

CITY OF BOSTON ADMINISTRATION AND FINANCE



City of Boston ***PROCUREMENT REFORM ANALYSIS 2021***

REQUEST FOR PROPOSALS EV00009863
RESPONSE DEADLINE: November 09, 2021

Kim Janey, Mayor
Justin Sterrit, CFO

TABLE OF CONTENTS

I. INTRODUCTION	2
II. SCOPE OF WORK	6
III. TECHNICAL PROPOSAL FORMAT	7
IV. HOW WE CHOOSE	10
V. PRICING PROPOSAL	14
VI. SUBMISSION INSTRUCTIONS	16
VII. TERMS AND CONDITIONS	20
VIII. STANDARD CONTRACT AND FORMS	22
IX. INSURANCE RECOMMENDATIONS	23

I. INTRODUCTION

1.1 WHAT WE ARE LOOKING FOR

The City of Boston is looking for a consultant to explore a major overhaul of the way we procure goods and services.

Our procurement process is complex, but it doesn't need to be. Historically, many departments have done much of their own procurement, for which they established a process and approach to developing and writing proposals that works for their specific department. This creates significant variation for the public in the style and design of the Request For Proposals (RFPs) and Invitation For Bids (IFBs). Different departments have their own approaches to developing and writing procurements.

We have identified a model that we would like to examine. A Central Office of Contract Services (OCS) model has worked well in other jurisdictions. This is a hub-and-spoke model that concentrates responsibility for process management into one office that will provide templates and processes for the departments to follow. Doing this will free those departments from having to worry about figuring out the process and allow them to focus on service delivery.

A core component of this reform is to build on the City's work to lower barriers to entry for new potential vendors and help us contract with a broader, more diverse group of businesses. In order to successfully complete this engagement, both broad familiarity with procurement processes and specific knowledge of Boston City Hall's operational nuances will be necessary. The city would welcome proposals from joint ventures including firms with both sets of expertise.

This contract will be for three - six months to determine if this model will work for Boston and help figure out the timeline and budget for transition. To ensure that the work of this engagement is appropriately focused on scoping, the firm or group of firms contracted to do this work will be prohibited from bidding on any eventual contract to manage the implementation of the OCS model.

This RFP is open to any vendor who would like to respond, and the City encourages participation from small, local, minority-owned, women-owned, and veteran-owned businesses.

To support equality of opportunity for these businesses, we also encourage respondents to solicit the subcontracting of goods and services from certified businesses. The City's directory of certified businesses is available at <https://www.boston.gov/certified-business-directory>

1.2 BACKGROUND AND SCALE

Below is some context on City procurement for reference. As mentioned, the end to end procurement process is complex, and will require further exploration if your proposal is selected.

- The City procures goods and some shared services through its central Procurement Department. Almost all service contracts are procured by individual departments.
- Through two Executive Orders, one in 2019 and another in 2021, the City has created policies and initiatives that work to ensure a more inclusive and efficient contracting process as well as the full participation of all enterprises in City spending, focused on small and local, minority-, women-, and veteran- owned small businesses.
- Roughly 1200 contracts are initiated each year. To provide a rough sense of the distribution among the different procurement types, see the following chart of contracts initiated in FY 2021. These are the awarded not-to-exceed amounts, not the actual amount paid. This should also be considered directional, rather than definitive.

Type of Procurement	Number	Total Not-to-exceed value
Ch 149 (Vertical Construction)	84	\$143M
Ch 30B (IFB)	291	\$138M
Ch 30B (RFP)	139	\$203M
Ch 30B (WQC)	502	\$13M
State Contract/GSA	119	\$108M
Ch 30 39M	41	\$39M

- There are more than 600 City staff involved in procurement and contract management across 50+ City departments.
- The bulk of city contracting is done during the first quarter of each fiscal year (beginning July 1), as departments renew ongoing contracts.

- The city uses Oracle's PeopleSoft (BAIS) as the primary financial management system and the formal tool for issuing and awarding procurements.
- While most procurements are run through BAIS, some departments still issue their procurements on paper. These tend to be the more complex, heavily regulated industries such as construction.

1.3 RFP CONTACT

With the release of this RFP, all communications must be directed in writing via email to the contact person below. No other City employee, consultant, or contractor is empowered to speak for the City with respect to this RFP. Any oral communication is considered unofficial and non-binding to the City.

After the proposal deadline, Vendors should not contact the RFP Coordinator or any other City official or employee, except to respond to a request by the RFP Coordinator.

The RFP contact is:

Jennifer Dufour, Procurement Process Manager
jennifer.dufour@boston.gov
Administration & Finance, Procurement
Boston City Hall
One City Hall Square
Boston, MA 02201

The Website for this RFP and related documents is the City of Boston Supplier Portal, which you can access via boston.gov/procurement.

All project correspondence will be posted on the Supplier Portal website. It is the responsibility of Vendors to check regularly for updates and any RFP addenda.

1.4 TIMELINE

The table below shows the preliminary RFP Schedule. Dates are subject to change. Any changes will be posted in an addendum that can be found on the RFP website.

Q&A Conference	October 18
Deadline to submit questions regarding the RFP Via email to jennifer.dufour@boston.gov	October 19
Consolidated Q&A posted by the City	October 20
Deadline for proposals <i>Submitted via the City's Supplier Portal or via hard copy; proposals must be received prior to the deadline and can't be submitted via email</i>	12:00 PM November 9th
Vendor interviews/demonstrations (if needed)	November 15th - November 19th (if needed)
Contractor Selected	November 30th

All times are in Eastern Time

*Please note that all proposals will be public record. **Do not submit confidential information in your Proposal.**

II. SCOPE OF WORK

A transition from the current, mostly decentralized approach, to an Office of Contract Services model would be a complex process. Rather than a fully centralized procurement operation, this model requires careful balancing of talent and expertise between the central office and the client departments.

If we decide to move forward, the transition and change management will be a separate procurement. The purpose of this engagement is to refine the structure of the department, the services it will need to provide, and potential options and timelines for a transition.

The following is a suggested scope of work, if there is something that should be added or subtracted, please define that in your proposal. This is going to be an intensely collaborative engagement. We are asking for thoughtful conversations and advice, rather than scripted meetings.

Current state analysis:

- Examine current processes and procedures within individual departments to develop a map of like and dissimilar processes.
- Determine which departments have the most effective and efficient processes and which have the most repetitive work.

Benchmarking:

- Several other jurisdictions have implemented similar structures, including Los Angeles and New York City. Before moving forward, we need further research into the like and dissimilar elements to their specific implementations.
- What works for others? What could be improved?
- What was the transition like for these other jurisdictions?

Refine services to be offered by the Boston OCS:

- This is a starting point, but not either a definitive or exhaustive list.
- Develop templates and technology to guide procurement development and simplify for department staff.
- Procurement Process Management and reporting.
- Training and support on process and procedures.
- Center of excellence for results-driven procurement strategy.
- RFP/IFB specialists for anything that doesn't easily fit the above templates.
- Centralized goods and shared services procurement.
- Contract management oversight and policy development. How did the vendor perform?
- Tier 2 reporting and equity analysis.

Estimate staffing needs:

- Based on the work types above and the volume of procurements, estimate the number of staff required to fulfill each role.

Identify technology options:

- The city will need a technology platform to manage the improved procurement process.
- Assist the City with researching options for a make/buy decision.

Estimate Annual Budget:

- Startup technology and transition management costs.
- Ongoing staff costs.
- Ongoing technology and support costs.

Estimate potential savings and service delivery improvements:

- Based on your analysis of the current state, provide a cost-benefit analysis, eventual gains in efficiency and identify ROI.
- Identify potential improvements to public service delivery quality and equity as a result of improved vendor selection and management.

III. TECHNICAL PROPOSAL FORMAT

The “technical proposal” is every element of your response to this RFP, except for anything having to do with price. (The price proposal covers that section.)

For the technical proposal, we are looking for you to do several things:

1. provide an introduction;
2. propose your approach for this project;
3. share your background and qualifications;
4. describe your team;
5. provide three references; and
6. sign our standard contract forms;
7. describe your plan for diversity and inclusion.

3.1 INTRODUCTION AND EXECUTIVE SUMMARY

On the cover or first page of your proposal, please provide contact information, including name, title, address, email and phone number.

Please provide a brief introduction highlighting why you would be a good partner for the City on this project.

If you or any of your proposed subcontractors or partners are a small, local, minority-owned, women-owned, and/or veteran-owned business, let us know! This information helps us improve our outreach to all potential partners; this RFP is open to any vendor who would like to respond.

3.2 RESPONSE TO SCOPE OF WORK

This section is where you tell us how you can meet or exceed our needs. Then, please describe how you would deliver the solution outlined in the Section 2 “Scope of Work.” This section is a critical component of the proposal and should include a detailed description of your work plan and project organization.

Please be concise, but clear. Buzzwords and sales jargon are not helpful, details and dates for deliverables are. Feel free to use anything (e.g. graphics, links to your work, etc.) that helps you make your case.

3.3 VENDOR BACKGROUND AND COMPANY QUALIFICATIONS

Describe your organization's history, structure, strategy, and work. Focus on your ability to be a good, collaborative partner on this project. Please list any relevant awards your team has received. The City reserves the right to request a copy of your firm's audited financial statements, including a detailed balance sheet and profit and loss statement for three years, or Dun & Bradstreet reports or similar financial reports, in order to evaluate the financial strength of your company.

Include documentation of your insurance coverage. The City's recommended levels of insurance are listed in Section 9; if you have a different level of coverage, please explain why that is sufficient to manage the risk of this project.

Please note: If you have had a contract terminated for default during the past five (5) years, or have been involved in litigation regarding a contract, this fact should be disclosed along with your position on the matter(s). If you have experienced no such terminations for default in the past five (5) years and have not been involved in contract litigation, then you should indicate as such.

3.4 STAFFING AND KEY STAFF QUALIFICATIONS

Describe the team that would work on this project. Include a list of key team members. Make the case for why they will be great partners on this project. Note if any staff will be located in or near Boston and their general availability to the City staff on this project.

Please provide bios, resumes or whatever you think best highlights the strength of the team that would be working on this project. Let us know how the team would be structured; if your team includes multiple firms, please let us know how long you have worked together and the proposed distribution of labor. For legal purposes, we will need you to designate one firm as the prime contractor and all others as subcontractors (see Section 7 for more information).

3.5 REFERENCES AND ADDITIONAL INFORMATION

Please provide three (3) references, including their contact information and details on your history with them. Customer references should be preferably similar in size, scope and complexity to the City of Boston. Note that incorrect contact information will not be considered as a reference.

3.6 STANDARD CONTRACT AND FORMS

You must submit a signed copy of all forms identified in Section 8.

3.7 PLAN FOR DIVERSITY AND EQUITY

A core purpose of this reform is to embed equity into all of our procurement work. A significant portion of the technical proposal's evaluation will be based on the plan to incorporate diversity and equity in the planning and execution of your work with us, including how it will set the City up to contract more equitably during a shift to an OCS. As with the rest of this RFP, buzzwords and jargon are not useful here, details and specifics are. The proposal will be evaluated on the clarity, feasibility, and creativity of your plan.

IV. HOW WE CHOOSE

4.1 MINIMUM EVALUATION CRITERIA

All Proposals received by the City will first be reviewed to determine whether the Proposal meets all minimum criteria identified in the RFP. Minimum criteria are found in the Checklist for Submitting Proposal (Section 5.1).

For a proposal to meet all minimum criteria, a Vendor must unconditionally be able to check each item as 'Completed' for Sections A and B and 'Yes' for each item in Section D. Minimum evaluation criteria reflect those standards or attributes that the City considers essential to the performance of the contract. A Vendor that does not meet the minimum criteria will be rated "unacceptable".

4.2 COMPARATIVE EVALUATION CRITERIA

Proposals that have met all minimum evaluation criteria will be evaluated according to the comparative evaluation criteria that follow in this section. After reviewing, the evaluation team will prepare written evaluations for each proposal. The evaluators will assign a rating of "highly advantageous", "advantageous", "not advantageous", or "unacceptable" to each criterion. The team will use the comparative evaluation criteria to assist in their evaluation of each Vendor's overall qualifications.

The City reserves the right to invite Vendors for an interview/demonstration either by phone or in person. The City may choose to conduct reference checks and include information obtained from the interview/demonstration and reference checks in the evaluation.

NOTE: Vendors should not count on interviews/demonstrations and reference checks as an opportunity to provide additional information not contained in the proposal. All information that Vendors wish the selection team to consider during the evaluation process should be included in the originally submitted Proposal.

Different criteria are of different importance to the city, so have been assigned different weights as they factor into the overall evaluation. These weights are laid out in the table below:

4.3 Comparative Evaluation Criteria and Weights

Technical Proposal Clarity	Important
Response to scope of work	Very Important
Organizational background and past project experience.	Very Important
Diversity, Equity and Inclusion Plan	Very Important
Vendor Interview	Important

Price proposals will be evaluated separately from the technical proposals. The evaluation team will not see the price proposals until after the technical evaluations are complete.

The City will then identify the proposal that's the most advantageous overall from the pool of responsible and responsive vendors, taking into consideration both price and the comparative evaluation criteria.

Technical Proposal Clarity:

"How well did you communicate your ideas?"

Highly Advantageous: The proposal is well-written in clear, concise, accessible language. Materials are thoughtfully organized and easy to navigate. As a whole, the proposal provides a complete response to this RFP which cleanly lays out the proposed action.

Advantageous: The proposal is clear and well-organized, with reasonably accessible and well-thought out with data to support it.

Not Advantageous: It is poorly written and/or difficult to read. It does not provide all of the information necessary to evaluate the vendor's ability to successfully meet the City's goals.

Unacceptable: The proposal is incomplete and does not provide the evaluation committee with enough information to make any reasonable evaluation of the proposal.

Response to Scope of Work:

"How good are the ideas you presented?"

Highly Advantageous: The proposal clearly lays out a plan to complete the work. It provides a timeline with deliverables and pre-designed checkpoints for taking stock of what has been learned at each point. The plan seems fully thought out and ready to implement.

Advantageous: The proposal is good, but not perfect. It addresses the majority of the major concerns but leaves a few open questions. The proposal could be workable to solve the problem, but would require some further clarification.

Not Advantageous: The proposal addresses some of the goals of the scope of work, but leaves many open questions. It is possible that it could be implemented, but would require a lot of work before it was ready to go.

Unacceptable: The proposal does not address the majority of the concerns and goals outlined in the scope of work. The ideas presented do not seem workable or relevant to the problem faced. Taking the proposal from where it is to something that could be implemented would require a fresh start.

Organization Profile & Past Projects:

"Is your organization ready to perform this work?"

Highly Advantageous: The team includes members with extensive procurement reform and change management. Three (3) references from similar projects consistently rate services and results with the highest marks. The examples of past work you provide are highly relevant to this project and highlight your firm's competency in the relevant areas. The proposal demonstrates deep understanding of the nuances of Boston City operations, and procurement reform both locally and across the industry. It outlines a strong presence in the City of Boston, with one or more of the firms involved having a significant staff presence in the city.

Advantageous: The team includes members with backgrounds in procurement reform and change management. One or two references from similar projects rate services and results with the highest marks. The examples of past work you provide are somewhat relevant to this project and demonstrate your firm's experience in handling similarly complex data and your collaborative process. Your proposal demonstrates reasonable understanding of Boston City operations, and a grasp of procurement reforms. At least one of the firms has some staff based in the city.

Not Advantageous: The team does not include members with experience in procurement reform or change management. No references from similar projects rate services, results, and collaborative process with the highest marks. The examples of past work you provide are not relevant to this project and do not demonstrate sufficient experience. The proposal touches on familiarity with Boston City operations and procurement reform. One or more of your firms has a footprint in Massachusetts.

Unacceptable: The team does not include any members with understanding of either procurement reform or change management. None of your references are relevant to the work described in this RFP or any of the references give the services, results, or collaborative process negative ratings. The proposal demonstrates no connection with Boston and none of the firms have a staff presence in the city or Massachusetts.

Diversity, Equity, and Inclusion (DEI) Plan:

"What is your plan for including DEI considerations in this project?"

Highly Advantageous: The proposal lays out a creative, aggressive, and comprehensive approach to DEI. The proposal includes a plan demonstrating that local M/WBE firms or staff will perform the majority of the work. The training and experience of your staff is heavily focused on equity concerns and your plan demonstrates how you intend to leverage that experience to design the reforms needed. The proposal outlines detailed, specific, actionable and effective plans for the above.

Advantageous: The proposal has a reasonable plan for DEI. A part of the work is going to be performed by local M/WBE firms or staff. The staff performing the work has some experience or training with DEI concerns and theory and the plan touches on how this will be used to inform the work. The proposal has many specifics about the above, but several parts lack details about how exactly to incorporate DEI.

Not Advantageous: The proposal has some references to DEI considerations, but nothing comprehensive or creative. Little to no M/WBE firms or staff will be involved, and the staff involved has little to no experience with DEI considerations. There may be some specifics, but the majority of the proposal talks in generalities and buzzwords, rather than actionable plans.

Unacceptable: The proposal gives little-to-no consideration to DEI. None of the work will be performed by M/WBE firms or staff, and the staff involved have limited or no experience or training in DEI. The proposal uses DEI buzzwords, but there are no details about how to bring equity considerations to the work.

Vendor Interview/Demonstration:

“Can you present your thoughts and can you work collaboratively with staff?”

Highly Advantageous: Presenters are well-organized and provide a clear, concise presentation. The presentation demonstrates strong insight into the City’s requirements as described in the RFP. Service delivery staff are included in the demonstration, and all questions posed by the City were specifically addressed. The presenters were flexible and collaborative with city staff.

Advantageous: Presenters are well-organized and provide a clear, concise presentation. The presentation demonstrates strong insight into the City’s requirements, as described in the RFP. Service delivery staff are included in the demonstration, and all questions posed by the City were specifically addressed.

Not Advantageous: Presenters are not organized and/or provide an unclear presentation. Presentation demonstrates little understanding into the City’s requirements, as described in the RFP. Some questions were not addressed.

Unacceptable: Presenters were woefully disorganized and the presentation did not demonstrate understanding of the City’s requirements as described in the RFP.

V. PRICING PROPOSAL

List all costs associated with your proposed deliverable, using the template below. If your proposal includes other costs that don't fit in this template, please attach supplemental information describing those costs, the basis for your pricing, and any assumptions you made in filling out the template.

Understanding the level of effort and cost for each deliverable will help us better understand the structure of the proposed work.

Please note:

- All prices are inclusive of travel. No additional charges, including travel lodging, subsistence, miscellaneous (ad-hoc) expenses and other expenses, will be allowed.
- Any taxes due will be assumed to be included in your price of services. The City is exempt from federal excise taxes (Federal Exemption No. A-108-328) and from Massachusetts sales and use taxes (Certificate No. E-046-001-380). Exemption certificates will be provided, if requested, following the award.
- The total cost that is quoted in this Proposal will be considered a best and final offer.
- You will bear the onus of any errors made in pricing the services (e.g., omitting a component of the services).
- The Price Proposal MUST be submitted separately from the remainder of the proposal. No price information may be included in the Technical Proposal.
- If applicable, as determined by the Massachusetts Department of Labor Standards, the Contractor shall comply with the Massachusetts Prevailing Wage Law (M.G.L. c. 149, s.26, -27H) for public works projects, which establishes minimum wage rates for workers on such projects.

More detailed instructions are available in Section 5 and at boston.gov/departments/procurement/how-use-supplier-portal.

Please list the staff roles with an estimate of hours they will contribute to the work, and the hourly rate for each role. This is to help the evaluating committee compare cost across different vendor proposals and ensure that the scope of work has been adequately understood.

Role/Seniority Level of Staff	ESTIMATED HOURS*	UNIT PRICE	TOTAL PRICE
TOTAL PRICE - YEAR 1			

*These numbers are estimates only and the actual quantities may be more or less.

VI. SUBMISSION INSTRUCTIONS

6.2 SUBMITTING PROPOSAL VIA BOSTON'S SUPPLIER PORTAL

The Supplier Portal is the preferred method and most efficient and will provide vendors the ability to submit a proposal electronically, and is accessible from boston.gov/procurement at the Supplier Portal link.

You'll need to register with us in order to submit your proposal electronically; doing so will also allow you to receive email updates regarding this RFP and other opportunities. Please visit <https://www.boston.gov/departments/procurement/how-use-supplier-portal> for step-by-step instructions to register.

Upon logging in under your account, look for event EV00009863
"City of Boston PROCUREMENT REFORM ANALYSIS 2021".

When responding, you will see specific places to upload your non-price Technical Proposal and other required forms. **The Price Proposal must be submitted separately from the Technical Proposal according to the statute. This is critically important.** The evaluation team will complete its evaluation of the Technical Proposals prior to reviewing the Price Proposals.

Attachments containing price information, including the Price Proposal, should only be attached to the price line and not in the Event Header attachments section. By uploading your file to the price line, the information will remain sealed and separated from the technical proposals until that evaluation has been performed.

In the section of EV00009863 labeled "Step 2: Enter Line Bid Responses", please enter the total bid amount under the line "PROCUREMENT REFORM ANALYSIS 2021" Next, click the icon on the far right of the screen labeled "View/Add Question Comments and Attachments." There you will find the proper location to upload your Price Proposal. Please visit <https://www.boston.gov/departments/procurement/how-use-supplier-portal> for step-by-step instructions.

Submitting your proposal via the Supplier Portal can streamline the entire process, but please allow extra time to become familiar with the system. **Upload any applicable documents into the Supplier Portal and SUBMIT your submissions well before the deadline so that you have enough time to make a physical paper submission if you have any issues with the City's Supplier Portal.** We recommend submitting your proposal at least 24 hours prior to the deadline.

Please note that Supplier Portal file uploads are limited to a 59 character file name length.

6.3 SUBMITTING VIA MAIL/ DELIVERY

Hard copies of the Technical and Price Proposals may be submitted by mail, delivery service, or in person. Vendors submitting a hard copy must submit a complete Technical Proposal in a sealed envelope along with one (1) digital copy (thumb drive), and a Price Proposal in a separate sealed envelope along with one (1) digital copy (thumb drive).

The envelopes should be clearly marked as follows:

City of Boston PROCUREMENT REFORM ANALYSIS 2021

Event ID: RFP EV00009863

TECHNICAL PROPOSAL

Submitted by: [Name of Vendor]

[Date Submitted]

City of Boston PROCUREMENT REFORM ANALYSIS 2021

Event ID: RFP EV00009863

PRICE PROPOSAL

Submitted by: [Name of Vendor]

[Date Submitted]

and delivered or mailed to:

Jennifer Dufour, Procurement Process Manager

Administration & Finance, Procurement

Boston City Hall - Room 608

One City Hall Square

Boston, MA 02201

This section provides an overview of the process for submitting your proposal:

- A checklist is provided to make sure that your proposal is complete
- Directions are included for submitting your proposal online or via hard copy

Vendors are strongly advised to read this section in its entirety and complete the checklist to avoid disqualification. **Please note that the City will NOT be able to consider proposals that are submitted late or that do not follow these guidelines.**

	5.1 CHECKLIST FOR SUBMITTING PROPOSAL <i>(for your use only; you do not need to submit this checklist)</i>	RFP SECTION	COMPLETE (✓)
	A. REQUIRED ITEMS FOR TECHNICAL PROPOSAL		
1	Introduction and Executive Summary	3.1	
2	Response to Scope of Work	3.2	
3	Vendor Background & Company Qualification <i>including insurance documentation (see Section 9 for details)</i>	3.3	
4	Staffing Plan and Key Staff Qualifications	3.4	
	References and Additional Information	3.5	
	B. REQUIRED FORMS	8	
5	Form CM06 – Certificate of Authority	8.2	
6	Form CM-09 – Contractor Certification	8.3	
7	Form CM15A - CORI Compliance	8.7	
8	Form CM15B - CORI Standards	8.7	
9	Form LW2 - Living Wage Agreement	8.9	
10	Form LW8 - Living Wage Affidavit	8.10	
11	Form CM-16 – Wage Theft	8.11	
12	C. PRICE PROPOSAL COST FORM	4	
13	D. FINAL REVIEW	YES	NO
	1. Did you submit the proposal before the deadline?		
	2. Did you submit separate, sealed technical and price proposals, with no price information in the technical proposal?		
	4. Did you review the Contract Terms and Conditions?		
	5. Did you complete and submit all required forms?		

VII. TERMS AND CONDITIONS

7.1 CANCELLATION, REJECTION, AND WAIVER

The City is under no obligation to proceed with this RFP and may cancel the RFP at any time with or without the substitution of another. The City reserves the right to reject in whole or in part any or all Proposals, when the City determines that rejection serves the best interests of the City. The City may waive minor informalities in the Proposal or allow the Vendor to correct them.

7.2 WITHDRAWAL OR MODIFICATION OF PROPOSAL

The City may allow a Vendor representative bearing proper authorization and identification to sign for, receive and withdraw the Vendor's unopened Proposal prior to the submission deadline. A Vendor that seeks to correct or modify its Proposal may do so by withdrawing the initial submission and then submitting a modified Proposal prior to the submission deadline.

7.3 PROPOSAL VALIDITY PERIOD

By submitting a Proposal the Vendor agrees that its Proposal is valid for one hundred eighty (180) days following the submission deadline unless extended by mutual agreement.

7.4 PROPOSAL COSTS

Any and all costs incurred by a Vendor in preparing a Proposal and throughout the RFP process are ineligible for reimbursement by the City.

7.5 TAXES

The City is a tax-exempt organization. However, should any part of the Contract be subject to taxes, unless otherwise specified in this RFP, the Vendor shall include and be responsible for paying all taxes that are applicable.

7.6 SUBCONTRACTORS

The City will contract with one Contractor who will be solely responsible for contractual performance and who shall be the sole point of contact for the City with regard to Contract matters. In the event the Contractor utilizes one or more Subcontractors, the Contractor will assume all responsibility for performance of services by the Subcontractor(s).

The City must be named as a third party beneficiary in all subcontracts. A list of all Subcontractors proposed to take part in the performance of the Contract shall be provided to the City for approval prior to Contract execution.

7.7 USE OF CITY NAME

The Contractor and any Subcontractor(s) agree not to use the City of Boston name or seal, or that of any other City Agency or Department in advertising, trade literature, or press releases without the prior approval of the City.

7.8 AWARD AND CONTRACT

If a Contract is awarded, the Contract will be awarded to that responsive and responsible Vendor whose Proposal is deemed most advantageous to the City taking into consideration the evaluation criteria and Proposal Pricing. The City will contract with the selected Vendor that best meets the City's needs and may not necessarily make an award to the lowest price bidder.

An award letter or award notification is not a communication of acceptance of a Vendor's proposal. No final award has been made until final execution of a Contract by the Vendor and the City of Boston (by its Awarding Authority/Official and the City Auditor), and the approval of the final Contract by the Mayor of Boston, as well as Contractor receipt of a City issued Purchase Order. Until such time, the City may reject any or all proposals or elect not to proceed with this RFP. The Vendor shall not furnish any services, equipment, materials or labor unless a fully executed and approved Contract and Purchase Order is received from the City, and funds are appropriated for the Contract.

7.9 CONTRACT

In addition to the City of Boston's Standard Contract, Forms CM-10 and CM-11, and any applicable supplemental terms and conditions that are part of this RFP, the Contract will include, without limitation, City required forms and certifications, including the City's CORI Compliance Certification, Living Wage form, Wage Theft Form, Contractor Certification, and Certificate of Authority. These forms are attached hereto and/or are available upon request. The submitted Proposal, along with the RFP, will also be part of the Contract between the City and the Contractor.

The Contract is subject to the availability and appropriation of funds and may be cancelled by the City without penalty in any year in which an appropriation is not made.

7.10 TERM OF CONTRACT

The City expects this work to be completed within 3-6 months of award. However, in order to allow for contingencies, the term of this contract will be for 1 year..

7.11 PUBLIC RECORDS

Proposals shall be confidential until the completion of the evaluations, or until the time for acceptance specified in the RFP, whichever is earlier. Thereafter, proposals will be public record. Do not submit confidential information in your Proposal.

VIII. STANDARD CONTRACT AND FORMS

8.1 OVERVIEW

You must submit a signed copy of the forms indicated below. Additionally, please review the Terms and Conditions in the CM11 and the associated supplement; they will be incorporated at contract award without revision.

8.2 FORM CM06 – CERTIFICATE OF AUTHORITY: SIGNED COPY REQUIRED FOR CORPORATIONS

8.3 FORM CM09 – CONTRACTOR CERTIFICATION: SIGNED COPY REQUIRED

8.4 FORM CM10 – STANDARD CONTRACT DOCUMENT

8.5 FORM CM11 – STANDARD CONTRACT GENERAL CONDITIONS

8.6 SUPPLEMENTAL INFORMATION TECHNOLOGY TERMS AND CONDITIONS TO FORM CM11

8.7 CM FORMS 15A/B – CORI COMPLIANCE, STANDARDS: SIGNED COPY REQUIRED

8.8 FORM LW1 – REQUIREMENTS OF THE BOSTON JOBS AND LIVING WAGE ORDINANCE

8.9 FORM LW2 – LIVING WAGE AGREEMENT: SIGNED COPY REQUIRED

8.10 FORM LW8 – VENDORS LIVING WAGE AFFIDAVIT: SIGNED COPY REQUIRED

8.11 FORM CM16 – WAGE THEFT: SIGNED COPY REQUIRED

IX. INSURANCE RECOMMENDATIONS

The City recommends the following levels of insurance; if you have a different level of coverage, please explain why that is sufficient for the work required under this RFP. The Contractor shall purchase and maintain during the term of the Contract all insurance required by the Commonwealth of Massachusetts and as required in this section, and will assure that subcontractors carry similar and appropriate coverage. These requirements shall not be construed to limit the liability of the Contractor or its insurer

Insurance will be issued by insurance companies licensed to write insurance in their domicile state and the Commonwealth of Massachusetts, and will have a current Best's rating of A- VII or above. Insurance Certificates on Acord Form 25 evidencing all requirements listed below shall be delivered to the Official by the selected vendor prior to the execution of any contract. Additionally, renewal certificates must be delivered within 30 days prior to the expiration of the preceding policy.

Insurance Recommendations:

9.1 Workers' Compensation insurance as required from under General Laws c.152 (the Workers' Compensation Law) and including employer's liability limits of one million (\$1,000,000) per accident and per employee, including disease.

9.2 Commercial General Liability with coverage no less than ISO CGL Form, CG00 01 0413, for one million (\$1,000,000) per occurrence and two million (\$2,000,000) annual aggregate limit per location or project basis.

9.3 Umbrella Liability excess of Commercial General Liability, Employer's Liability and Auto Liability for one million (\$1,000,000) each occurrence. In lieu of umbrella liability, required limits may be achieved by purchasing higher limits on individual policies.

9.4 Technology Errors & Omissions / Cyber Liability / Security & Privacy: for one million (\$1,000,000) per claim and one million (\$1,000,000) in the aggregate with coverage continuing for one year after completion or termination of the Agreement. Policy must specifically include: a) computer or network systems attacks, b) denial or loss of service, c) introduction, implantation or spread of malicious software code, d) unauthorized Access and Use of computer systems, e) privacy liability, and f) breach response coverage equaling at least 50% of liability limit.

9.5 Third Party Crime / Employee Dishonesty: for \$1 million per claim and \$1 million in the aggregate. Coverage required if vendor will have access to personal or municipal financial information and/or records maintained by City

9.6 General Conditions:

- The City of Boston will be named as Additional Insured on all policies except, Workers' Compensation and Employer's Liability.
- Above insurance shall be primary and noncontributory over any such insurance available to the City of Boston, its officials, employees and volunteers.
- Waiver of Subrogation will be included as respects all coverages listed above in favor of the City of Boston. The Workers' Compensation Policy must be specifically endorsed and noted as such in the required certificate.
- All policies will be endorsed to provide thirty days written notice to the certificate holder, the City of Boston, in the event of cancellation, non-renewal or material changes in coverage. Such endorsements must be attached to the Certificate.