feasibility studies, community-based planning, hydrologic modeling, geotechnical or other technical studies, restoration design, engineering, permitting, construction bid process support and/or oversight, construction oversight, and pre- and post-restoration monitoring.

Direct grant funding may be provided to the project landowner, Lead Project Sponsor, and/or other project partners to support project development and implementation. Grant funding is provided on a reimbursement basis, and awards are based on available funds. Refer to Section 2C. for more details on terms and conditions.

DER will **not**:

1. Sign as the applicant on permit applications; or,
2. Hold a contract for construction work to implement a restoration project.

The level of assistance DER provides to a project will be determined based on the following:

* Demonstrated need;
* Timeframe and readiness of project;
* Estimated cost;
* Level of available contributions/funds from the sponsor and other sources;
* Level of project support from the Landowner, abutters, and surrounding community; and,
* Available DER resources for a given fiscal year.

**2C. Terms/Details of Priority Project Status**

DER strongly values working with local and regional partners to design, permit, and implement on-the-ground river and wetland restoration projects. To provide basic structure for what is typically a multi-year relationship with partners, DER requires the following as terms for all accepted Priority Projects:

1. Project partners will incorporate DER input throughout the various phases of restoration. Additional partners may join the project team once a project is accepted by DER.
2. To develop technical service and/or grant scopes of work and contracts, project partners will work with DER to identify project needs, supply project information, and assess current and future stages. In return and in keeping with Commonwealth procurement policies, DER staff will prepare required documents to provide technical services or direct funding to partners.
3. Once awarded Priority Project status, DER may decide to award direct funding. Recipients of direct grant funding will be required to comply with Commonwealth procurement policies and federal sub-grant policies, as applicable, and all federal and state laws. The recipient of the award agrees to submit all required forms and information. Refer to Section 3A. for more details on required forms and information.
4. For direct grant funding awarded to partners and used for technical services, DER staff must be invited to participate in the review process for contractor selection (e.g., for engineering) by the project partner(s). Contractors must meet minimum qualifications, as appropriate to the project scope, or work with subcontractors that provide these skills.
5. Direct grant funding, if provided, shall be provided on a reimbursement for services basis. However, exceptions may be made on first payments to accommodate upfront construction-related costs, such as a down payment for high-cost infrastructure. Terms for any financial assistance from federal and private partners administered by DER may differ.
6. Failure to comply with any terms detailed throughout the RFR may be grounds for terminating Priority Project Status.
7. **INSTRUCTIONS FOR SUBMISSION OF APPLICATIONS**

**3A.****Application Process**

Applicants for Priority Project Status must meet the eligibility requirements described above and submit an application within the open and close dates of this RFR.

Once the Application Form has been completed, applicants must submit the application online. No paper applications will be accepted. Applicants will fill in basic details about their project online and upload the application materials listed below through an online submission portal. ***The link to the online submission portal will be provided upon release of the RFR.***

**Submissions should include the following:**

* **Completed Application Form** (*Required*)
* **Letter of commitment** (This is not required if *the property owner is the Applicant*) A letter of commitment from property owner(s) or if applicable a copy of Purchase and Sale Agreement and Letter of Commitment by purchaser.
* **Assessor’s Map** (*Required*) Copy of the latest Assessor’s Map showing the parcel(s) on which restoration work might take place and the ownership info for that lot.
* **Photographs** (*Required*) At least one photograph of the project site. For multi-site projects, at least one labelled photograph of each site must be submitted.
* **Supporting Documentation** (*Optional*) Additional information if applicable and available. Such information may include but is not limited to:
* Additional photographs.
	+ Locus map.
	+ Design plans (*if completed*). For example, completed conceptual or engineering designs.
	+ Letters of support from the community, e.g., letters from selectmen, abutters, local organizations.
	+ Project budget and timeline (*if available*). Please indicate any matching funds that have been secured.
	+ Permits, if obtained.
	+ Press and media coverage (e.g., newspaper clippings, articles).

**Applicants should also refer to the informational forms and sample documents that are attached. These documents should NOT be included with submission:**

* Commonwealth Terms and Conditions
* Commonwealth Standard Contract Form
* Commonwealth W-9 tax information with DUNS number and Federal Tax ID

**The application is limited to 25 pages and the application and materials uploaded via the online submission portal cannot exceed 20MB in total.** Required documents can be uploaded in Microsoft Word, or to reduce file size, the document may be converted and uploaded as an Adobe PDF file. Supporting documentation should be uploaded with the online submission form when feasible.

If documentation exceeds the file size limit or if you have trouble with your online submission, please contact:

Ione Hughes, Program Coordinator

Ione.s.hughes@mass.gov

Applicants will receive an email confirming receipt of the application within 2 business days following submission. Please contact Ione Hughes (see above) with any issues concerning confirmation notices.

All Applications, including receipt of all the supporting materials, must be received by DER by 5:00PM on May 17, 2021.

Responses will be accepted and are encouraged to be submitted in advance of the submission deadline. Applications received after the deadline will be rejected. DER reserves the right to reject any and all proposals or request additional information and documentation if needed.

By submitting a proposal, the applicant acknowledges the terms and specifications contained within the RFR.

1. **EVALUATION CRITERIA**

**4A. Application Evaluation and Selection**

DER will assess each application using a combination of resources, including available GIS data from MassGIS and other sources that inform the existing and potential ecological value of the project area. As part of the review of proposals, DER may contact applicants for clarification or to request additional information. If DER staff is not already sufficiently familiar with the project site, then a site visit with the applicant and communication with other experts may also be used to inform review. In these cases, DER will contact the landowner to obtain permission to perform a site visit before scheduling. Any safety measures required in light of Covid-19 will be followed. Each application will be scored and ranked using standard criteria described below.

DER reserves the right to reject any or all proposals and to only accept projects that are in keeping with DER’s mission. The number of projects selected will be based on consideration of the availability of DER resources to meet the needs of the project. Other considerations may include, but are not limited to, geographic distribution of projects and opportunities for strategic partnerships.

**4B. Evaluation Criteria**

DER will evaluate each application against the following criteria, using materials supplied by the applicant, as well as information from the internal DER assessment. The review committee reserves the right to request additional details and documentation. Scoring will take into account the type of project proposed - Cranberry Bog Restoration, Dam Removal and River Restoration, or Coastal Wetland Restoration – please review section “1E. Eligible Projects” for more information.

**Ecological and Community Benefits (50%)**

**Uses a sound restoration approach that results in ecological recovery and self-sustainability**. DER will evaluate whether the proposed project assists with the recovery of an ecosystem that has been damaged, degraded, or destroyed. Higher scoring projects will target root causes of impairment (not symptoms) and encourage dynamic rather than static conditions over time. Higher scoring projects will restore multiple ecological processes and benefit a diversity of species.

**Yields substantial positive ecological impact in terms of scale and setting**. DER will evaluate the proposed project’s benefit to the environment and the scale of the project. In terms of scale, higher scoring projects will have a more significant impact (i.e., more acres and provide greater connectivity gains. In terms of setting, higher scoring projects may include some or all of the following: Proximity to protected land, location within a future marsh migration corridor, presence of coldwater or diadromous fisheries, mapped or potential endangered species habitat, location is a BioMap Core habitat, expected water quality improvements, reconnected floodplains, improved flow regime, enhanced habitat, elimination of hard engineered structures and/or increased use of bioengineering, re-established naturally vegetated riparian communities & buffer corridors, and floodwater storage, and enhanced fish and wildlife habitat. Cranberry bog and coastal wetland restoration projects equal to or greater than 10 acres of restored wetlands area will receive preference. Dam removal and river restoration projects that will restore a full range of riverine ecological processes and those that involve multiple hydrologically connected dams will receive preference.

**Reduces vulnerability and increases local resiliency to climate change (and sea level rise, if applicable)**. DER will evaluate the extent to which a completed project helps protect a community and environmental resources from anticipated impacts from a changing climate. Higher scoring projects will address current and future risks including public health and safety, flooding, drinking water protection, and aging and undersized infrastructure.

**Provides public amenities, education, and public involvement opportunities**. DER will evaluate the expected community benefits associated with the proposed project. Such benefits may include protected open space, greater access to natural resources for the community especially for communities with limited access to open space, positive impact on the local economy, opportunities to introduce and involve students and the public in restoration and stewardship activities, or increased access to recreational and other services for an underserved or environmental justice population.Higher scoring projects will include some of these elements in current or future phases.

**Partner Capacity (25%)**

**Includes a project team with time, resources, experience, and leadership qualities to help complete the project**. DER will evaluate the project team’s ability to help get the project done. Higher scoring projects will include specific actions from individuals and organizations such as local leadership, partner coordination, project planning, contracting, grant writing, fiscal management, administration, permitting, data collection and monitoring, public outreach and education, public open space maintenance, and more.

**Includes strong partner commitment and landowner support**. DER will evaluate landowner and partner involvement in terms of site access, commitment to land protection and/or restoration, funding, time, and expected level of involvement and effort. Higher scoring projects will demonstrate commitment from the key partners and stakeholder(s) (e.g., landowner, dam owner/operator, municipal board). Stakeholder commitment is best demonstrated by including written letters of support in the application but may also take other forms. A letter of commitment from the landowner(s) (if not the applicant) is required.

**Likelihood of Success (25%)**

**Does not involve significant feasibility issues that threaten project success**. DER will evaluate issues associated with the project that could impact project completion or the likelihood of successful restoration. Based upon DER experience, these feasibility issues may be social (e.g., strong community opposition to work), or technical (e.g., significant infrastructure or pollution). Higher scoring projects will have no or limited significant feasibility issues that threaten project success or provide information on how potential known issues can be reduced (i.e., willingness of a utility company to relocate infrastructure). Potential feasibility issues do not disqualify a project but will likely result in a lower score under this criterion.

**Includes project elements likely to lead to successful fundraising**. DER will evaluate whether the benefits or setting of a project are likely to contribute to future fundraising success from known sources. Higher scoring projects will include one or more elements that are attractive to primary funders for restoration work. For example, DER is aware of funding opportunities for projects that have benefits for commercially/recreationally important fisheries, rare species habitat, Environmental Justice populations, or have approaches that build climate resiliency (e.g., reduce flooding).

**Has limited need for on-going operations and maintenance**. DER will assess a project’s need for ongoing maintenance after implementation, in consideration of project type. Higher scoring projects, for example, will involve only limited on-going maintenance, such as invasive plant management.

**5. DEADLINES AND PROCUREMENT CALENDAR**

**5A.** **Pre-RFR Period:** Between 11:00AM on March 29, 2021 and 5:00PM on April 16, 2021. DER will be able to discuss and answer any questions regarding proposed projects; especially questions regarding potential ecological value. We encourage applicants to contact DER to discuss possible projects during this period:

* Cranberry bog wetland restoration projects- contact Alex Hackman, alex.hackman@mass.gov, or 802-318-6915.
* Dam removal and river restoration projects- contact Nick Wildman, [nick.wildman@mass.gov](nick.wildman%40mass.gov)
* Coastal wetland restoration projects- contact Georgeann Keer, [georgeann.keer@mass.gov](georgeann.keer%40mass.gov)

**5B**. **Release of RFR:** 11:00AM on April 20, 2021

**5C.**  **Information Session:** There is no bidders’ conference. Answers to frequently asked questions (FAQs) are available on DER’s [website](https://www.mass.gov/how-to/become-a-der-priority-project). Only clarifying or technical questions regarding the application and application process may be answered following the release of the RFR.

During this time all questions should be submitted in writing to Ione Hughes at ione.s.hughes@mass.gov until 5:00PM on May 4, 2021. Questions will not be answered over the phone. Answers to all questions will be posted on COMMBUYS and DER’s website by May 7, 2021.

**APPLICANT COMMUNICATION WITH DER AND THE COMMONWEALTH**: Applicants are prohibited from communicating directly with any employee of DER regarding this Opportunity during the RFR except as specified in this Grant Announcement. No other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this Grant Announcement. Applicants may email the contact person for this Grant Announcement in the event this Grant Announcement is incomplete, or the applicant is having trouble obtaining or submitting any required attachments. Note that there is an open period to submit written questions up to the deadline specified in this Grant Announcement.

**5D.** **Application Deadline:** 5:00PM on May 17, 2021

**5E.** **Estimated Award Date:** Decisions on project selection are expected to be made within four months following the close of the RFR. Decisions regarding DER financial assistance for Fiscal Year 2022 (July 1, 2021 to June 30, 2022) for projects selected under this RFR will be determined subsequently.

**5F. Estimated Contract Start Date:** Der anticipates execution of grant contracts in September of 2021.

**6. Miscellaneous**

**6A. Type of Procurement:** Grant

**6B. Use of This Procurement**: This RFR is a single department procurement. All contracts awarded under this RFR will be utilized solely by the issuing entity.

**6C. Request for Single or Multiple Contractors**: This procurement may result in the designation of one or more Priority/ Provisional Projects.

**6D. RFR Distribution Method:** In order to conduct a fair and open procurement, DER is issuing this request for interested parties through the Commonwealth’s procurement system, COMMBUYS. This RFR has been distributed electronically using this system. Full details can be obtained by visiting the [website](http://www.commbuys.com). To find this RFR, search “DER 2021-01" into the Contract and Bid Search field. COMMBUYS is the official source of information for this Bid. It is theresponsibility of every Applicant to check COMMBUYS for any addenda or modifications to an RFR to which they intend to respond. DER, alongside the Commonwealth, accept no responsibility and will not provide accommodation to Applicants who submit a Bid based on an out-of-date RFR or on information received from a source other than COMMBUYS.

**6E. Public Records:** All responses and information submitted in response to this RFR are subject to the Massachusetts Public Records Law, M.G.L., c. 66, s. 10, and to c. 4, s. 7, ss. 26. Any statements in submitted responses that are inconsistent with these statutes shall be disregarded.

**6F.**  **Attachments & Appendices:**

* Priority Projects Application Form
* Example Cooperative Agreements
* Frequently Asked Questions
* Commonwealth Terms and Conditions
* Example W-9 Tax Form
1. Direct funding will not be used to pay for state or federal agency staff time or expenses. [↑](#footnote-ref-2)
2. For clarification, dam owners facing a requirement from the MA Office of Dam Safety to address deficiencies or remove the dam are eligible if they commit to move forward with a dam removal. [↑](#footnote-ref-3)