

Town of Duxbury
IT Steering Committee
Duxbury Town Offices
878 Tremont Street
Duxbury, MA 02332
(781) 934-1100 x 5481
FAX (781) 934-1118

REQUEST FOR PROPOSALS

January 4, 2019

A. Introduction

The Town of Duxbury through its duly established IT Steering Committee is issuing this Request for Proposals ('RFP') soliciting proposals from independent, vendor agnostic IT consulting firms (a) to scope and develop a Town-wide three (3)-year strategic master plan and (b) provide a progress report at the Annual Town Meeting of March 2019 and to further present their recommendations to the Annual Town Meeting of March 2020 (Project).

The project is to be managed by the Information Technology Steering Committee and/or their designee, acting on behalf of town.

In accordance with MGL c 30b, a Request for Proposals (RFP) has been chosen as the procurement mechanism for the Project because it will allow the Town to rate and rank proposers based on qualifications, experience, and skills required to perform the scope of services described in the **Scope of Services** of this RFP. Accordingly, proposals to be submitted in response to this RFP shall consist of two submissions: a non-price technical proposal, and a sealed price proposal.

All bids submitted must be "**SEALED**" and shall be clearly marked on the outside face of the envelope "**BID FOR DUXBURY TOWN-WIDE Three (3) YEAR IT STRATEGIC MASTER PLAN**". Sealed bids shall be mailed or delivered to the Municipal Services Department, 878 Tremont Street, Duxbury, MA 02332.

A Request for Proposals may be obtained at the Municipal Services Department, 878 Tremont Street, Duxbury, MA 02332 during regular business hours on or after 8:00 a.m. on January 9, 2019 or by email request to woods@town.duxbury.ma.us. All pre-proposal or pre-proposal conference questions related to these technical specifications shall be directed in writing to Sue Woods at woods@town.duxbury.ma.us. The deadline for accepting questions is January 28, 2019 at 4:00 p.m. Questions will be answered in writing and shared with all bidders.

The deadline for submitting proposals is January 31, 2019 at 2:00 p.m. at which time all non-price technical and price proposals received will be recorded. Proposals received after the delivery deadline shall be rejected and returned, unopened, to the sender. Proposers must deliver one original and fifteen (15) copies of the non-price technical proposal and one original of the price proposal (see Section I, Proposal Requirements). If the Duxbury Town Hall is closed at the time of the delivery deadline due to uncontrolled events such as fire, wind, inclement weather, or building evacuation, the proposal delivery deadline will be postponed until 2:00 p.m. on the next normal business day on which the Duxbury Town Hall is open. In such event, proposals will be accepted until that latter date and time.

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Proposals must be received by the applicable deadline at the following address:

Duxbury IT Steering Committee
C/o Municipal Services Department
Town of Duxbury
878 Tremont Street
Duxbury, MA 02332

The IT Steering Committee will hold a pre-proposal conference for interested IT consulting firms on January 24, 2019, 9:00 am in the meeting room at the Duxbury Police Station, 155 Mayflower Street, Duxbury. Attendance at this conference by representatives for all interested consulting firms is highly recommended.

Conforming non-price technical proposals received by the applicable deadline will be reviewed by the IT Steering Committee following the deadline. Non-price technical proposals will not be public records, available for inspection, until after the IT Steering Committee has completed its review and until after the contract award decision has been made. After initial selection by the IT Steering Committee of the most advantageous non-price technical proposal, all price proposals will be opened by the Town's Chief Procurement Officer or his designee. Opened price proposals will not be public records available for inspection until after the contract award decision has been made. One or more contracts will be awarded to the responsive and responsible IT consulting firm (and any qualified participating consultants or sub-contractors) submitting the overall most advantageous proposal, taking into consideration the team's qualifications and experience (IT Consulting Firm will be defined as the proposing entity or the collective members of the proposing entity), staff capacity, and references, as well as the IT consulting firm's proposed price. The IT Steering Committee anticipates that a contract award decision will be made within thirty (30) days of the proposal submission deadline.

The Town of Duxbury reserves the right to reject any proposal which, in its judgment, fails to meet the requirements of this RFP or which is incomplete, conditional, or obscure, or which contains additions or irregularities, or in which errors occur in addition to the foregoing. The Town of Duxbury also reserves the right to reject all proposals if it deems such rejection(s) to be in the best interest of the Town. The Town of Duxbury also reserves the right to waive minor discrepancies, to permit a proposer to clarify discrepancies, and/or to conduct discussions with all proposers in any manner necessary to serve the best interests of the Town. Any fees or other expenses of the proposer associated with this RFP process are solely the responsibility of the respective proposer.

Except for questions addressed during the pre-proposal conference, questions about this RFP must be directed in writing to Scott J. Lambiase, Director of Municipal Services, Town of Duxbury. Correspondence may be sent to Mr. Lambiase by mail at 878 Tremont Street, Duxbury MA, 02332, or by fax to 781-934-1118, or email at lambiase@town.duxbury.ma.us, and must be received no later than January 28, 2019. All questions received by the deadline will be answered in writing or by email, and the responses to substantive questions will be distributed to all proposers on record as having received this RFP.

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B. Project Description

The IT Steering Committee seeks proposals for a Town-wide three (3) year strategic IT master plan and progress reports to be delivered at the March 2019 Annual Town Meeting and to present recommendations to the Annual Town Meeting of March 2020. The selected IT consulting firm will work with the IT Steering Committee to complete the scope of services as outlined in the following Section B. The target date for completion of all major services under this RFP is January 1, 2020.

The overall objective of this project is to develop and articulate a vision and roadmap for the effective use of technology to support the services of the Town of Duxbury (except school-related instructional/curriculum end user technology and supporting staff). Vendors shall document that vision, the resources, staffing and governance likely required supporting it, as well as any related recommendations, in a Town-wide three (3) year strategic master plan that will set the direction for the Town's use of technology. The scope of the effort encompasses all Town Departments.

The Town anticipates the project may include the following activities; however, Vendors should propose the project plan and activities they feel will most effectively meet the objective.

1. Evaluate the town's current technology environment, including services provided, infrastructure, funding and service methodology.
2. Evaluate the town's current IT Governance structure and IT organizational structure to ensure that these best meet the Town's business and technology needs with the most appropriate service provision agreements, resource availability and reporting relationships.
3. Meet with all levels of Management and other key technology "customers", as well as IT, to determine the desired technology end state.
4. Prioritize system, application and infrastructure requirements based on Town business needs and goals, and propose alternative approaches for meeting those needs.
5. Make recommendations that will help ensure increased efficiency through the effective use of technology in support of the Town's business needs. Deliverables to include:
 - a) Task 1: Assessment (current state)
 - b) Task 2: Strategic Operating Plan/SOP (future state)
 - c) Task 3: Master Plan (Include budgetary estimates and order of priorities for implementing in years 1-3)

We place a priority on timely performance of these services. Once we have awarded the contract for this project, we expect the project to begin within two weeks.

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C. Scope of Services

The scope of services under this RFP includes, but may not be limited to the following tasks:

Task 1 Assessment (current state)

1. The Consultant shall facilitate interviews with key stakeholders (to be defined by the IT Steering Committee) and gather information to inventory and document the 'as-is' state of Duxbury's IT organization and functions. The Consultant shall document the as-is state including an objective evaluation of how well the existing organization is enabling current and changing functions.
2. Review current IT staffing, including positions, duties and number of employees dedicated to functions as well as their required level of proficiency and areas of expertise.
3. Review the current management structure of the IT department(s).
4. Assess the professional development training/certification practices for IT personnel.
5. Review IT policies, procedures, and processes to include management of software and technical projects, including practical adherence to identified policies and procedures.
6. Assess the use of outside vendors for supplemental knowledge and manpower to increase efficiency.
7. Assess the current methodology used to evaluate, select and implement IT projects.
8. Review of IT capital improvement planning, including an examination of current procedures.
9. Develop a comprehensive inventory and assessment of existing technologies, business systems, and infrastructure (including ROCCC -Regional Old Colony Communications Center) core applications and systems, telecommunications, network and remote network access, network protocol and data security.
10. Establish Current Status of the following:
 - a) Server / Network Configuration and Infrastructure
 - b) Mobile device deployment
 - c) Security/Compliance Configuration and protection
 - d) Data and configuration backup
 - e) Building technologies (CCTV, Access Control, etc....)
 - f) Access to technical support
 - g) Level of technical support
11. Assess Hardware Procurement process / needs.
12. Assess each department's current and future technology related needs, identifying various challenges, emerging issues, including security and compliance and potential approaches.

Task 1 will be considered complete when the IT Steering Committee has accepted and approved the documentation.

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Task 2 Strategic Operating Plan/SOP (future state)

1. The IT Consultant shall facilitate workshops and interviews to frame and document a desired future state of an IT organization consistent with a modern IT service-centric organizational model to improve and enhance IT services to all departments in Duxbury. The IT Consultant will:
 - a) Interview and consult with Duxbury's departments, Town Manager, Finance Manager, Superintendent of Schools, selected members of Duxbury's School committee; public safety chiefs, and ROCCC director for needs assessment;
 - b) Identify key internal and external factors influencing the Town and its overall operations through focus group sessions.
2. Deliver a detailed SOP to include specific actions for the Town to take to achieve the desired future state based on best in practice for IT organizational structure, business practices, and Town-wide IT needs. The documentation shall include detailed content of future state business process model(s), future state organizational structure (consolidated or standalone), future outcome measurements, and future service level agreements
3. The plan shall outline the implementation of the SOP including but not limited to the organizational structure recommendations, communications plans for change, and high-level process functions.
 - a) Develop recommended IT organizational structure(s) and staffing requirements (and job descriptions and corresponding recommended levels of expertise) for effective and efficient operations.
4. Develop recommendations to ensure that the Town of Duxbury will maintain a stable IT organization.
5. Include an annual projected cost report to reflect the priorities for ongoing services, as well as, identify new technology related projects for future fiscal years.
6. Design recommended written IT and data security policies and procedures, and where necessary, Memoranda of Understanding (MOU) with a timeline for investment and estimates for implementation /completion.
7. Recommend Improvements / Modifications to:
 - a) Hardware
 - b) Software / OS
 - c) Configurations
8. Recommend future IT and Support Personnel Roles and Responsibilities.
9. Provide a Guidance Document for the following:
 - a) Maintenance of Recommended Improvements
 - b) Future expansion
 - c) Equipment replacement cycles
10. The IT consulting firm will provide a SOP draft plan and accommodated recommended changes to the draft, as specified by the IT Steering Committee. The process of developing the report may be iterative.

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Task 2 will be considered complete when the IT Steering Committee has accepted and approved the documentation.

Task 3: Master Plan

1. Develop a three (3) year strategic Town-wide IT master plan based upon the above assessments and reviews, identifying areas to increase automation and efficiency using technology, including projected annual costs with a recommended prioritized process for improvements for all departments.
2. The development of the Town-wide strategic IT master plan must be participative and consultative.
3. The Town-wide three (3) year master plan will reflect effective recommendations consistent with best practices, regulations and governance standards for the public sector. In addition, the plan should be flexible to allow for future adjustments.
4. The Town-wide three (3) year master plan will be a living document which will guide Duxbury in its IT planning and prioritization over a three (3) year time frame. As a living document, the plan will include actionable recommendations and a timeline for implementing any changes, along with identification of critical issues and specific recommendations for critical issues. The timeline to provide the investment and estimates for the completion for immediate and long-term solutions.

Task 3 will be considered complete when the IT Steering Committee has accepted and approved the documentation.

D. Additional Considerations:

1. The IT consulting firm will attend periodic update meetings with the IT Steering Committee, approximately six (6) times during the project timeline, to review Project schedule and progress.
2. The IT consulting firm will attend Annual Town Meeting (March 2020 and March 2021) to present reports prepared by the IT consulting firm, which has been approved by the IT Steering Committee.

E. Proposal Submission Delivery

Proposals are to meet the proposal submission deadline identified in the Introduction section, and are to be clearly marked "BID FOR DUXBURY TOWN-WIDE THREE (3) YEAR STRATEGIC IT MASTER PLAN" delivered to:

Duxbury IT Steering Committee
C/o Municipal Services Department
Town of Duxbury
878 Tremont Street
Duxbury, MA 02332

F. Proposal Requirements

Non-Price Technical Proposal

To be eligible for review, the proposer shall submit one (1) original and fifteen (15) copies of its non-price technical proposal and one (1) flash drive which shall contain all of the following information, arranged in the order listed below:

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1. A cover page, identifying the name of the project as “BID FOR DUXBURY TOWN-WIDE THREE (3) YEAR STRATEGIC IT MASTER PLAN”. Include the name of the IT consulting firm, official address, contact person, voice telephone and email address.
2. A cover letter which must be signed by the individual with authority to bind the proposal team to contractual commitments.
3. Submission should be indexed/organized and tabbed accordingly to the sequence of the proposal.
4. A complete list of any participating consultants or sub-contractors of the firm to be involved in the Project. IT consulting firm may identify up to five technology specialties as their company’s top areas of expertise. IT consulting firm will not be limited to providing services in those areas.
5. Proposer will be defined as the proposing entity or the collective members of the proposing entity.
6. If the proposal team involves more than one firm, the proposal must also identify all consultants or subcontractors in addition to the IT consulting firm, with full contact information for each such participating entity or individual.
7. An outline of the experience of the IT consulting firm about similar projects considered relevant.
8. Proposed methods of organizing and executing the work for the Project, including critical dates and a proposed Project schedule.
9. A clear staffing plan that identifies the dedicated principal in charge, the Project manager, and all personnel who work on the Project, and an organizational chart of the Project team.
10. A description of qualifications, experience, and capabilities available to complete the scope of work. The qualifications section of the proposal must include:
 - a) A description of the IT consulting firm, its practice, specializations, staffing, and current staff capacity, and experience working for local government clients in the Commonwealth of Massachusetts;
 - b) A description of the proposal team’s experience with similar projects. The description of experience must include a list of all projects within the past five (5) years with a minimum of five (5) projects (at least two (2) projects from municipal services) to include client references that include the development team purpose for this project. In addition, the description of experience should identify those projects that were carried out on behalf of local government clients, and include resumes and evidence of appropriate and current Massachusetts professional certifications licenses or registrations (where applicable) for all individuals who will be assigned to work on this Project. Following is a list of desired IT Professional Certifications:

Networking:

1. Cisco

- a. CCNP - Cisco Certified Network Professional (Route/Switch and or Wireless) level certification or greater.
- b. CCIE - Cisco Certified Internetwork Expert (Route / Switch and or Wireless) Preferred.

2. HP/Aruba

- a. ACSA Aruba Certified Switching Associate

3. Wireless (802.11) Agnostic

- a. CWNE - Certified Wireless Network Expert

Systems:

1. Microsoft

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- a. MCSE- Microsoft Certified Solutions Expert (Applicable Track)

2. VMware

- a. VCP (VMware) - VMware Certified Professional / Data Center
- b. Virtualization (DCV) 6.5 or greater

3. Hewlett Packard (HPE)

- a. Master ASE - Advanced Server Solutions Architect V3(HP)

Security

- 1. CEH - Certified Ethical Hacker
- 2. CISM - Certified Information Security Manager
- 3. CompTIA Security +
- 4. CISSP - Certified Information Systems Security Professional

Project Management

- 1. PMP- Project Management Professional
- 2. CompTIA Project+

IT Governance

- 1. CGEIT- Certified in the Governance of Enterprise IT
- 2. CISA - Certified Information System Auditor granted by ISACA.
- c) Project descriptions of all municipal projects or projects similar in size and scope and carried out by the proposal team in the past five (5) years; and
- d) Provide samples of artifacts/documentation of projects completed within the last five (5) years.

- 11. A complete list of the IT consulting firm's current contractual commitments.
- 12. Provide a Certificate of Non-Collusion (Attachment A of this RFP).
- 13. Provide a Certificate of Good Standing and/or Tax Compliance from the Commonwealth of Massachusetts (Attachment B of this RFP), or a statement that this certificate has been applied for.
- 14. The non-price technical proposal must be labeled as follows: Bid for Duxbury Town-Wide three (3) Year Strategic Master Plan RFP: Non-Price Technical Proposal.

Price Proposal:

- 1. In a separate, sealed envelope, the proposer must submit its lump sum fee proposal for all services required under this RFP, and a proposed schedule of compensation. "Lump sum fee" shall include the proposal team's direct and indirect labor, overhead, profit, and other costs. The price proposal must be labeled as follows: Bid for Duxbury Town-Wide three (3) Year Strategic Master Plan RFP: Price Proposal. The price proposal must be signed by an individual with legal authority to bind the proposal team to a contract with the Town.

G. IT Consulting Firm Qualifications and Selection:

Evaluation Criteria – The IT Steering Committee will evaluate qualifying submitted proposals based upon the following criteria, including the quality and completeness of the proposal and as otherwise provided in Section below:

- 1. Team's Qualifications/Experience, including any subcontractors
 - a) Company certifications
 - b) Company affiliations
- 2. Company experience, including any subcontractors

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- a) Business background
- b) Years in business
- c) Years in the industry of the RFP
- d) Organizational chart

The IT Steering Committee may invite the top three (3) or more ranked firms for interviews and/or presentations. Firms selected for interviews or presentations must at a minimum emphasize their general experience and qualifications, prior experience with at least two (2) municipal IT projects, prior experience in working with staff involvement, and experience with any listed consultants.

The IT Steering Committee reserves the right to reject all proposals, waive informalities, and award contracts as may be in the best interests of the Town of Duxbury.

H. Municipal Contact

Technical questions regarding this Request for Qualification and related issues:

Scott J. Lambiase
Town of Duxbury
Municipal Services
878 Tremont Street
Duxbury, MA 02332
Telephone: 781-934-1100 ext. 5480

Email: woods@town.duxbury.ma.us

I. Proposal Review and Selection Process; Rules for Award

The IT Steering Committee will review the non-price technical proposals for this Project. This review process will consist of two parts: a minimum evaluation criteria review, and a comparative criteria review.

Minimum Evaluation Criteria:

All proposals received by the submission deadline will be reviewed for conformance with the following minimum evaluation criteria:

1. The Proposal is complete in that it includes all the submission requirements listed in this RFP;
2. The proposer has provided evidence of prior IT experience (minimum 1 year) working for local government clients in the Commonwealth of Massachusetts; and
3. The Proposer has provided evidence of prior IT experience (minimum 1 year) with municipal IT consulting projects, specifically IT Master Plans; producing a minimum of 1 plan.

A proposal that fails to meet these minimum evaluation criteria will be disqualified from further review and will not be otherwise reviewed.

Comparative Criteria for Rating and Ranking Proposals:

All proposals determined by the IT Steering Committee to meet the three (3) minimum evaluation criteria will be rated and ranked according to the comparative criteria listed below. After an initial review of the non-price technical proposals, the IT Steering Committee may decide to conduct interviews with

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proposers whose submissions meet the requirements for an overall (composite) “highly advantageous” or “advantageous” ranking. The comparative criteria are as follows:

1. Qualifications of individuals proposed to conduct the required services:
 - a) Highly Advantageous: Qualifications of proposed personnel are especially relevant to the work they are proposed to perform. Typical background includes over five (5) years of experience in development and implementation of at least five (5) municipal IT master plans of larger or similar size and scope to the Project; the proposed personnel have appropriate, current certifications and licenses; at least 1 member of the selected team will have worked in development and implementation of at least five (5) municipal IT master plans of larger or similar size and scope to the Project;
 - b) Advantageous: Qualifications of proposed personnel are especially relevant to the work they are proposed to perform. Typical background includes over 1 year but less than five (5) years of experience in development and implementation of at least two (2) or more but less than five (5) municipal IT master plans of similar size and scope to the Project; the proposed personnel have appropriate, current certifications and licenses;
 - c) Non-advantageous: Qualifications of proposed personnel are especially relevant to the work they are proposed to perform. Typical background includes less than 1 year of experience in development and implementation of less than 1 plan of municipal IT master plans of smaller size and scope to the Project; the proposed personnel do not have appropriate, current certifications and licenses;
2. Proposer’s experience with municipal IT master plans:
 - a) Highly Advantageous: The Proposer has participated in the last five (5) years in development and implementation of at least five (5) municipal IT master plans of larger or similar size and scope to the Project;
 - b) Advantageous: The Proposer has participated in the last five (5) years in development and implementation of at least three (3), and fewer than five (5), municipal IT master plans of similar size and scope to the Project;
 - c) Non-advantageous: The Proposer has participated in the last five (5) years in development and implementation of less than three (3) municipal IT master plans of similar size and scope to the Project; and
3. Project Manager has demonstrated capacity to manage projects in a public-sector environment:
 - a) Highly Advantageous: References and other information indicate that the individual proposed to serve as Project manager is highly responsive to municipal clients; can adapt to a wide variety of political environments; works very well with local officials, Town staff, and the public; and has an exemplary understanding of local government in Massachusetts;
 - b) Advantageous: References and other information indicate that the individual proposed to serve as Project manager is responsive to municipal clients; can adapt to a variety of political

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environments; is comfortable working with local officials, Town staff, and the public; and has a basic understanding of local government in Massachusetts;

- c) Non-advantageous: References and other information indicate the individual proposed to serve as Project manager is responsive to municipal clients but has difficulty adapting to a variety of political environments; or is uncomfortable working with local officials, Town staff, and the public; or has a limited understanding of local government in Massachusetts; or has not supplied references and
4. Ability to respond adequately and concisely to the Request for Proposals:
- a) Highly Advantageous: Plan of Services presentation is outstanding in its responsiveness to the Project description and goals outlined in the RFP. Overall presentation was addressed in a very professional manner;
 - b) Advantageous: Plan of Services presentation is very good in its responsiveness to the Project description and goals outlined in the RFP. Overall presentation was addressed in a good, professional manner;
 - c) Non-Advantageous: Plan of Services presentation is minimally adequate in its responsiveness to the Project description and goals outlined in the RFP. Overall presentation was addressed in a minimally adequate manner; and

J. Rule for Award

IT Steering Committee members will prepare written non-price technical proposal evaluations, reach consensus about the rating of each comparative criterion, and arrive at a composite ranking for each proposal. Once the IT Steering Committee has completed the non-price technical proposal review process, it will forward its proposal rankings and supporting rationale to the Town's Chief Procurement Officer (or his designee), who will open the price proposals. It shall be the Chief Procurement Officer's (or his designee's) responsibility to identify the overall most advantageous proposal, taking into consideration the IT Steering Committee's non-price technical proposal evaluations and the proposal prices. The Town will select the responsive and responsible Proposer submitting the most advantageous proposal, taking into consideration the proposal team's experience, staff capacity, references, and plan of services, as well as the proposal price.

K. General Information

1. All work under this RFP must be completed no later than January 1, 2020, unless extended in writing by the Town.
2. All proposal, proposal response inquiries, or correspondence relating to or about this RFP, and all reports, charts, displays, schedules, exhibits and other documentation submitted by any proposer, including but not limited to the successful proposer shall become the property of the Town when received.
3. The successful Proposer will be considered as the "Project Manager" and will be required to assume total responsibility for the completion and delivery of the services offered in the proposal.
4. The Town will consider the Project Manager to be the sole point of contact about all contractual matters, including performance or service of consultants or subcontractors, unless otherwise stated.

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5. Upon the acceptance of a Proposer's proposal, the Town will mail an award letter, with appropriate specifics for the procurement of services. The Project Manager will be required to sign and return the letter, deemed a contract, as an acceptance of the award. If the Project Manager fails, neglects, or refuses to execute the contract within a specified number of days after receiving the award letter from the Town, the Town may at its option terminate and cancel its action in awarding the contract, and the contract with that Proposer shall become null and void and of no effect.
6. The Project Manager shall submit invoices in accordance with the compensation schedule approved by the Town Manager.
7. If the Project Manager determines that additional expertise is needed to complete any aspect of the scope of services, the Project Manager may retain at the Project Manager's sole expense one or more consultants or sub-contractors, subject to approval by the IT Steering Committee. Consultants and/or sub-contractors shall adhere to the same requirements as those required of the Project Manager.
8. The Project Manager shall not discriminate against any qualified employee or applicant for employment because of race, color, national origin, ancestry, age, sex, religion, or physical or mental handicap. The Project Manager agrees to comply with all applicable Federal and State statutes, rules, and regulations prohibiting discrimination in employment including: Title VII of the Civil Right Act of 1973; Massachusetts General Laws Chapter 151B Section 4 (1); and all relevant administrative orders and executive orders.
9. If a complaint or claim alleging violation by the Project Manager of such statutes, rules, or regulations is presented to the Massachusetts Commission against Discrimination (MCAD), the Consultant agrees to cooperate with MCAD in the investigation and disposition of the complaint or claim.
10. In the event of the Project Manager's non-compliance with the provisions of this section, the Town shall impose such sanctions, as it deems appropriate, including but not limited to the following: Withholding of payments due the Project Manager until the Project Manager complies; and termination or suspension of any contract or agreement pursuant to this RFP.
11. Neither party will be liable to the other for any failure or delay in rendering performance arising out of causes beyond its control and without its fault or negligence. Dates or times of performance will be extended to the extent of delays excused by this section, provided that the party whose performance is affected notifies the other promptly of the existence and nature of such delay, and of the termination of the causes of such delay.
12. The Project Manager shall provide at its own expense the following minimum insurance coverages for the duration of its agreement with the Town:
 - a) Workmen's compensation and employee's liability insurance in accordance with statutory limits. An existing worker's compensation policy must be provided in accordance with M.G.L. C. 182, § 25C prior to or upon execution of a contract.
 - b) Comprehensive general liability insurance including products completed, contractual, property, and personal injury coverage with combined single limits of \$1,000,000 for each occurrence and aggregate amount. Coverage must also include XCU and pollution liability coverage when applicable.
 - c) Automobile liability insurance including non-owned and hired autos with the following limits:
 - d) Bodily injury: \$500,000 each person, \$500,000 each occurrence; and
 - e) Property damage: \$100,000 each occurrence.
 - f) Professional liability insurance for negligent acts, errors, or omissions of the Project Manager made in connection with the performance of services for the project, in the

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- amount of not less than \$1,000,000. Such insurance must be maintained in force for a minimum of three (3) years following acceptance of all work by the Town.
- g) The Town of Duxbury shall be named as “additional insured” on all policies except Worker's Compensation and Professional Liability insurance.
 - h) All required insurance policies shall require a thirty (30) day notice of cancellation to the Town of Duxbury.
13. The Project Manager shall be solely responsible for all claims of whatsoever nature arising out of the rendering of services by the Project Manager and its consultants and sub-contractors during the term of the contract, and the Project Manager and its consultants and sub-contractors shall indemnify and hold the Town harmless against the same to the extent permitted by law.
14. Access to security-sensitive information:
- a) Security Sensitive Information (such as location of security cameras or building plans, etc.)
The IT consulting firm agrees to adhere to this section with regards to security sensitive information: Security Sensitive Information which, pursuant to MGL c. 4, § 7, cls. 26(n), is generally exempt from public disclosure under the Commonwealth’s public records laws and must, for public safety purposes, be safeguarded from widespread public disclosure. This security-sensitive information is in the form of blueprints, plans, policies, procedures, schematic drawings, which relate to internal layout and structural elements, security measures, emergency preparedness, threat or vulnerability assessments, and/or any other records relating to the security or safety of persons (pursuant to MGL c. 66A) or buildings, structures, facilities, utilities, transportation, information technology or other infrastructure located within the Town of Duxbury. The selected IT consulting firm must, before being allowed to access the information, sign a confidentiality agreement, thereby agreeing to:
 - i. restrict the use of these sensitive records for any other purpose than as authorized and for putting together a Town-wide three (3) year master plan;
 - ii. safeguard the information while it is in their possession; and
 - iii. return such records and materials to the Town upon completion of the project.
15. Any IT consulting firm awarded a contract under this RFP is prohibited from selling or distributing any information collected or derived from the Contract except as specifically authorized by the IT Steering Committee.
16. Any IT consulting firm awarded a contract under this RFP must state the number of years the company has been in the business of providing project-based information technology professional services. A minimum of five (5) years of experience in this business is required.
17. The following categories of crimes will disqualify an IT consultant project team member and team members will be required to submit to a fingerprint based background check:
- a) Data Security/Privacy Violation of any state or federal law or regulation pertaining to data security and/or privacy, including, without limitation and for example, the Fair Information Practices Act, M.G.L. ch. 66A, and the privacy and security provisions of the Federal Health Information Portability and Accountability Act (“HIPAA”).
 - b) Wiretaps Violation of the state wiretap law, M.G.L. ch. 272, sec. 99, or its Federal counterpart, 18 U.S.C. sec. 2511.
 - c) Computer Crimes Violation of Federal or State laws specific to computer crime, including without limitation and for example, the Federal Computer Fraud and Abuse Act, 18 U.S. C. sec. 1030 and the Massachusetts state law prohibiting electronic transmission of threats, M.G.L. ch. 269, sec. 14.

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- d) Crimes using information technology Violation of any state criminal laws if follow-up communication with applicant discloses that information technology (computers, networks, and peripheral devices) was used to commit the acts on which the conviction was based. The following are examples of state laws under which crimes committed using computers could theoretically be prosecuted: M.G.L. ch. 272, sec. 29B (dissemination of child pornography); M.G.L. ch. 272 sec. 29C (possession of child pornography); M.G.L. ch. 265, sec. 43 (stalking) and 43A (harassment). M.G.L. ch. 275 s. 2 (threat to commit crime); M.G.L. ch. 266 sec. 30 (larceny statute used in hacking and other data theft cases); M.G.L. ch. 266, sec. 12 (willful and malicious destruction of property, for use in website defacement and other hacking cases); M.G.L. ch. 266, sec. 30 (theft of intellectual property); M.G.L. ch. 266 sec. 37E (identity fraud); M.G.L. ch. 266 sec. 120F (unauthorized access to computer system).
- e) Intellectual Property Violation of laws pertaining to trade secrets, copyrights, patents, or any other form of protection of intellectual property.
- f) White Collar Crime Violation of state criminal laws pertaining to theft, fraud, misrepresentation, tax evasion, and other forms of white-collar crime.
- g) Felony Convictions for Crimes of Violence - Violation of laws pertaining to felonies committed with violence.
- h) Identity Theft - Violation of "An Act Relative to Security Freezes and Notification of Data Breaches," M.G.L. ch. 82 of the Acts of 2007.

ATTACHMENT A

CERTIFICATE OF NON-COLLUSION

Pursuant to M.G.L.C. 40, §4B1/2, the undersigned certifies under penalties of perjury that this proposal is in all respects bona fide, fair, and made without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, joint venture, partnership, corporation, or other business or legal entity.

COMPANY NAME

SIGNATURE OF AUTHORIZED REPRESENTATIVE

PRINTED NAME OF AUTHORIZED REPRESENTATIVE AND TITLE

DATE

ATTACHMENT B

CERTIFICATE OF COMPLIANCE WITH STATE TAX LAWS

Pursuant to M.G.L.C. 62C, §49A (b) and M.G.L.C. 151A, §19A, I hereby certify under the penalty of perjury that

_____, has complied with all laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and contractors, and withholding and remitting child support.

SIGNATURE OF INDIVIDUAL OF CORPORATE OFFICE*

SOCIAL SECURITY NUMBER/FEDERAL IDENTIFICATION NUMBER**

CORPORATE NAME (IF APPLICABLE)

NAME AND TITLE OF CORPORATE OFFICE (IF APPLICABLE)

* Approval of a contract or other agreement will not be granted unless this certification clause is signed by the proposer. For all corporations, a certified copy of the authorizing vote of the Board of Director must be provided.

** Your social security number will be furnished to the Massachusetts Department of Revenue to determine whether you have met tax filing or tax payment obligations. Providers who fail to correct their non-filing or delinquency will not have a contract or other agreement issued, renewed, or extended. This request is made under the authority of Massachusetts General Laws, Chapter 62C, §49A.