

INSTRUCTIONS FOR PURCHASERS

*The Supplier Diversity Program (SDP) Language below is mandatory for Large Procurements, defined as those with estimated annual value greater than \$250,000. When conducting a Large Procurement, use the language below. For Large Procurements, **completing the SDP Plan form is mandatory for bidders. Also mandatory is a minimum 1% SDP commitment.***

The SDP Plan must be evaluated at a minimum of 25% of the total evaluation points available, with the majority of points dedicated to the bidder's SDP commitment. For further information regarding SDP policy and guidance for determining program applicability, writing evaluation criteria, and managing SDP throughout the life of your procurement, review the [Supplier Diversity Office's Diverse and Small Business Program Policies for Goods and Services Procurements](#) and the [Best Value Evaluation of SDP Plan Forms: A Guide for Strategic Sourcing Teams](#). Contact the Supplier Diversity Office at sdp@mass.gov for policy questions and the Operational Services Division at osdhelpdesk@mass.gov regarding evaluation guidance questions.

Please delete these instructions (everything in teal) before RFR publication.

Supplier Diversity Program (SDP)

Program Background. Pursuant to Executive Order 599, the Commonwealth's Supplier Diversity Program (SDP) promotes business-to-business relationships between awarded vendors and diverse businesses and non-profit organizations ("SDP Partners") certified or recognized by the Supplier Diversity Office (SDO).

Financial Commitment Requirements. All Bidders responding to this solicitation are required to make a significant financial commitment ("SDP Commitment") to partner with one or more SDO-certified or recognized diverse business(es) or non-profit organization(s). This SDP Commitment must be expressed as a percentage of contract sales resulting from this solicitation that will be spent with the SDP Partner(s). The minimum acceptable SDP Commitment is 1%. Bidders will be awarded additional evaluation points for higher SDP Commitments.

After the contract award (if any), the Total SDP Commitment shall become a contractual requirement to be met annually on a Massachusetts fiscal year basis (July 1 – June 30) for the duration of the contract. No contract shall be awarded to a Bidder without an SDP Commitment that meets the requirements stated herein. This requirement extends to **all** Bidders regardless of their own supplier diversity certification.

It is the responsibility of the Bidder to ensure they meet their SDP Commitment, and the SDO assumes no responsibility for any Vendor's failure to meet its SDP Commitment

Eligible SDP Partner Certification Categories

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

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

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

- **Subcontracting:** Defined as a partnership in which the SDP partner is involved in the provision of products and/or services to the Commonwealth. Such relationships typically, but not always, involve a formal written agreement between the SDP partner and the vendor.
- **Ancillary Products and Services:** In most cases, this type of partnership is related to the prime vendor's general business or operational needs and not directly related to the contract with the Commonwealth. Office supplies, business cards, and promotional items are common examples. Both recurring and one-time expenses qualify.

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

Program Flexibility

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

SDP Plan Form Requirements. All Bidders must complete the SDP Plan Form included in this solicitation and attach it to their bid response. In addition to proposing an SDP Commitment, each Bidder must propose one or more SDP Partner(s) to utilize to meet its SDP Commitment. An SDP Partner is always another business; it may not be your own company, an affiliate or a subsidiary. Likewise, Vendors certified by the SDO or another recognized certification organization may not list their own organization (or their own subsidiary or affiliate) as an SDP partner and may not meet their SDP Commitment by spending funds internally or with their own subsidiaries or affiliates.

Bidders may propose SDP Partners that are:

- **Certified or recognized by the SDO.** Such partners appear in the [SDO Directory of Certified Businesses](#) or in the [SBA Small Business Search](#) directory. Note: when using the SBA directory, the only SBA certifications recognized by the SDO are Veteran Owned Small Business (VOSB) and Service-Disabled Veteran Owned Small Business (SDVOSB).

- **Not yet certified or recognized by the SDO.** While SDP Partners that are not certified or recognized by the SDO may be listed on the SDP Form, it is the responsibility of the Bidder to ensure that their proposed SDP Partners obtain such certification or recognition by the SDO. There is no guarantee that a proposed SDP Partner will be certified. While Bidders may list such proposed SDP Partners on their SDP Plans, spending with such partners will not contribute to meeting the Vendor's SDP Commitment unless they apply for and are granted SDO supplier diversity certification or recognition prior to the end of the fiscal year. If proposed SDP Partners do not receive SDO supplier diversity certification or recognition, the **Vendor** must find alternative SDP Partners to meet the SDP Commitment.

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

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

- Providing a mentor in a mentor-protégé relationship where employees offer diverse businesses training and/or guidance in managing their business affairs
- Providing technical and financial assistance to diverse businesses
- Voluntary assistance programs, where employees are loaned to diverse businesses to help with operations

Workforce diversity initiatives **will not** be considered in the evaluation.

Evaluation of SDP Forms. To encourage Bidders to develop substantial supplier diversity initiatives and commitments as measures valuable to the Commonwealth, at least 25% of the total available evaluation points for this bid solicitation shall be allocated to the evaluation of the SDP Plan Form.

SDP Spending Reports and Compliance. After contract award, Vendors must submit reports at least quarterly to demonstrate compliance with the agreed-upon SDP Commitment. Vendors must follow report submission instructions from the issuing department and the SDO.

Only spending with SDP Partners that appear in the [SDO Directory of Certified Businesses](#) or in [SBA Small Business Search](#) (VOSB or SDVOSB only) directory shall be counted toward a Vendor's compliance with their SDP Commitment. Spending with SDP Partners that do not appear in these directories shall not be counted toward meeting a Vendor's SDP Commitment.

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

Program Resources and Assistance. Vendors seeking assistance in the development of their SDP Plans or identification of potential SDP Partners should visit the SDP webpage, www.mass.gov/sdp, or contact the SDP Help Desk at sdp@mass.gov.