



## **Request for Proposals for RFP for Broadband Data Collection and Mapping Services**

**RFP No. 2022-MBI-02**

**Massachusetts Technology Collaborative  
75 North Drive  
Westborough, MA 01581-3340  
<http://www.masstech.org>**

**Procurement Team Leader: Cynthia Gaines**

<b>RFP Issued:</b>	<b>1/19/2022</b>
<b>Respondents' Conference:</b>	<b>1/31/2022</b>
<b>Questions Due:</b>	<b>2/3/2022</b>
<b>Answers to Questions Posted:</b>	<b>2/8/2022</b>
<b>Responses Due:</b>	<b>2/23/2022</b>

## 1. INTRODUCTION

Massachusetts Technology Collaborative (“MassTech Collaborative” or “MassTech”), on behalf of the Massachusetts Broadband Institute (“MBI”) is issuing this Request for Proposals for Broadband Data Mapping and Collection Services (RFP No. 2022-MBI-02) (the “RFP” or “RFP”) to solicit responses from qualified contractors (“Respondents”) with experience in broadband data collection, analysis and mapping using GIS and other tools. Respondents will be competing against each other for selection to provide the services set forth herein (the “Services”). The submissions of all Respondents shall be compared and evaluated pursuant to the evaluation criteria set forth in this RFP, and a single Respondent may be selected.

MassTech Collaborative will be the contracting entity on behalf of MBI for the purposes of this RFP, and (except where the specific context warrants otherwise), MBI and MassTech Collaborative are collectively referred to as MassTech Collaborative or MassTech. MassTech Collaborative will enter into a **Services Agreement and Statement of Work** with selected Respondents containing certain standard provisions (the “Agreement”), located [HERE](#). Contracts awarded as a result of this RFP may be funded in whole or in part by a U.S. Economic Development Administration (“EDA”) grant awarded through the FY 2021 American Rescue Plan Act (ARPA) Statewide Planning, Research, and Networks Notice of Funding Opportunity, (EDA-HDQ-ARPRN-2021-20006986). Accordingly, all Respondents will be obligated to comply with all corresponding federal laws, regulations or other conditions applicable to the federal financing source. Additional required terms will be contained within the awarded contract.

### 1.2 MassTech Collaborative and MBI

MassTech Collaborative is an independent public instrumentality of the Commonwealth of Massachusetts chartered by the Commonwealth to serve as a catalyst for growing its innovation economy. MassTech Collaborative brings together leaders from industry, academia, and government to advance technology-focused solutions that lead to economic growth, job creation, and public benefits in Massachusetts. For additional information about MassTech Collaborative and its programs and initiatives, please visit our website at [www.masstech.org](http://www.masstech.org).

MBI is the central broadband program for the Commonwealth. Created in 2008 (Chapter 231 of the Acts of 2008), the primary mission of MBI is to extend affordable, robust, high-speed Internet access to all homes, businesses, schools, libraries, medical facilities, government offices and other public places across Massachusetts, with a focus on the hard-to-serve areas of western and central Massachusetts. For more information about MBI and its programs and activities generally, please visit the web site at [www.massbroadband.org](http://www.massbroadband.org).

## 2. SERVICES REQUIRED

### 2.1 Overview

Respondents to this RFP may submit responses to one or more of the categories of services described herein. Responding firms should clearly indicate the category or categories of services for which they wish to be considered for selection. MBI reserves the right to select more than one Respondent to complete this work or to not make an award, as well as to award work for one or more of the categories over a period of time.

The Services described in Section 2.2 reflect the anticipated needs of MBI for statewide broadband availability mapping by address, as well as statewide and regional quality of service mapping.

As a result of state and federal grant funding in recent years, all 351 municipalities in the Commonwealth, with the exception of Town of Gosnold, have or are on a path to have at least one fiber, cable, or fixed wireless broadband service provider that offers internet service with speeds of at least 25/3 Mbps. However, most municipalities still have pockets of homes without access to broadband

services. MBI has been tasked with identifying the location of individual homes and businesses and other entities in the unserved pockets. In addition, MBI will need to identify areas with customers that are receiving service that does not meet the quality advertised by the provider (e.g., speed, performance or reliability of service). MBI seeks to obtain and map accurate granular data on the availability of reliable broadband service to inform the development of programs that will properly target the investment of federal funds allocated through the American Rescue Plan Act and the Infrastructure Investment and Jobs Act to close the digital divide and increase digital equity in the Commonwealth.

## **2.2 Scope of Services**

MBI requires assistance in creating a statewide broadband coverage map that shows the served and unserved locations throughout the Commonwealth. This effort involves collecting, processing, analyzing and mapping data from service providers to show the resulting address locations in the Commonwealth that currently do not have access to broadband service at 25/3 Mbps, and possibly other speed thresholds such as 100/20 or 100/100 Mbps. MBI also needs assistance processing, analyzing and mapping broadband speed test data and other sources of information on broadband availability and quality (such as subscriber survey data) to supplement and verify the provider coverage data and to identify areas with possible quality of service issues requiring further research and analysis.

### **2.2.1 Master Address Dataset**

In order to identify gaps in broadband infrastructure for broadband services, the initial step is to acquire and refine a comprehensive and reliable statewide address point dataset. This dataset will serve as the master location data of serviceable locations to which all service provider coverage information will be compared. MBI believes that the master address point data created and maintained by MassGIS is the best available source for this purpose.

The master address dataset tasks may include:

- Performing an initial assessment of the MassGIS master address points, address tables and assessor tables to evaluate the content and structure of the data and identify any deficiencies or changes needed to use the data for the broadband mapping project;
- Determining how to handle multi-unit buildings, multiple buildings for one address, and other configurations where there is not a one-to-one relationship between an address and a building;
- Determining how to classify locations as residential, commercial, government, or other types, using assessor data or other sources as needed;
- Making the modifications needed to create a new, revised master dataset of serviceable broadband locations (e.g., locations where people reside or work);
- Ensuring that any updates made to the MassGIS source dataset are easily incorporated into the revised serviceable broadband locations dataset; and
- Identifying geographic areas or dataset components that may need improvement and ways to make those improvements.

The MassGIS master address point data may be found here: <https://www.mass.gov/info-details/massgis-data-master-address-data>.

For budgeting purposes, Respondents should make the following assumptions regarding the scope of services:

- The MassGIS master address data is approximately 99% complete but will require some reorganizing and modifications for use in broadband mapping;
- Each building should be represented by a single point and should contain an attribute field with the number of units, where available, and flag address points that are likely to be missing unit information;
- Points should have attributes identifying the type of location if possible, including residential,

- commercial, government and various mixed used scenarios;
- Add other geographic related attributes to the address point data that may be useful for broadband mapping, such as 2020 US Census Block IDs; and
- The resulting address point dataset will be linked directly to the MassGIS feature service to incorporate real-time updates to their master address dataset or have a quick and easy automated process for incorporating the updates.

### 2.2.2 Broadband Coverage Data Collection, Analysis and Mapping

MBI believes that service providers are still the best source of broadband service information and will request that fixed, residential and commercial broadband service providers in the Commonwealth provide address level information on a voluntary basis.

The data collection, analysis and mapping tasks may include:

- Identifying and preparing a comprehensive list of all broadband service providers in the state;
- Determining what information/data to request from providers (e.g. speeds, etc.) and the formats and procedures for providers to submit their information/data;
- Developing a uniform information/data request to send to providers using terrestrial-based fixed broadband technologies (e.g., cable, fiber and fixed wireless, but **not** DSL or satellite) capable of broadband speed thresholds specified by MBI, such as 25/3, 100/20 or 100/100 Mbps download and upload speeds;
- Engaging with providers to provide technical assistance for data preparation and analysis, as needed;
- Reviewing and processing data from service providers to identify and correct errors and convert the data into a finished, standardized format for mapping and analysis using GIS software;
- Preparing a summary and assessment of the data submitted by each provider, which shall include but not be limited to:
  - Performing analysis of the provider data to identify if there are areas needing verification from other sources,
  - Using Ookla speed test data acquired by MBI to verify provider data or identify areas requiring further investigation, as needed, and
  - Assisting with the acquisition or collection of alternate data sources, if need, and using those data sources to verify or modify data from the providers;
- Working with the providers to review and verify the data after it has been processed and standardized; and
- Creating custom maps for MBI, other stakeholders, and the public with varying level of granularity.

Final data and map products shared with MBI should be compatible with ArcGIS software.

For budgeting purposes, Respondents should make the following assumptions regarding the scope of services:

- MBI will handle communications with broadband service providers, with the exception of potential technical data submission or verification discussions as needed;
- Approximately 20 providers might participate in this project, including several national wireline providers, several local and regional wireline providers, and several local and regional fixed wireless providers;
- Data from broadband service providers will be received in a variety of formats (including spreadsheets with addresses or coordinates and GIS datasets with points, lines or areas);
- Each provider dataset will need to be converted into standardized point datasets (compatible with ArcGIS software) representing all of the served and unserved addresses throughout the Commonwealth, containing additional attributes information included by the providers (such as download and upload speeds);

- Compare each provider dataset to the Ookla speed test data for that provider to verify service coverage and identify areas that may be inaccurately represented;
- A summary report will be prepared detailing the type and format of information received from the provider, procedures used to evaluate and process the data, and an assessment of the quality and comprehensiveness of the data; and
- Creating basic maps of the served and unserved locations throughout the Commonwealth.

### 2.2.3 Broadband Mapping Portal

MBI intends to develop a broadband mapping portal that will enable data sharing and collaboration between MBI and various stakeholders including other state agencies, participating providers, other organizations and the public. The portal is expected to include static maps, interactive maps, charts, graphs, data tables and key statistics.

The broadband mapping portal tasks may include:

- Creating a public facing interactive map;
- Creating secure pages for participating broadband providers to log into to review and verify the results of the data processing and analysis from Section 2.2.2 above, which may include provider-specific static or interactive maps; and
- Incorporating maps, charts, graphs, data tables, and key statistics into one or more dashboards, for public or non-public use.
- Preparing basic help documentation to be integrated into the portal and additional documentation for MBI and other power users.

Maps will include broadband coverage and other related service information (e.g., speeds, technologies, and number of providers), speed test results, crowd sourced data, and other relevant third party data.

The portal(s) must be simple and easy for the general public to use, but functional and configurable enough for power users to use for analysis to support decision making. The portal must also be available in a mobile-optimized format that can be accessed from a smartphone.

For budgeting purposes, Respondents should make the following assumptions regarding the scope of services:

- A dashboard with interactive charts, graphs and key statistics that can be filtered by geography and other key categories, such as provider or speed, to show the current status of broadband in the Commonwealth or a selected area;
- The interactive map developed will have data layers that represent broadband coverage throughout the Commonwealth appropriate for sharing with the public;
  - This could involve showing generalized coverage areas by US Census Block with more detailed attribute information;
  - It may also include showing more granular address points for unserved locations;
  - This is similar to the approach taken in the Georgia Broadband Availability Map located at <https://broadband.georgia.gov/2021-georgia-broadband-availability-map>;
- The map may include a few supplemental data layers representing demographic and socioeconomic information, which could require some basic modifications to the data layers;
- The same map or a similar map will require a secure log-in for MBI staff and other key stakeholders and decision-makers within Commonwealth, which will have more detailed maps or additional data layers and attribute information;
- The same map or a similar map will require a secure log-in for participating broadband service providers to review and provide feedback on data related to their broadband service coverage; and
- MBI will be provided with the access and tools to perform basic configuration tasks or data

updates.

Any software or cloud usage fees associated with the operation of the portal should be included in the budget.

#### **2.2.4 Quality of Service Data Analysis and Mapping**

MBI may also require assistance to acquire, analyze and evaluate broadband quality of service information to identify areas within the Commonwealth that may require further investigation. MBI intends to acquire Ookla speed test data for fixed broadband services as the first step in identifying these areas.

The quality of service data analysis and mapping tasks may include:

- Processing the raw speed test data and converting it into finished, standardized formats for mapping and analysis using GIS software;
- Analyzing the speed test data to identify areas of concern to target for additional data collection and analysis described in section 2.2.5 below;
- Creating work products to support the assessment of the data, including maps (e.g., heat maps), charts, graphs, reports and key statistic.

Final data and map products shared with MBI should be compatible with ArcGIS software.

For budgeting purposes, Respondents should make the following assumptions regarding the scope of services:

- Raw data points from Ookla representing every individual speed test taken from a desktop computer or mobile device connected to a WiFi network over the last 1-3 years will be used to create derivative datasets containing summary data for each location and fixed broadband service provider, including maximum speeds, average speeds, number of tests, and other relevant statistics for interpreting the data;
- Comparing the speed test data to speed information received with the coverage data from broadband service providers in Section 2.2.2; and
- Creating summary reports for each broadband service provider in the speed test dataset (including maps, charts, graphs and reports) that identify geographic areas with potential quality of service issues and describe the nature of the potential issues.

The cost of Ookla speed test data should not be included in the budget, as MBI will purchase the data directly.

#### **2.2.5 Supplemental Quality of Service Data Collection**

Target areas identified in the quality of service analysis in Section 2.2.4 above will require further investigation and data collection. Quality of service information includes maximum speeds available, latency, jitter and other quantitative metrics regarding the delivery of broadband service. In addition to this, MBI is interested in qualitative information describing the quality of service and user experience.

The supplemental quality of service data collection tasks include:

- Working with local and regional partners to collect relevant information;
- Developing surveys and promoting participation through targeted partner organizations;
- Incorporating speed testing into surveys;
- Measuring how the performance of broadband services are meeting the subscriber expectations for these services (e.g. are the services meeting contractual or advertised specifications?); and

- Researching and evaluating other existing datasets or methods for acquiring qualitative and quantitative quality of service and quality of experience data.

For budgeting purposes, Respondents should make the following assumption regarding the scope of services:

- Working with two partners to assess quality of service in two distinct geographic regions consisting of approximately five to ten municipalities in each region.

### **2.2.6 Deliverables for Broadband Coverage Data Collection, Analysis and Mapping**

In addition to any subtask deliverables identified in the sections above, the deliverables will include:

- A final dataset for each provider, compatible with ArcGIS software, that includes information on where their service exists or does not exist and any other service related information requested from the providers;
- Data quality reports for provider engagement and verification;
- Any tools (e.g., scripts and models) developed to assist in processing the provider data and associated help documentation;
- A web portal with static and interactive maps, dashboards, charts, graphs and related help documentation.
- Datasets derived from the Ookla speed test data indicating areas of sufficient or insufficient coverage or quality of service and delineating target areas for further research.
- Quality of service survey and outreach materials and compiled survey results for select target areas.

Depending on agreements with providers regarding sensitive information, the final datasets may require modification to protect sensitive data from public availability, if necessary.

## **3 APPLICATION PROCESS**

### **3.1 Application and Submission Instructions**

Respondents are cautioned to read this RFP carefully and to conform to its requirements. Failure to comply with the requirements of this RFP may serve as grounds for rejection of an Application.

- a. All Applications must be submitted in writing, in Microsoft Word or Adobe Acrobat format to proposals@masstech.org (please include the RFQ number in the subject heading).
- b. Required Submissions- All Applications must include the items listed below:
  - Application Cover Sheet ([Attachment A](#))
  - Application, which shall include:
    - Executive Summary: Respondents should provide a summary of their organization (and any proposed subcontractors) and identify the categories of Services that they are proposing to provide ("Respondent's Proposed Services"). It should be noted in the Executive Summary if the firm and/or any subcontractors is a minority business enterprise, women's business enterprise or a labor surplus area firm (based on the Fiscal Year 2022 list of areas published by the United States Department of Labor).

- Statement of Firm Qualifications: Respondents should provide a statement of qualifications and experience of the Respondent firm and any proposed subcontractors.
  - Past Performances: Respondents should specifically indicate the firm's (and each subcontractor's) current and historical expertise in providing the Respondent's Proposed Services noting those that are similar in size and scope to those requested in this RFP. Please site specific projects that demonstrate the Respondent's expertise.
  - Staff Qualifications: All responses must include resumes or bios of each individual who will be providing the categories Services identified in the Executive Summary. All Respondents must identify the individual(s) who will have primary responsibility for contact and communications with the Mass Tech Collaborative and the person who is authorized to negotiate and contractually-bind Respondent.
  - References: All responses must include references from at least 3 clients of the Respondent who have utilized the firm on matters of similar size, scope and complexity to the Respondent's Proposed Services. The references must include name of company, period of performance, description of the project, a contact person, address, email and a phone number.
  - The proposed approach to providing the Respondent's Proposed Services. Additionally, Respondents are invited to propose alternative(s) which provide substantially better or more cost-effective performance than achievable under the stated RFP scope of services.
  - The proposed schedule for providing the Respondent's Proposed Services. The Respondent should assume a March 1, 2022 start date for the engagement.
  - Provide the total not-to-exceed costs for providing the Respondent's Proposed Services based on projected hours, proposed hourly rates, as well as any other appropriate costs, in the Budget Template (Attachment C). List additional fees, overhead charges, or reimbursable expenses, if any. As a general policy, the MassTech Collaborative does not pay mark-ups on reimbursables or out-of-pocket expenses.
- **Authorized Application Signature and Acceptance Form (Attachment B). By executing the Authorized Respondent's Signature and Acceptance Form and submitting a response to this RFP, Respondents certify that they (1) are in compliance with the terms, conditions and specifications contained in this RFP, (2) acknowledge and understand the procedures for handling materials submitted to the MassTech Collaborative as set forth in subsection c. below, (3) agree to be bound by those procedures, and (4) agree that the MassTech Collaborative shall not be liable under any circumstances for the disclosure of any materials submitted to the MassTech Collaborative pursuant to this RFP or upon the Respondent's selection.**
  - Exceptions to the **Services Agreement and Statement of Work**, located at [HERE](#), if any. This standard Services Agreement may be modified to contain required state and federal flow down provisions. Please check MassTech Collaborative's website for an updated version of the agreement before submitting a proposal.

- c. Any and all responses, Applications, data, materials, information and documentation submitted to MassTech Collaborative in response to this RFP shall become MassTech Collaborative's property and shall be subject to public disclosure. As a public entity, the MassTech Collaborative is subject to the Massachusetts Public Records Law (set forth at Massachusetts General Laws Chapter 66). There are very limited and narrow exceptions to disclosure under the Public Records Law. If a Respondent wishes to have the MassTech Collaborative treat certain information or documentation as confidential, the Respondent must submit a written request to the MassTech Collaborative's General Counsel's office no later than 5:00 p.m. fourteen (14) business days prior to the required date of Application submission set forth in Section 4.2 below. The request must precisely identify the information and/or documentation that is the subject of the request and provide a detailed explanation supporting the application of the statutory exemption(s) from the public records cited by the Respondent. The General Counsel will issue a written determination within ten (10) business days of receipt of the written request. If the General Counsel approves the request, the Respondent shall clearly label the relevant information and/or documentation as "**CONFIDENTIAL**" in the Application and **shall only include the confidential material in the hard copy of the Application**. Any statements in an Application reserving any confidentiality or privacy rights that is inconsistent with these requirements and procedures will be disregarded.

### 3.2 Application Timeframe

The application process will proceed according to the following schedule. The target dates are subject to change. Therefore, Respondents are encouraged to check MassTech Collaborative's website frequently for updates to the schedule.

Task	Date:
RFP Released	1/19/2022
Respondents' Teleconference	1/31/2022 @ 10:30 am EST
Questions Due	2/3/2022 @ 5 pm EST
Question and Answer File Posted	2/8/2022 @ 5 pm EST
Applications Due	2/23/2022 @ 3 pm EST

### 3.3 Questions

Questions regarding this RFP must be submitted by electronic mail to [proposals@masstech.org](mailto:proposals@masstech.org) with the following Subject Line: "Questions – RFP No. 2022-MBI-02". All questions must be received by 5:00 p.m. EST on 2/3/2022. Responses to all questions received will be posted on or before 5:00 p.m. on 2/8/2022 to MassTech Collaborative and Comm-Buys website(s).

### 3.4 Respondents' Teleconference/Webinar

A respondents' teleconference will be held on 1/31/2022 at 10:30 am. All potential Respondents interested in participating in the Respondents' teleconference must register with MassTech Collaborative by 5:00 p.m. on 1/27/2022 in order to obtain the conference call information. To register, please email Cynthia Gaines at [proposals@masstech.org](mailto:proposals@masstech.org). MassTech Collaborative will transmit the conference call information to all registered bidders 24 hours in advance of the teleconference. MassTech Collaborative will post summary responses to procedural questions and issues addressed at the respondents' teleconference on the MassTech Collaborative's and the Comm-Buys websites.

## **4 EVALUATION PROCESS AND CRITERIA**

### **4.1 Process**

The MassTech Collaborative shall evaluate each Application that is properly submitted. As part of the selection process, MassTech Collaborative may invite finalists to answer questions regarding their Application in person or in writing. In its sole discretion, MassTech Collaborative may also choose to enter into a negotiation period with one or more finalist Respondent(s) and then ask the Respondent(s) to submit a best and final offer.

### **4.2 Criteria**

Selection of a Respondent to provide the services sought herein may be based on criteria that include but are not limited to:

- Demonstrated capacity, facilities and organizational structure to perform the type of services sought in this RFP.
- Qualifications and experience of the Respondent and subcontractor(s) and the primary personnel identified to provide the Respondent's Proposed Services.
- Record of experience in providing similar services to other clients.
- Demonstrated knowledge of the Respondent's Proposed Services.
- Knowledge, skills and experience to be evaluated include knowledge of and experience in the broadband industry, GIS skills and experience, broadband specific mapping skills and experience, skills and experience creating cloud-based interactive mapping tools and portals,
- Reasonableness of the proposed budget and hourly rate structure, including a stated willingness (and preferably a commitment) to offer hourly rate discounts and/or blended rates.
- Reasonableness of the proposed schedule for providing the categories of Respondent's Proposed Services.
- Status of Respondent and/or subcontractor(s) as a minority business enterprise, women's business enterprise or a labor surplus area firm.
- Lack of debarment status by either the state or federal government is also required.

The order of these factors does not generally denote relative importance. The goal of this RFP is to select and enter into an Agreement with the Respondent that will provide the best value for the Services to achieve MassTech Collaborative's goals. MassTech Collaborative reserves the right to consider such other relevant factors as it deems appropriate in order to obtain the "best value".

## **5.0 GENERAL CONDITIONS**

### **5.1 General Information**

- a) If an Application fails to meet any material terms, conditions, requirements or procedures, it may be deemed unresponsive and disqualified. The MassTech Collaborative reserves the right to waive omissions or irregularities that it determines to be not material.
- b) This RFP, as may be amended from time to time by MassTech Collaborative, does not commit MassTech Collaborative to select any firm(s), award any contracts for services pursuant to this RFP, or pay any costs incurred in responding to this RFP. MassTech Collaborative reserves the right, in its sole discretion, to withdraw the RFP, to engage in preliminary discussions with

prospective Respondents, to accept or reject any or all Applications received, to request supplemental or clarifying information, to negotiate with any or all qualified Respondents, and to request modifications to Applications in accordance with negotiations, all to the same extent as if this were a Request for Information.

- c) On matters related solely to this RFP that arise prior to an award decision by the MassTech Collaborative, Respondents shall limit communications with the MassTech Collaborative to the Procurement Team Leader and such other individuals as the MassTech Collaborative may designate from time to time. No other MassTech Collaborative employee or representative is authorized to provide any information or respond to any questions or inquiries concerning this RFP. Respondents may contact the Procurement Team Leader for this RFP in the event this RFP is incomplete.
- d) The MassTech Collaborative may provide reasonable accommodations, including the provision of materials in an alternative format, for Respondents with disabilities or other hardships. Respondents requiring accommodations shall submit requests in writing, with supporting documentation justifying the accommodations, to the Procurement Team Leader. The MassTech Collaborative reserves the right to grant or reject any request for accommodations.
- e) Respondent's Application shall be treated by the MassTech Collaborative as an accurate statement of Respondent's capabilities and experience. Should any statement asserted by Respondent prove to be inaccurate or inconsistent with the foregoing, such inaccuracy or inconsistency shall constitute sufficient cause for MassTech Collaborative in its sole discretion to reject the Application and/or terminate of any resulting Agreement.
- f) Costs that are not specifically identified in the Respondent's response and/or not specifically accepted by MassTech Collaborative as part of the Agreement will not be compensated under any contract awarded pursuant to this RFP.
- g) The MassTech Collaborative's prior approval is required for any subcontracted services under any Agreement entered into as a result of this RFP. The selected Respondent will take all appropriate steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. The selected Respondent is responsible for the satisfactory performance and adequate oversight of its subcontractors. Subcontractors are required to meet the same requirements and are held to the same reimbursable cost standards as the selected Respondent.
- h) Submitted responses must be valid in all respects for a minimum period of sixty (60) days after the deadline for submission.
- i) The MassTech Collaborative reserves the right to amend the Agreement at any time prior to execution. Respondents should review the Agreement as they are required to specify any exceptions to the Agreement and to make any suggested counterproposal in their Application. A failure to specify exceptions and/or counterproposals will be deemed an acceptance of the Agreement's general terms and conditions, and no subsequent negotiation of such provisions shall be permitted.
- j) The MassTech Collaborative embraces a workplace where the values of diversity and inclusion support varying perspectives and backgrounds to produce a richer environment. MassTech expects Respondents as well as all our consultants, contractors and vendors, to demonstrate a similar commitment and, pursuant to 2 C.F.R. § 200.321(a), take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. If Respondent will be subcontracting under this RFP, affirmative steps must include at least the following six steps: 1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists; 2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources; 3. Dividing total requirements, when economically feasible, into

smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises; 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and 6. Requiring all subcontractors to take the same affirmative steps as listed in numbers 1 through 5.

- k) Respondent shall not discriminate against any qualified employee or applicant for employment because of race, color, national origin, ancestry, age, sex, religion, physical or mental handicap, or sexual orientation. Respondents shall comply with all applicable Federal and State statutes, rules and regulations prohibiting discrimination in employment including but not limited to: the Americans with Disabilities Act, as amended (42 U.S.C. §§ 12101 et seq.), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. §§ 2000d et seq.), the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), M.G.L. c. 151B, M.G.L. c. 272 §§ 92A, 98, and 98A, M.G.L. c. 111 § 199A, 42 U.S.C. 9918 (c) and 45 C.F.R. 80.
- l) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) – Respondent's that are awarded an amount exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- m) Debarment and Suspension- (Executive Orders 12549 and 12689) – Respondents understand that a contract award may not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM).
- n) Respondent's must be able to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- o) As appropriate and to the extent consistent with law, Respondents should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. The requirements of this section must be included in all contracts and sub awards awarded hereunder.
- p) Respondent understands and agrees that the Executive Office of Housing and Economic Development ("EOHED") staff and authorized representatives may evaluate any subcontractors with whom Mass Tech Collaborative executes a contract or other form of legal agreement in order to complete the activities funded under this RFP, through ongoing monitoring. As deemed appropriate by EOHED, EOHED's staff and authorized representatives may also conduct further reviews and site-visits during the contract term, which may include fiscal reviews. EOHED staff shall use interviews, inspection of files, site visits and direct observation to identify program areas of concern so that contractors can improve their productivity, efficiency, quality, and management capacity.
- q) The awarded Respondent shall maintain and utilize systems and procedures to prevent, detect, and correct fraud, waste, and abuse in activities funded under this RFP.

- r) Pursuant to 2 C.F.R. § 200.303, the awarded Respondent shall establish effective control over, and accountability for, all funds, property, and other assets funded under this RFP and assure that they are used solely for authorized purposes.
- s) The awarded Respondent shall maintain an accounting system and supporting fiscal records adequate to audit and otherwise verify that assistance payments and administrative costs meet Federal and State requirements.
- t) The awarded Respondent shall use its best efforts to ensure that it will not knowingly use contract funds to purchase, or enter into contracts to purchase, any equipment, services, or systems that use prohibited telecommunications equipment or services as a substantial or essential component of a system subject to 2 CFR § 200.216.

## **5.2 Posting of Modifications/Addenda to RFP**

This RFP has been distributed electronically using the MassTech Collaborative and COMMBUYS websites. If the MassTech Collaborative determines that it is necessary to revise any part of this RFP, or if additional data is necessary to clarify any of its provisions, an addendum will be posted to the websites. It is the responsibility of each potential Respondent to check the MassTech Collaborative, MBI and COMMBUYS websites for any addenda or modifications to the RFP. The MassTech Collaborative accepts no liability and will provide no accommodation to Respondents who submit a response based on an out-of-date RFP.

**Attachment A**  
**Application Cover Sheet**

Name of Respondent			
Mailing Address	City/Town	State	Zip Code
Telephone	Fax	Web Address	
Primary Contact for Clarification		Primary Contact E-mail Address	
Authorized Signatory		Authorized Signatory E-mail Address	
Legal Status/Jurisdiction (e.g., a Massachusetts Corporation, LLC, LLP, etc.)		Respondents DUNS No.	

**Attachment B**  
**Massachusetts Technology Collaborative**  
**Authorized Respondent's Signature and Acceptance Form**

The undersigned is a duly authorized representative of the Respondent listed below. The Respondent has read and understands the RFP requirements. The Respondent acknowledges that all of the terms and conditions of the RFP are mandatory, and that Respondent's response is compliant with such requirements.

The Respondent understands that, if selected by the MassTech Collaborative, the Respondent and the MassTech Collaborative will execute an Agreement specifying the mutual requirements of participation. The undersigned has either (*please check one*):

- specified exceptions and counter-proposals to the terms and conditions of the [Agreement](#); or
- agrees to the terms and conditions set forth therein;

The undersigned acknowledges and agrees that the failure to submit exceptions and counter-proposals with this response shall be deemed a waiver, and the Agreement shall not be subject to further negotiation.

Respondent agrees that the entire bid response will remain valid for sixty (60) days from receipt by the MassTech Collaborative.

Respondent agrees that should they be awarded under this RFP, they will complete 1) a Certification Regarding Lobbying pursuant to 31 U.S.C. 1352 (Limitation On Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions) and New Restrictions on Lobbying (45 C.F.R. § 93), 2) a Certification Regarding Debarment & Suspension, and Other Responsibility Matters pursuant to Federal Executive Order 12549, and 3) a Certification that they and their authorized employees shall comply with all Federal and State laws and regulations applicable to personal data, including but not limited to M.G.L. c. 66A, M.G.L. c. 93H, and M.G.L. c. 66 sec. 17A, to be provided by Mass Tech Collaborative.

I certify that Respondent is in compliance with all corporate filing requirements and State tax laws.

I further certify that the statements made in this response to the RFP, including all attachments and exhibits, are true and correct to the best of my knowledge.

Respondent: \_\_\_\_\_  
(Printed Name of Respondent)

By: \_\_\_\_\_  
(Signature of Authorized Representative)

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

Title: \_\_\_\_\_

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

**Attachment C**  
**Budget Template**

**SEE EXCEL SPREADSHEET**