MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES

Division of Agricultural Markets

Massachusetts Dairy Promotion Grant Program

Fiscal Year2017

Request for Response (RFR): RFR File: AGR-DairyPromoGrant 2017

Responses must be received by: February 22, 2016

Contact:
Julia Grimaldi
MDPB Coordinator
Julia.grimaldi@state.ma.us
(617) 626-1763

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

Request for Response: Massachusetts Dairy Promotion Grant Program
RFR#: AGR-DairyPromoGrant-2017
Department: Massachusetts Department of Agricultural Resources (MDAR)
Release Date: February 2, 2016
Proposals Due by: February 22, 2016

1. Grant Program Description:

Pursuant to M.G.L. c. 20, Section 30(b), the Massachusetts Dairy Promotion Board ("Board") is responsible for developing programs and policies with the objective of increasing the consumption of Massachusetts dairy products.

The Massachusetts Dairy Promotion Grant Program ("MDPGP") funds will be used to assist the grantee in the achievement of a specific public purpose to benefit the general public or a segment of the general public.

The Board has final approval and shall serve as the funding entity for the MDPGP. Any grant award is dependent upon the availability of funds.

This grant program is for non-profit entities duly incorporated in the Commonwealth of Massachusetts.

A. MDPGP Goals:

The Board is soliciting proposals for projects that advance the image and sales of, and demand for Massachusetts dairy products. The Board is working with the Massachusetts Department of Agricultural Resources ("MDAR") to solicit these proposals.

B. Acquisition Method:

Grants: Contracts

C. Request for Single or Multiple Contractors:

Multiple grants will be awarded.

D. Single or Multiple Department Procurement:

Single

E. Contract Duration:

All Contracts shall be for one (1) year. Work shall begin by July 1, 2016 and finish no later than June 30, 2017. Any contract modifications, including budget increases must be requested in writing to the Board and will only be considered if additional funds are available. All requested contract modifications will be granted on a limited basis and made at the

sole discretion of the Board. A contract extension or budget increase may be considered for an applicant who demonstrates to the Board that the extension or budget increase meets the goals of the grant program.

F. Anticipated Expenditures:

There shall be a maximum amount of not more than $200,000 available in grant funding under this RFR. The suggested request per proposal is not more than $60,000. The Board reserves the right in special circumstances to award greater than the suggested per project award amount listed herein. All award amounts are subject to available funds and appropriation.

A successful grantee will enter into a contract with MDAR. MDAR and the Board reserve the right to fund the project in part, add and delete tasks, and ask for clarification on the work plan, timeline, and budget. No contract shall be entered into until the Board is satisfied with all the specifications of the project and has approved the scope of work.

2. Performance and Specifications:

Projects may include, but shall not be limited to:

- Promotional activities such as paid advertising that advance the image and sales of, and demand for Massachusetts dairy products;
- Sales promotion and publicity to advance the image and sales of, and demand for Massachusetts dairy products;
- Studies testing the effectiveness of market development and promotion efforts;
- Studies relating to the nutritional value of milk and dairy products; and
- Education which includes those activities intended to broaden the understanding of sound nutritional principles, including the role of milk and dairy products play in a balanced diet.

Examples of ineligible projects:

- A project that uses grant funds for lobbying purposes; and
- A project that promotes a specific dairy product brand or dairy farm.

A. Evaluation Criteria:

A successful project shall be evaluated based upon the following criteria:

- Does the proposal have the potential of increasing the consumption and demand for Massachusetts dairy products?
- Will the proposal measurably increase the sales of dairy products? Measureable increases shall be proven using established quantitative methods (i.e. through surveys, sales data, etc.).
- Does the proposal provide sound nutritional education related to the role milk and dairy products play in a balanced diet?
- Does the organization solely support the sustainability of cow dairy farms in Massachusetts in measurable way (i.e. through surveys, sales data, etc.).

B. Application Requirements:

A PROPOSAL MUST CONTAIN ALL OF THE FOLLOWING **FIVE (5) ELEMENTS**

I. Applicant Information

- Name of organization or individual applying;
- Proof of corporate status, if applicable; and/or
- Proof of non-profit status, including proof of current 501(c)(3) status, if applicable.

II. Project Purpose:

- Include a Project Title;
- What is the objective of the project and how will it be accomplish; and
- What specific project area, issue, interest and/or need is being addressed, and why is the project important and timely.

III. Potential Impact:

- Who are the intended beneficiaries of the project?

IV. Deliverables:

- Describe quantifiable results that are meaningfully related to the project's purpose; and
- Explain how you will measure and determine the success of the project.

V. Work Plan:

- Explain all the activities in detail that will be performed to accomplish the objectives of the project;
- Provide a detailed timeline of when the work will be accomplished; and
- Describe who will be performing the work.

VI. Budget:

- A detailed budget which lists major categories including, but not limited to staff time including hourly rate or FTE, supplies, travel, consultant fees, advertising costs, etc. of how funding will be spent

3. Invoicing:

The Contractor shall be reimbursed for funds expended on this project. The Board may advance funds to a grantee provided the Grantee can demonstrate significant need for funding upfront rather than the Board reimbursing grantees for funds expended towards the grant after execution of a contract. In order to receive reimbursement, the Contractor shall submit a written request ("Invoice") to the Board's Coordinator.

Each Invoice shall include:

1. The Legal Name of the entity requesting reimbursement;
2. The Title of the Grant Project;
3. The period for which the expenses were incurred;
4. A unique invoice number;
5. The total request in reimbursement;
6. A narrative as to how funds have been expended that includes an explanation as to what goals have been accomplished;
7. Any other information relating to the project as requested by the Board's Coordinator.

4. Reporting Requirements for Successful Grantees:

As part of the contract requirements, all successful grantees shall be required to submit a mid-year progress report and a final report to the Board Coordinator. Grantees may be asked to present these reports to the Board. Additional reports and presentations may be requested at the discretion of the Board.

The mid-year report shall be due to the Board Coordinator by December 1, 2016 and shall include a progress assessment based upon the goals, objectives, and deliverables submitted with the proposal. The mid-year report shall include a budget explaining how grants funds were spent and the remaining grant funds to be expended. The mid-year report will be used by Board Coordinator to evaluate any issues or problems the grantee may be encountering during the course of fulfilling the terms of the grant.

The final report shall be submitted within 30 days after completion of the grant, but not later than 45 days, final report will include how the goals, objectives, and deliverables were achieved. If deliverables were not achieved the final report must include an explanation as to why the project was unsuccessful in those areas. The final report must include a detailed explanation of fund expenditures, final deliverables, and any media produced using grant funds.

5. Direction on the Submission of Response:

One (1) signed original **and** eight (8) copies of the Proposal must be **received** (**not postmarked**) by February 22th by 9:00 a.m. In addition, the **proposal, in an electronic word document (not pdf)** with any required attachments, must be emailed to the Board Coordinator, Julia.Grimaldi@state.ma.us by the **same date and time**.

The entire proposal must be in twelve (12) point font (Times New Roman). There is a **five (5) page** (single sided) limit on all proposals (cover letter is not included in page limit). Reviewers shall be directed to stop reading after page five (5) is finished.

Contact Information:

Massachusetts Department of Agricultural Resources
Attn: Julia Grimaldi, Board Coordinator
251 Causeway Street
Suite 500
Boston, MA 02114

RFR - REQUIRED SPECIFICATIONS

Issue Date: March 24, 2014

In general, most of the required contractual stipulations are referenced in the *Standard Contract Form and Instructions* and the *Commonwealth Terms and Conditions* (either version). 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* (and *808 CMR 1.00: Compliance, Reporting and Auditing for Human and Social Services*, if applicable) are incorporated by reference into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00 (and 808 CMR 1.00, if applicable). 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.

Items with the text, "☞ *Required for POS Only*" specify a requirement for 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, Reporting and Auditing for Human and Social Service.*

COMMBUYS Market Center. COMMBUYS is the official source of information for this Bid and is publicly accessible at no charge atwww.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 Subscription. Bidders may elect to obtain a free COMMBUYS Seller subscription 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 subscription 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, 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.

To find a complete and current list of SDO certified and registered SBPP participating in Statewide Contracts (SWC) please follow this instructions .

Supplier Diversity Program (SDP). Massachusetts Executive Order 524 established a policy to promote the award of state contracts in a manner that develops and strengthens Minority and Women Business Enterprises (M/WBEs) that resulted in the Supplier Diversity Program in Public Contracting. M/WBEs are strongly encouraged to submit responses to this RFR, either as prime vendors, joint venture partners or other type of business partnerships. Similarly, Executive Order 546 established the Service-Disabled Veteran-Owned Business Enterprise (SDVOBE) Program to encourage the participation of businesses owned and controlled by service-disabled veterans in all areas of state procurement and contracting, thereby including them in the SDP. All bidders must follow the requirements set forth in the SDP section of the RFR, which will detail the specific requirements relating to the prime vendor's inclusion of M/WBEs and/or SDVOBEs. Bidders are required to develop creative initiatives to help foster new business relationships with M/WBEs and/or SDVOBEs within the primary industries affected by this RFR. In order to satisfy the compliance of this section and encourage bidder's participation of SDP objectives, the Supplier Diversity Program (SDP) Plan for large procurements greater than $150,000 will be evaluated at 10% or more of the total evaluation. Once an SDPcommitment, expressed as a percentage of contract revenues, is approved, the agency will then monitor the contractor's performance, and use actual expenditures with SDO certified M/WBE contractors and the Center for Veterans Enterprise certified SDVOBEs to fulfill their own SDP expenditure benchmarks. M/WBE and SDVOBE participation must be incorporated into and monitored for all types of procurements regardless of size; however, submission of an SDP Plan is mandated only for large procurements over $150,000.

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

Supplier Diversity Program (SDP) Resources:

- Resources available to assist Prime Bidders in finding potential **Minority Business Enterprises (MBE)** and **Women Business Enterprises (WBE)** partners can be found at: www.mass.gov/sdp

- Resources available to assist Prime Bidders in finding potential **Service-Disabled Veteran-Owned Business Enterprise (SDVOBE)** partners can be found on the Operational Services Division's SDO webpage at: www.mass.gov/sdo
- The Operational Services Division's Supplier Diversity Program offers training on the SDP Plan requirements. The dates of upcoming trainings can be found at: http://www.mass.gov/anf/budget-taxes-and-procurement/procurement-info-and-res/osd-events-and-training/osd-training-and-outreach.html In addition, the SDP Webinar can be located on the SDP website at www.mass.gov/SDP.

Supplier Diversity Program Subcontracting Policies. In addition to the Subcontracting Policies (See Subcontracting Policies section below and see Section 9, Subcontracting By Contractor, in the Commonwealth Terms and Conditions) that apply to all subcontracted services, agencies may define specific required deliverables for a contractor's SDP Plan, including, but not limited to, documentation necessary to verify subcontractor commitments and expenditures with Minority- or Women-Owned Business Enterprises (M/WBEs) and Service-Disabled Veteran-Owned Business Enterprises (SDVOBE) for the purpose of monitoring and enforcing commitments made in a contractor's Supplier Diversity Program (SDP) Plan.

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, aqua cultural, floricultural or horticultural commodities, the growing and harvesting of forest products, the raising of livestock, including horses, rising of domesticated animals, bees, fur-bearing animals and any forestry or lumbering operations.

Best Value Selection and Negotiation. The Strategic Sourcing Team or SST (formerly referred to as Procurement Management Team or PMT) 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 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.

Debriefing. ☞*Required for POS Only. This is an optional specification for non-POS RFRs.* Non-successful

bidders may request a debriefing from the department that issued the RFR. Department debriefing procedures may be found in the RFR. Non-successful POS bidders aggrieved by the decision of a department must participate in a debriefing as a prerequisite to an administrative appeal.

Debriefing/Appeals: Administrative Appeals to Departments. ☞*Required for POS Only. Not applicable to non-POS bidders.* Non-successful bidders who participate in the debriefing process and remain aggrieved with the decision of the department may appeal that decision to the department head. Department appeal procedures may be found in the RFR.

Debriefing/Appeals: Administrative Appeals to OSD. ☞*Required for POS Only. Not applicable to non-POS bidders.* Non-successful bidders who participate in the department appeal process and remain aggrieved by the selection decision of the department may appeal the department decision to the Operational Services Division. The basis for an appeal to OSD is limited to the following grounds:

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

Requests for an appeal must be sent to the attention of the Operational Services Division, Legal, Policy and Compliance Office, Room 1017, One Ashburton Place, Boston, MA 02108 and be received within fourteen (14) calendar days of the postmark of the notice of the department head's decision on appeal. Appeal requests must specify in sufficient detail the basis for the appeal. Sufficient detail requires a description of the published policy or procedure which was applied and forms the basis for the appeal and presentation of all information that supports the claim under paragraphs 1 or 2 above. OSD reserves the right to reject appeal requests based on grounds other than those stated above or those submitted without sufficient detail on the basis for the appeal.

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

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 page

(www.mass.gov/osd). Additional information about EFT is available on the VendorWeb site (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.

Environmental Response Submission Compliance. In the event that paper submissions are required and in an effort to promote greater use of recycled and environmentally preferable products and minimize waste, all required paper responses that are submitted should comply with the following guidelines:

- All copies should be printed double sided.
- All submittals and copies should be printed on recycled paper with a minimum post-consumer content of 30% or on tree-free paper (i.e. paper made from raw materials other than trees, such as kenaf). To document the use of such paper, a photocopy of the ream cover/wrapper should be included with the response.
- Unless absolutely necessary, all responses and copies should minimize or eliminate use of non-recyclable or non re-usable materials such as plastic report covers, plastic dividers, vinyl sleeves and GBC binding. Three ringed binders, glued materials, paper clips and staples are acceptable.
- Bidders should submit materials in a format which allows for easy removal and recycling of paper materials.
- Bidders are encouraged to use other products which contain recycled content in their response documents. Such products may include, but are not limited to, folders, binders, paper clips, diskettes, envelopes, boxes, etc. Where appropriate, bidders should note which products in their responses are made with recycled materials.
- Unnecessary samples, attachments or documents not specifically asked for should not be submitted.

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: Executive.

Filing Requirements. ☞*Required for POS Only. Not applicable to non-POS bidders.* Successful bidders must have filed their Uniform Financial Statements and Independent Auditor's Report (UFR), as required for current contractors, with the Operational Services Division via the Internet using the UFR eFiling application for the most recently completed fiscal year before a contract can be executed and services may begin. Other contractor qualification/risk management reporting requirements and non-filing consequences promulgated by secretariats or departments pursuant to 808 CMR 1.04(3) may also apply. In the event immediate services are required by a department, a contract may be executed and services may begin with the approval of OSD and the appropriate secretariat. However, unless authorized by OSD and the appropriate secretariat, the contractor will not be paid for any such services rendered until the UFR has been filed.

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.

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.

Provider Data Management. ☞*Required for POS Only. Not applicable to non-POS bidders.* The Executive Office of Health and Human Services (EOHHS) have established a Provider Data Management (PDM) business service that is integrated into the Virtual Gateway. PDM is accessible by providers with current POS contracts. Departments may require that bidders with current POS contracts submit certain RFR-required documents through PDM. These documents have been specified in the RFR. When submitting documents via PDM, bidders are required to print and sign a PDM Documentation Summary. PDM users should verify that all information is accurate and current in PDM. Bidders are required to include the signed PDM Documentation Summary in their RFR response.

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.

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 are 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.