

RFP/Q No. 21-107
Addendum No. 2



Addendum No. 2, RFP/Q No. 21-107

PROPOSED MARIJUANA ESTABLISHMENT

Date of Addendum: February 22, 2022

RFP/Q Due Date: 2:00 P.M. March 22, 2021

Ladies and Gentlemen:

This is an addendum to the above RFP/Q. Special attention should be given to this addendum to preserve the validity of any bid submitted in response to this request. All Addenda must be acknowledged, either by signing and returning this for or via the corresponding RFP/Q forms.

Item No. 1: Are the public presentations on March 11th and March 12th going to be fully virtual? If so, what format (e.g. Zoom/Teams call)?

City's Response: The optional public presentations should be held virtually. The City will schedule presentations for applicants who request one by the RFQ/P due date, and a Zoom link will be sent to proposers who requested presentations. All public presentations will be broadcast over focus Springfield and Facebook.

Item No. 2: If the public presentations on March 11th and March 12th are going to be virtual, do we still need to provide 11 three ring binders as well?

City's Response: Binder requirements are for actual RFP/Q submissions, not for public presentations. The City will schedule presentations for applicants who request one by the RFQ/P due date, and a Zoom link will be sent to proposers who requested presentations. All public presentations will be broadcast over focus Springfield and Facebook.

Item No. 3: Are presentations open to the public?

City's Response: Yes.

Item No. 4: Can I have a copy of a phase I presentation so that I can use as an example?

City's Response: Public presentations were a separate function for RFP/Q submission and the City did not officially collect nor retain any copies of Phase I presentations.

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Item No. 5: Can I schedule my public presentation for March 12th or will presentation dates be assigned arbitrarily?

City's Response: Please see City's response to Item No. 1.

Item No. 6: We are an LLC, do we need to show proof of LLC and ownership? If so, what is needed as proof?

City's Response: In general, proposals that include more/complete information and requested documents will be ranked as "more advantageous" than proposals that are incomplete or less detailed.

Item No. 7: We are in the process of getting licensed by the CCC, does already being licensed make us "Highly Advantageous"?

City's Response: Please see City's response to Item No. 6.

Item No. 8: If you do not have a location locked down, how detailed does the "Design and Construction" section have to be? Is a general budget ok?

City's Response: Pursuant to MA CMR 500.101, the proposed Marijuana Establishment shall be identified in the documentation as the entity that has the property interest. Interest may be demonstrated by one of the following:

1. Clear legal title to the proposed site;
2. An option to purchase the proposed site;
3. A legally enforceable agreement to give such title; or
4. Documentation evidencing permission to use the Premises.

Item No. 9: I would like to reach out to community leaders. How do I get in contact with these leaders?

City's Response: The question is vague in that does not define "community leaders." The City offers the ability to utilize the City GIS (Springfield WebGIS – springfield-ma.gov) to find out what neighborhood a proposed site is located in, as well as information for the neighborhood councils at: Neighborhood Councils (springfield-ma.gov).

Item No. 10: If the proposer is found to be missing any portion of the RFP requirements or the city determines more information is needed from the proposer, will the proposer have an opportunity to add more content to their submission after the RFP deadline? Will the city notify us of the discrepancies and allow us to add more content? Or, if delinquent of any information, can we assume we will not have an opportunity to improve or clarify the statements made in the original submission?

City's Response: No. Proposers will not be allowed to supplement their RFP/Q submissions beyond the identified due date.

Item No. 11: Will a letter of intent (LOI) or notarized statement of intent by the land owner suffice as proof of property control or will the city require a conditional lease for the property, if the property isn't already owned by the proposer?

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City's Response: Please see City's response to Item No. 8.

Item No. 12: In regards to 4.7.114 (B)(6), does the square foot maximum only apply to the area accessible to the customers/public? Does this area include the "back of house" spaces?

City's Response: Please review ordinance regarding public space limitations and requirements.

Item No. 13: Will the city be releasing the applications to the public and would we have an opportunity to submit an unreacted and redacted application submissions if they are going to be released for public viewing to protect sensitive information like security protocols and equipment placement and descriptions?

City's Response: There is no provision for submission of redacted proposals in the RFP/Q. Please review RFP/Q Section 4 (H).

Item No. 14: In regards to 4.7.115(K), are we expected to have a traffic impact study completed and submitted with our application? If so, who do we contact and how do we get this study completed before the application due date?

City's Response: Please see City's response to Item No. 6.

Item No. 15: In regards to 4.7.115(H), are we expected to submit an application for Planning Board Review, as detailed in 12.3.40, before we submit an application in response to the RFP, as an amendment or requirement for the application? Part of Proposal?

City's Response: There is no requirement to submit an application to the Planning Board under this RFP/Q. If the application is awarded a Host Community Agreement, a special permit will be required from the Springfield City Council.

Item No. 16: In regards to 4.7.115(B), are we expected to have a Host Community Agreement application as part of our license application?

City's Response: The submission of a proposal is the "application" for a HCA.

Item No. 17: Is security fencing a requirement for retail cannabis sales that are single occupancy buildings?

City's Response: City zoning does not refer to any requirement for fencing, however any applicant shall ensure they are in compliance with CCC regulations regarding site layout and security.

Item No. 18: Has the city conducted their own (fiscal) impact studies for the addition of 4 cannabis retail licenses in Springfield, and if so will the city be sharing that information with the public?

City's Response: No.

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Item No. 19: In regards to qualifying for Empowerment Priority Review, since we don't currently have employees other than executive management, would we qualify for Empowerment Priority Review if we commit to hiring at least 51% of our employees and sub-contractors from areas of disproportionate impact, and then eventually 75% after the first year? Or do we have to have all our employees hired at this point of the RFP? How do we prove we qualify for this criteria?

City's Response: Commission-certified Economic Empowerment Priority Applicants, and Commission-certified Social Equity Applicants, are applicants who apply for and meet the applicable requirements for such designations pursuant to 500 CMR 500.000 et. seq. This designation is governed and controlled the Massachusetts CCC.

Item No. 20: In regards to qualifying for Empowerment Priority Review, since we don't currently have employees other than executive management, would we qualify for Empowerment Priority Review if we commit to hiring at least 51% of our employees and sub-contractors have drug related CORI? Or do we have to have all our employees hired at this point of the RFP? How do we prove we qualify for this criteria?

City's Response: See City's response to Item No. 19.

Item No. 21: In regards to qualifying for Empowerment Priority Review, do Asian Americans qualify? The current language only lists Black, African American, Hispanic, and Latino.

City's Response: See City's response to Item No. 19.

Item No. 22: In regards to committing to or disclosing plans to promote economic empowerment, and the mention of providing incubator or accelerator program, can we assume that the city will be handing out more licenses to support the incubated and accelerated businesses? We would only be able to commit to these programs if we know that there will be licenses available for these businesses.

City's Response: Please see City's response to Item No. 6.

Item No. 23: Will we have to disclose our financial capacity to fund the proposed licenses? Will we need to show a set amount of funds in an account t meet requirements? What portion of the RFP is dedicated to showing our ability to fund the proposed plans?

City's Response: Please see City's response to Item No. 6. Please see RFP/Q Section 4 (H).

Item No. 24: In regards to design and construction, will the plans need to be drafted by a certified architect? If so does that architect need to be certified in MA? Will our total points be effected if the plans are not done by a certified architect?

City's Response: Please see City's response to Item No. 6.

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Item No. 25: In regards to an application fee, is the city requiring any payment from the applicant for the city to review their application?

City's Response: No.

Item No. 26: The proposer is required to submit 11 hard copies each bound in three ring binders. Can you clarify, if we wish to submit a redacted version of the application, does that mean we will be submitting 11 unreacted copies and 1 redacted copy for a total of 12 copies? In addition to these binders, the proposer is to submit a complete response on a flash drive, correct? If so should this flash drive include a redacted and an unreacted version on the flash drive?

City's Response: There is no provision for submission of redacted proposals in the RFP/Q. Please review RFP/Q Section 4 (H). Yes, a flash drive copy is required. The internal review committee consists of 11 members, requiring the listed amount of binders for submission review.

Item No. 27: Before we submit our response to the RFP, are we required to have a community outreach meeting?

City's Response: Please see 935 CMR 500.101, and Section I(F(vii)) of the RFP/Q.

Item No. 28: What proportion of the awarded licenses are specifically designated for proposers that are Commission certified Economic Empowerment Applicants pursuant to 935 CMR 500.002 and/or Commission certified Social Equity Applicants pursuant to 935 CMR 500.105? What proportion of the awarded licenses are specifically designated for proposers that DO NOT Qualify as Economic Empowerment Applicants pursuant to 935 CMR 500.002 and/or Commission certified Social Equity Applicants pursuant to 935 CMR 500.105?

City's Response: In this RFQ/P, two (2) of the four (4) Marijuana Retailers selected will be reserved for Commission-certified Social Equity, and/or Economic Empowerment Priority Applicants ("Social Equity Reserved HCA"). In the event there is no suitable applicant, then that Social Equity Reserved HCA slot(s) will carry over to subsequent RFQ/P phases.

Additionally, per the Commission, the Marijuana Courier and Marijuana Delivery Operator license types will only be offered to Commission-certified Social Equity or Economic Empowerment Priority Applicants for a minimum of three years. Therefore, HCAs for Marijuana Couriers or Marijuana Delivery Operators will be available solely to Commission-certified Social Equity or Economic Empowerment Priority Applicants during this RFQ/P.

Item No. 29: Is it the cities priority to award all of the retail licenses to proposers who qualify as Economic Empowerment Applicants pursuant to 935 CMR 500.002 and/or Commission certified Social Equity Applicants pursuant to 935 CMR 500.105, or will the city have a specific number of retail licenses available to those who do not qualify as Economic Empowerment Applicants pursuant to 935 CMR 500.002 and/or Commission certified Social Equity Applicants pursuant to 935 CMR 500.105?

City's Response: Please see City's response to Item No. 28. Additionally, all Proposers are required to address equity in their submissions and will be ranked on

how proposers will balance that issue with other proposal requirements. See the RFQ/P references to Equity.

Item No. 30: In regards to qualifying for Empowerment Priority Review, can the owners demonstrate significant past experience in or business practices that promote economic empowerment in areas of disproportionate impact outside of Springfield or the state of Massachusetts? If we have impacted these types communities in other States, would that qualify us for Empowerment Priority Review or would we have to prove that these past business practices of economic empowerment were conducted in Springfield or in the state of Massachusetts?

City's Response: See City's response to Item Nos. 19 and 29.

Item No. 31: I am writing in regard to the City of Springfield's RFP seeking proposals from applicants to operate Marijuana Establishments in the City of Springfield (attached for reference). We are in the process of scheduling a Community Outreach meeting on behalf of an applicant, and note that on page 9 of the RFP that the City of Springfield has the authority to approve a virtual community outreach meeting. We are interested in obtaining such approval, and I am hoping that you may be able to offer some guidance on how to do so.

City's Response: Per CCC guidance, "The applicant shall obtain approval in writing from the Contracting Authority or Authorized Representative of the host community for a virtual Community Outreach Meeting". The City is hereby allowing virtual Community Outreach meetings for potential proposers. All notice requirements, etc., remain in place. Please see link to CCC:

<https://mass-cannabis-control.com/enforcement-administrative-order-allowing-virtual-web-based-community-outreach-meetings-april-27-2020/>.

Item No. 32: What is the process of confirming with the City the eligibility of a property for use as an adult use marijuana? I have seen the setback requirements, but do not see a form for the City to sign on my property or otherwise.

City's Response: Please see City's response to Items No. 9 and 12, respectfully.

Sincerely,



Theo G. Theocles, Esq.
Deputy Procurement Officer

Please acknowledge receipt of this addendum by signing below and returning to this office via facsimile to (413) 787-6295.

Signed: _____

Company: _____

(please print)

END OF ADDENDUM NO. 2