

REPOST NOTICE

Investigative Background Check Services RFR

REPOST COMMBUYS Bid #: BD-27-2018-CNB-CNB-134206

Original COMMBUYS Bid # BD-26-2018-CNB-CNB-129084

This solicitation is a repost of the above-referenced RFR. The Commission is reposting the solicitation because the responses to the Q&A associated with the original solicitation were not successfully posted to COMMBUYS prior to the bid submission deadline.

The Q&A document is included with this repost. Bidders should review the RFR and Q&A in their entirety, including all requirements and pricing limitations, prior to submitting a response.

All responses must be submitted under the REPOST COMMBUYS Bid #: BD-27-2018-CNB-CNB-134206 by the deadline identified in Section 2, Estimated Procurement Calendar of the reposted solicitation.



Request for Response (RFR)

Investigative Background Check Services RFR

COMMBUYS Bid #: BD-26-2018-CNB-CNB-129084

August 27, 2026

Please Note: This is a single document associated with a complete Bid (also referred to as Solicitation) that may be found on [COMMBUYS](http://www.COMMBUYS.com) (www.COMMBUYS.com). Bidders are responsible for reviewing and adhering to all information, forms, and requirements for the entire Bid, which are incorporated into the Bid. Bidders also may contact the OSD Help Desk at OSDHelpDesk@mass.gov or by phone at 1-888-MA-STATE (627-8283). The OSD Help Desk is staffed from 8:00 a.m. to 5:00 p.m. Monday through Friday, Eastern Time, except during federal, state, and Suffolk county holidays.



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1 RFR INTRODUCTION AND GENERAL DESCRIPTION

1.1 Procurement Scope and Description

The Massachusetts Cannabis Control Commission, an independent, non-executive Level II state agency, is soliciting responses from qualified vendors for the acquisition of background check processing and investigative services for Marijuana Establishment licenses and applicants as required by M.G.L. c. 94G and 935 CMR 500.000 and 935 CMR 501.000 (the regulations).

1.2 Background information

The Cannabis Control Commission (CNB), established by St. 2026, c. 65, *An Act Modernizing the Commonwealth's Cannabis Laws* (amending St. 2017, c. 55, *An Act to Ensure Safe Access to Marijuana* and St. 2016, c. 334, *The Regulation and Taxation of Marijuana Act*), is responsible for implementing and administering Massachusetts' adult-use and medical cannabis laws and related statutes. The Commission's mission is to honor the will of Massachusetts voters by ensuring safe, equitable, and effective access to cannabis, regulating cultivation, manufacturing, testing, distribution, and sales while prioritizing public health, equity, product safety, and community safeguards. The agency is tasked with implementing and administering laws that govern the cultivation, manufacture, testing, distribution, and sale of cannabis in Massachusetts. These responsibilities include developing and enforcing regulations that prioritize public health, promote equity in the marketplace, ensure product safety and integrity, and safeguard communities.

The Commission's regulations require that prior to an application being considered complete, each applicant for licensure shall complete a background check to determine suitability for licensure. Change of Ownership requests also require said background check.

The current regulations for the Medical Use of Marijuana and Adult Use of Marijuana can be found on the Commission website at: [Regulations - Cannabis Control Commission Massachusetts](#)

1.3 Applicable Procurement Authority and Guidance

This Bid is issued under the following law(s):

- MGL c. 30, § 51, § 52
- 801 CMR 21.00 (followed as a best value procurement framework)

1.4 Number of Awards

The target maximum number of Contractors is one. This is a target number; the Commission may award more or fewer Contracts if it is in the best interests of the Commonwealth to do so.

1.5 Adding Contractors after initial Contract award

If, over the life of the Contract, the Commission determines that additional Contractors should be added, these may first be drawn from qualified companies that responded to this Bid but were not awarded contracts. If necessary to meet the requirements of the Commonwealth, the Bid may be reopened to obtain additional Quotes.

1.6 Eligible Entities

Any contract resulting from this Bid will be open for use by the Commission Only.



1.7 Acquisition Method(s)

The acquisition method(s) to acquire goods and/or services from this Bid is **Fee for Service**.

1.8 Contract Duration

The expected duration of this contract is as follows:

Contract Duration	Number of Options	Number of Months
Initial Duration		12 months
Renewal Options	Two options to renew for a 12-month period each	24 months
Total Maximum Contract Duration		36 months

No other agreements for services may be executed after the Contract has expired.

1.9 Estimated Value of the Contract

The Commission makes no guarantee that any commodities or services will be purchased from any Contract resulting from this Bid. Any estimates or past procurement volumes referenced in this Bid are included only for the convenience of Bidders and are not to be relied upon as any indication of future purchase levels.

2 ESTIMATED PROCUREMENT CALENDAR

EVENT	DATE
Bid Release Date	Thursday, August 27, 2026
Deadline for Submission of Questions through COMMBUYS “Bid Q&A”	Friday, September 4, 2026 by 5:00pm
Official Answers for Bid Q&A published (Estimated)	Monday, September 14, 2026 by 5:00pm
Bid Amendment Deadline / Online Quote submission begins. Bid documents will not be amended after this date.	Friday, September 18, 2026 by 5:00pm
RFR Repost / Official Q&A Publication	Tuesday, October 6, 2026
Deadline for Quotes/Bid Responses (“Bid Opening Date/Time” in COMMBUYS)	Friday, September 25, 2026 by 5:00pm Tuesday, October 13, 2026 by 12:00pm
Notification of Apparent Successful Bidder(s) (Estimated)	October-November 2026
Estimated Contract Start Date	January 1, 2027

Times are Eastern Standard (EST)/Daylight Savings (US), as displayed on the COMMBUYS system clock displayed to Bidders after logging in. If there is a conflict between the dates in this Procurement Calendar and dates in the Bid’s Header, the dates in the Bid’s Header on COMMBUYS shall prevail. Bidders are responsible for checking the Bid record, including Bid Q&A, on COMMBUYS for Procurement Calendar updates.



2.1 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 from the Commission regarding this Bid. Bidders’ questions must be submitted through the Bid Q&A found on COMMBUYS (see below for instructions) and 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 questions submitted to the Commission 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.

Bidders are responsible for entering content suitable for public viewing since all questions are accessible to the public. Bidders must not include information that could be considered personal, security sensitive, inflammatory, incorrect, collusory, or otherwise objectionable, including information about the Bidder’s company or other companies. The Commission reserves the right to edit or delete 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 Vendor 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 the Purchasing Department, including requests for clarification. The Purchasing Department and the Commonwealth assume no responsibility if a prospective Bidder’s/awarded Vendor’s designated email address is not current, or if technical problems, including those with the prospective Bidder’s/awarded Vendor’s computer, network, or internet service provider (ISP), cause email communications sent to/from the prospective Bidder/Awarded Vendor and the Purchasing Department to be lost or rejected by any means, including email or spam filtering.

2.2 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.

2.3 Amendment Deadline

The Commission reserves the right to make amendments to the Bid after initial publication. It is each Bidder’s responsibility to check COMMBUYS for amendments, addenda, or modifications to this Bid, and any Bid Q&A records related to this Bid. The Commission and 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.

2.4 Product Demonstrations

The top three selected Bidders who are asked to participate in Oral Presentations / Product Demonstrations will be expected to prioritize this in their schedules. The Commission will make every effort to find a mutually convenient time for the Bidder and the Commission. However, failure



to appear at the scheduled time of the presentation/demonstration may result in disqualification, reduction of points, or other action that the Commission deems appropriate.

3 SPECIFICATIONS

Additional required terms appear in the Appendices to this RFR.

3.1 Bidder Qualifications

3.1.1 Company Certifications and Affiliations

- Company affiliations, bidder must identify any clients/contracts in the cannabis industry.
- Statutory, certification and license requirements
- Cybersecurity certifications (e.g., NIST v1.1, SOC2, HITRUST, FEDRAMP)
- Attestation of ability to comply with Massachusetts General Laws Chapters 93H and 66A and the regulations promulgated in 201 CMR 17.00 and 950 CMR 33.00
- Project management

3.1.2 Company Experience and References

- Business background
- Organizational chart
- Years in business
- Years in the cannabis or any other regulated industry
- References and reference information and/or requirements
- Please provide three references for work provided to other state/government entities, if applicable; otherwise work provided to private entities.
 - Largest customers in MA if applicable
 - Largest state government customers if applicable

3.1.3 Good Standing and Tax Compliance

Must be in good standing or able to demonstrate compliance to do business in the Commonwealth of Massachusetts prior to contract execution.

3.1.4 Employee Requirements

Employee technical/business experience, certifications, licenses
Background/CORI check requirements

3.2 Performance Specifications / Background Investigation Requirements

3.2.1 Individuals

- Massachusetts CORI / criminal history, as applicable and in accordance with DCJIS requirements
- Outstanding Warrant Search, including outstanding or unresolved criminal warrants in Massachusetts and Other Jurisdictions, as available and legally permissible.
- Open and Unresolved Criminal Proceedings, including pending charges and proceedings, and sufficient information regarding the alleged offense to permit the Commission to determine whether the matter falls within applicable suitability criteria.
- Motor Vehicle/Driving Record Search in each applicable jurisdiction in which the Individual currently holds or previously held a driver's license, as available and legally permissible.



- Nationwide Criminal Database Search, with potentially responsive records verified through the applicable court or other authoritative source.
- Social Security Number Trace, Identity Verification and Address History, including identification of aliases, former names, and current and historical addresses as necessary to accurately identify the subject and applicable jurisdictions for further searches.
- Federal criminal court records
- State and county criminal court records
- Nationwide Sex Offender Registry Search, including applicable state and federal registries.
- Federal and state civil court records: search for civil matters potentially relevant to the Commission's suitability criteria, including fraud, regulatory enforcement, or conduct that may relate to the operation of a Marijuana Establishment.
- Bankruptcy records
- Federal sanctions, exclusions and debarment searches
- FACIS Level 3 or equivalent comprehensive sanctions/regulatory database search
- Federal and International Watchlist/Restricted Party Search, including applicable U.S. Department of Justice, U.S. Department of Treasury/OFAC, Interpol, and other applicable federal and international restricted-party and sanctions lists.
- SAM.gov exclusion/debarment search
- Professional and Occupational Licensing History, including license verification and identification of open or unresolved cases, investigations, disciplinary proceedings, sanctions, suspensions, revocations, and other disciplinary actions, in Massachusetts and other jurisdictions, where applicable.
- Other Federal and State Regulatory Enforcement History — Identification of investigations, enforcement proceedings, administrative actions, sanctions, suspensions, debarments, and disciplinary actions not otherwise captured above.
- Current and Historical Marijuana/Cannabis Licensing and Regulatory History, including open or unresolved violations, investigations or enforcement proceedings; license revocations; renewal denials; suspensions; disciplinary actions; administrative actions; stipulated agreements; and similar actions in Massachusetts and Other Jurisdictions.
- Current and historical business affiliations
- Adverse media/public records search
- International criminal/regulatory/sanctions searches, when applicable

3.2.2 **Entities**

- Entity/business registration verification
- Federal criminal court records
- Secretary of State/corporate records
- DBA, former name and assumed-name searches
- Parent, subsidiary and affiliate identification
- Direct and indirect ownership/beneficial ownership research
- Officers, directors, managers and other controlling-person identification
- Current and historical business affiliations
- Federal and State Civil Court Records — Search for civil matters potentially relevant to the Commission's suitability criteria, including fraud, regulatory enforcement, or conduct that may relate to the operation of a Marijuana Establishment.
- Federal Sanctions, Exclusions and Debarments — Search of applicable federal sanctions, exclusion, suspension, and debarment records.
- FACIS Level 3 or equivalent comprehensive sanctions/regulatory database search
- OFAC sanctions/watchlist search
- SAM.gov exclusions/debarments



- Cannabis licensing and regulatory history in other jurisdictions
- Other professional/business licensing and disciplinary history
- Adverse media/public records search
- International sanctions, corporate and regulatory searches, when applicable

3.2.3 Additional Background Investigation Services

In addition to the required background check components identified above, the Contractor shall have the capability to conduct additional public records, criminal, civil, regulatory, financial, sanctions, licensing, corporate, ownership, or other background investigation searches as requested by the Commission and permitted by applicable law.

3.2.4 Verification of Results

The Contractor shall utilize sufficient identifying information to reasonably associate records with the applicable Individual or Entity and shall verify potentially adverse findings against authoritative or primary sources when reasonably available. Reports shall identify the source of the information and, where applicable, the jurisdiction, case or record number, date, disposition, and current status. For criminal, licensing, regulatory, or disciplinary matters, reports shall include, where available and applicable, the date of the underlying conduct or offense, filing or charge date, disposition date, disposition, sentence, period of incarceration and release date, current status, and date of any regulatory or disciplinary action.

3.3 Service Specifications

3.3.1 Data Security & Access

The Commission requires data provided by the Commission to remain in the United States at all times. Data should be encrypted in transit and at rest. The data collected by the vendor is the property of the Commission and the Commission should have full access to all data provided.

3.3.2 Technical Support

The Commission requires the Vendor to provide ongoing support to Commission staff throughout the duration of the agreement, including an appropriate process for escalating time-sensitive or priority matters, as needed. Support shall be timely and sufficient to meet the Commission's operational and service needs.

3.3.3 Emergency Response Plans/Preparedness

In a declared state of emergency where the safety and well-being of Commonwealth citizens are at risk, contractors may be asked to supply the Commonwealth with the support and/or services under the Contract on a priority basis. The Bidder's Quote should include the following:

- Indicate whether there is a written Business Continuity Plan (BCP) that describes how the company will continue to do business in case of an emergency.
- Indicate if there is a written Disaster Recovery Plan (DR)
- A list of emergency contact information including name, position/title, phone, email, and mobile phone.

3.3.4 Training/Orientation and Training Materials

Documentation and Training materials are the responsibility of the Vendor. The Commission may seek training or orientation for staff as needed throughout the duration of the agreement.



The Commission seeks training using multiple approaches and media to support all users' needs. Training material shall be compliant with accessibility requirements.

3.3.5 Data Retention and Disposal

Vendor shall maintain appropriate data retention and secure disposal practices for Commission information. Upon the end of the agreement, Commission data and record shall be returned, retained, or securely disposed of as directed by the Commission and in accordance with applicable requirements.

3.3.6 Statement of Work (SOW) Requirements

The Statement of Work (SOW) will include details of the engagement including:

- Responsibilities of the Commission
- Responsibilities of the Contractor
- Scope of services and performance requirements
- Pricing and payment terms
- Change management procedures
- Ownership, access, and handling of Commission data, records, reports and other.

3.3.7 Pre-Installation/Build-Out

Please describe your implementation approach, example timeline and project plan. Identify what is the responsibility of the vendor, of the Commission and estimated time commitment by Commission staff for build-out.

3.3.8 Implementation, Transition Plan, and Timeline from Current Platform

Please describe your approach and anticipated timeline for beginning services following contract award, including any information or assistance required from Commission staff. Identify what is the responsibility of the vendor, current provider, Commission and estimated time commitment by Commission staff for transition.

3.3.9 Requirements at Contract or Engagement Termination

The Vendor shall support an orderly transition upon expiration or termination of the Contract, including the transfer or return of Commission records, data, reports, and other Commission information, as directed by the Commission.

3.4 Compensation Structure/Pricing

The resulting contract will be a fee-for-service agreement. Bidders shall provide pricing for all services identified in the Cost Proposal section of the **RFR Response Template** (Part B). Pricing shall include all costs necessary to perform the services described in this RFR.

The Commission does not guarantee any minimum volume of work under the resulting contract.

Bidders may propose an annual percentage increase to the Unit Price for subsequent contract years, not to exceed three percent (3%) annually. The proposed percentage shall represent the maximum percentage permitted during the contract term. Any annual price increase shall be subject to Commission approval and availability of funding.

Sample Cost Table



Service Description	Unit of Measure	Unit Price
Marijuana Establishment Person with Direct/Indirect Control/Ownership Background Investigation	Per Investigation	\$-
Marijuana Establishment Entity with Direct/Indirect Control/Ownership Background Investigation	Per Investigation	\$-
Additional Investigative Services*	Per Hour	\$-
Maximum Proposed Annual Price Increase (not to exceed 3%)		%

**Subject to prior Commission approval. See PART B – Cost Proposal of RFR Response Template for additional details.*

4 OTHER TERMS

4.1 Continued Qualification Based on Performance

4.2 Reporting

Contractors are responsible for compliance with all contract reporting requirements as required by this contract.

4.3 Security and Confidentiality

The Vendor shall comply fully with all security procedures of the Commonwealth and Commission in performance of the Contract. The Vendor shall not divulge to third parties' confidential information obtained by the Vendor or its agents, distributors, resellers, subcontractors, officers, or employees in the course of performing Contract work, including, but not limited to, security procedures, business operations information, personally identifiable information, or commercial proprietary information in the possession of the Commission.

4.4 Contract Management (Vendor's Interface with Commission's Contract Manager)

All Contract questions must be directed to the Commission's Contract Manager for the following:

- Timely response to requests
- Meetings
- Web sites specifically designed for this Contract
- Advertising pre-approval
- Press releases
- Audit requirements
- Report requirements and due dates
- Identification and approval of subcontractors and joint ventures (see Subcontracting Policies in this RFR and the Commonwealth Terms and Conditions)



4.4.1 Change Notification

Changes to the Vendor's contact information, company name, legal address, payment address, tax identification number, authorized signatories, SDO-certification status, or EFT information must be reported promptly via email to the Commonwealth Contract Manager. In some cases, additional paperwork will be required to effect the change.

- Vendor account team
- Single Point of Contact (Vendor Contract Manager)
- Replacement of Vendor staff

4.5 Alternatives

Contractors may propose alternatives for equivalent, better, or more cost-effective performance than specified under the Vendor's original Quote at any time during the life of the Contract.

4.6 Failure to Perform

Failure to perform contractual obligations as outlined in the Standard Contract Form, Terms and Conditions, and RFR may result in the following:

- Termination
- Suspension
- Adding additional contractors
- Cover/Replacement Costs
- Liquidated Damages

5 AUDIT

During the term of this Agreement and for a period of six years thereafter, the Massachusetts Cannabis Control Commission, its auditors, the Operational Services Division, the Office of the Inspector General, or other authorized representatives shall be afforded access at reasonable times to Vendor's accounting records, including sales information on any system, reports or files, to audit all records relating to goods sold or services performed pursuant to this Agreement. If such an audit indicates that Vendor has materially overcharged the Cannabis Control Commission, then the Vendor shall remit the overcharged amount and be responsible for payment of any costs associated with the audit.

6 EVALUATION CRITERIA

Bidder scores will be used to rank Bidders and will determine which Bidders will proceed to subsequent stages of the evaluation and/or enter negotiations with the Commonwealth to receive a Contract award.

6.1 Mandatory Specifications

The Bidder shall meet the following requirements:

- Provide comprehensive background due diligence investigations of Marijuana Establishment applicants and the entities and individuals associated with these establishments and deliver Commission-ready reports, and any other reports requested by the Commission.
- Bidder experience at least 3 years providing the proposed solution or equivalent in Cannabis or similar regulated industry.
- Business Hours and After-Hours Support
- Solution shall adhere to Commonwealth and Commission security and privacy requirements

Mandatory Specifications must be met for a Bid to be evaluated and may be used to disqualify Bidders. In addition, certain mandatory specifications have desirable components that may be



evaluated by the Commission. The Commission reserves the right, in its discretion, to determine if non-compliance with a Mandatory Specification is insignificant or may be easily corrected.

6.2 Desirable Specifications

The Commission is looking for a solution with the following desirable specifications. Desirable specifications will be scored according to the Evaluation Criteria.

Familiarity with:

1. The body of Commission regulations (935 CMR 500.000), and their application to and integration with other Massachusetts laws and ethical requirements.
2. Particular licensing and registration issues in the context of adult-use marijuana.
3. The emerging adult-use marijuana industry, and particular issues that are attendant to the industry, including legal and policy considerations.
4. The administrative and adjudicatory procedures of the Commission, in particular, how it impacts investigative, enforcement, and disciplinary processes.
5. Massachusetts government entities and their various roles and responsibilities, including requirements under the open meeting and public record laws.
6. The methods of data research and the relative value and shortcomings of available sources, systems and techniques. This includes any Massachusetts specific issues.
7. The complexities of the scope of licensing for each applicant, the degree of investigative penetration needed to properly evaluate suitability and business integrity and the identification of control and interest factors needed to properly assess an applicant's qualifications.

Ability to:

1. Assist in the development of a thorough and efficient Commission database for operational and investigations use and tracking.
2. Contemporaneously provide intense orientation and training to Commission staff, or other investigative service contractors, necessary to fulfill and report on the legal requirements of a full suitability investigation
3. Immediately conduct and coordinate thorough and efficient licensing and registration background investigations with a minimum of initial orientation.
4. Analyze and understand the various business structures and management systems, including but not limited to applicants, controlling persons and all participating entities from both a financial and management standpoint.
5. Identify areas and/or subject matters for inquiry through the suitability analysis for licensure, including both financial and non-financial investigations of individuals and entities.

The firm possesses:

1. Experience in the adult-use marijuana industry.
2. Existing resources and contacts in other marijuana industry jurisdictions to facilitate future exchanges of information needed to satisfy statutory and regulatory duties and responsibilities.
3. The professional experience to supervise and review its investigative work product for legal and compliance sufficiency in order to ensure that administrative actions are supportable from an evidentiary standpoint throughout the administrative process, including the administrative hearing process



6.3 Alternatives

A response that fails to meet any material term or condition of the Bid, including the submission of required attachments, may lose points or be deemed unresponsive and disqualified. Unless otherwise specified, Bidders may submit Quotes proposing alternatives that provide equivalent, better, or more cost-effective performance than achievable under the stated Bid specifications. These alternatives may include related commodities or services that may be available to enhance performance during the period of the Contract. The Quote should describe how the alternative achieves substantially equivalent or better performance than those described in the Bid specifications.

The Commission will determine if a proposed alternative method of performance achieves substantially equivalent or better performance. The goal of this Bid is to provide the best value of commodities and/or services to achieve the goals of the procurement.

6.4 Evaluation Components

The following components will be some of the criteria considered by the Commission when evaluating each Response. Total possible score is 100 points.

6.4.1 Cybersecurity, Privacy and Data Protection (15 Points)

Evaluation of bidder's Security and other related Certifications, Data and Physical Security Plans, Disaster Recovery Plans, Business Continuity Plans, policies and procedures.

6.4.2 Company Experience (15 Points)

Evaluation of bidder's experience organizational experience providing investigative services, financial stability, references, litigation history, and experience providing similar services.

6.4.3 Investigative Methodology (20 Points)

Evaluation of bidder's methodology and approach to conducting background investigations, including techniques, data research processes, and preparation of investigation reports.

6.4.4 Cannabis Industry Knowledge and Investigative Experience (15 Points)

Evaluation of the bidder's understanding of the cannabis industry, issues relevant to the industry, contacts and experience providing complex investigative services in the industry or a related industry.

6.4.5 Key Personnel & Staffing (15 Points)

Evaluation of the bidder's qualifications and experience of proposed personnel, organizational structure, and ability to provide resources needed to perform the required services.

6.4.6 Ongoing Account Management & Responsiveness (5 Points)

Evaluation of the bidder's approach to account management, responsiveness, communication, availability of a dedicated contract manager as a point of contact, and ability to meet Commission timelines and service requirements.

6.4.7 Cost Proposal (15 Points)

Evaluation of the bidder's pricing submitted in accordance with the Cost Proposal requirements, including any Prompt Payment Discounts (PPD) offered.



7 HOW TO SUBMIT A QUOTE

All Bidders may begin creating and compiling Quote materials as soon as the Bid and all attachments are in the Sent document status in COMMBUYS. Bidders are instructed not to submit Quotes before the Bid Amendment Deadline has been reached (see Estimated Procurement Calendar).

7.1 Quote Submission Method

Online Quote Submission via COMMBUYS is required.

All Bidders must submit Quotes 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 and click on the “Register” link on the home or landing page. Bidders who are awarded a contract resulting from this Bid, if any, will be required to maintain an active COMMBUYS account for the duration of the Contract, by reviewing their registration information regularly and maintaining its accuracy.

7.2 COMMBUYS Quote Submission Training and Instructions

The following resources are provided to assist Bidders in submitting Quotes:

- Appendix 3, Instructions for Vendors Responding to Bids Electronically through COMMBUYS, which is part of this document;
- Training sessions focused on online Quote submission: [How to Locate and Respond to Bids in COMMBUYS](#)
- An online job aid on [How to Create a Quote](#)
- Webcast video on [How to Find Bids \(Solicitations\) and Submit Quotes \(Responses\) through COMMBUYS](#).

7.3 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 to access COMMBUYS resources, including new bid postings, job aids, and training schedules for buyers, among others.

Email: Send inquiries to the OSD Help Desk at OSDHelpDesk@mass.gov

Telephone: Call the OSD Help Desk at 1-888-MA-STATE (1-888-627-8283). The Help Desk is staffed from 8:00 a.m. to 5:00 p.m., Monday through Friday Eastern Time, except on federal and state holidays.

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

7.4 Bid Opening Date/Time

All Bids must be posted in COMMBUYS before the specified date, month, year, and time displayed as the Bid Opening Date/Time in the Header Information section of the Bid in COMMBUYS. Times are Eastern Time. All Bidders are advised to allow adequate time for Bid submission by considering potential online submission impediments such as Internet traffic, Internet connection speed, file size, and file volume. OSD is not responsible for delays encountered by Bidders or their agents, or for a



Bidder's local hardware failures, such as computers or related networks, associated with bid compilation or submission. Bids submitted via COMMBUYS are stamped by the COMMBUYS system clock which is considered the official time of record. COMMBUYS will not accept Bids submitted after the Bid Opening Date/Time deadline.

7.5 Quote Contents

Bidders must comply with the requirements below.

7.5.1 RFR Submission Checklist

The Commission seeks to reduce the number of Bidder disqualifications based on incomplete submissions. Therefore, Bidders must complete and submit the RFR Submission Checklist, and all documents referenced in the Checklist.

- **RFR Response Template**
- **Prompt Payment Discount Form**
- **Business Reference Form**

7.5.2 Electronic Signatures

Quotes submitted via COMMBUYS must be signed electronically by the Bidder or the Bidder's Agent by accepting the terms and conditions of the bid on the "Terms & Conditions" tab of the Bid in COMMBUYS. By selecting "Save & Continue" on the "Terms and Conditions" tab after accepting the terms and conditions of the bid, the submitter attests that she/he/they is an agent of the Bidder with authority to sign on the Bidder's behalf, and that she/he/they has read and assented to each document's terms.

7.5.3 Acceptable Forms of Signature

Effective June 15, 2021, for all 1) CTR forms, including the Standard Contract Form, W-9s, Electronic Funds Transfer (EFT) forms, ISAs, and other CTR-issued documents and forms, or 2) documents related to state finance and within the statutory area of authority or control of CTR (i.e. contracts, payrolls, and related supporting documentation), CTR will accept signatures executed by an authorized signatory in any of the following ways: 1. Traditional "wet signature" (ink on paper); 2. Electronic signature that is either: a. Hand drawn using a mouse or finger if working from a touch screen device; or Page 2 b. An uploaded picture of the signatory's hand drawn signature 3. Electronic signatures affixed using a digital tool such as Adobe Sign or DocuSign. If using an electronic signature, the signature must be visible, include the signatory's name and title, and must be accompanied by a signature date. Please be advised that typed text of a name not generated by a digital tool such as Adobe Sign or DocuSign, even in computer-generated cursive script, or an electronic symbol, are not acceptable forms of electronic signature.

7.6 Limits and Restrictions

7.6.1 File Size Limits

COMMBUYS will not accept files that approach or exceed 10 MB. If a large file fails to upload, the Bidder must save the contents as multiple files. Note the naming conventions used above and add _Part 1, _Part 2, etc. at the end of the file name.

7.6.2 File Format Restrictions

All scanned documents must be in .pdf format and must be scanned in such a way that they may be read on a computer monitor and printed on 8 1/2" x 11" paper, unless otherwise specified. Forms provided for the Bidder to complete, with the exception of the forms requiring ink



signatures, must be completed and sent via email to the Commonwealth Contract Manager in their original formats. These Forms should not be scanned and submitted as PDFs or other file types.

7.7 Withdrawing a Quote

7.7.1 Prior to Bid Opening Date/Time

Quotes may be withdrawn using the “Withdraw Quote” button offered under the Summary tab of a submitted Quote in COMMBUYS.

7.7.2 After Bid Opening Date/Time

Quotes may not be withdrawn after the Bid Opening Date/Time. If the Bidder wants to remove a Quote from consideration, contact the Strategic Sourcing Services Lead for guidance.

7.8 Additional Quote Terms

7.8.1 Prohibition regarding contract terms

Bidders must not, as part of their Quote, propose additional contractual terms, or supplemental or clarifying language pertaining to contractual terms, even if the proposed additions/clarifications are not in conflict with the Commonwealth Terms and Conditions, the Standard Contract Form, or other documents comprising this RFR. Contracting Departments expect that all Statewide Contracts incorporate the same terms and conditions and only those terms and conditions. Contractors who wish to propose additional non-conflicting contractual terms, or supplemental or clarifying language, may do so ONLY on a case-by-case basis, negotiated for each specific engagement and memorialized in the Project Statement of Work.

7.8.2 Bidder Response Form

All specifications of this RFR that are not mandatory such as those specifically identified as “optional,” “desirable,” or in other terms indicating that the specification is not mandatory must have a response within the Bidder Response Form (or equivalent) provided on COMMBUYS for this Bid to be evaluated. Most items within the Bidder Response Form will be scored to determine the apparent successful bidders. The Commission does not want and will not read, consider, or evaluate a line by line response to this RFR.



8 APPENDIX 1 – REQUIRED TERMS FOR ALL RFRS

8.1 General Procurement Information

8.1.1 Alterations

Bidders may not alter (manually or electronically) the Bid language or any Bid component files, except as directed in the RFR. Modifications to the body of the Bid, specifications, terms and conditions, or which change the intent of this Bid are prohibited and may disqualify a Bid.

8.1.2 Ownership of Submitted Quotes

The Commission shall be under no obligation to return materials submitted by a Bidder in response to this Bid. All materials submitted by Bidders become the property of the Commonwealth of Massachusetts and will not be returned to the Bidder. The Commonwealth reserves the right to use any ideas, concepts, or configurations that are presented in a Bidder's Quote, whether or not the Quote is selected for Contract award.

Quotes stored on COMMBUYS in the encrypted lockbox are the file of record. Bidders retain access to a "read-only" copy of this submission via COMMBUYS, as long as their account remains active. Bidders also may retain a traditional paper copy or electronic copy on a separate computer, or network drive or separate media, such as CD or DVD, as a backup.

8.1.3 Prohibitions

Bidders are prohibited from communicating directly with any employee of the procuring Department or any member of the Commission regarding this RFR except as specified in this RFR, and no other individual Commonwealth employee or representative is authorized to provide information or respond to questions or inquiries concerning this RFR. Bidders may contact the individual listed in contact information section of the Header Information this Bid in the event that this RFR is incomplete or information is missing. Bidders experiencing technical problems accessing information or attachments stored on COMMBUYS should contact the [OSD Help Desk](#) (see the document cover page for contact information).

In addition to the certifications found in the Commonwealth's Standard Contract Form, by submitting a Quote, the Bidder certifies that the Quote has been arrived at independently and has been submitted without any communication, collaboration, or without any agreement, understanding, or planned common course of action with any other Bidder of the commodities and/or services described in the RFR.

8.2 Terms and Requirements Pertaining to Awarded Contracts

8.2.1 Commonwealth Tax Exemption

Invoices or invoices submitted to Massachusetts government entities must not include sales tax.

8.2.2 Vendor's Contact Information

It is the Vendor's responsibility to keep the Vendor's Contract Manager information current. If this information changes, the Vendor must notify the Contract Manager by email immediately, using the address located in the Header Information of the Purchase Order or Master Blanket Purchase Order on COMMBUYS. The Vendor's COMMBUYS account also must be updated to reflect the new information.



The Commonwealth assumes no responsibility if a Vendor's designated email address is not current, or if technical problems, including those with the Vendor's computer, network, or internet service provider (ISP), cause email communications between the Bidder and the SST to be lost or rejected by any means, including email or spam filtering.

8.2.3 Publicity

Any Vendor awarded a contract under this Bid is prohibited from selling or distributing any information collected or derived from the Contract, including lists of participating Eligible Entities, Commonwealth employee names, telephone numbers, addresses, or other information except as specifically authorized by the Commission.



9 APPENDIX 2- INSTRUCTIONS FOR EXECUTION AND SUBMISSION OF COMMONWEALTH STANDARD FORMS

Forms listed below shall be completed and submitted as specified in the applicable sections below. Forms required with the Bidder's Response must be submitted within the timeframe referenced in the RFR section entitled [Acceptable Forms of Signatures](#). Additional forms may be required from the selected Bidder prior to contract execution.

9.1 Commonwealth Standard Contract Form

By executing the Commonwealth Standard Contract Form, the Bidder certifies, under the pains and penalties of perjury, that it has submitted a Response to this RFR that is the Bidder's Offer as evidenced by the execution of its authorized signatory, and that the Bidder's Response may be subject to negotiation by the Commission. The terms of the RFR, the Bidder's Response, and any negotiated terms shall be deemed accepted by the Commission and incorporated as part of the Contract upon execution.

The applicable Commonwealth Terms and Conditions are incorporated by reference into the Commonwealth Standard Contract Form and do not require separate execution or submission.

9.2 Request for Taxpayer Identification Number and Certification (Mass. Substitute W9 Form)

The selected Bidder shall be required to submit a completed Massachusetts Substitute W-9 Form, as applicable, prior to contract execution. If the selected Bidder has previously submitted a Massachusetts Substitute W-9 Form and has a valid Massachusetts Vendor Code, a new form is not required unless the Bidder's name, address, or Tax Identification Number has changed.

9.3 Contractor Authorized Signatory Listing

Download and complete the current Contractor Authorized Signatory Listing (CASL) as directed on the form; **include with online submission.**

Bidders shall identify the individual(s) authorized to execute contracts and other legally binding documents on behalf of the Bidder. The form must be completed and signed in accordance with the instructions provided on the current CASL form.

Please note that an individual cannot self-certify their own signature as the sole authorized signatory.

9.4 Business Reference Form

Download this form and complete as directed below; **include with online submission.** Ink signature is not required.

Bidders must provide all requested information on this form for required (3) references. In completing this form, note that the "Bidder" is the name of the company submitting a Quote in response to this RFR and the "RFR Name/Title" and the "Agency Document Number" may be found on the cover of the RFR document and in the Short Description field in the Header Information of the Bid record in COMMBUYS. Also, please note that: "Reference Name" is the name of the organization (if not applicable, then name of the individual) that is providing the reference; "Contact" is the name of the individual inside the organization that will provide the reference; and the "Address," "Phone #," and "Fax/Internet Address" are those of the "Contact" so that the Commission may reach her/him/them.



10 APPENDIX 3 - 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) into the browser.
2. Enter Bidder login credentials and click the **Login** button on the COMMBUYS homepage. Bidders must be registered in COMMBUYS 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 notifications of 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
 - d. Type of purchase
 - i. Open Market
 - ii. Blanket
 - e. Bidders' 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 Q&A Close Date – date after which bidders no longer may ask questions about the bid
 - k. Bid Opening Date – date the bid closes and no further quotes will be accepted
 - l. Informal Bid Flag
 - m. 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 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.

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 may be submitted. Any message in Yellow is 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 may be submitted. If your acceptance is subject to exceptions, those exceptions must be identified here. Exceptions may not 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 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. Check the box in the confidential column for each attached form that contain confidential information.
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 ensure 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.



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 OSD Help Desk at OSDHelpDesk@mass.gov. 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.

