***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, utilize the language below (updating the yellow section and removing the highlighting). Note that for Large Procurements, completing the SDP Plan form is mandatory for bidders, as is at least a 1% SDP commitment.*

*The SDP Plan must be evaluated at a minimum of 25% of the total evaluation points available, and the majority of those points should be 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*](https://www.mass.gov/doc/the-commonwealth-of-massachusetts-diverse-and-small-business-program-policies-for-goods-and-services-procurements/download) *and the* [*Operational Services Division’s Best Value Evaluation of SDP Plan Forms: A Guide for Strategic Sourcing Teams*](https://www.mass.gov/doc/best-value-evaluation-of-sdp-plan-forms-a-guide-for-strategic-sourcing-teams/download)*. Feel free to 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](https://www.mass.gov/doc/supplier-diversity-program-sdp-rfr-template-language/download), the Commonwealth’s [Supplier Diversity Program](https://www.mass.gov/sdp) (SDP) promotes business-to-business relationships between awarded Contractors and diverse businesses and non-profit organizations (“SDP Partners”) certified or recognized (see below for more information) by the [Supplier Diversity Office (SDO)](https://www.mass.gov/supplier-diversity-office).

**Financial Commitment Requirements. All** Bidders responding to this solicitation are required to make a significant financial commitment (“SDP Commitment”) to partnering with one or more SDO-certified or recognized diverse business enterprise(s) or non-profit organization(s). This SDP Commitment must be expressed as a percentage of contract sales resulting from this solicitation that would be spent with the SDP Partner(s).

After 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. The minimum acceptable Total SDP Commitment in response to this solicitation shall be 1%. Bidders shall be awarded additional evaluation points for higher SDP Commitments.

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.

**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 Contractors 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.
* **Ancillary Products and Services**, defined as a business relationship in which the SDP partner provides products or services that are not directly related to the Contractor’s contract with the Commonwealth but may be related to the Contractor’s own operational needs.

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.** The SDP encompasses the following provisions to support Bidders in establishing and maintaining sustainable business-to-business relationships meeting their needs:

* 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 Contractor 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. Certified diverse Bidders may not list their own companies, or their subsidiaries or affiliates, as SDP Partners 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](https://www.diversitycertification.mass.gov/BusinessDirectory/BusinessDirectorySearch.aspx) or in the  [SBA Veterans Small Business Certification (VetCert)](https://veterans.certify.sba.gov/) directory. After contract award (if any), spending with such partners will contribute to meeting the Contractor’s SDP Commitment.
* **Certified by one of SDO’s recognized third-party certification bodies but not yet listed in the SDO Directory of Certified Businesses:** Such partners must be certified in eligible categories by one of SDO’s recognized third-party certification bodies, which include the [City of Boston](https://www.boston.gov/departments/supplier-diversity#get-your-business-certified), the [Greater New England Minority Supplier Development Council (GNEMSDC)](https://gnemsdc.org/certification/), the [Center for Women & Enterprise (CWE)](https://www.cweonline.org/), [Disability: IN](https://disabilityin.org/what-we-do/supplier-diversity/get-certified/), [National LGBT Chamber of Commerce (NGLCC)](https://www.nglcc.org/get-certified), or the [National Veteran Owned Business Association (NaVOBA)](https://www.navoba.org/certification), but have not yet opted to be listed in the SDO Directory of Certified Businesses. In order to opt into SDO’s Directory of Certified Businesses, the SDP partner must follow the applicable expedited instructions on SDO’s Apply for Recognition as a Third-Party Certified Business webpage. Self-certification is not acceptable. While Bidders may list such proposed SDP Partners on their SDP Plans, spending with such partners will not contribute to meeting the Contractor’s SDP Commitment unless they apply for and are granted SDO supplier diversity certification or recognition. If proposed SDP Partners do not receive SDO supplier diversity certification or recognition, the Contractor must find alternative SDP Partners to meet the SDP Commitment.
* **Not yet certified or recognized by the SDO or one of SDO’s recognized third-party certification bodies**: Such partners must be certified in eligible categories by other third-party certification bodies that are not yet recognized by the SDO, such as another city or state supplier diversity certification office, the [National Minority Supplier Development Council](https://nmsdc.org/mbes/mbe-certification/), or the [Women Business Enterprise National Council](https://www.wbenc.org/certification/), but are not listed in the above-mentioned directories. Self-certification is not acceptable. While Bidders may list such proposed SDP Partners on their SDP Plans, spending with such partners will not contribute to meeting the Contractor’s SDP Commitment unless they apply for and are granted SDO supplier diversity certification or recognition. If proposed SDP Partners do not receive SDO supplier diversity certification or recognition, the Contractor must find alternative SDP Partners to meet the SDP Commitment.

It is the responsibility of the Contractor to ensure that their proposed SDP Partners obtain such certification or recognition by the SDO after contract award (if any). The issuing department and the SDO will not conduct outreach to proposed SDP Partners to ensure their certification. Furthermore, no guarantee may be made that a proposed SDP Partner will be certified, or regarding the time it may take to process a proposed SDP Partner certification. Contractors may direct partners to the SDO’s homepage, [www.mass.gov/sdo](file:///C%3A%5CUsers%5Cbborchrote%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CTemporary%20Internet%20Files%5CContent.Outlook%5C002B2JQ1%5Cwww.mass.gov%5Csdo) and the [Certification Self-Assessment Tool](https://www.mass.gov/forms/take-the-certification-self-assessment) for guidance on applying for certification.

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, buying from and/or collaborating with diverse businesses. Such initiatives may include but not be limited to:

* Serving as a mentor in a mentor-protégé relationship.
* Technical and financial assistance provided to diverse businesses.
* Participation in joint ventures between nondiverse and diverse businesses.
* Voluntary assistance programs by which nondiverse business employees are loaned to diverse businesses or by which diverse business employees are taken into viable business ventures to acquire training and experience in managing business affairs.

**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 submissions. Because the purpose of the SDP is to promote business-to-business partnerships, the Bidders’ workforce diversity initiatives will not be considered in the evaluation.

**SDP Spending Reports and Compliance.** After contract award, Contractors must submit reports at least annually to demonstrate compliance with the agreed-upon SDP Commitment. To submit SDP spending reports using the Supplier Diversity Hub (Hub), Contractors must create a profile in the Hub. Contractors 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](https://www.diversitycertification.mass.gov/BusinessDirectory/BusinessDirectorySearch.aspx) or in  [SBA Veterans Small Business Certification (VetCert)](https://veterans.certify.sba.gov/) directory shall be counted toward a Contractor’s compliance with their SDP Commitment. Spending with SDP Partners that do not appear in the directories above shall not be counted toward meeting a Contractor’s SDP Commitment.

It is the responsibility of the Contractor to ensure they meet their SDP Commitment, and the SDO, and the issuing department, assume no responsibility for any Contractor’s failure to meet its 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 Contractor.

**Program Resources and Assistance.** Contractors seeking assistance in the development of their SDP Plans or identification of potential SDP Partners may visit the SDP webpage, [www.mass.gov/sdp](http://www.mass.gov/sdp), or contact the SDP Help Desk at sdp@mass.gov.