

THE COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS

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**MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES**

251 CAUSEWAY STREET, SUITE 500  
BOSTON, MA 02114-2151



**Request for Response (RFR)**

**AGR-MassVeterinary-FY20**

**Issued: May 6, 2019**

*The Mass Animal Fund is seeking licensed veterinarians to participate in the Spay/Neuter Voucher Program.*

Responses will be received online, via COMMBUYS Rolling Submissions  
Beginning May 6, 2019 through February 1, 2025

Contact: Sheri Gustafson  
Email: [sheri.gustafson@mass.gov](mailto:sheri.gustafson@mass.gov)

Telephone: 617-626-1740



Massachusetts Department of Agricultural Resources  
251 Causeway Street, Suite 500  
Boston, MA 02114

Updated: March 15, 2016

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<b>Purchasing Department</b>	<b>Department of Agricultural Resources</b>
<b>Address</b>	<b>251 Causeway St, Suite 500 Boston, MA 02114-2151</b>
<b>Procurement Contact</b>	<b>Sheri Gustafson</b>
<b>Telephone &amp; Fax Number</b>	<b>617-626-1740-T 617-626-1850-F</b>
<b>E-Mail Address</b>	<a href="mailto:sheri.gustafson@state.ma.us">sheri.gustafson@state.ma.us</a>
<b>RFR Name/Title</b>	<b>AGR-MassVeterinary-FY20</b>

**1. Description or Purpose of Procurement:**

**BACKGROUND:** Section 1 of Chapter 193 of the Acts of 2012 created the Massachusetts Homeless Animal Prevention and Care Fund (the "Mass Animal Fund" or the "Fund"). The Mass Animal Fund is administered by the Massachusetts Department of Agricultural Resources ("MDAR" or the "Department") used to end the problem of animal homelessness in Massachusetts.

**PURPOSE OF PROCUREMENT:** The Mass Animal Fund is seeking licensed veterinarians to participate in the spay/neuter voucher program. The fund is used to offset costs associated with the vaccination, spaying, and neutering of homeless dogs and cats; to offset costs associated with the vaccination, spaying, and neutering of dogs and cats owned by low-income residents; and to assist with the training of animal control officers.

**Participating veterinarians must:**

- Be licensed to practice veterinary medicine and be employed by a veterinary clinic, hospital, shelter within the state they are licensed for.
- Be compliant with state-mandated reimbursement documentation requirements and procedures; and maintain open communication with the coordinator of the Mass Animal Fund about their participation in the Program.
- Be willing to assist in advocating for clients to contribute to the Mass Animal Fund tax check-off
- Understand that the needs of the Program will vary month to month and year to year and will be contingent upon the local population and clients' choice of veterinary service provider.
- Provide spay/neuter services –admit an animal for an initial exam, vaccinations, and surgery all on the same day whenever possible.
- Be willing to schedule spay/neuter surgery within 60 days of any voucher recipient's request for services.
- Provide the following to cats/dogs under the Program: DHPP/FVRCP and rabies vaccines, anesthesia and pain management medications, spay/neuter surgery, IV fluids (if necessary), blood tests (if necessary), additional medications (if necessary), and additional supplies (if necessary);
- Provide the above at no cost to the Program participant and for a flat-fee reimbursement from the Mass Animal Fund, using the following pay schedule which is inclusive of the entire surgery and related treatment including vaccines associated with the surgery:

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**The following Tier system shall be followed for reimbursement of the Contractor:**

Tier I	Cat neuter	\$75
Tier II	Cat spay/small dog (<50lbs.) neuter	\$150
Tier III	Small dog (<50lbs.)Spay/ Large dog neuter (>50lbs.)	\$225
Tier IV	Big dog (>50 lbs.) spay	\$300

Providers may ask for a next tier reimbursement for pyometra surgery. In the case of a cat/small dog (<50lbs.) with pyometra, providers may ask for a reimbursement rate of \$300.

In the case of a big dog (>50lbs.) with pyometra, providers may ask for a reimbursement rate of \$450.

Providers may ask for a next tier reimbursement for a dystocia/spay surgery. Please note a spay must be performed at the time of surgery to be eligible for reimbursement.

In the case of a cat/small dog (<50lbs. ) with dystocia, providers may ask for a reimbursement rate of \$300.

In the case of a big dog (>50lbs.) with dystocia, providers may ask for a reimbursement rate of \$450.

Providers may ask for the equivalent spay reimbursement amount for abdominal cryptorchid males. In the case of an abdominal cryptorchid male cat, providers may ask for the reimbursement rate of \$150.

In the case of an abdominal cryptorchid male dog (<50 lbs.), providers may ask for \$225.

In the case of an abdominal cryptorchid male dog (>50 lbs.), providers may ask for \$300.

Providers may ask for additional reimbursements for the following complications, limit 1 per surgery:

1. Inguinal cryptorchid additional \$25 reimbursement
2. Older than 5 years (if additional bloodwork is deemed necessary ) additional \$25 reimbursement
3. Extra Large (+100 lbs.) additional \$25 reimbursement
4. Estrus additional \$25 reimbursement
5. Obese (must state body condition score) additional \$25 reimbursement
6. Parasite treatment for active infestation additional \$10 reimbursement, unless reimbursed by owner at time of surgery.

**To receive any of the additional reimbursement amounts, the contractor must write the complication or reason on the voucher under “additional services needed”. The additional amount must also be indicated on the invoice. Limit 1 reimbursement increase per surgery.**

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**Animal Control Officers (“ACOs”), Veterinary Providers, or Mass Animal Fund Staff may issue vouchers for free spay/neuter for animals who meet the eligibility guidelines below.**

<b>HOMELESS ANIMALS</b>	
<i>Eligible</i>	<i>Ineligible</i>
Dogs and cats that are housed in a municipal animal control facility or dogs and cats held on behalf of a municipality at a private shelter that is in a formal agreement to act as a holding facility for that municipality.	Dogs and cats housed in a private shelter, rescue, or foster group. (unless pre-approved by MDAR for assistance through the Emergency Fund)
<b>OWNED ANIMALS</b>	
<i>Eligible</i>	<i>Ineligible</i>
Dogs and cats that are owned by low-income Massachusetts residents. To determine low-income eligibility, we recommend that the animal control officer verify enrollment in a state or federal assistance program, such as TAFDC, SSI, VS, SNAP, WIC, Section 8, etc.	Dogs and cats owned by Massachusetts residents who do not meet income eligibility requirements.
<b>FERAL CATS</b>	
<i>Eligible</i>	<i>Ineligible</i>
Cats that are homeless, un-owned, free-roaming, unsocialized, and appear healthy. These cats must be released back into its home colony, which will be managed, and must receive a 3/8” ear tip at the time of surgery.	Cats that are owned or possibly owned, or those that will be adopted out or are in foster care awaiting possible placement. Socialized cats being evaluated for placement, and cats that do not appear healthy.

**2. Applicable Procurement Law**

Check Appropriate Box (“X”):	Type of Purchase	Applicable Laws
	Executive Branch Goods & Services	
<input checked="" type="checkbox"/>	Goods and Services	MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

**3. Acquisition Method:**

Check All Applicable (“X”):	Category
<input checked="" type="checkbox"/>	Fee-For-Service

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**4. Whether Single or Multiple Contractors are Required for Contract:**

Check One ("X"):	
<input checked="" type="checkbox"/>	Multiple Contractors

- a. **Estimated Number of Awards:** There is no target maximum number of Contractors.
- b. **Adding Contractors after initial Contract Award- this is a Rolling RFR. Submissions will be accepted from May 6<sup>th</sup>, 2019 through February 1<sup>st</sup>, 2026.**

**5. Entities Eligible to Use the Resulting Contract**

Check One ("X"):	Eligible Entities
<input checked="" type="checkbox"/>	Limited User Contract – Restricted to Use by Issuing Entity Only.

**6. Expected Duration of Contract (Initial Duration and any Options to Renew):**

Contract Duration	Number of Options	Number of Years	Details
Initial Duration		<u>2 Years</u>	Up to 2 Years from Contract Effective date through June 30, 2021
Renewal Options	<u>2 Options to Renew</u>	<u>2 Years</u>	2 Year options to renew for 2 years each. July 1, 2021 to June 30, 2023 July 1, 2023 to June 30, 2025
Total Possible Maximum Contract Duration		<u>6 Years</u>	Up to 2 years for the Initial Term plus two options to Renew for 2 years each if Department so chooses. Any Agreement or Amendment related to this RFR will end on June 30, 2025

**7. Anticipated Expenditures, Funding or Compensation:**

Estimated Value of Procurement: this is a less than \$150,000 Procurement

The funding for any contract resulting from this procurement is conditioned upon receipt of Departmental funds.

**8. Contract Performance, Business Specifications:**

Unless otherwise specified by the Department, the contractor will be expected to complete assignments in a timely manner and submit records and Payment Vouchers at least once a month. All services shall be performed in a manner consistent with sound veterinary practices and USDA-APHIS guidelines. A new, separate needle shall be used for every animal tested or vaccinated.

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**9. Small Business Purchasing Program**

This is a Small Procurement targeted to verified small businesses participating in the Commonwealth's Small Business Purchasing Program (SBPP). The Department intends to award a contract to one or more SBPP-participating businesses verified through COMMBUYS who submits a quote that meets or exceeds the best value requirements. Subcontracting in SBPP procurements is limited to no more than 20% of the total value of the contract, unless it is with another verified SBPP participant. If it is determined that there is inadequate SBPP capacity, or no SBPP-participating vendors provide a responsive quote, the Department may award the solicitation to vendors who submitted responses and are not participating in the SBPP. To determine eligibility and to participate in the SBPP, please review the eligibility criteria and general program information at [www.mass.gov/sbpp](http://www.mass.gov/sbpp).

**8. Supplier Diversity Plan (SDP) Plan**

Submittal of a SDP is not a requirement of this bid solicitation. However, vendors are encouraged to submit an SDP if they would like to do so. Vendors who do not submit a SDP will not be penalized during the bid evaluation. For more information regarding the Supplier Diversity Program, please read Appendix A – RFR Required Specifications.

**9. Environmentally Preferable Products**

Products and services purchased by state agencies must be in compliance with Executive Order 515, issued October 27, 2009. Under this Executive Order, Executive Departments are required to reduce their impact on the environment and enhance public health by procuring environmentally preferable products and services (EPPs) whenever such products and services perform to satisfactory standards and represent best value, consistent with 801 CMR 21.00. In line with this directive, all Contracts, whether departmental or statewide, must comply with the specifications and guidelines established by OSD and the EPP Program. EPPs are considered to be products and services that help to conserve natural resources, reduce waste, protect public health and the environment, and promote the use of clean technologies, recycled materials, and less toxic products. Bid responses must identify how a contractor meets these goals.

**10. Evaluation Criteria :**

Contractors must submit responses via COMMBUYS and meet all the pre-submission requirements of the RFR. Only responsive proposals that meet the submission requirements will be evaluated, scored and ranked by the evaluation team according to the evaluation criteria. Additional information may be requested for evaluation purposes.

General Evaluation: The Department will consider no responses received after the deadline. The Department will award the Veterinary Services contract to the most responsive bidder(s) that offers the best value. The fulfillment of the qualifications listed in this RFR, the completion of all required forms as listed in the RFR, and a determination by the Department that contracting with the bidder will provide the “best value” to the Commonwealth will determine the basis for evaluation. The Department may disqualify Responses that are incomplete or inaccurate at its own discretion.

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**11. Instructions for Submission of Responses:**

1. Interested Veterinary offices should initially contact

Sheri Gustafson  
 Spay/Neuter Community Liaison  
 Massachusetts Animal Fund  
 Massachusetts Department of Agricultural Resources  
 251 Causeway Street, Suite 500  
 Boston, MA 02114  
 sheri.gustafson@state.ma.us  
 617-626-1740

2. Complete Required Submission Form-Attachment A.

3. Once approved by the Spay/Neuter Community Liaison to Proceed Bid, vendor will then need to submit formal quote in COMMBUYS. Only electronic quotes submitted via COMMBUYS will be accepted in response to this RFR. Responses must be sent via the “Create Quote” functionality contained in COMMBUYS. For instructions concerning COMMBUYS and how to submit a Quote, please see Appendix C & D. Department contact can assist with questions concerning COMMBUYS.

Any submission which fails to meet the submission requirements of the RFR will be found non-responsive without further evaluation unless the evaluation team, at its discretion, determines that the non-compliance is insubstantial and can be corrected. In these cases, the evaluation team may allow the vendor to make minor corrections to the submission.

**12. Estimated Procurement Calendar**

Procurement Activity	Date	Time
Bid Release Date	<b>5/6/2019</b>	
Deadline for Quotes/Bid Responses (“Bid Opening Date/Time” in COMMBUYS)	<b>2/1//2026</b>	<b>4:00 PM</b>
Notification of Apparent Successful Bidder(s) (Estimated)	<b>Rolling Approval</b>	
<b>Estimated Contract Start Date*</b>	<b>7/1/19</b>	

- a. **Quotes (Bid Responses) Deadline (Bid Opening Date/Time):** See the Quotes (Bid Responses) Deadline (Bid Opening) Date and Time indicated in the Estimated Procurement Calendar (above). Bidders are required to monitor COMMBUYS for changes to the procurement calendar for this bid.

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- b. **\* Contract Start Date:** This is the approximate start date. The actual start date will be the Contract Effective Date which is the date the Contract is executed by the parties.

**13. Required Forms**

Responses to this RFR must contain the following documents () and bidders should review all additional () attachments.

Check if applicable ("X")	Form/Document	Notes/Instructions
<input checked="" type="checkbox"/>	Bidder Response Form	<b>Must be submitted with bidder response</b>
<input type="checkbox"/>	Commonwealth Terms & Conditions	<b>Only For Review Now.</b> <i>(Wet Ink Signature Required only if awarded a contract)</i>
<input type="checkbox"/>	Request for Taxpayer Identification Number & Certification (Massachusetts Substitute W-9 Form)	<b>Only For Review Now.</b> <i>(Wet Ink Signature Required only if awarded a contract)</i>
<input type="checkbox"/>	Standard Contract Form and Instructions	<b>Only For Review Now.</b> <i>(Wet Ink Signature Required only if awarded a contract)</i>
<input type="checkbox"/>	Contractor Authorized Signatory Listing	<b>Only For Review Now.</b> <i>(Wet Ink Signature Required only if awarded a contract)</i>
<input type="checkbox"/>	Authorization for Electronic Funds Transfer	<b>Only For Review Now.</b> <i>(Wet Ink Signature Required only if awarded a contract)</i>

The above attachments are available as part of the Bid record on [COMMBUYS \(WWW.COMMBUYS.COM\)](http://WWW.COMMBUYS.COM).

14. **RFR Attachments:** see Appendix A, B, C, D & E



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APPENDIX A: Required Submission Form



**PARTICIPATING PROVIDER APPLICATION COVER SHEET**

Date: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Legal Contractor/Business Name (W9): \_\_\_\_\_

Address: \_\_\_\_\_

Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Tax ID Number (**required to obtain COMMBUYS login**) \_\_\_\_\_

Do you already have a Commbuys account? Yes  No

*Note: All legal contractor/business names must match the business or personal Tax ID number associated with the legal name being referenced.*

**PLEASE MAKE SURE YOUR APPLICATION PACKET INCLUDES THE FOLLOWING:**

This cover sheet

Résumé of each veterinarian who will be participating from your practice

A copy of the veterinary license for each participating veterinarian

A total of three references (names/phone numbers only) for the veterinary practice

Reference 1 \_\_\_\_\_ Phone \_\_\_\_\_

Reference 2 \_\_\_\_\_ Phone \_\_\_\_\_

Reference 3 \_\_\_\_\_ Phone \_\_\_\_\_

Email completed applications to [sheri.gustafson@state.ma.us](mailto:sheri.gustafson@state.ma.us)

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**Appendix B: Required Specifications**

**OPERATIONAL SERVICES DIVISION  
RFR - REQUIRED SPECIFICATIONS FOR COMMODITIES AND SERVICES**

**Revision Date: June 6, 2016**

In general, most of the required contractual stipulations are referenced in the *Standard Contract Form and Instructions* and the *Commonwealth Terms and Conditions*. However, the following RFR provisions must appear in all Commonwealth competitive procurements conducted under 801 CMR 21.00.

The terms of *801 CMR 21.00: Procurement of Commodities and Services* are incorporated by reference into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00. Additional definitions may also be identified in this RFR. Other terms not defined elsewhere in this document may be defined in OSD's [Glossary of Terms](#). Unless otherwise specified in this RFR, all communications, responses, 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 responses must be submitted in accordance with the specific terms of this RFR.

COMMBUYS Market Center. COMMBUYS is the official source of information for this Bid and is publicly accessible at no charge at [www.commbuys.com](http://www.commbuys.com). Information contained in this document and in COMMBUYS, including file attachments, and information contained in the related Bid Questions and Answers (Q&A), are all components of the Bid, as referenced in COMMBUYS, and are incorporated into the Bid and any resulting contract.

Bidders are solely responsible for obtaining all information distributed for this Bid via COMMBUYS. Bid Q&A supports Bidder submission of written questions associated with a Bid and publication of official answers.

It is each Bidder's responsibility to check COMMBUYS for:

- Any amendments, addenda or modifications to this Bid, and
- Any Bid Q&A records related to this Bid.

The Commonwealth accepts no responsibility and will provide no accommodation to Bidders who submit a Quote based on an out-of-date Bid or on information received from a source other than COMMBUYS.

COMMBUYS Registration. Bidders may elect to obtain a free COMMBUYS Seller registration which provides value-added features, including automated email notification associated with postings and modifications to COMMBUYS records. However, in order to respond to a Bid, Bidders must register and maintain an active COMMBUYS Seller account.

All Bidders submitting a Quote (previously referred to as Response) in response to this Bid (previously referred to as Solicitation) agree that, if awarded a contract: (1) they will maintain an active seller account in COMMBUYS; (2) they will, when directed to do so by the procuring entity,

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activate and maintain a COMMBUYS-enabled catalog using Commonwealth Commodity Codes; (3) they will comply with all requests by the procuring entity to utilize COMMBUYS for the purposes of conducting all aspects of purchasing and invoicing with the Commonwealth, as added functionality for the COMMBUYS system is activated; (4) Bidder understands and acknowledges that all references to the Comm-PASS website or related requirements throughout this RFR, shall be superseded by comparable requirements pertaining to the COMMBUYS website; and (6) in the event the Commonwealth adopts an alternate market center system, successful Bidders will be required to utilize such system, as directed by the procuring entity. Commonwealth Commodity Codes are based on the United Nations Standard Products and Services Code (UNSPSC).

The COMMBUYS system introduces new terminology, which bidders must be familiar with in order to conduct business with the Commonwealth. To view this terminology and to learn more about the COMMBUYS system, please visit the [COMMBUYS Resource Center](#).

Multiple Quotes. Bidders may not submit Multiple Quotes in response to a Bid unless the RFR authorizes them to do so. If a Bidder submits multiple quotes in response to an RFR that does not authorize multiple responses, only the latest dated quote submitted prior to the bid opening date will be evaluated.

Quote Content. Bid specifications for delivery, shipping, billing and payment will prevail over any proposed Bidder terms entered as part of the Quote, unless otherwise specified in the Bid.

Supplier Diversity Program (SDP). Massachusetts [Executive Order 565](#) reaffirmed and expanded the Commonwealth's policy to promote the award of state contracts in a manner that develops and strengthens certified Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs), Minority and Women Nonprofit Organizations (M/WNPOs), Veteran Business Enterprises (VBEs), Service-Disabled Veteran-Owned Business Enterprises (SDVOBEs), Disability-Owned Business Enterprises (DOBEs), and Lesbian, Gay, Bisexual and Transgender Business Enterprises (LGBTBEs).

**Partnerships with certified diverse businesses:** All bidders are **required** to make a significant financial commitment to partner with certified M/WBEs, M/WNPOs, VBEs, SDVOBEs, DOBEs and/or LGBTBEs certified or verified by the Supplier Diversity Office (SDO). Bidders must identify a commitment in the form of a specific percentage of sales made under the resulting contract that will be spent with an SDP Partner(s) on a Massachusetts fiscal year basis, using SDP Plan Form #1 – SDP Plan Commitment. This percentage commitment will extend for the life of any resulting contract.

This requirement extends to all bidders regardless of their certification status, and no bidder will be awarded a Contract unless and until the above requirement is met. Bidders may not list themselves or affiliates as SDP Partners. In order to ensure compliance with this section and encourage bidder participation, SDP Plans will be evaluated at 10% or more of the total evaluation score for all for Large Procurements (those with a total value of greater than \$150,000). SDP Plan submission is encouraged but not required for Small Procurements (those with a total value equal to or less than \$150,000).

Once an SDP commitment is approved, the agency will monitor the Contractor's performance, and use the Contractor's reported expenditures with M/WBEs, M/WNPOs, VBEs and SDVOBEs to fulfill

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their own SDP expenditure benchmarks. The Commonwealth reserves 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.

**SDP Forms:** Unless otherwise specified in the RFR, the following SDP forms are required to be submitted by the deadlines noted below in order to meet the mandatory participation requirements of the SDP:

SDP Plan Form #/Name	Submitted By	When Submitted
SDP Plan Form #1 – SDP Plan Commitment	All Bidders	With Bid Response
SDP Plan Form #2 – Declaration of SDP Partners	Newly Awarded Contractors	Within 30 days of contract execution
SDP Plan Form #3 – SDP Spending Report	Contractors	Within 45 days of the end of each quarter

In addition to the requirements above, all bidders must follow the requirements set forth in the Supplier Diversity Program (SDP) Plan Section of the RFR. During the life of the contract, the Commonwealth reserves the right to expand the range of certified business categories available for SDP partnerships to all those mentioned above and/or request reports on the Contractors’ spending with such certified business categories.

**Supplier Diversity Program (SDP) Resources:** Bidders may refer to the [SDP Resources for Vendors and Contractors](#) webpage for additional program information, training and compliance resources.

Agricultural Products Preference (only applicable if this is a procurement for Agricultural Products) - Chapter 123 of the Acts of 2006 directs the State Purchasing Agent to grant a preference to products of agriculture grown or produced using locally grown products. Such locally grown or produced products shall be purchased unless the price of the goods exceeds the price of products of agriculture from outside the Commonwealth by more than 10%. For purposes of this preference, products of agriculture are defined to include any agricultural, aquacultural, floricultural or horticultural commodities, the growing and harvesting of forest products, the raising of livestock, including horses, raising of domesticated animals, bees, fur-bearing animals and any forestry or lumbering operations.

Best Value Selection and Negotiation. The Strategic Sourcing Team or SST may select the response(s) which demonstrates the best value overall, including proposed alternatives that will achieve the procurement goals of the department. The SST and a selected bidder, or a contractor, may negotiate a change in any element of contract performance or cost identified in the original RFR or the selected bidder’s or contractor’s response which results in lower costs or a more cost effective or better value than was presented in the selected bidder’s or contractor’s original response.

Bidder Communication. Bidders are prohibited from communicating directly with any employee of the procuring department or any member of the SST regarding this RFR except as specified in this RFR, and no other individual Commonwealth employee or representative is authorized to provide

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any information or respond to any question or inquiry concerning this RFR. Bidders may contact the contact person for this RFR in the event this RFR is incomplete or the bidder is having trouble obtaining any required attachments electronically through COMMBUYS.

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.

Costs. Costs which are not specifically identified in the bidder's response, 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 bidders responding to this RFR.

Electronic Communication/Update of Bidder's/Contractor's Contact Information. It is the responsibility of the prospective bidder and awarded contractor to keep current on COMMBUYS the email address of the bidder's contact person and prospective contract manager, if awarded a contract, and to monitor that email inbox for communications from the SST, including requests for clarification. The SST and the Commonwealth assume no responsibility if a prospective bidder's/awarded contractor's designated email address is not current, or if technical problems, including those with the prospective bidder's/awarded contractor's computer, network or internet service provider (ISP) cause email communications sent to/from the prospective bidder/awarded contractor and the SST to be lost or rejected by any means including email or spam filtering.

Electronic Funds Transfer (EFT). All bidders responding to this RFR must agree to participate in the Commonwealth Electronic Funds Transfer (EFT) program for receiving payments, unless the bidder can provide compelling proof that it would be unduly burdensome. EFT is a benefit to both contractors and the Commonwealth because it ensures fast, safe and reliable payment directly to contractors and saves both parties the cost of processing checks. Contractors are able to track and verify payments made electronically through the Comptroller's Vendor Web system. A link to the EFT application can be found on the [OSD Forms](http://www.mass.gov/osd) page ([www.mass.gov/osd](http://www.mass.gov/osd)). Additional information about EFT is available on the [VendorWeb](http://www.mass.gov/osc) site ([www.mass.gov/osc](http://www.mass.gov/osc)). Click on MASSfinance.

Successful bidders, upon notification of contract award, will be required to enroll in EFT as a contract requirement by completing and submitting the *Authorization for Electronic Funds Payment Form* to this department for review, approval and forwarding to the Office of the Comptroller. If the bidder is already enrolled in the program, it may so indicate in its response. Because the *Authorization for Electronic Funds Payment Form* contains banking information, this form, and all information contained on this form, shall not be considered a public record and shall not be subject to public disclosure through a public records request.

The requirement to use EFT may be waived by the SST on a case-by-case basis if participation in the program would be unduly burdensome on the bidder. If a bidder is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in its response. The SST will consider such requests on a case-by-case basis and communicate the findings with the bidder.

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Executive Order 509, Establishing Nutrition Standards for Food Purchased and Served by State Agencies. Food purchased and served by state agencies must be in compliance with Executive Order 509, issued in January 2009. Under this Executive Order, all contracts resulting from procurements posted after July 1, 2009 that involve the purchase and provision of food must comply with nutrition guidelines established by the Department of Public Health (DPH). The nutrition guidelines are available at the Department's website: [Tools and Resources for Implementation of Executive Order 509](#).

HIPAA: Business Associate Contractual Obligations. Bidders are notified that any department meeting the definition of a Covered Entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) will include in the RFR and resulting contract sufficient language establishing the successful bidder's contractual obligations, if any, that the department will require in order for the department to comply with HIPAA and the privacy and security regulations promulgated thereunder (45 CFR Parts 160, 162, and 164) (the Privacy and Security Rules). For example, if the department determines that the successful bidder is a business associate performing functions or activities involving protected health information, as such terms are used in the Privacy and Security Rules, then the department will include in the RFR and resulting contract a sufficient description of business associate's contractual obligations regarding the privacy and security of the protected health information, as listed in 45 CFR 164.314 and 164.504 (e), including, but not limited to, the bidder's obligation to: implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the protected health information (in whatever form it is maintained or used, including verbal communications); provide individuals access to their records; and strictly limit use and disclosure of the protected health information for only those purposes approved by the department. Further, the department reserves the right to add any requirement during the course of the contract that it determines it must include in the contract in order for the department to comply with the Privacy and Security Rules. Please see other sections of the RFR for any further HIPAA details, if applicable.

Minimum Quote (Bid Response) Duration. Bidders Quotes made in response to this Bid must remain in effect for at least 90 days from the date of quote submission.

Prompt Payment Discounts (PPD). All bidders responding to this procurement must agree to offer discounts through participation in the Commonwealth Prompt Payment Discount (PPD) initiative for receiving early and/or on-time payments, unless the bidder can provide compelling proof that it would be unduly burdensome. PPD benefits both contractors and the Commonwealth. Contractors benefit by increased, usable cash flow as a result of fast and efficient payments for commodities or services rendered. Participation in the Electronic Funds Transfer initiative further maximizes the benefits with payments directed to designated accounts, thus eliminating the impact of check clearance policies and traditional mail lead time or delays. The Commonwealth benefits because contractors reduce the cost of products and services through the applied discount. Payments that are processed electronically can be tracked and verified through the Comptroller's Vendor Web system. The PPD form can be found as an attachment for this Bid on [COMMBUYS](#).

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Bidders must submit agreeable terms for Prompt Payment Discount using the PPD form within their proposal, unless otherwise specified by the SST. The SST will review, negotiate or reject the offering as deemed in the best interest of the Commonwealth.

The requirement to use PPD offerings may be waived by the SST on a case-by-case basis if participation in the program would be unduly burdensome on the bidder. If a bidder is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in or attached to the PPD form.

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, including marking by bidders of information as confidential during the quote submission process in COMMBUYS, shall be disregarded.

Reasonable Accommodation. Bidders with disabilities or hardships that seek reasonable accommodation, which may include the receipt of 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 bidder requesting accommodation must submit a written statement which describes the bidder's disability and the requested accommodation to the contact person for the RFR. The SST reserves the right to reject unreasonable requests.

Restriction on the Use of the Commonwealth Seal. Bidders and contractors are not allowed to display the Commonwealth of Massachusetts Seal in their bid package or subsequent marketing materials if they are awarded a contract because use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law.

Subcontracting Policies. Prior approval of the department is required for any subcontracted service of the contract. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors. Human and social service subcontractors are also required to meet the same state and federal financial and program reporting requirements and are held to the same reimbursable cost standards as contractors.



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**Appendix C:**  
**How to register, navigate and prepare for submissions via COMMBUYS**

**Proposal Submission Method**

Online Proposal Submission via COMMBUYS is required. All Respondents must submit Proposals online using tools available only to Sellers registered in COMMBUYS. COMMBUYS provides Seller registration functionality at no charge. To register, go to [www.COMMBUYS.com](http://www.COMMBUYS.com) and click on the “Register” link on the front page. All Respondents who are awarded a contract resulting from this Bid, if any, will be required to maintain an active account during the duration of the Contract, by reviewing their registration information regularly and maintaining its accuracy.

**COMMBUYS Proposal Submission Training and Instructions**

The following resources are provided to assist Respondents in submitting Proposals:

- Online job aids for navigating COMMBUYS [HERE](#)
- Webcast video on [Overview of COMMBUYS Registration](#)
- Webcast video on [How to Create a Proposal \(Quote\) in COMMBUYS](#)
- COMMBUYS Help Desk: 888-627-8283 (Open M-F 8am-5pm)

**COMMBUYS Support**

Technical assistance is available during the procurement process. Every effort is made to respond to inquiries within one business day.

**Website:** Go to [www.mass.gov/osd/commbuys](http://www.mass.gov/osd/commbuys) and select the COMMBUYS Resource Center link offered under Key Resources.

**Email:** Send inquiries to the COMMBUYS Helpdesk at [COMMBUYS@state.ma.us](mailto:COMMBUYS@state.ma.us)

**Telephone:** Call the COMMBUYS Help Desk at 1-888-MA-STATE (1-888-627-8283). The Help Desk is staffed from 8:00 AM to 5:00 PM Monday through Friday Eastern Standard or Daylight time, as applicable, except on federal and state holidays.

Respondents are advised that COMMBUYS will be unavailable during regularly scheduled maintenance hours of which all users will be notified.

**Bid Opening Date/Time**

All Respondents are advised to allow adequate time for submission by considering potential online submission impediments like Internet traffic, Internet connection speed, file size, and file volume. OSD and MDAR are not responsible for delays encountered by Respondents or their agents, or for a Respondent’s local hardware failures, such as computers or related networks, associated with bid compilation or submission. Bids submitted via COMMBUYS are time stamped by the COMMBUYS system clock which is considered the official time of record.

**Proposal Contents**

Respondents must comply with the requirements listed in Sections 2 & 3.

**Electronic Signatures**

Proposals submitted via COMMBUYS must be signed electronically by the Respondent by accepting the terms and conditions of the proposal on the “Terms & Conditions” tab of the proposal in COMMBUYS. By selecting “Save & Continue” on the “Terms and Conditions” tab

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after accepting the terms and conditions of the proposal, the submitter attests that s/he is an agent of the Respondent with authority to sign on the Respondent's behalf, and that s/he has read and assented to each document's terms.

**Ink Signatures**

Original ink signatures are required only after contracts have been awarded. The Commonwealth of Massachusetts requires Contractors to submit original ink-signature versions of the following forms:

- Standard Contract Form
- Commonwealth Terms and Conditions
- Contractor Authorized Signatory Listing
- Request for Taxpayer Identification and Verification (Mass. Substitute W9 Form)
- Electronic Funds Transfer Sign Up Form

Successful Respondents who agreed to the terms and conditions of these forms electronically via COMMBUYS online Proposal submission tool must still submit the above forms with ink signatures or their contract may not be executed by the Commonwealth. Respondents who have previous contract(s) with the Commonwealth and have up-to-date, ink-signature versions of the Commonwealth Terms and Conditions and Request for Taxpayer Identification and Verification (Mass. Substitute W9 Form) on file with the Office of the State Comptroller may submit copies of the signed forms. However, a new Standard Contract Form and Contractor Authorized Signatory Listing with original ink signatures must be submitted for each new contract with the Commonwealth.

**Limits and Restrictions**

**File Size Limits**

The system will not accept files that approach or exceed 10 MB. If a large file fails to upload, the Respondent must save the contents as multiple files.

**File Format Restrictions**

All scanned documents must be in .pdf format, and must be scanned in such a way that they can be read on a computer monitor and printed on 8-1/2" x 11" paper, unless otherwise specified. Forms provided for the Respondent to complete, with the exception of the forms requiring ink signatures, must be completed and submitted in their original formats, NOT scanned and submitted as PDF or other file types.

**D. Written questions via the Bid Q&A on COMMBUYS**

The "Bid Q&A" provides the opportunity for Bidders to ask written questions and receive written answers regarding this Bid. All Bidders' questions must be submitted through the Bid Q&A found on COMMBUYS (see below for instructions). Questions may be asked only prior to the Deadline for Submission of Questions stated in the Estimated Procurement Calendar. The issuing department reserves the right not to respond to questions submitted after this date. It is the Bidder's responsibility to verify receipt of questions.

Please note that any questions submitted using any other medium (including those that are sent by mail, fax, email or voicemail, etc.) **will not be answered**. To reduce the number of redundant or duplicate questions, Bidders are asked to review all questions previously submitted to determine whether the Bidder's question has already been posted.

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Bidders are responsible for entering content suitable for public viewing, since all of the questions are accessible to the public. Bidders must not include any information that could be considered personal, security sensitive, inflammatory, incorrect, collusory, or otherwise objectionable, including information about the Bidder's company or other companies. MDAR reserves the right to edit or delete any submitted questions that raise any of these issues or that are not in the best interest of the Commonwealth or this Bid.

**All answers are final when posted. Any subsequent revisions to previously provided answers will be dated.**

It is the responsibility of the prospective Bidder and awarded Contractor to maintain an active registration in COMMBUYS and to keep current the email address of the Bidder's contact person and prospective contract manager, if awarded a contract, and to monitor that email inbox for communications from MDAR, including requests for clarification. MDAR and the Commonwealth assume no responsibility if a prospective Bidder's/awarded Contractor's designated email address is not current, or if technical problems, including those with the prospective Bidder's/awarded Contractor's computer, network or internet service provider (ISP) cause email communications sent to/from the prospective Bidder/Awarded contractor and MDAR to be lost or rejected by any means including email or spam filtering.

**Locating Bid Q&A**

Log into COMMBUYS, locate the Bid, acknowledge receipt of the Bid, and scroll down to the bottom of the Bid Header page. The "Bid Q&A" button allows Bidders access to the Bid Q&A page.

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**Appendix D:**

**Instructions for Vendors Responding to Bids Electronically through COMMBUYS**

**Introduction**

COMMBUYS refers to all solicitations, including but not limited to Requests for Proposals (RFP), Invitations for Bid (IFB), Requests for Response (RFR), Requests for Quote (RFQ), as “Bids.” All responses to Bids are referred to as “Quotes.”

**Steps for Bidders to Submit a Quote**

1. Launch the COMMBUYS website by entering the URL ([www.COMMBUYS.com](http://www.COMMBUYS.com)) into the browser.
2. Enter Bidder login credentials and click the **Login** button on the COMMBUYS homepage. Bidders must be registered in COMMBUYS in order to submit a Quote. Each Vendor has a COMMBUYS Seller Administrator, who is responsible for maintaining authorized user access to COMMBUYS.
3. Upon successful login, the Vendor home page displays with the Navigation and Header Bar as well as the Control Center. The Control Center is where documents assigned to your role are easily accessed and viewed.
4. Click on the **Bids** tab
5. Clicking on the Bid tab opens four sections:
  - a. Request for Revision
  - b. Bids/Bid Amendments
  - c. Open Bids
  - d. Closed Bids
6. Click on the blue **Open Bid** hyperlinks to open and review an open bid
7. A new page opens with a message requesting you acknowledge receipt of the bid. Click **Yes** to acknowledge receipt of the bid. Bidders should acknowledge receipt to receive any amendments/updates concerning this bid.
8. After acknowledgement, the bid will open.

The top left half of the page contains the following information:

- a. Purchaser
- b. Department
- c. Contact for this bid

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- d. Type of purchase
  - i. Open Market
  - ii. Blanket
- e. Pre-Bid Conference details (if applicable)
- f. Ship-to and Bill-to addresses
- g. Any attachments to the bid, which may include essential bid terms, response forms, etc.

The top right half of the bid includes the following information:

- h. Bid Date
- i. Required Date
- j. Bid Opening Date – date the bid closes and no further quotes will be accepted
- k. Informal Bid Flag
- l. Date goods/services are required

- 9. The lower half of the page provides information about the specific goods/services the bid is requesting.
- 10. Click **Create Quote** to begin.
- 11. The General tab for a new quote opens. This page is populated with some information from the bid. Fields available to update include:
  - a. Delivery days
  - b. Shipping terms
  - c. Ship via terms
  - d. Is “no” bid – select if you will not be submitting a quote for this bid
  - e. Promised Date
  - f. Info Contact
  - g. Comments
  - h. Discount Percent
  - i. Freight Terms
  - j. Payment Terms

It is important to note that the bid documents (RFR and attachments) may specify some or all of these terms and may prohibit you from altering these terms in your response. Read the bid documents carefully and fill in only those items that are applicable to the bid to which you are responding.

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Update these fields as applicable to the bid and click **Save & Continue** to save any changes and create a Quote Number.

The page refreshes and messages display. Any message in Red is an error and must be resolved before the quote can be submitted. Any message in Yellow is only a warning and will allow processing to continue.

The following messages are received:

Terms & Conditions is not acknowledged – to resolve this, click on the Terms & Conditions tab and accept the terms. Your quote has not been submitted – information message; no action required

12. Click on the Terms & Conditions Tab. This tab refers to the terms and conditions that apply to this bid. The terms and conditions must be accepted before your quote can be submitted. If your acceptance is subject to any exceptions, those exceptions must be identified here. Exceptions cannot contradict the requirements of the RFR, or required Commonwealth standard forms and attachments for the bid. For instance, an RFR may specify that exceptions may or will result in disqualification of your bid.
13. Click the **Items** tab. The Items tab displays information about the items requested in the bid. To view additional details about an item, click the item number (blue hyperlink) to open.
14. The item opens. Input all of your quote information and click **Save & Exit**.
15. **CONFIDENTIAL INFORMATION:** If documents uploaded in your quote response contain confidential information (security sensitive, EFT, W9, Commonwealth Terms and Conditions), **you must mark each item as confidential**. The confidential column on the Attachments view allows the user to select whether the attached form is confidential or not. Place a check box under the confidential column for each confidential attached form.
16. Click on the **Attachments** Tab. Follow the prompts to upload and name all required attachments and forms and bid response documents in accordance with the instructions contained in the solicitation or bid documents. After uploading each individual file or form, click **Save & Continue**. After you have uploaded all required documents click **Save & Exit**. Be sure to review your attachments to make sure each required document has been submitted.
17. Click the Summary tab. Review the information and update/correct, as needed. If the information is correct, click the **Submit Quote** button at the bottom of the page.

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18. A popup window displays asking for verification that you wish to submit your quote. Click **OK** to submit the quote.
19. The Summary tab redisplay with an updated Status for the quote of **Submitted**.
20. Your quote submission is confirmed only when you receive a confirmation email from COMMBUYS. If you have submitted a quote and have not received an email confirmation, please contact the COMMBUYS Help Desk at [COMMBUYS@state.ma.us](mailto:COMMBUYS@state.ma.us).

If you wish to revise or delete a quote after submission, you may do so in COMMBUYS: (1) for a formal bid, prior to the bid opening date, or (2) for an informal bid (which may be viewed upon receipt), prior to the opening of your quote by the issuing entity or the bid opening date, whichever is earlier.

Bidders may not submit Multiple Quotes in response to a Bid unless the Bid authorizes Multiple Quote submissions. If you submit multiple quotes in response to a bid that does not allow multiple quotes, only the latest submission prior to the bid opening date will be evaluated.

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**Appendix E:**  
**RFR – Other Specifications**

**Issue Date: November 1, 2005**

**Refresh Date: June 6, 2016**

The following RFR provisions appear in this section at the department’s discretion. If a specification is selected by the department, it is required of the bidder.

Access to Security-Sensitive Information. This solicitation contains security-sensitive information which, pursuant to MGL c. 4, s. 7, cls. 26(n), is generally exempt from public disclosure under the Commonwealth’s public records laws and must, for public safety purposes, be safeguarded from widespread public disclosure. This security-sensitive information is in the form of blueprints, plans, policies, procedures, schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, and/or any other records relating to the security or safety of persons (pursuant to [M.G.L. c. 66A](#)) or buildings, structures, facilities, utilities, transportation, information technology or other infrastructure located within the commonwealth.

Qualified prospective bidders that are interested in accessing this information for the purpose of preparing a bid response must, before being allowed to access the information, sign a confidentiality agreement, thereby agreeing to:

1. restrict the use of these sensitive records for any other purpose than as authorized and for the purpose of putting together a bid proposal;
2. safeguard the information while it is in their possession (consistent with Section 6 of the *Commonwealth Terms and Conditions*); and
3. return such records and materials to the Commonwealth upon completion of the project.

Alternatives. A response which fails to meet any material term or condition of the RFR, including the submission of required attachments, may lose points or be deemed unresponsive and disqualified. Unless otherwise specified, bidders may submit responses 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 response 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. Bidders 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.

Contractors may also propose alternatives for equivalent, better or more cost effective performance than specified under the contractor’s original response to enable the department to take advantage of enhanced technologies, commodities or services which become available during the term of the contract.

Brand Name or Equal. 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 response to such reference.



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Debriefing. *(This specification is at the department's discretion for non-POS RFRs.)* Non-successful bidders may request a debriefing from the department. Department debriefing procedures may be found in the RFR. "POS" refers to Purchase of Service (POS) human and social services procured under 801 CMR 21.00, *Procurement of Commodities or Services, Including Human and Social Services* and 808 CMR 1.00, *Compliance, Auditing and Reporting and for Human and Social Services*.

Emergency Standby Commodities and/or Services. Due to a declaration of a state of emergency where the safety and well-being of Commonwealth citizens are at risk, the Commonwealth of Massachusetts may request specific commodities and/or services from its contractors. Contractors may be called upon to supply and/or deliver to the Commonwealth on a priority basis such commodities and/or services currently under contract.

Such accommodations may be requested from a contractor during an actual emergency. To accommodate such requests, contractors may be requested and must make every effort to service these requests from regular sources of supply at the rates set forth in any standard contract resulting from this RFR.

Environmentally Preferable Products and Services. The department and contractor(s) may negotiate during the contract term to permit the substitution or addition of Environmentally Preferable Products (EPPs) when such products are readily available at a competitive cost and satisfy the department's performance needs.

Estimated Provisions. 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 bidders, and are not to be relied upon as any indication of future purchase levels.

Performance and Payment Time Frames Which Continue Beyond the Duration of the Contract. All term leases, rentals, maintenance or other agreements for services entered into during the duration of this contract and whose performance and payment time frames extend beyond the duration of this contract shall remain in effect for performance and payment purposes (limited to the time frame and services established per each written agreement). No new leases, rentals, maintenance or other agreements for services may be executed after the contract has expired. Any contract termination or suspension pursuant to this section shall not automatically terminate any leases, rentals, maintenance or other agreements for services already in place unless the department also terminates said leases, rentals, maintenance or other agreements for service, which were executed pursuant to the main contract.

Reverse Auction Participation and Payment. In addition to negotiations and Best and Final Offers (BAFOs) that may be conducted with bidders pursuant to 801 CMR 21.00, the SST will be conducting a Reverse Auction subsequent to the submission of proposals. After the conclusion of the reverse auction and the determination of the winning bidder(s), the winning bidder(s) will be responsible for paying the cost for this reverse auction, not to exceed \$3,000 per event, directly to the Commonwealth's reverse auction contractor. That payment must be made within 30 days of the end of the auction event or of the contract award date, whichever is later. In the case of multiple winners, the department will determine how payments will be made in a fair and equitable manner. In addition, the SST reserves the right to employ the use of reverse auctions at any time during the contract term under the same payment terms as referenced above in this section.