



## **Grant Solicitation - Digital Equity Partnership**

Solicitation No. 2023-MBI-04

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

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<b>Initial Questions Due:</b>	<b>10/7/2022</b>
<b>Answers to Initial Questions Posted:</b>	<b>10/14/2022</b>
<b>Initial Responses Due:</b>	<b>10/24/2022</b>

## 1. INTRODUCTION

Massachusetts Technology Collaborative (“MassTech Collaborative” or “MassTech”), on behalf of the Massachusetts Broadband Institute (“MBI”) is issuing this Solicitation for the Digital Equity Partnerships Program (the “Program”) (Solicitation No. 2023-MBI-04 ) (the “Solicitation”).

MassTech seeks to designate approximately 10 to 15 Partners across the state who will be responsible for implementing digital equity initiatives in six discrete program areas. These Partners will become a sub-grantee to MassTech with the responsibility to administer a portion of the State’s Broadband Innovation Fund (see Section 35SSS of chapter 10 of Mass General Laws), which received an allocation of Coronavirus State Fiscal Recovery Funds. MBI’s primary goal is to ensure that economically disadvantaged households in every region of the Commonwealth have access to a wide range of digital equity support and services.

These Partners will be responsible for implementing digital equity projects in one or more of the following areas:

- ✓ Digital Literacy Initiative
- ✓ WiFi Access Initiative
- ✓ Public Space Internet Modernization Initiative
- ✓ Connectivity Initiative for Economic Hardship
- ✓ Device Distribution and Refurbishment Initiative
- ✓ Education, Outreach, and Adoption

These program areas are further detailed in Section 2.3.1 of this solicitation.

Organizations eligible to apply under this solicitation include, but are not limited to:

- ✓ Regional Planning Agencies
- ✓ Municipalities or collaborations of municipal entities
- ✓ Philanthropic Foundations
- ✓ State agencies or quasi-governmental entities
- ✓ Nonprofit Organizations
- ✓ Educational or Healthcare Providers
- ✓ Other organizations with a clear geographic constituency or area of relevant technical expertise

MassTech will allow Partnerships of individual organizations and coalitions of multiple organizations, as long as there is a clearly defined Lead Applicant in response to this solicitation.

MassTech will accept responses to the solicitation on a rolling basis. The submissions of all Respondents to provide services in one or more of the program areas set forth in Section 2.3 of this solicitation (the “Services”) shall be evaluated by MassTech pursuant to the evaluation criteria set forth in Section 5.2 of this solicitation.

MassTech Collaborative will be the contracting entity on behalf of MBI for the purposes of this Solicitation, and (except where the specific context warrants otherwise), MBI and MassTech Collaborative are collectively referred to as MassTech Collaborative or MassTech. MassTech Collaborative will enter into a **Subaward Agreement and Statement of Work** with selected Respondents containing certain standard provisions (the “Agreement”), located [HERE](#). Contracts awarded as a result of this Solicitation will be funded through the Commonwealth of Massachusetts Coronavirus Catalog of Domestic Federal Assistance (“CDFA”) State Fiscal Recovery Fund, CDFFA Number 21.027, a pass-through of the U.S. Department of Treasury’s Coronavirus State and Local Fiscal Recovery Fund established under The American Rescue Plan Act of 2021 (H.R. 1319), § 4001

("ARPA"), Federal Award Identification Number ("FAIN") SLFRP1025. Accordingly, all selected Respondents will be obligated to comply with all corresponding state and federal laws, regulations or other conditions applicable to the state and federal financing sources including considerations regarding eligibility and eligible funding uses as set forth in the Coronavirus State and Local Fiscal Recovery Funds Final Rule. Additional required terms will be contained within the awarded contract.

## **1.2 MassTech Collaborative and MBI**

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

MBI is the State Broadband Office for the Commonwealth. The primary mission of MBI is to extend affordable, robust, high-speed Internet access to all homes, businesses, schools, libraries, medical facilities, government offices and other public places across Massachusetts, with a focus on the hard-to-serve areas of western and central Massachusetts. For more information about MBI and its programs and activities generally, please visit the web site at <https://broadband.masstech.org>.

## **2. SERVICES REQUIRED**

### **2.1 Overview**

Respondents to this Solicitation may submit responses to implement projects under one or more of the initiatives described herein. Responding organizations should clearly indicate the initiatives for which they wish to be considered for selection. MBI intends to select more than one Respondent to complete this work but reserves its right to not make an award, as well as to award work over a period of time.

### **2.2 Definitions**

**Lead Applicant** is the organization responsible for fiscal and technical administration of the partnership award.

**Sub-Applicant** is the term used for supporting organizations to a Lead Applicant for coalition submissions to this solicitation.

**Beneficiary** means an individual or entity receiving benefits from a federal program due to experiencing a public health impact or negative economic impact of the pandemic.

**Contract** is a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. This term is used only when the substance of the transaction does not meet the definition of a subaward.

**Contractor** means an entity that receives a contract for the purchase of property or services.

**Pass-through entity** ("PTE") means a non-Federal entity that provides a subaward to a subrecipient to carry out part of a federal program.

**Recipient** means an entity, usually but not limited to non-Federal entities, that receives a federal award directly from a federal awarding agency. The term recipient does not include subrecipient or individuals that are beneficiaries of the award. Transfers of federal funds within state government does not trigger a sub-recipient designation as each department is a prime respondent.

**Subaward** means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a federal program.

**Subrecipient** means an entity, usually but not limited to non-federal entities, that receives a subaward from a pass-through entity to carry out part of a federal award; but does not include an individual or entity that is a beneficiary of such award. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency.

Awards under this Solicitation have been determined to be subawards and selected Respondents shall be deemed subrecipients in accordance with 2 CFR § 200.331; therefore, selected Respondents shall be subject to required subrecipient monitoring by MassTech to ensure that all state and federal requirements that are flowed down under the subaward agreement, as set forth in Section 6 below, as well as any other provisions identified under the federal requirements or other state requirements. Selected Respondents shall be responsible for such monitoring for any subaward it enters into with this federal funding.

### **2.3 Overview of Scope of the Digital Equity Partnerships**

Following the passage of An Act Relative to Immediate COVID-19 Recovery Needs, also known as Massachusetts “ARPA 1.0” legislation (codified as Chapter 102 of the Acts of 2021), a \$50 million Broadband Innovation Fund was established to bridge the digital divide as a component of the Commonwealth’s COVID recovery and response efforts. MBI seeks to establish approximately 10 – 15 Partnerships with qualified organizations that can implement a suite of digital equity projects that meet the goals outlined in the state’s legislation.

MBI has identified six program areas that align with the legislative goals of the Broadband Innovation Fund and meet federal requirements established by the US Treasury for the use of Coronavirus State and Local Fiscal Recovery Funds (SLFRF). Respondents are encouraged to review the program area details in section 2.3.1 and consider which they are best suited to execute as a Partner to MBI.

Partners will be expected to work with organizations such as community development corporations (CDCs), community-based organizations, municipalities and municipal agencies, public housing authorities, community colleges, local and regional school districts, healthcare and telehealth organizations (including federally qualified community health centers), and other entities as sub-awardees to implement digital equity projects.

These sub-awardees will then implement projects that provide direct services to Beneficiaries, as further described in Section 3.1 of this solicitation.

Selected Partners will be responsible for establishing and administering projects and distributing grant funds within one or more of these six program areas, tracking project impacts, and other activities outlined in Sections 3.2 and 3.3 of this solicitation.

#### **2.3.1 Digital Equity Partnerships – Eligible Program Areas**

The six programs are summarized below.

##### **I. WiFi Access Initiative**

WiFi systems in affordable (public housing or otherwise subsidized by federal or state sources) multi-unit buildings or in low income neighborhoods will allow free, in unit, broadband use. Partners will work with affordable housing developers, public housing officials, and other property owners to identify properties whose residents face either an affordability or adoption barrier to a household broadband subscription. Adoption barriers include language barriers, lack of needed documentation to sign up for an internet subscription, outstanding bills to broadband provider, or other literacy

challenges.

Once a target location (a property, group of properties, or neighborhood) is identified, the Partner organization will procure the needed technical assistance, if necessary, to design an appropriate technology solution to providing in-unit WiFi internet access in the building(s), as well as a building level internet subscription that will be held by the property owner. The Partner will then grant funds to the property owner to procure the services directly from a qualified vendor. Once procured, the Partner will work with the housing owner(s)/developer(s) to ensure the effective installation of such a system and the ongoing functionality of the WiFi for residents.

## **II. Public Space Internet Modernization Initiative**

Improvements to inadequate broadband infrastructure and digital use in public spaces to increase daily use and services. Partners will provide grants to entities that currently, or as a result of broadband improvements could, feature public internet use as a service to users of the space. These entities include libraries, community centers, senior centers, educational facilities, workforce training locations, commercial corridors, or other locations that serve the target populations outlined in the “Eligible Beneficiaries” section and can illustrate the need for improved public infrastructure that meets the “Goals and Outcomes” section.

Partners will work the entities described above to develop a plan and cohesive set of materials/equipment designed to increase users and services available in that space. Partners will support procurement of services and technical architecture/equipment as needed.

## **III. Connectivity Initiative for Economic Hardship**

The provision of WiFi cellular hot spots, such as jetpacks, to individuals lacking stable housing where they are unable to have a fixed broadband internet subscription will provide broadband connectivity to this vulnerable population. Partners will work with organizations that provide social services to homeless or transitional individuals/families to deploy cellular hotspots to ensure that this population has access to the internet. These organizations include anti-poverty agencies, homeless shelters, social service providers, healthcare providers, food distribution entities, libraries, and other groups that serve the target population.

Partners will work with the service providers to develop a suite of technologies and devices that meet the specific needs of this population. Grant funds will then be provided for the procurement of that equipment and related service plans.

## **IV. Digital Literacy Initiative**

Establish and implement digital literacy training programs to ensure that target populations have the requisite skills to use devices, online resources, and digital tools to needed effect. Partners will work with sub-awardees such as community based organizations, community colleges, healthcare providers, libraries, senior centers, councils on aging, educational entities, youth groups, and other organizations that serve the target population to determine the appropriate scale of digital literacy training that meets the needs of the end user along the continuum of digital literacy – ranging from basic computer schools to digital navigator and digital stewardship models.

Partners will either directly provide digital literacy training or assist in the procurement of a digital literacy provider and the implementation of digital literacy services. Partners will be able to augment these digital literacy programs with the provision of assistance for device access, childcare, transportation, or other upstream barriers that would prevent an end user from taking advantage of potential literacy programming, in alignment with SLFRF guidance provided by US Treasury.

## **V. Device Distribution and Refurbishment Program:**

Secure new or used internet-connected devices that can be distributed to target populations. For used devices, individuals will be trained to refurbish devices. Used devices will be properly refurbished before distribution to end users. Partners will work with organizations or groups of organizations, who can individually or collaboratively support the activities described above, including community based organizations, workforce training providers, educational entities, non-profits, and private businesses. For projects involving the refurbishment of used devices, Partners will work with sub-awardees to procure or seek donations of used devices to meet the specific needs of the community the program aims to serve.

## **VI. Education, Outreach, and Adoption**

A component of MBI's approach to breaking down barriers to broadband adoption involves increasing the number of Massachusetts residents participating in the Digital Equity Partnership Initiative programs and the federal Affordable Connectivity Program ("ACP"). Partners will work with sub-awardees that provide direct assistance to the target populations defined in the Eligible Beneficiaries section of this solicitation to ensure that effective outreach, education and adoption assistance is available in concert with the above programs to ensure their maximum impact. This outreach will involve in person workshops, call center phone banking, door to door outreach, online or printed communications, public service announcements, and other media activities as deemed necessary.

### **3. KEY PROGRAM REQUIREMENTS**

#### **3.1 Definition of Eligible End Beneficiaries of Digital Equity Initiatives**

The six program areas included in this solicitation are intended to provide services and support for residents of the Commonwealth who cannot afford broadband service and/or internet-connected devices or lack the digital literacy skills needed to utilize the internet. In accordance with Chapter 10 Section 35SSS of the Mass General Laws, the Digital Equity Partnerships Program makes eligible residents experiencing economic hardship exacerbated by coronavirus disease 2019 (COVID-19) including, but not limited to, persons eligible for the temporary assistance for needy families program, the federal supplemental nutrition assistance program, the Federal Communications Commission's Affordable Connectivity Program, the Federal Communications Commission's lifeline program, and those whose household includes a child who is eligible for free or reduced price lunch, provided, however, that priority for awards under the digital literacy initiative shall be given to programming for existing regional partners, public housing authorities and public libraries.

Additional eligibility criteria for end beneficiaries include residents deemed eligible within the SLFRF Final Rule from the US Treasury. Specifically, those households or communities defined as "Impacted" - at either at or below 300% of Federal Poverty Guidelines for household size or income at or below 65% of AMI - or "Disproportionately Impacted" - at or below 185% of Federal Poverty Guidelines for household size or income at or below 40% of AMI. Additionally, the Treasury's Final Rule makes reference to ARPA SLFRF activities taking place in "Qualified Census Tracts" (QCTs). HUD defines QCTs as census tracts where median income is less than 50% state average or there is at least a 25% poverty rate.

#### **3.2 Compliance and Reporting**

Partners will be required to comply with both state and federal requirements when determining project eligibility and will be responsible for ensuring that any sub-recipients are properly informed of the need to comply with these requirements by making these definitions and requirements an explicit component of any contract or agreement.

Proposed projects within the six digital equity program areas will be required to clearly define a geographic service area(s) in which the activities provided by the proposed project will take place. Each geographic service area will be used to determine the eligibility of the target population. The geographic service area must align with Census Tracts or Blocks, or Zip Codes which will then be used to determine federal poverty and area median income thresholds in accordance with guidance provided by the State Legislation and US Treasury.

If Partners propose projects in Census Tracts/Blocks or Zip Codes that do not meet either the Impacted/Disproportionately Impacted designation or a Qualified Census Tract, they will be responsible for verifying that the individual end-users of the proposed project satisfy the state and federal guidance. This will be done through the Partner's receipt of state or federal information or documentation that verifies eligibility, including but not limited to, any qualifying benefit program (such as temporary assistance for needy families program, as described in the "Eligible Beneficiaries" section, income eligibility or proof of residency that the end user lives in a Qualified Census Tract or Zip Code.

For each of the six program areas, Partner organizations will be required to verify that all intended Beneficiaries meet the Target Population criteria defined above. Partner organizations will be required to submit to MassTech a process description of how they will verify that digital equity projects serve eligible individuals or households as part of their response to the Partnership solicitation. MassTech will monitor this verification process through the duration of any agreement and will confirm funds are being deployed for eligible uses on an ongoing basis as projects are developed. MassTech will require Partners to make updates as needed as a condition of any subrecipient agreement with the Partner.

Verification of target populations may differ between the six program areas outlined in this Program Design. Examples of verification processes for the program areas are as follows:

**I. WiFi Access Initiative:**

Partners and sub-awardee will verify that residents of any proposed building participating in the WiFi Access Initiative qualify are income-eligible for subsidized housing (public housing, section 8, etc.). For any building that is designated as income-eligible affordable housing (public housing, CDC-operated income-eligible housing, supportive housing, etc.) all residents would automatically be deemed eligible by virtue of their residence. Partner and sub-awardees will cross-check building addresses with municipal subsidized housing inventories (SHI) along with DHCD, and HUD affordable housing databases to ensure compliance.<sup>1</sup>

**II. Public Space Internet Modernization Initiative:**

Partners and sub-awardee will verify that users of public spaces to be modernized meet eligibility criteria by ensuring that designated public spaces are within facilities that explicitly serve target populations. These could include community action/anti-poverty facilities, workforce training facilities, community colleges, community health centers, school buildings within districts eligible for universal free lunch, and libraries within qualified census tracts that offer programming or services for income-eligible individuals (ESOL, Financial Literacy, SNAP/WIC registration, etc.).

**III. Connectivity Initiative for Economic Hardship:**

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<sup>1</sup> MassTech has complete lists of all state and federally subsidized housing developments and will make them available to Partners. Municipal SHI lists requested from municipal planning staff.

Partners will verify that users of the connectivity initiative for economic hardship qualify as eligible Beneficiaries by deploying this initiative through sub-awardees that work exclusively with individuals who face housing instability or are currently homeless. Examples of these sub-awardees include emergency homeless shelters, sober homes, transitional homes, temporary supportive housing, and other similar entities. Individuals living in these kinds of housing arrangements would be considered automatically eligible under the criteria described above.

**IV. Digital Literacy Initiative:**

Partners will verify that participants in any digital literacy initiative qualify as eligible Beneficiaries by deploying this initiative through sub-awardees that support the use and registration of the social service programs outlined in the ARPA 1.0 legislation. For example, a community-based organization or library that supports SNAP/WIC registration could provide digital literacy programming for the same populations – using SNAP/WIC registration as a proxy for program eligibility. The sub-awardee would be responsible for reporting and verifying that users and participants of any digital literacy program meet the eligibility criteria outlined in this solicitation.

**V. Device Distribution and Refurbishment Program:**

Partners will verify that recipients of any devices qualify as eligible Beneficiaries by deploying this program through sub-awardees that provide supports or services related to the social service programs outlined in the ARPA 1.0 legislation. For example, a community-based organization or library that supports SNAP/WIC registration could be the sub-awardee responsible for distributing to those same populations. The sub-awardee would be responsible for reporting and verifying that users and participants of any device program meet the eligibility criteria outlined in this solicitation.

**VI. Education, Outreach and Adoption:**

The focus of the Education, Outreach and Adoption program is explicitly to ensure that individuals and households who are eligible Beneficiaries of the six program areas are aware of them and take full advantage. Partners will work with sub-awardees with demonstrated abilities to reach target populations to engage in this program area, and thus ensure that any education, outreach, or adoption support is directed towards those entities. Sub-awardees will be responsible for documenting their activities and the number of eligible end-users as part of their subrecipient award.

Partners and sub-awardees may propose alternative verification processes which MassTech will review and approve if determined to be acceptable. The verification of target populations will be completed in alignment with the described federal and state eligibility requirements, and will be the responsibility of both Partners and their sub-awardees.

**3.3 Program Metric Tracking**

Partners and their sub-awardees will be required to report on metrics that will be made available through program management documentation. Metrics will be tracked via back end management systems as well as through surveying of program participants.

The following success metrics will be measured for the six program areas:

**I. WiFi Access Initiative**

- a. **Description of Baseline Metrics:** Partner and sub-awardee will note if service is new or existing at program outset. If new, baseline is zero for all the metrics listed below. If existing, Partner and sub-awardee will provide a baseline from existing services, then will report on expansion of services due to funding.
- b. **Methodology:** Partner and sub-awardee will submit quarterly reports to MassTech on program usage metrics. Partner and sub-awardees will be required to administer an annual survey of residents regarding the impact of the network. Metrics measured as follows:
  - Number of unique network users – measured through backend management and reported quarterly
  - Length of session – measured through backend management and reported quarterly
  - Number of households adopting internet usage that were previously unable to – measured through survey
  - Number of households able to save costs on internet because of WiFi system – measured through annual survey
  - Number of residents citing improvements to education, economic, social, health opportunities because of WiFi systems – measured through annual survey

## II. Public Space Modernization Initiative

- a. **Description of Baseline:** Partner and sub-awardee will note if modernization initiative is new or existing at program outset. If new, baseline is zero for all the metrics listed below. If existing, Partner and sub-awardee will provide baseline from existing services, then will report on the expansion of services due to funding.
- b. **Methodology:** Partner and sub-awardee will submit quarterly reports to MassTech on program usage metrics. Partner and sub-awardees will be required to administer an annual survey of users regarding the impact of the modernization investments. Metrics measured as follows:
  - Number of unique network users – measured through backend management and reported quarterly
  - Length of session – measured through backend management and reported quarterly
  - Number of users citing ability to access improved resources in education, economic, social, health opportunities because of WiFi systems – measured through annual survey

## III. Connectivity Initiative for Economic Hardship

- a. **Description of Baseline:** Partner and sub-awardee will note if program services are new or existing at program outset. If new, baseline is zero for all the metrics listed below. If existing, the Partner and sub-awardee will provide baseline from existing services, then will report on expansion of services due to funding.
- b. **Methodology:** Partner and sub-awardee will submit quarterly reports to MassTech on program usage metrics. Partner and sub-awardees will be required to administer an annual survey of residents regarding the impact of program. Metrics measured as follows:
  - i. Number of devices provided to individuals/families without stable housing – reported by program manager quarterly
  - ii. Number of users citing ability to access improved resources in education, economic, social, health opportunities because of connectivity devices – measured through annual survey

#### IV. Digital Literacy Initiative

- a. **Description of Baseline:** Partner and sub-awardee will note if digital literacy initiative is new or existing at program outset. If new, the baseline is zero for all the metrics listed below. If existing, the Partner and sub-awardee will provide baseline from existing services, then will report on expansion of services due to funding.
- b. **Methodology:** Partner and sub-awardee will submit quarterly program reports to MassTech on program usage metrics. Partner and sub-awardees will be required to administer an annual survey of students/clients regarding the impact of the program. Metrics measured as follows:
  - Number of residents able to use basic technology at the level of a Tech Goes Home program graduate or equivalent – reported by Partner and sub-awardee quarterly
  - Number of residents able to use intermediate technology at the level of a National Digital Inclusion Alliance (“NDIA”) Digital Navigator program graduate or equivalent – reported by Partner and sub-awardee quarterly
  - Number of residents able to use advanced technology at the level of a CompTIA Network + program graduate or equivalent – reported by Partner and sub-awardee quarterly
  - Number of residents learning new digital skill(s) that meet a particular need (e.g. how to use a laptop to participate in a video telehealth visit) - measured through annual survey

#### V. Device Distribution and Refurbishment Initiative

- a. **Description of Baseline:** Partner and sub-awardee will note if service is new or existing at program outset. If new, the baseline is zero for all the metrics listed below. If existing, Partner and sub-awardee will provide baseline from existing services, then will report on expansion of services due to funding.
- b. **Methodology:** Partner and sub-awardee will submit quarterly program reports to MassTech on program usage metrics. Partner and sub-awardees will be required to administer an annual survey of residents regarding the impact of the program. Metrics measured as follows:
  - Number of devices refurbished – reported by program manager quarterly
  - Number of devices distributed – reported by program manager quarterly

#### VI. Education, Outreach, and Adoption

- a. **Description of Baseline:** Partner and sub-awardee will reference reported ACP adoption data via the USAC website to establish a baseline of ACP enrollment at the zip code level across the state. Effective outreach, education, and adoption will be measured by the metrics identified in the above program areas.
- b. **Methodology:** Partner and sub-awardee will submit quarterly program reports to MassTech on program usage metrics. Metrics measured as follows:
  - Number of residents enrolled in ACP and percentage of eligible residents enrolled in ACP by zip code – reported by program manager and tracked through [USAC website quarterly](#)
  - Effective outreach, education, and adoption will be measured by the metrics identified in the above program areas

MassTech will require Partner organizations to submit quarterly reports on the program area activities they and their Sub-Awards are engaged in. MassTech will provide standard reporting forms for each of the six

program areas that will enable universal program tracking by MassTech. Partner organizations and their Sub Awards will be responsible for retrieving and inputting the metrics outlined in the above section in accordance with the standard reporting form.

### **3.4 Roles and Responsibilities of Partners and MassTech**

To effectively implement the Digital Equity Partnership Program, selected Partners will be expected to perform the following activities as part of their award:

- ✓ Generate a pipeline of eligible projects within eligible communities and service areas for the relevant grant programs and advance those projects through a formal application process.
- ✓ Support procurement of materials or services related to the grant program areas.
- ✓ Fiduciary responsibilities related to management and distribution of funds from MassTech for eligible projects.
- ✓ Ensure digital equity initiatives are targeted in areas that are consistent with the state's legislative determination of "economically distressed", and the federal guidance regarding "impacted" and "disproportionately impacted" households and communities. See Section 3.1 of this solicitation for more details on eligible Beneficiaries.
- ✓ Quarterly and annual reporting on project progress and impact.
- ✓ Production of an annual report that can serve as resource material for future work and to inform state policy, and guide MBI in program adjustment.
- ✓ Document success stories to show the human impact of funded projects, in a form to be mutually agreed to by MassTech/MBI and selected organizations.
- ✓ Participate in periodic check-ins with MassTech and other Partners as part of a learning community.
- ✓ Other duties related to the successful deployment of funds awarded to Partners through this solicitation.

#### **MassTech will support Partners with their subrecipient award in the following ways:**

- ✓ Partners will receive ongoing technical support from MBI staff related to technology/digital equity content, procurement and other areas relevant to the success of the Digital Equity Program.
- ✓ MBI will connect Partners to national/local technical assistance programs, and will participate in a cohort-style community of practice to share lessons learned and best practices.
- ✓ MassTech will support Partners with compliance, reporting, and procurements to ensure alignment with state and federal guidelines, including the creation and distribution of quarterly and annual reporting forms and surveys. However, Partners will be responsible for ensuring their own compliance and the compliance of their sub-awardee(s).
- ✓ MassTech will provide other resources, which may include grant approval decision trees, timelines, or approval templates to ensure Partners have clear direction regarding the appropriate and expected processes for sub-award grant development and approval processes specific to the six program areas.

## **4. APPLICATION PROCESS**

### **4.1 Application and Submission Instructions**

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

#### **A. Concept Paper**

Potential applicants are required to first submit a Concept Paper not to exceed five pages (inclusive of appendices) prior to developing a full Application. Applicants may subsequently be invited to submit a full Application that builds upon the concept paper.

The purpose of a concept paper is to support Lead Applicants in aligning their specific expertise and capacity with the goals of this Solicitation. The concept paper will allow MassTech to perform analysis and due diligence in determining the appropriateness of a full application submission. Concept papers should be clear and concise, not more than 5 pages and free of policy or business jargon.

Concept Papers shall include the following sections:

- a. **Introduction:** Provide a brief description of why your organization is interested in this opportunity. How does digital equity impact your work or the constituents that you serve? Describe any collaborative partners that would be included in an application as Sub-Applicants, the benefit of such partnerships, and their role in administering the Digital Equity Partnership program areas. Be sure to define the unmet needs in your geographic service area(s) and answer the question: How will these program areas support an equitable and resilient recovery to the pandemic?
- b. **Proposed Approach:** Describe which program areas the Lead Applicant proposes to adopt as part of their application. Concisely describe why your organization and any Sub-Applicants are well-positioned to execute digital equity projects in those program areas and how you might approach generating and executing projects. What phases of work might be required to establish the needed staff capacity and organizational relationships to execute program areas, and in what timeframe? Please describe any needed resources or technical assistance that your organization or Sub-Applicants might require to be successful in these program areas.
- c. **Support Needed & Costs:** Provide a high-level budget for the funds your organization and Sub-Applicants will require to operationalize each of the program areas your organization proposes to cover described in the above section. This should include an outline of the key project personnel participating in this work and their roles and responsibilities.
- d. **Staffing Needs:** MassTech expects that all Partnerships will have at least 1 full time staff person dedicated to supporting the Digital Equity Partnership program area(s). That staff person can be an existing team member or a team member to be hired as a result of this grant. If the dedicated staff will be hired as a result of this grant, the Lead Applicant should describe that position's role and major responsibilities.
- e. **Contact Information:** Provide full contact information for the individual responsible for the proposed project and the applicant.

All Concept Papers along with the Application Cover Sheet (Attachment A) must be submitted electronically, in Microsoft Word, to [proposals@masstech.org](mailto:proposals@masstech.org) (please include the Solicitation number in the subject heading).

## B. Full Application

If invited to submit a full Application, please submit as set forth below:

- a. All full Applications **must** be submitted electronically, in Microsoft Word, to [proposals@masstech.org](mailto:proposals@masstech.org) (please include the Solicitation number in the subject heading).
- b. Required Submissions- All Applications must include the items listed below:
  - ✓ Application Cover Sheet (Attachment A)
  - ✓ Application, which shall include:
    - Executive Summary: Lead Applicants should provide a summary of their organization, and any proposed Sub-Applicants, and identify the categories of Services that they are proposing to provide as related to the six program areas described in Section 2.3.1 ("Respondent's Proposed Services").

- Statement of Qualifications: Respondents should provide a statement of qualifications and experience of the Lead Applicant and any proposed Sub-Applicants.
- The proposed approach to providing the Respondent's Proposed Services and the proposed schedule for providing the Respondent's Proposed Services. This should also address the proposed approach for compliance with federal funding requirements and Beneficiary verification. The Respondent should assume a two year period of performance for scheduling purposes. MassTech expects that Respondents will follow a phased approach that will allow for ramp up time needed to onboard new staff and upskill existing staff. Respondents should clearly indicate when they believe they will be able to begin executing contracts for digital equity projects within the program areas indicated in the Executive Summary.
- Past Performances: Respondents should specifically indicate the Lead Applicant's (and each Sub-Applicant's) current and historical expertise in providing the Respondent's Proposed Services noting those that are similar in size and scope to those requested in this Solicitation, including experience working with the relevant target populations. Respondent shall also address prior experience: (1) managing and administering federal funds; (2) serving as a fiduciary grant making entity; (3) tracking and monitoring funding eligibility requirements; and (4) leveraging funding to attract additional funding from other, non-state sources. Please cite specific projects that demonstrate the Respondent's expertise.
- Geography of Service: Respondents should indicate the geography that they expect to provide Services for each program area. Respondents can use municipal or county boundaries to identify their area of service. Respondents should indicate which areas of their proposed geography are the highest need in terms of digital equity issues.
- Staff Qualifications: All responses must include resumes or bios of each individual who will be providing services associated with the services described in the Executive Summary. **It is expected that the Lead Applicant will dedicate at least one full time staff person to the administration of this grant.** That staff person can be an existing team member, or a team member to be hired as a result of this grant. If the dedicated staff will be hired as a result of this grant, the Lead Applicant must submit a job title, job description, and expected timeline for hiring as an appendix to the application, along with a description of duties to be covered by existing staff while a full time staff member is hired. All Respondents must identify the individual(s) who will have primary responsibility for contact and communications with the Mass Tech Collaborative and the person who is authorized to negotiate and contractually-bind Respondent.
- References: All responses must include references from at least 3 clients of the Lead Applicant who have utilized the organization on matters of similar size, scope and complexity to the Respondent's Proposed Initiatives. The references must include name of company, period of performance, description of the project, a contact person and their business address, email and a phone number.
- Provide the total not-to-exceed costs for implementing each of the program areas chosen by the Respondent based on projected hours, proposed hourly rates, as well as any other appropriate costs, in the Budget Template (Attachment C). List additional fees, overhead charges, or reimbursable expenses, if any. All such costs must be allowable under applicable federal guidelines..
- Provide the projected award amounts, quantity of awards, and total funds expected to be expended in grants to sub-awards related to each program areas chosen by the Respondent.

- ✓ Authorized Application Signature and Acceptance Form ([Attachment B](#)). **By executing the Authorized Respondent’s Signature and Acceptance Form and submitting a response to this Solicitation, Respondents certify that they (1) are in compliance with the terms, conditions and specifications contained in this Solicitation, (2) acknowledge and understand the procedures for handling materials submitted to the MassTech Collaborative as set forth in subsection c. below, (3) agree to be bound by those procedures, and (4) agree that the MassTech Collaborative shall not be liable under any circumstances for the disclosure of any materials submitted to the MassTech Collaborative pursuant to this Solicitation or upon the Respondent’s selection.**
  - ✓ Exceptions to the **Subaward Agreement and Statement of Work**, located at [HERE](#), if any. MassTech’s standard Grant Agreement shall be modified to contain required state and federal flow down provisions. Please check MassTech Collaborative’s website for an updated version of the Agreement before submitting a proposal.
- c. Any and all responses, Applications, data, materials, information and documentation submitted to MassTech Collaborative in response to this Solicitation shall become MassTech Collaborative’s property and shall be subject to public disclosure. As a public entity, the MassTech Collaborative is subject to the Massachusetts Public Records Law (set forth at Massachusetts General Laws Chapter 66). There are very limited and narrow exceptions to disclosure under the Public Records Law. If a Respondent wishes to have the MassTech Collaborative treat certain information or documentation as confidential, the Respondent must submit a written request to the MassTech Collaborative’s General Counsel’s office. The request must precisely identify the information and/or documentation that is the subject of the request and provide a detailed explanation supporting the application of the statutory exemption(s) from the public records cited by the Respondent. The General Counsel will issue a written determination within ten (10) business days of receipt of the written request. **If the General Counsel approves the request, the Respondent shall clearly label the relevant information and/or documentation as “CONFIDENTIAL” in the Application.** Any statements in an Application reserving any confidentiality or privacy rights that is inconsistent with these requirements and procedures will be disregarded.

Respondents should review the evaluation criteria outlined in Section 5.2 of this solicitation to ensure their responses to the above sections align with MassTech’s review process.

#### 4.2 Concept Paper Timeframe

The Concept Paper process will proceed according to the following schedule. The target dates are subject to change. Therefore, Respondents are encouraged to check MassTech Collaborative’s website frequently for updates to the schedule. MassTech will provide a schedule to each Respondent that is invited to submit a Full Application.

Task	Date:
Solicitation Released	9/14/2022
Updated Respondents’ Teleconference	10/6/2022 @ 9:30AM EST
Initial Questions Due	10/7/2022 @ 5 pm EST
Initial Question and Answer File Posted	10/14/2022 @ 5 pm EST
Concept Paper Applications Due	October 24, 2022 @ 5 PM EST December 5, 2022 @ 5 PM EST March 13, 2023 @ 5PM EST June 12, 2023 @ EST September 11, 2023 @ 5:00 PM EST

Applications Due (if selected)	Rolling Deadlines: Each Respondent that is invited to submit a Full Application will be provided with a four week time frame to submit the Full Application to MassTech.
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**4.3 Questions**

The initial round of questions regarding this Solicitation must be submitted by electronic mail to [proposals@masstech.org](mailto:proposals@masstech.org) with the following Subject Line: “Questions – Solicitation No 2023-MBI-04. “. All initial questions must be received by 5:00 p.m. EST 10/7/2022. Responses to all questions received by this deadline will be posted on or before 5:00 p.m. on **10/14/2022** to MassTech Collaborative and COMMBUYS website(s). Answers to questions submitted after 10/7/2022 will be posted periodically on a rolling basis.

**4.4 Respondents’ Videoconference**

A respondents’ video conference will be held on 10/6/2022 at 9:30am. To register, please follow this [link](#) to a Zoom registration page MassTech Collaborative will transmit the conference call information to all registered bidders 24 hours in advance of the videoconference. MassTech Collaborative will post summary responses to procedural questions and issues addressed at the respondents’ teleconference on the MassTech Collaborative’s and the COMMBUYS websites.

**5. EVALUATION PROCESS AND CRITERIA**

**5.1 Process**

As noted above, Respondents are required to first submit a Concept Paper not to exceed five pages (inclusive of appendices) prior to developing a full Application. Respondents may subsequently be invited to submit a full Application that builds upon the concept paper. The MassTech Collaborative shall evaluate each Concept Paper and Application that is properly submitted. As part of the selection process, MassTech Collaborative may invite Respondents to answer questions regarding their Concept Paper or Application in person or in writing and may request supplemental or clarifying information. Each Concept and Application will be reviewed by MassTech based on the evaluation criteria in Section 5.2 of this solicitation. If MassTech receives Concept Papers from Respondents that overlap on geographies and program areas, the Concept Papers will be evaluated against each other based on the evaluation criteria in Section 5.2 of this solicitation.

**5.2 Evaluation Criteria**

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

- ✓ Demonstrated knowledge, capacity, facilities, and organizational structure to perform the type of services sought in this Solicitation related to digital access/equity or broadband planning and implementation.
- ✓ Qualifications and experience of the Respondent and Sub-Applicant(s) and the primary personnel identified to provide the Respondent’s proposed program areas.
- ✓ Record of experience in providing similar services to other clients or entities.
- ✓ Experience with receipt and administration of federal funds including monitoring sub-awards.

- ✓ Financial capacity and resources including ability to support procurement activities and track and monitor program success.
- ✓ Proven ability to identify and work with organizations that serve target populations as defined in the Eligible Beneficiaries section.
- ✓ Documented experience in project development/management.
- ✓ Ability to oversee multiple implementation program areas.
- ✓ Area and population of proposed service geography and the documented need for improved digital access/equity activities in proposed service area.
- ✓ Documented ability to leverage non-state sources of funding, including municipal SLFRF or philanthropic funds to support digital access initiatives.
- ✓ Reasonableness of the total proposed award amount based upon projected impacts, specific program budgets and hourly rate structure for administration of the Partnership, including a stated willingness (and preferably a commitment) to offer hourly rate discounts and/or blended rates.
- ✓ Reasonableness of the proposed schedule for providing the categories of Respondent's proposed program areas.
- ✓ Lack of debarment status by either the state or federal government is also required.

MassTech will prioritize Respondents that can:

- ✓ Demonstrate wide geographic reach
- ✓ Implement multiple program areas
- ✓ Provide needed technical assistance, procurement, and planning resources
- ✓ Demonstrate strong connections to service delivery organizations that work directly with target populations

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

## **6. GENERAL CONDITIONS**

### **6.1 General Information**

- a) If an Application fails to meet any material terms, conditions, requirements or procedures, it may be deemed unresponsive and disqualified. The MassTech Collaborative reserves the right to waive omissions or irregularities that it determines to be not material.
- b) This Solicitation, as may be amended from time to time by MassTech Collaborative, does not commit MassTech Collaborative to select any organizations (s), award any contracts for services pursuant to this Solicitation, or pay any costs incurred in responding to this Solicitation. MassTech Collaborative reserves the right, in its sole discretion, to withdraw the Solicitation, to engage in preliminary discussions with prospective Respondents, to accept or reject any or all Applications received, to request supplemental or clarifying information, to negotiate with any or all qualified Respondents, and to request modifications to Applications in accordance with negotiations, all to the same extent as if this were a Request for Information.
- c) On matters related solely to this Solicitation that arise prior to an award decision by the MassTech Collaborative, Respondents shall limit communications with the MassTech

Collaborative to the Procurement Team Leader and such other individuals as the MassTech Collaborative may designate from time to time. No other MassTech Collaborative employee or representative is authorized to provide any information or respond to any questions or inquiries concerning this Solicitation. Respondents may contact the Procurement Team Leader for this Solicitation in the event this Solicitation is incomplete.

- d) The MassTech Collaborative may provide reasonable accommodations, including the provision of materials in an alternative format, for Respondents with disabilities or other hardships. Respondents requiring accommodations shall submit requests in writing, with supporting documentation justifying the accommodations, to the Procurement Team Leader. The MassTech Collaborative reserves the right to grant or reject any request for accommodations.
- e) Respondent's Application shall be treated by the MassTech Collaborative as an accurate statement of Respondent's capabilities and experience. Should any statement asserted by Respondent prove to be inaccurate or inconsistent with the foregoing, such inaccuracy or inconsistency shall constitute sufficient cause for MassTech Collaborative in its sole discretion to reject the Application and/or terminate of any resulting Agreement.
- f) Costs that are not specifically identified in the Respondent's response and/or not specifically accepted by MassTech Collaborative as part of the Agreement or determined ineligible under the applicable federal guidelines will not be compensated under any contract awarded pursuant to this Solicitation.
- g) The MassTech Collaborative's prior approval is required for any subcontracted services under any Agreement entered into as a result of this Solicitation. The selected Respondent will take all appropriate steps to assure that minority firms, women's business enterprises, and labor surplus area firms are used when possible. The selected Respondent is responsible for the satisfactory performance and adequate oversight of its subcontractors. Subcontractors are required to meet the same requirements and are held to the same reimbursable cost standards as the selected Respondent.
- h) Submitted responses must be valid in all respects for a minimum period of sixty (60) days after the deadline for submission.
- i) The MassTech Collaborative reserves the right to amend the Agreement at any time prior to execution. Respondents should review the Agreement as they are required to specify any exceptions to the Agreement and to make any suggested counterproposal in their Application. A failure to specify exceptions and/or counterproposals will be deemed an acceptance of the Agreement's general terms and conditions, and no subsequent negotiation of such provisions shall be permitted.
- j) The MassTech Collaborative embraces a workplace where the values of diversity and inclusion support varying perspectives and backgrounds to produce a richer environment. MassTech expects Respondents as well as all our consultants, contractors and vendors, to demonstrate a similar commitment and, pursuant to 2 C.F.R. § 200.321(a), take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. If Respondent will be subcontracting under this Solicitation, affirmative steps must include at least the following six steps: 1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists; 2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources; 3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises; 4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises; 5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development

Agency of the Department of Commerce; and 6. Requiring all subcontractors to take the same affirmative steps as listed in numbers 1 through 5.

- k) Respondent shall not discriminate against any qualified employee or applicant for employment because of race, color, national origin, ancestry, age, sex, religion, physical or mental handicap, or sexual orientation. Respondents shall comply with all applicable Federal and State statutes, rules and regulations prohibiting discrimination in employment including but not limited to: the Americans with Disabilities Act, as amended (42 U.S.C. §§ 12101 et seq.), Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. §§ 2000d et seq.), the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), M.G.L. c. 151B, M.G.L. c. 272 §§ 92A, 98, and 98A, M.G.L. c. 111 § 199A, 42 U.S.C. 9918 (c) and 45 C.F.R. 80.
- l) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) – Respondent's that are awarded an amount exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
- m) Debarment and Suspension- (Executive Orders 12549 and 12689) – Respondents understand that a contract award may not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM).
- n) Respondent's must be able to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
- o) As appropriate and to the extent consistent with law, Respondents should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. The requirements of this section must be included in all contracts and sub awards awarded hereunder.
- p) Respondent understands and agrees that the Executive Office of Housing and Economic Development ("EOHED") staff and authorized representatives may evaluate any subcontractors with whom Mass Tech Collaborative executes a contract or other form of legal agreement in order to complete the activities funded under this Solicitation, through ongoing monitoring. As deemed appropriate by EOHED, EOHED's staff and authorized representatives may also conduct further reviews and site-visits during the contract term, which may include fiscal reviews. EOHED staff shall use interviews, inspection of files, site visits and direct observation to identify program areas of concern so that contractors can improve their productivity, efficiency, quality, and management capacity.
- q) The awarded Respondent shall maintain and utilize systems and procedures to prevent, detect, and correct fraud, waste, and abuse in activities funded under this Solicitation.
- r) Pursuant to 2 C.F.R. § 200.303, the awarded Respondent shall establish effective control over, and accountability for, all funds, property, and other assets funded under this Solicitation and assure that they are used solely for authorized purposes.

- s) The awarded Respondent shall maintain an accounting system and supporting fiscal records adequate to audit and otherwise verify that assistance payments and administrative costs meet Federal and State requirements.
- t) The Awarded Respondent shall use its best efforts to ensure that it will not knowingly use contract funds to purchase, or enter into contracts to purchase, any equipment, services, or systems that use prohibited telecommunications equipment or services as a substantial or essential component of a system subject to 2 CFR § 200.216.

## **6.2 Commonwealth of Massachusetts Coronavirus State Fiscal Recovery Funds Subaward Terms and Conditions**

- a) Use of Funds.
  - I. The Awarded Respondent understands and agrees that the funds disbursed under this award may only be used in compliance with section 602(c) of the Social Security Act (the Act) and Treasury’s regulations implementing that section and guidance.
  - II. The Awarded Respondent will determine prior to engaging in any project using this assistance that it has the institutional, managerial, and financial capability to ensure proper planning, management, and completion of such project.
- b) Period of Performance. The period of performance for this award will not extend beyond December 31, 2026.
- c) Reporting. The Awarded Respondent agrees to comply with any reporting obligations established by Treasury or the Commonwealth as they relate to this award.
- d) Maintenance of and Access to Records.
  - I. The Awarded Respondent shall maintain records and financial documents sufficient to evidence compliance with section 602(c), Treasury’s regulations implementing that section, guidance issued by Treasury regarding the foregoing, and any guidance provided by the Commonwealth.
  - II. The Treasury Office of Inspector General and the Government Accountability Office, the Executive Office of Administration and Finance, or their authorized representatives, shall have the right of access to records (electronic and otherwise) of Awarded Respondent in order to conduct audits or other investigations.
  - III. Records shall be maintained by Awarded Respondent for a period of five (5) years after all funds have been expended or returned to the Commonwealth, whichever is later.
- e) Administrative Costs. The Awarded Respondent may use funds provided under this award to cover both direct and indirect costs.
- f) Conflicts of Interest. The Awarded Respondent understands and agrees it must maintain a conflict of interest policy consistent with 2 C.F.R. § 200.318(c) and that such conflict of interest policy is applicable to each activity funded under this award. Awarded Respondent and subrespondents must disclose in writing to the Commonwealth, any potential conflict of interest affecting the awarded funds in accordance with 2 C.F.R. § 200.112.
- g) Compliance with Applicable Law and Regulations.
  - I. The Awarded Respondent agrees to comply with the requirements of section 602 of the Act, regulations adopted by Treasury pursuant to section 602(f) of the Act, and guidance issued by Treasury regarding the foregoing. Awarded Respondent also agrees to comply with all other applicable federal statutes, regulations, and executive orders, and Awarded Respondent shall provide for such compliance by other parties in any agreements it enters into with other parties relating to this award.
  - II. Federal regulations applicable to this award include, without limitation, the following:
    - i. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200, other than such provisions as Treasury may determine are inapplicable to this Award and subject to such exceptions as may be otherwise provided by Treasury. Subpart F – Audit Requirements of the Uniform Guidance, implementing the Single Audit Act, shall apply to this award.

- ii. Universal Identifier and System for Award Management (SAM), 2 C.F.R. Part 25, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 25 is hereby incorporated by reference.
  - iii. Reporting Subaward and Executive Compensation Information, 2 C.F.R. Part 170, pursuant to which the award term set forth in Appendix A to 2 C.F.R. Part 170 is hereby incorporated by reference.
  - iv. OMB Guidelines to Agencies on Government-wide Debarment and Suspension (Nonprocurement), 2 C.F.R. Part 180, including the requirement to include a term or condition in all lower tier covered transactions (contracts and subcontracts described in 2 C.F.R. Part 180, subpart B) that the award is subject to 2 C.F.R. Part 180 and Treasury's implementing regulation at 31 C.F.R. Part 19.
  - v. Awarded Respondent Integrity and Performance Matters, pursuant to which the award term set forth in 2 C.F.R. Part 200, Appendix XII to Part 200 is hereby incorporated by reference.
  - vi. Government-wide Requirements for Drug-Free Workplace, 31 C.F.R. Part 20.
  - vii. New Restrictions on Lobbying, 31 C.F.R. Part 21.
  - viii. Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. §§ 4601-4655) and implementing regulations.
  - ix. Generally applicable federal environmental laws and regulations.
- III. Statutes and regulations prohibiting discrimination applicable to this award include, without limitation, the following:
- i. Title VI of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000d et seq.) and Treasury's implementing regulations at 31 C.F.R. Part 22, which prohibit discrimination on the basis of race, color, or national origin under programs or activities receiving federal financial assistance;
  - ii. The Fair Housing Act, Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§ 3601 et seq.), which prohibits discrimination in housing on the basis of race, color, religion, national origin, sex, familial status, or disability;
  - iii. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of disability under any program or activity receiving federal financial assistance;
  - iv. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101 et seq.), and Treasury's implementing regulations at 31 C.F.R. Part 23, which prohibit discrimination on the basis of age in programs or activities receiving federal financial assistance; and
  - v. Title II of the Americans with Disabilities Act of 1990, as amended (42 U.S.C. §§ 12101 et seq.), which prohibits discrimination on the basis of disability under programs, activities, and services provided or made available by state and local governments or instrumentalities or agencies thereto.
- h) Remedial Actions.
- I. In the event of Awarded Respondent's noncompliance with section 602 of the Act, other applicable laws, Treasury's implementing regulations, guidance, The Commonwealth's guidance, or any reporting or other program requirements, the Commonwealth may impose additional conditions on the spending of award funds, or take other available remedies as set forth in 2 C.F.R. § 200.339. In the case of a violation of section 602(c) of the Act regarding the use of funds, previous payments shall be subject to recoupment as provided in section 602(e) of the Act.
  - i) Hatch Act. The Awarded Respondent agrees to comply, as applicable, with requirements of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328), which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by this federal assistance.
  - j) False Statements. The Awarded Respondent understands that making false statements or claims in connection with this award is a violation of federal law and may result in criminal, civil, or administrative sanctions, including fines, imprisonment, civil damages and penalties, debarment from participating in federal awards or contracts, and/or any other remedy available by law.

- k) Publications. Any publications produced with funds from this award must display the following language: "This project [is being] [was] supported, in whole or in part, by federal award number [enter project FAIN] awarded to [name of Awarded Respondent] by the U.S. Department of the Treasury.
- l) Debts Owed the Federal Government.
- I. Any funds paid to Awarded Respondent (1) that are determined by the Treasury Office of Inspector General to have been misused; or (2) that are determined by Treasury to be subject to a repayment obligation pursuant to sections 602(e) and 603(b)(2)(D) of the Act and have not been repaid by Awarded Respondent shall constitute a debt to the federal government.
  - II. Any debts determined to be owed the federal government must be paid promptly by Awarded Respondent. A debt is delinquent if it has not been paid by the date specified in Treasury's initial written demand for payment, unless other satisfactory arrangements have been made or if the Awarded Respondent knowingly or improperly retains funds that are a debt as defined in paragraph 14(a). Treasury will take any actions available to it to collect such a debt.
  - III. As the pass through entity for this subaward, the Commonwealth will undertake such measures as necessary under the Massachusetts General Laws to collect any debts owed to the federal government due to failure of Awarded Respondent to abide by the terms of this agreement.
- m) Disclaimer.
- I. The Commonwealth of Massachusetts expressly disclaims any and all responsibility or liability to Awarded Respondent or third persons for the actions of Awarded Respondent or third persons resulting in death, bodily injury, property damages, or any other losses resulting in any way from the performance of this award or any other losses resulting in any way from the performance of this award or any contract, or subcontract under this award.
  - II. The acceptance of this award by Awarded Respondent does not in any way establish an agency relationship between the Commonwealth of Massachusetts and Awarded Respondent.
- n) Protections for Whistleblowers.
- I. In accordance with 41 U.S.C. § 4712, the Awarded Respondent may not discharge, demote, or otherwise discriminate against an employee in reprisal for disclosing to any of the list of persons or entities provided below, information that the employee reasonably believes is evidence of gross mismanagement of a federal contract or grant, a gross waste of federal funds, an abuse of authority relating to a federal contract or grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal contract (including the competition for or negotiation of a contract) or grant.
  - II. The list of persons and entities referenced in the paragraph above includes the following:
    - i. A member of Congress or a representative of a committee of Congress;
    - ii. An Inspector General;
    - iii. The Government Accountability Office;
    - iv. A Treasury employee responsible for contract or grant oversight or management;
    - v. An authorized official of the Department of Justice or other law enforcement agency;
    - vi. A court or grand jury; or
    - vii. A management official or other employee of Awarded Respondent, contractor, or subcontractor who has the responsibility to investigate, discover, or address misconduct.
  - III. The Awarded Respondent shall inform its employees in writing of the rights and remedies provided under this section, in the predominant native language of the workforce.
- o) Increasing Seat Belt Use in the United States. Pursuant to Executive Order 13043, 62 FR 19217 (Apr. 18, 1997), Awarded Respondent should encourage its contractors to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented or personally owned vehicles.

- p) Reducing Text Messaging While Driving. Pursuant to Executive Order 13513, 74 FR 51225 (Oct. 6, 2009), Awarded Respondent should encourage its employees, subrespondents, and contractors to adopt and enforce policies that ban text messaging while driving, and Awarded Respondent should establish workplace safety policies to decrease accidents caused by distracted drivers.

### **6.3 Posting of Modifications/Addenda to Solicitation**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Attachment C  
Budget Template

SEE EXCEL SPREADSHEET