

# The Commonwealth of Massachusetts Division of Marine Fisheries

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MAURA T. HEALEY Governor KIMBERLEY DRISCOLL Lt. Governor

REBECCA L. TEPPER Secretary THOMAS K. O'SHEA Commissioner DANIEL J. MCKIERNAN Director

**REQUEST FOR RESPONSE** 

Climate Change Resilience in Fisheries and Aquaculture, Grants for providing community ice. ISSUE DATE: April 8, 2024

Purchasing Department	Dept. of Fish and Game / Div. of Marine Fisheries
Address	836 S. Rodney French Blvd.
City, State Zip Code	New Bedford, MA 02744
Procurement Contact Person	Amanda Meli
Telephone Number	(508) 742-9757
E-Mail Address	Amanda.Meli@mass.gov
RFR Name/Title	Climate Change Resilience in Fisheries and Aquaculture, Grants for providing community ice
RFR Number	24029
COMMBUYS Bid Number	

## 1. Description or Purpose of Procurement:

The Massachusetts Division of Marine Fisheries (MADMF) is accepting grant proposals for the installation of energy efficient community ice machines to provide ice to commercial fishers and shellfish growers. With the increase in aquaculture operations in Massachusetts, affordable and accessible ice has become more difficult to obtain, especially in some areas where commercial fishing support services are contracting. This has resulted in readily available commercial quantities of ice being supplied by unapproved sources and at very high icing costs. The goal of this grant program is to provide funds so that high efficiency ice machines can be strategically located to provide approved ice sources in areas of significant aquaculture and/or commercial fishing activity. The program will allow for awards up to \$30,000 per project. Applicants should have experience and significant ties to the commercial fishing and aquaculture industries. Proposals should detail the need in their community and the benefits that will result if their proposal is funded.

For more details, please read the following Scope of Services, Evaluation Criteria, and Appendix A. Contact Amanda Meli, Grants Coordinator, at Amanda.Meli@mass.gov with questions.

#### 2. Applicable Procurement Law

Check Appropriate Box ("X"):	Type of Purchase	Applicable Laws
	<b>Executive Branch Goods and Services</b>	
	Goods and Services	MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00
	Human and Social Services	MGL c. 7, § 22, § 22N; c. 30, § 51, § 52; 801 CMR 21.00; 808 CMR 1.00
	Legal Services	MGL c. 30, § 51, § 52 and § 65; c. 7, § 22; and 801 CMR 21.01(2) (b)
	Grants	MGL c. 7A, § 7; St. 1986 c. 206, § 17; 815 CMR 2.00

#### 3. Acquisition Method:

Check All Applicable ("X"):	Category
	Fee-For-Service
	Outright Purchase
	Rental (not to exceed 6 months)
	Term Lease
	License
	Other: [specify, e.g., TELP]

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

Check One ("X"):	
	Single Contractor
	Multiple Contractors

#### a. Estimated Number of Awards

The target maximum number of Contractors is <u>5</u>; the Purchasing Department may award more or fewer contracts, if it is in the best interests of the Commonwealth to do so.

#### b. Adding Contractors after initial Contract Award

If, over the life of the contract, the Purchasing Department determines that additional Contractors may be added, these may be drawn from qualified companies that responded to this Solicitation and were not awarded Contracts. If necessary to meet the requirements of the Commonwealth, the Solicitation may be reopened to obtain additional Bids.

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

Check One ("X"):	Eligible Entities
	<ul> <li>Limited User Contract – Restricted to Use by Defined Entities Only. Any Contract(s) resulting from this Bid will be open for use by the issuing Purchasing Department and the following other entities:         <ul> <li>[Identify additional Eligible Entities by name]</li> </ul> </li> </ul>
$\square$	Limited User Contract – Restricted to Use by Issuing Entity Only.

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

Contract Duration	Number of Options	Number of Years/Months
Initial		Up to 12 months
Duration		
Renewal	<u>0</u>	No Options of
Options		Renewal
Total		Up to 12 months
Maximum		
Contract		
Duration		

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

Estimated Value of Procurement: \$90,000 in total, expected award amounts of \$20,000 - \$30,000 per project.

The funding for any contract resulting from this procurement is conditioned upon receipt of funds. Awards are expected to be between \$20,000 - \$30,000 depending on funding availability and number of eligible proposals submitted. Partial funding may be available for proposals to update or expand existing ice machines.

## 8. Contract Performance and Business Specifications:

#### Scope of Services:

Funding will be prioritized based on commercial fishing and aquaculture activity in a coastal community, the availability to acquire regulation-compliant ice in the area, the accessibility of the proposed location to multiple users (commercial fishing and aquaculture), and the use of technologies that enhance energy efficiency for this service. Selected grants will be reimbursed

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according to invoices detailing expenses and project progress submitted to, and approved by, MADMF. To qualify for funding:

- Partners must submit a detailed proposal with timeline, project deliverables, and a detailed budget via email or through COMMBUYS for review.
- Partners must allow MADMF to be involved in the project for setting fees for ice and determining access to the machine.
- Partners must be able to complete vendor registration to accept funding, including agreement to all Commonwealth Terms and Conditions and a signed state contract.

Fiscal Terms: Terms will be developed with selected contractor(s) during contract negotiation.

**Performance Measures:** Performance measures must be described in the applicant's proposal. MADMF will require regular check-ins and progress reports during the contract period.

# 9. <u>Small Business Purchasing Program – Not Required</u>

## **Program Background**

The Massachusetts <u>Small Business Purchasing Program</u> (SBPP) was established pursuant to <u>Executive</u> <u>Order 523</u> to increase state contracting opportunities with small businesses having their principal place of business within the Commonwealth of Massachusetts. Pursuant to the SBPP, it is the intention of the issuing department to award this Small Procurement to one or more SBPP participating business(es) as described below.

## **SBPP Award Preference**

While all businesses, no matter the size or principal place of business, may submit responses to this solicitation, should an SBPP participant respond and meet the best value criteria as described in this solicitation, the SBPP participant shall be awarded the contract. The Strategic Sourcing Services Team (SSST) will not evaluate submissions from non-SBPP participants unless no SBPP Bidder meets the SSST's best value evaluation criteria.

## **SBPP Participation Eligibility**

To be eligible to participate in this procurement as an SBPP participant, an entity must meet the following criteria, and be marked as an SBPP-registered business in <u>COMMBUYS</u>:

- 1. Have its principal place of business in the Commonwealth of Massachusetts;
- 2. Been in business for at least one year;
- 3. Employ a combined total of 50 or fewer full-time equivalent employees in all locations, or employees work less than a combined total of 26,000 hours per quarter; and

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4. Have gross revenues, as reported on appropriate tax forms, of \$15 million or less, based on a three-year average.

Non-profit firms also must be registered as a non-profit or charitable organization with the MA Attorney General's Office and be up to date with all filings required by that office and be tax exempt under Section 501(c) of the Internal Revenue Code.

## **SBPP Compliance Requirements**

It is the responsibility of the Bidder to ensure that their SBPP status is current at the time of submitting a response and throughout the life of any resulting contract. Misrepresentation of SBPP status will result in disqualification from consideration, and may result in debarment, contract termination, and other actions. To learn more about the SBPP, including how to apply, visit the <u>SBPP Webpage</u>.

## **Program Resources and Assistance**

Bidders and Contractors seeking assistance regarding SBPP may visit the SBPP webpage, <u>http://www.mass.gov/sbpp</u>, or contact the SBPP Help Desk at <u>sbpp@mass.gov</u>.

## 10. <u>Supplier Diversity Plan (SDP) Plan – Not Applicable</u>

## **Program Background**

Pursuant to <u>Executive Order 565</u>, the Commonwealth's <u>Supplier Diversity Program</u> (SDP) promotes business-to-business relationships between awarded Contractors and diverse businesses and non-profit organizations ("SDP Partners") certified or recognized (see below for more information) by the <u>Supplier</u> <u>Diversity Office (SDO)</u>.

## **Financial Commitment Requirements**

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

After contract award (if any), the Total SDP Commitment shall become a contractual requirement to be met annually on a Massachusetts fiscal year basis (July 1 - June 30) for the duration of the contract. The minimum acceptable Total SDP Commitment in response to this solicitation shall be 1%. Bidders shall be awarded additional evaluation points for higher SDP Commitments.

No contract shall be awarded to a Bidder without an SDP Commitment that meets the requirements stated herein. This requirement extends to **all** Bidders regardless of their own supplier diversity certification.

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## Eligible SDP Partner Certification Categories

SDP Partners must be business enterprises and/or non-profit organizations certified or recognized by the SDO in one or more of the following certification categories:

- Minority-Owned Business Enterprise (MBE)
- Minority Non-Profit Organization (M/NPO)
- Women-Owned Business Enterprise (WBE)
- Women Non-Profit Organization (W/NPO)
- Veteran-Owned Business Enterprise (VBE)
- Service-Disabled Veteran-Owned Business Enterprise (SDVOBE)
- Disability-Owned Business Enterprise (DOBE)
- Lesbian, Gay, Bisexual, and Transgender Business Enterprise (LBGTBE)

#### **Eligible Types of Business-to-Business Relationships**

Bidders and Contractors may engage SDP Partners as follows:

- **Subcontracting**, defined as a partnership in which the SDP partner is involved in the provision of products and/or services to the Commonwealth.
- Ancillary Products and Services, defined as a business relationship in which the SDP partner provides products or services that are not directly related to the Contractor's contract with the Commonwealth but may be related to the Contractor's own operational needs.

Other types of business-to-business relationships are not acceptable under this contract. All provisions of this RFR applicable to subcontracting shall apply equally to the engagement of SDP Partners as subcontractors.

#### **Program Flexibility**

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

- SDP Partners are **not** required to be subcontractors.
- SDP Partners are **not** required to be Massachusetts-based businesses.
- SDP Partners **may be changed or added** during the term of the contract, provided the Contractor continues to meet its SDP Commitment.

#### **SDP Plan Form Requirements**

**All** Bidders must complete the SDP Plan Form included in this solicitation and attach it to their bid response. In addition to proposing an SDP Commitment, each Bidder must propose one or more SDP Partner(s) to utilize to meet its SDP Commitment. Certified diverse Bidders may not list their own companies, or their subsidiaries or affiliates, as SDP Partners and may not meet their SDP Commitment by spending funds internally or with their own subsidiaries or affiliates.

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Bidders may propose SDP Partners that are:

- **Certified or recognized by the SDO**: Such partners appear in the <u>SDO Directory of Certified</u> <u>Businesses</u> or in the <u>U.S. Dept of Veterans Affairs VetBiz Vendor Information Pages</u> directory. After contract award (if any), spending with such partners will contribute to meeting the Contractor's SDP Commitment.
- Not yet certified or recognized by the SDO: Such partners must be certified in eligible categories by a third-party certification body, such as another city or state supplier diversity certification office, the <u>National Minority Supplier Development Council</u>, the <u>Women Business</u> <u>Enterprise National Council</u>, <u>Disability: IN</u>, or the <u>National LGBT Chamber of Commerce (NGLCC)</u>, but are not listed in the above-mentioned directories. Self-certification is not acceptable. While Bidders may list such proposed SDP Partners on their SDP Plans, spending with such partners will not contribute to meeting the Contractor's SDP Commitment unless they apply for and are granted SDO supplier diversity certification or recognition. If proposed SDP Partners do not receive SDO supplier diversity certification or recognition, the Contractor must find alternative SDP Partners to meet the SDP Commitment.

It is the responsibility of the Contractor to ensure that their proposed SDP Partners obtain such certification or recognition by the SDO after contract award (if any). The issuing department and the SDO will not conduct outreach to proposed SDP Partners to ensure their certification. Furthermore, no guarantee may be made that a proposed SDP Partner will be certified, or regarding the time it may take to process a proposed SDP Partner certification. Contractors may direct partners to the SDO's homepage, <u>www.mass.gov/sdo</u> and the <u>Certification Self-Assessment Tool</u> for guidance on applying for certification.

It is **desirable** for Bidders to provide an SDP Focus Statement that describes the Bidder's overall approach to increasing the participation of diverse businesses in the provision of products and services under this proposal/contract (subcontracting) and in the Bidder's general business operations (ancillary products and services). Such a description may include but not be limited to:

- A clearly stated purpose or goal.
- Specific types of diverse and small businesses targeted.
- Which departments/units within the business are responsible for implementing supplier diversity.
- Types of opportunities for which diverse and small businesses are considered.
- Specific measures/methods of engagement of diverse and small businesses.
- An existing internal supplier diversity policy.
- Public availability of the Bidder's supplier diversity policy.

It also is **desirable** for Bidders to use the SDP Plan Form to describe additional creative initiatives (if any) related to engaging, buying from, and/or collaborating with diverse businesses. Such initiatives may include but not be limited to:

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

### **Evaluation of SDP Forms**

To encourage Bidders to develop substantial supplier diversity initiatives and commitments as measures valuable to the Commonwealth, at least 25% of the total available evaluation points for this bid solicitation shall be allocated to the evaluation of the SDP Plan submissions. Because the purpose of the SDP is to promote business-to-business partnerships, the Bidders' workforce diversity initiatives will not be considered in the evaluation.

## **SDP Spending Reports and Compliance**

After contract award, Contractors shall be required to provide reports demonstrating compliance with the agreed-upon SDP Commitment as directed by the department, which in no case shall be less than annually.

Spending with SDP Partners that appear in the <u>SDO Directory of Certified Businesses</u> or in the <u>U.S. Dept</u> <u>of Veterans Affairs VetBiz Vendor Information Pages</u> directory shall be counted toward a Contractor's compliance with their SDP Commitment. Spending with SDP Partners that do not appear in the directories above shall not be counted toward meeting a Contractor's SDP Commitment.

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

#### **SDP Spending Verification**

The SDO and the contracting department reserve the right to contact SDP Partners at any time to request that they attest to the amounts reported to have been paid to them by the Contractor.

#### **Program Resources and Assistance**

Contractors seeking assistance in the development of their SDP Plans or identification of potential SDP Partners may visit the SDP webpage, <u>www.mass.gov/sdp</u>, or contact the SDP Help Desk at <u>sdp@mass.gov</u>.

#### 11. Environmentally Preferable Products

Products and services purchased by state agencies must be in compliance with <u>Executive Order 515</u>, issued October 27, 2009. Under this Executive Order, Executive Departments are required to reduce their impact on the environment and enhance public health by procuring environmentally preferable products and services (EPPs) whenever such products and services perform to satisfactory standards and

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represent best value, consistent with 801 CMR 21.00. In line with this directive, all Contracts, whether departmental or statewide, must comply with the specifications and guidelines established by OSD and the EPP Program. EPPs are products and services that help to conserve natural resources, reduce waste, protect public health and the environment, and promote the use of clean technologies, recycled materials, and less toxic products. Bid responses must identify how a contractor meets these goals.

# 12. Evaluation Criteria

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

Relevancy (50%)

- Show the location of the proposed ice machine(s). Include a map if necessary.
- Describe the estimated number of aquaculture operations and estimated number of commercial fishers and their proximity to the proposed ice machine location.
  - Comment if all growers and commercial fishers described here will have access to use the proposed ice machine(s).
  - Comment if any others (non-aquaculture growers or non-commercial fishers) will have access to the proposed ice machine(s).
- Describe the ice production during different times of the year and how the proposed ice machine's capabilities will fulfill aquaculture and commercial fishing needs.
- Describe the need for ice at this location compared to other ice sources nearby.
- Provide information on the energy efficiency of the proposed solution.

## Execution (50%)

- Provide a detailed budget showing the cost of the ice machine(s) and the associated costs to install the ice machine(s).
- Assert that there is permission from the land or facility owner to install the proposed ice machine(s); if this is not applicable, state this.
- Provide a timeline showing the installation will be complete within a 12-month period.
- Describe how growers and commercial fishers will access the ice machine, the proposed fee schedule, and how those fees will be used.

#### 13. Instructions for Submission of Responses:

Only electronic quotes submitted via COMMBUYS or emailed to Amanda.Meli@mass.gov will be accepted in response to this RFR. If proposal submission is through COMMBUYS, responses must be sent via the "Create Quote" functionality in COMMBUYS. For instructions concerning how to submit a Quote, please see Appendix B.

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

#### Estimated Procurement Calendar

Procurement Activity	Date	Time
Bid Release Date	April 8, 2024	1:00 PM
Deadline for Quotes/Bid Responses ("Bid Opening Date/Time" in COMMBUYS)	May 8, 2024	4:00 PM
Notification of Apparent Successful Bidder(s) (Estimated)	May 15, 2024	
Estimated Contract Start Date	June 1, 2024	

Bidders are required to monitor COMMBUYS for changes to the procurement calendar for this Bid.

#### a. Online Questions (Bid Q&A)

Written Questions must be entered using the "Bid Q&A" tab for the Bid in COMMBUYS no later than the "Online Questions Due" date and time indicated in the Estimated Procurement Calendar (above). The issuing department reserves the right to not respond to questions submitted after this date. It is the Bidder's responsibility to verify receipt of questions.

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

<u>Written Responses to Questions</u> will be released on or about the "Responses to Questions Posted Online" date indicated in the Estimated Procurement Calendar (above).

(Written questions and responses will be posted on the Bid Q&A Tab for this Bid in COMMBUYS.)

#### c. Quotes (Bid Responses) Deadline (Bid Opening Date/Time)

See the Quotes (Bid Responses) Deadline (Bid Opening) Date and Time indicated in the Estimated Procurement Calendar (above).

#### d. Estimated Contract Start Date

This is the approximate start date. The actual start date will be the Contract Effective Date which is the date the Contract is executed by the parties.

# 14. Required Forms

Responses to this RFR must contain the following documents

Check if applicable ("X")	Form/Document	Notes/Instructions (If any)
	Commonwealth Terms and Conditions	Must agree to terms at bid submission
	Request for Taxpayer Identification Number & Certification (Massachusetts Substitute W-9 Form)	Will be distributed to contract winner electronically through DocuSign
	Standard Contract Form and Instructions	Will be distributed to contract winner electronically through email
	Contractor Authorized Signatory Listing	Will be distributed to contract winner electronically through email
	Authorization for Electronic Funds Transfer	Will be distributed to contract winner electronically through DocuSign
	Prompt Payment Discount Form	Will be distributed to contract winner electronically through email

The above attachments are available as part of the Bid record on <u>COMMBUYS</u> (WWW.COMMBUYS.COM).

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#### 15. RFR Attachments

**Appendix A: Required Specifications** 

https://www.mass.gov/doc/rfr-required-specifications-of-commodities-and-services

## Appendix B: Electronic Quote Submission Instructions

https://www.mass.gov/doc/instructions-for-vendors-responding-to-bids

## Appendix C: Required Specifications for Information Technology

https://www.mass.gov/doc/rfr-required-specifications-for-information-technology/download

## Appendix D: RFR – Other Specifications

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.