

File No. 5563 – Request for Proposal for Inspectional Services Department Permitting Software & Implementation

**City of Cambridge
Request for Proposals
For
Inspectional Services Department Permitting Software & Implementation**

Sealed proposals will be received at the Office of the Purchasing Agent, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, Massachusetts 02139 until **Thursday, September 22, 2011 at 11:00 A.M.** to furnish the following to the City of Cambridge:

The City of Cambridge (the City) is soliciting proposals for software and services to support the permitting and inspectional activities of the Inspectional Services Department. The primary components of the effort are to provide an efficient and user-friendly method of processing permits, licenses and inspections for internal staff; provide a portal to residents and contractors to allow online submission of these requests; and provide a suitable mobile solution for inspectors to complete their activities in the field.

The Request for Proposal may be downloaded from the City's website or and after Thursday, **August 25, 2011**, www.CambridgeMa.gov, Online Services, RFP, File No. 5563.

The City will be hosting a mandatory pre-bid conference for all interested vendors on **Wednesday, September 7, 2011 from 3:00 – 5:00 P.M. EDT** using telephone conferencing. The purpose of this conference is to allow potential submitters the opportunity to ask questions in an interactive setting. ***In order to be eligible to bid, offerors must attend this pre-bid conference. The telephone conferencing does not automatically record the name of those entering therefore offerors must announce their name when joining the call. Offerors must join the pre-bid conference on time. Only those offerors recorded as joining the pre-bid conference within the first 10 minutes will be considered as having attended the conference and therefore eligible to bid.***

To join the telephone conference, please call (617)-349-9103. The meeting ID number 1114 followed by a #. If you should have any technical problems in joining the conference, please call Scott Hamilton at (617)-349-7718.

The successful offeror must be an Equal Opportunity Employer pursuant to the Federal Equal Opportunity (EEO) Laws.

A sample contract is attached hereto. The submitted bid must be without conditions, exceptions or modifications to the bid document (Request for Proposal).

The City of Cambridge has a Living Wage Requirement that establishes minimum hourly rates for all Personnel that work on City projects. The City of Cambridge's Living Wage as of March 1, 2011 is \$13.90 per hour. The Living Wage Requirements are attached.

Questions concerning the RFP must be submitted in writing by 5:00 p.m. by **Thursday, September 8, 2011** to Cynthia H. Griffin, Purchasing Agent, at the address above, fax number (617) 349-4008. Answers will be sent to all proposers on record in Purchasing as having received the RFP. The City reserves the right to reject any and all proposals, waive any informalities in the proposal process deemed to be in the best interest of the City.

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A sealed envelope containing six copies of the non-price technical proposal marked **“Inspectional Services Department Permitting Software & Implementation - Non Price Proposal,”** and two sealed envelopes containing the price proposal **“Inspectional Services Department Permitting Software & Implementation – Price Proposal”** must be received by Cynthia H. Griffin, Purchasing Agent, City of Cambridge, Third Floor, City Hall, Room 303, 795 Massachusetts Avenue, Cambridge, MA 02139 no later than **Thursday, September 22, 2011 @ 11:00 A.M.**

Cynthia H. Griffin
Purchasing Agent

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City of Cambridge

Inspectional Services Department Permitting Software & Implementation

The City of Cambridge (the City) is soliciting proposals for software and services to support the permitting and inspectional activities of the Inspectional Services Department. The primary components of the effort are to provide an efficient and user-friendly method of processing permits, licenses and inspections for internal staff; provide a portal to residents and contractors to allow online submission of these requests; and provide a suitable mobile solution for inspectors to complete their activities in the field.

Prospective proposers must submit a complete proposal.

A contract will be awarded within 45 days of the proposal submission date, unless the award date is extended by consent of all parties concerned.

KEY DATES FOR THIS PROPOSAL

Thursday, August 25, 2011	Request For Proposal (RFP) Issued
Wednesday, September 7, 2011	3:00 PM – 5:00 PM A <u>Mandatory</u> pre-bid webcast and telephone conference call
Thursday, September 8, 2011	All questions on the RFP due in writing by 5:00 p.m. to: Purchasing Agent, Room 303, City Hall 795 Massachusetts Avenue, Cambridge, MA 02139 or by FAX to 617 349-4008.
Tuesday, September 13,2011	Response to questions posted to website in the form of an Addendum.
Thursday, September 22, 2011	Proposals due by at 11 a.m.

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OVERVIEW

The City of Cambridge (the City) is soliciting proposals for software and services to support the permitting and inspectional activities of the Inspectional Services Department. The primary components of the effort are to provide an efficient and user-friendly method of processing permits, licenses and inspections for internal staff; provide a portal to residents and contractors to allow online submission of these requests; and provide a suitable mobile solution for inspectors to complete their activities in the field.

Currently, the City uses a proprietary ADMINS system that runs on a VAX for some of their permitting operations and custom web-based and Access applications. Part of the project shall be to convert data from this system to the chosen solution. Other permits are managed strictly on a paper basis. The City has a customized version of Remedy 7.1 (Cambridge Request System) that is used to manage service requests on a citywide basis and a custom application that manages the permitting needs of the Public Works, Licensing Commission and Traffic & Parking Departments. It shall be a requirement of the desired system that it shall be able to initiate an inspection request on the basis of a complaint in Remedy.

The proposal should include appropriate levels of services for system installation & configuration, customization, technical and user training, data conversion, report writing and technical support. Technical documentation is required as part of all project delivery.

Rule for award: The City will award a contract to the proposer submitting the most advantageous proposal taking into consideration the proposals' quality requirements, evaluation criteria and composite ratings, interview, references, and price.

SECTION I. TERMS AND CONDITIONS

The terms and conditions of any contract awarded through this procurement are attached hereto and shall be affirmed by the City and selected Proposer.

SECTION II. INSTRUCTIONS TO PROPOSERS

1. A sealed envelope containing six copies of the non-price technical proposal marked "Inspectional Services Department Permitting Software & Implementation Non Price Proposal," and a **separate sealed envelope** containing two copies of the price proposal marked "Inspectional Services Department Permitting Software & Implementation - Price Proposal," must be received by Cynthia H. Griffin, Purchasing Agent, City of Cambridge, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, MA 02139, prior to **THURSDAY, SEPTEMBER 22, 2011 @ 11:00 A.M.** Chapter 30B of Massachusetts General Laws requires that price proposals must be separate from technical proposals. Therefore, **please make no reference to pricing in the non-price technical proposal.** Failure to adhere to this requirement will result in disqualification. It is the sole responsibility of the proposer to ensure that the proposal arrives on time at the designated place.
2. The signature of the authorized official(s) must be provided on all the proposal forms. All proposals should be double-sided in conformance with the City's recycling policy.

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3. All information in the proposal should be organized and presented as directed in Section IV, Proposal Specifications and Preparation. Accuracy and completeness are essential. The successful proposal will be incorporated into a contract.
4. Failure to answer any question, to complete any form, or to provide the documentation required will be deemed non-responsive and result in automatic rejection of the bid unless the City determines that such failure constitutes a minor informality, as defined in Chapter 30B.
5. All interpretations of the RFP and supplemental instructions will be in the form of written addenda to the RFP specifications. Requests for clarification or any questions about information contained in the RFP should be addressed in writing to Cynthia H. Griffin, Purchasing Agent, City of Cambridge, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, MA 02139 or by fax to 617-349-4008. These requests must be received no later than 5 p.m. on **THURSDAY, SEPTEMBER 8, 2011**. Please include the name, address, e-mail address, telephone number and fax number, if available, of the person to whom additional information should be sent. Any information sent to one proposer will be sent to all proposers. However, proposers must be on record in the Purchasing Department as having picked up or been sent by mail an RFP in order to receive addenda.
6. Proposals must be unconditional. However, **prior to the proposal opening**, proposers may correct, modify, or withdraw their proposal by written request to Cynthia H. Griffin, Purchasing Agent, City of Cambridge, Room 303, City Hall, 795 Massachusetts Avenue, Cambridge, MA 02139. A letter will be sufficient for withdrawal of a proposal up to the date of the proposal opening. Any correction or modification to a proposal must be submitted in writing and in a sealed envelope "Inspectional Services Department Permitting Software & Implementation - Modification to or Withdrawal of Proposal"
7. **Addendums will be posted to the Purchasing Website and mailed to *bidders recorded as joining the pre-bid conference***. Please check the website for Addendums before submitting your proposal. It is the responsibility of the bidder to make certain they have received all addenda.

SECTION III. EVALUATION OF PROPOSAL AND SOFTWARE

All proposals will be reviewed by the Evaluation Committee in accordance with M.G.L. Chapter 30B. Final selection will be based upon an evaluation and analysis of the information and materials required under the RFP, including information obtained by direct contact with references as well as a review of the proposed software by the Evaluation Committee. The Evaluation Committee will be composed of staff from the Inspectional Services Department (ISD), the Information Technology (IT) Department and the Public Works (PW) Department.

Based on the review of the written proposals, certain proposers may be asked to participate in an on-site or web-based interview and demonstration of the software. Proposers should therefore be prepared to travel to Cambridge for this interview if so desired by the City. The project manager and other personnel who will be working on the project on a day-to-day basis should be present at the interview. Interview participants will be expected to demonstrate the capabilities of the software and confirm the claims made in the proposal. The City will not assume any travel costs related to these interviews.

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The City will be contacting references submitted by the proposer and reserves the right to contact other references.

Proposals that meet the Quality Requirements will be reviewed for responses to the Comparative Evaluation Criteria. Each member of the Selection Committee will assign a rating of Highly Advantageous, Advantageous, Not Advantageous or Not Acceptable, to each comparative evaluation criterion. Based on these evaluation criteria ratings, a composite rating by each evaluator will be determined for each proposal.

After the technical evaluation is complete, the price proposals will be opened. The price proposals will be evaluated and ranked based on total price.

The contract will not necessarily be awarded to the proposal that receives the highest ranking with respect to the price proposal. The City will award the contract to only one responsive and responsible proposer submitting the most advantageous proposal taking into consideration the proposals' quality requirements, evaluation criteria and composite ratings, interview, references and price. Before awarding the contract, the City may request additional information from the proposer. The City reserves the right to reject any and all proposals if it determines that the criteria set forth have not been met.

SECTION IV. SOFTWARE FUNCTIONAL SPECIFICATIONS

A. Environment

The proposed solution will need to run in the following environment:

Desktop Operating Systems	Windows 7,Windows XP
Desktop Browser	Internet Explorer 8 & 9
Server Operating System	Windows Server 2008 R2
Server Web Software	IIS7
Active Directory	Microsoft 2003 to 2008
Server Database	SQL 2008
Mail Server	Exchange 2007
Payment Processor	Govolution Velocity Payment System v. 2010-2 Message Version 2.2
Financial System	MUNIS 7.2 to 8.2
GIS	ArcGIS 10, ArcGISServer 10, ArcSDE
CRM	Remedy Action Request System 7.1 to 7.6
Master Address System	Proprietary SQL 2008 Database
CAMA	Vision 6.4 (Oracle 8i DB)

The City will provide the necessary servers to provide both production and development/test environments.

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B. Permitting and Inspections

1. Permits and Licenses

The proposal needs to provide for the issuance and renewal of the following permits and licenses. For the purposes of this table, the difference between a permit and license is that a license is renewable on a regular basis of time. Detailed permit applications, fee schedules and other associated forms and screenshots from existing systems are found in Appendix A. **Please click on the pdf attachment to view Appendix A – Data Conversion Screenshots, Reports, Applications & Permit Documents. Appendix A consist of four folders named: Binder 1, Binder 2, Binder 3 & Binder 4.**

PERMIT AND LICENSE INFORMATION					
TYPE	SUBTYPE	PERMIT OR LICENSE	ONLINE	APPROXIMATE ANNUAL ISSUED	DATA CONVERSION
Asbestos		Permit	Yes	500	ADMINS-CSV Text
Board of Appeals					ADMINS-CSV Text
	Variance	Permit	Yes	120	ADMINS-CSV Text
	Special Permit	Permit	Yes	40	ADMINS-CSV Text
	Appeal	Permit	Yes	4	ADMINS-CSV Text
Builder		License	Yes	1000	ADMINS-CSV Text
Camp		Permit	Yes	100	None
Building				2000	
	Commercial	Permit	Yes		ADMINS-CSV Text
	Residential	Permit	Yes		ADMINS-CSV Text
	Roof	Permit	Yes		ADMINS-CSV Text
	Siding	Permit	Yes		ADMINS-CSV Text
Certificate of Inspection				1000	
	Alcohol	License	Yes		ADMINS-CSV Text
	Non-Alcohol	License	Yes		ADMINS-CSV Text
	Multi-Family	License	Yes		ADMINS-CSV Text
Certificate of Occupancy		Permit	Yes	400	ADMINS-CSV Text
Curb Cut		Permit	Yes	20	ADMINS-CSV Text
Demolition		Permit	Yes	40	ADMINS-CSV Text
Dumpster		License	Yes	1000	ACCESS DB
Electrical		Permit	Yes	3500	ADMINS-CSV Text
Gas		Permit	Yes	1200	ADMINS-CSV Text
HVAC		Permit	Yes	350	ADMINS-CSV Text
Plumbing		Permit	Yes	1800	ADMINS-CSV Text
Sheet Metal		Permit	Yes	600	ACCESS
Sign		Permit	Yes	75	ADMINS-CSV Text
Sprinkler/Standpipe		Permit	Yes	250	ADMINS-CSV Text
Temporary Food Service		Permit	Yes	500	None
Swimming Pool		License	Yes	25	SQL 2008 DB
Tobacco		License	Yes	120	SQL 2008 DB
Food					
	Alcohol	License	Yes	225	SQL 2008 DB
	Non-Alcohol	License	Yes	450	SQL 2008 DB
Milk		License	Yes	625	SQL 2008 DB
Mobile Food Service		License	Yes	25	SQL 2008 DB
Frozen Dessert		License	Yes	25	SQL 2008 DB

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2. Code Enforcement

The City inspects food-handling establishments on a bi-annual basis and on the basis of a complaint. A checklist for cleanliness, food storage, signage is completed. Upon completion of the inspection, the manager will need to digitally sign the results and an inspection report must be generated. There are approximately 10,000 inspection records in a single table in a SQL 2008 database that will require electronic conversion.

The City inspects housing on a pro-active basis and on a complaint basis. A checklist of conditions is reviewed in the field. Upon completion of the inspection, a citation may be issued to the owner, occupant or both. There is no electronic data requiring conversion.

3. Permit Documents, Reports and Correspondence

The following permit documents, reports and correspondence are required to be developed. Current permit documents, reports and correspondence are located in Appendix A. The City reserves the right to request changes before development by the proposer.

Asbestos	Permit Application
Asbestos	Permit Document
Board of Appeals	Permit Application
Board of Appeals	Permit Document
Builder	License Application
Builder	License Document
Builder	Renewal Letter
Building	Permit Application – Residential
Building	Permit Application - Commercial
Building	Permit Application - Roofing
Building	Permit Application - Siding
Building	Permit Document
Camp	Permit Application
Camp	Permit Application
Camp	Permit Document
Certificate of Inspection	License Application
Certificate of Inspection	License Document
Certificate of Occupancy	Permit Application
Certificate of Occupancy	Permit Document
Curb Cut	Permit Application
Curb Cut	Permit Document
Demolition	Permit Application
Demolition	Permit Document
Dumpster	License Application
Dumpster	License Document
Dumpster	Renewal Letter

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Electrical	Permit Application
Electrical	Permit Document
Food	License Application
Food	License Document
Food	Renewal Letter
Frozen Dessert	License Application
Frozen Dessert	License Document
Frozen Dessert	Renewal Letter
Gas	Permit Application
Gas	Permit Document
HVAC	Permit Application
HVAC	Permit Document
Milk	License Application
Milk	License Document
Milk	Renewal Letter
Mobile Food Service	License Application
Mobile Food Service	License Document
Mobile Food Service	Renewal Letter
Plumbing	Permit Application
Plumbing	Permit Document
Sheet Metal	Permit Application
Sheet Metal	Permit Document
Sign	Permit Application
Sign	Permit Document
Sprinkler/Standpipe	Permit Application
Sprinkler/Standpipe	Permit Document
Swimming Pool	License Application
Swimming Pool	License Document
Swimming Pool	Renewal Letter
Temporary Food Service	Permit Application
Temporary Food Service	Permit Document
Tobacco	License Application
Tobacco	License Document
Tobacco	Renewal Letter
Housing Citation	Housing Citation
Housing Complaint Form	Housing Complaint
Sanitary Inspection	Sanitary (Food-Handling) Inspection Form
Sanitary Complaint Form	Sanitary Complaint
Miscellaneous Reports	10 Administrative/Financial Reports TBD

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C. Functional Requirements

Please complete the following Requirement Matrix by placing the appropriate letter based on how the functionality can be met. If a combination of techniques are required, please identify multiple designations. Comments are invited to any response for further clarification. The column labeled “Need” indicates whether the City has determined that the need for the function is essential or desirable.

Legend for Completing the following Requirements

O = Functionality can be provided completely out-of-the-box simply by using administrative configuration without requiring any internal or external programming tools.

C = Functionality requires customization with the use of internal tools that define fields and manage interactive behavior.

E = Functionality requires the use of external scripting, DTS or other programming language.

N = Unable to provide this feature.

Requirements	Need	Code	Comments
A.General Functionality			
1. Must be compatible with specified PC and Server operating systems, database, and internet software	Essential		
2. Administrator must be able to configure permissions for roles and/or specific users.	Essential		
3. All help information is context sensitive.	Desirable		
4. Users can save their own search parameters.	Desirable		
5. All fields can be searched.	Essential		
6. License time-out if product is licensed on a floating basis.	Essential		
7. Application System Administrators can create new fields and screens after implementation.	Essential		
8. Multiple users can edit permit or inspection information.	Essential		
9. Automatic email notification to users when assigned activities have been updated or new tasks have been assigned to them.	Essential		
10. Ability to create, assign and maintain approval and fee adjustment group membership.	Essential		

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Requirements	Need	Code	Comments
A.General Functionality (Cont'd)			
11. Field auditing for all fields.	Essential		
12. Provide a configurable, flexible workflow management system to automate business processes performed by each work group.	Essential		
13. Place warnings, holds and restrictions on a record based on such things as a suspended builder's license or an unpaid bill.	Essential		
14. View and link to all related records (inspections, fees, associated permits) by property.	Essential		
15. Ability to enter notes with at least 5000 characters.	Essential		
16. Link to favorite websites directly from software.	Desirable		
17. Automatic assignment of permits, code violations, and complaints types to appropriate work groups.	Essential		
18. Use Active Directory as a source of usernames and passwords.	Essential		
19. Ability to add user-defined forms, user-defined fields and rows of data in tabular form and the ability to audit, search and report on these fields.	Essential		

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Requirements	Need	Code	Comments
A.General Functionality (Cont'd)			
20. Field entry can be made mandatory.	Essential		
21. Fields can be selectively hidden/shown.	Essential		
22. Drop-down field values can be customized.	Essential		
23. System must be able to completely and accurately calculate all necessary fees for permits and licenses.	Essential		
24. System must manage user-level permissions for adjusting and/or waiving fees based on individual permit or license type.	Essential		
25. The system can perform basic cashiering functions including taking payments, identifying the cashier, open cash drawer, and reporting a day end balance.	Desirable		

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Requirements	Need	Code	Comments
B.Reporting			
1. System has standard reports. Enter Number of reports in Comments field.	Essential		
2. Users are able to create queries on the fly and save those queries for future use.	Desirable		
3. Ability for users to select favorite reports and group them into folders for future use.	Desirable		
4. View a preview of report prior to executing.	Essential		
5. Export reports into MS Excel or CSV.	Essential		
6. Able to filter report results interactively at run-time on the basis of any field contained in the underlying report form without the use of parameters.	Desirable		
7. Permits and letters can be generated automatically, saved as .pdf files and delivered as attachments to emails.	Essential		
8. System has a built-in reporting tool that allows for quick ad-hoc reporting.	Essential		
9. System will be configured and customized such that ALL reports, forms and correspondence identified by the City can be generated.	Essential		
10. System allows for spell-check of any letter or correspondence feature.	Desirable		

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Requirements	Need	Code	Comments
C.Permitting			
1. Provide ability to track and search any type of permit and to add additional permit types as needed.	Essential		
2. Ability to specify parcel-based addresses and ranged addresses (e.g. 18-24 Main St) or individual addresses (e.g. 20 Main St) to a permit type; have each resolve to the City Assessors Map/Block/Lot; and have searches across all permit types, return all permits that match not only on specific address, but also underlying Map/Block/Lot	Essential		
3. Ability to link permits together.	Essential		
4. Ability to duplicate applicant and address information from one type of permit to another.	Essential		
5. Automatically calculate accurate permit fees based on our fee schedule and ensure fees are collected.	Essential		
6. Ability to attach different types of related parties to permits (architect, lawyer, contractor, sub-contractor, owner, lessee, etc.)	Essential		
7. Provide interactive permit application ability to the public.	Essential		
8. Provide search capability by address for permits to the public that would search both parcel-based, ranged addresses (e.g. 18-24 Main St.) and individual addresses (20 Main St.)	Essential		
9. Able to attach associated documentation to a record (pictures, word docs etc) and have them stored in a file structure.	Essential		

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Requirements	Need	Code	Comments
C.Permitting (Cont'd)			
10. Click to open GIS.	Essential		
11. Place warnings, holds and restrictions on the issuance of a permit based on a suspended builder's license or an unpaid bill associated with the property.	Essential		
12. Restrict the issuance of permits for certain parcels based on parcel id or address (e.g. certain permits require historical commission approval).	Essential		
13. Link to contact information of contractors, applicants, property owners, etc.	Essential		
14. Changes to permit details will result in recalculated fees.	Essential		
15. Automatic inspection, reviews and fees based on type and sub-types.	Essential		
16. Fees can be based on duration (start and end dates). Extending duration will result in appropriate fee calculation.	Essential		
17. For duration-based permits, allow the entry of a projected end date, calculation of additional fees associated with the extension and automation of extension process upon approval and/or payment of associated fees.	Desirable		
18. Automatic inspections and reviews are created based on permit type.	Essential		
19. Supports unlimited user-defined permit types & unique Permit Numbers.	Essential		
20. Ability to create a list of standard comments for plan review.	Essential		
21. Link multiple permits and plans to a single master project.	Essential		

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Requirements	Need	Code	Comments
D.Inspections			
1. Have a work center where Inspectors can view all of the inspections assigned to them and act on those inspections from this area.	Essential		
2. Ability to quickly re-assign a group of inspections to a new Inspector.	Desirable		
3. Allow different check-lists for each inspection type.	Essential		
4. Have standard notes unique to each inspection type.	Essential		
5. Have standard notes unique to each inspector and inspection type.	Desirable		
6. Track time on inspections.	Essential		
7. Able to automatically insert a re-inspection fee and create a re-inspection task based on the failed status of an inspection.	Essential		
8. Able to automatically email the contractor/developer of inspection results.	Essential		
9. Inspections can be created either in sequence or in parallel.	Essential		
10. Able to view a centralized Work Calendar for all inspectors.	Essential		

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Requirements	Need	Code	Comments
D.Inspections (Cont'd)			
11. Able to use GIS information to automatically assign an inspection to a default Inspector based on a geographic area.	Essential		
12. Adding attachments to the permit from a tablet camera.	Essential		
13. Able to change the status codes of an inspection to our agency's terminology.	Essential		
14. Change scheduled inspections from one calendar day/inspector to another.	Essential		
15. Ability to require previous inspections to occur before allowing for subsequent inspections to be added.	Essential		

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Requirements	Need	Code	Comments
E.Code Enforcement			
1. Allow multiple violations to be added to a single case while tracking each resolution and status individually.	Essential		
2. When a violation is added, the code text is automatically inserted.	Desirable		
3. Track follow-up dates to ensure the issue is resolved.	Essential		
4. View/add restrictions to the parcel when a case is created so that permits can be flagged at the time of application that there are existing code violations.	Essential		
5. Able to attach images to the case.	Essential		
6. Create a Case Details Report which itemizes all details pertaining to the case, including the photos attached.	Desirable		
7. Easily create MS Word letters and merge data from system into a letter.	Essential		
8. Track all activities on the record, including when a phone call is made, a letter is printed, etc.	Essential		
9. Able to print and attach a letter for historical purposes in a single step.	Desirable		

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Requirements	Need	Code	Comments
E.Code Enforcement (Cont'd)			
10. Automatically assign a case to a default Officer based on case type.	Desirable		
11. Allow code officers to enter results of their inspections including items for correction in the field either online or offline.	Essential		
12. Ability to duplicate part or all of the data from one case record to another.	Desirable		
13. Ability to create code violation cases related to permit inspections in the field.	Essential		
14. Print images associated with the case into a letter.	Desirable		
15. Automatic inspection, reviews and fees based on type and sub-types.	Essential		

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Requirements	Need	Code	Comments
F. GIS			
1. Real-time link to ArcSDE GIS database.	Essential		
2. Create GIS maps that display queried data (i.e. displaying code violations in a map)	Essential		
3. Email map as an attachment.	Essential		
4. Create mail merge notifications from GIS data.	Desirable		
5. Add new records to selected parcel(s) directly from GIS map.	Desirable		
6. View detailed parcel information from GIS application.	Essential		
7. Select parcels within a radius or draw a boundary.	Desirable		
8. Spatial Queries to identify parcels as being in a conservation district, historic district, etc.	Essential		
9. The interface to ARCGIS Server does not use web ADF API	Desirable		
10. Click on parcel to show all permits, inspections and code violations.	Desirable		

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Requirements	Need	Code	Comments
G. Mobility / In-Field Usage			
1. Be able to access property owner information while mobile.	Desirable		
2. Ability for field inspectors to print documents stored in the system in the field.	Essential		
3. Ability to configure security to assure that only authorized persons are allowed to sign off on an inspection.	Essential		
4. Supports remote data entry.	Essential		
5. Provide the appropriate capabilities to allow users to operate in the field with tablet PC devices.	Essential		
6. Mobile solution allows for disconnected editing for inspections and code violations. Inspector must have all necessary information available to complete field tasks without network connectivity.	Essential		
7. View history of permits, inspections and code violations on property.	Essential		

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Requirements	Need	Code	Comments
H.Online / Citizen Access			
1. Information is posted real-time to the database.	Essential		
2. Able to file a complaint online.	Essential		
3. Apply for ALL permit types online.	Essential		
4. Pay for outstanding fees online.	Essential		
5. Have a shopping cart feature that users can log into and pay for fees.	Essential		
6. Match the web pages to our web page format, not only a header bar with the agency's logo.	Desirable		
7. Have different security levels that determine information available to certain citizens (i.e. Generic login vs. Contractor login vs. Applicant login).	Essential		
8. Upload plans and any attachment type online.	Essential		
9. Restrict attachment uploads to certain types of files to protect against viruses.	Essential		
10. Custom screens and fields are viewable online.	Essential		

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Requirements	Need	Code	Comments
H.Online / Citizen Access (Cont'd)			
11. Able to require certain fields and collect custom information during online entry.	Essential		
12. Request inspections online.	Essential		
13. View the status of a permit, project, license or case online.	Essential		
14. Application System Administrators are able to change the configuration and preferences of the online system.	Essential		
15. Apply for a new business license online.	Essential		
16. View and save attachments online.	Essential		
17. Renew business license online including payments.	Essential		

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Requirements	Need	Code	Comments
I. License Management			
1. Comprehensive license history tracking by user, date, time stamp.	Essential		
2. Automatic Renewals and fee calculations.	Essential		
3. Supports multiple license cycle types.	Essential		
4. Supports unlimited user-defined license types & unique license numbers.	Essential		
5. Track multiple licenses per single business.	Essential		
6. Track registration, insurance, bond and expiration information.	Essential		

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Requirements	Need	Code	Comments
J. Contact Management			
1. Tracks unique contractor.	Essential		
2. Unlimited user-defined contractor types.	Essential		
3. Tracks company and contact info, address, email, phone, fax, etc.	Essential		
4. Tracks primary and sub-contractors.	Essential		
5. Supports unlimited contract license types per contractor with associated expiration cycles.	Essential		
6. Internal flagging for licensing issues (expired, suspended)	Essential		
7. Comprehensive activity tracking (i.e. permits, plans, code cases, Inspections, etc.) and quick access to this information.	Essential		
8. Multiple invoice management / individual fee payments.	Essential		
9. Supports free form entry fields for comments related to individual contractors.	Essential		
10. Ability to send email notifications to contacts.	Essential		
11. Ability to duplicate contact information from one contact type to another.	Desirable		
12. Ability to add alerts/flags to contact information e.g. they can only pay in cash for writing bad checks.	Desirable		

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D. Integrations

The following table indicates the desired integrations with other City Systems.

Number	System	Summary	Detail
1	Remedy	A complaint in Remedy will create an investigation case within System.	Remedy has standard SOAP web service that can be used to pass the request id, complaint summary, detailed description, location, name, address, phone number, email field data to permitting and inspection system. The case number will need to be sent back to Remedy. Once the case has been closed, the request id and the resolution code will need to update the Remedy record. City to provide expertise on Remedy web service.
2	Vision	Live link to provide ownership information and parcel id.	Permitting and inspections should be capable of autofilling ownership and parcelid information from the Vision Assessing system.
3	MUNIS	Live link for unpaid bills associated with the Parcel ID	Check MUNIS database to make sure that there are no delinquent water, sewer or tax bills for the property.
4	MUNIS	Live link to record payment	Post payments into MUNIS financials
5	Active Directory	User Authentication	User Authentication
6	GIS	Real-time link to ArcSDE GIS db	Real-time link to ArcSDE GIS database.
7	State Licenses	Push from excel spreadsheets/query access db/ and/or live link via web service.	The state currently hosts a number of builder and tradesmen licenses. Currently, they provide them to the City on a quarterly basis. The state is looking at making this data available “live” via a web service. If available at the time of development, the City would like this type of solution. Otherwise, use periodic excel spreadsheets as source of data.
8	Master Address	Live link to validate standard addresses	Master Addresses are contained within a SQL database.
9	Online Payments	City Application Redirecting to Govolution for payment processing.	The service shall interface with established City systems and payment providers via a SOAP web service to provide information about the payment to the system (unique ID, bill total, permit and permittee information) and a client-side browser redirect to send the user to the payment system.

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SECTION V. SCOPE OF SERVICES

This contract is limited to the vendor responsibilities listed below. The development should be completed in such a fashion as to build on the functionality that exists within the existing web application framework. It is the expectation of the City that the projects be developed using a methodology that easily allows for modification, customization, and extension by qualified City employees.

Vendor Responsibilities:

The vendor will be responsible for the completion of the following tasks for each project:

1. The vendor will assist the City in the preparation of a final project plan and acceptable timeline for the project.
2. The vendor will review the City's current workflow processes in the Inspectional Services Department with staff. The vendor will propose solutions for implementing the permitting, inspection and code enforcement activities of the Department within the framework of the capabilities of the system and the functionality committed to in this proposal. The vendor shall make a presentation to selected members of the City's staff with respect to these solutions.
3. The vendor shall provide detailed documentation for both end-user and administrative functionality. The vendor shall also revise existing system documentation to identify modified and added functionality.
4. The vendor will make customizations in such a manner so that they can be easily identified, thereby limiting the effort required to upgrade and maintain in the future.
5. The vendor shall develop test plans and implement regression testing to assure the City of the successful conversion and operation.
6. The vendor shall convert data from existing systems as identified in Section IV (B).
7. The vendor shall provide suitable "train-the-trainer" training and documentation that will allow customization by the City.
8. The vendor shall provide administrative technical training and documentation on system administration, configuration, customization and programming training that is specific to the system.

City Responsibilities:

The City Information and Technology Department (ITD) and Inspectional Services Department (ISD) Staff will be responsible for the completion of the following tasks:

1. The City will acquire all necessary computers and devices to meet the specifications and recommendations of the proposer.

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2. The City will be responsible for all hardware and network systems.
3. The City will be responsible for providing timely information for checklists, reports, correspondence and permits. Additionally, the City will provide timely and clear instructions regarding workflow for permitting and licensing tasks. The City will act as a resource for integrations with other City systems and as a resource for identifying data to be converted.
4. The City will conduct all end user training.
5. The City will conduct all acceptance testing.
6. The City is responsible for, using vendor supplied documentation and guidance, the migrations of all applications from test environments to production.
7. The City shall be responsible for modifying user training documents supplied by the Vendor for use by City trainers.

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SECTION VI. QUALITY REQUIREMENTS

Failure to complete this section and include it within the proposal will result in the rejection of the proposal in its entirety.

In order for a proposal to receive further consideration, the software provider must unconditionally check “Yes” to the questions below. The City shall reject in its entirety the proposal of any software provider who fails to check “Yes,” or who modifies, qualifies or limits its affirmative response in any way.

1. The proposer has at least 5 years of experience providing permitting and inspection software to government agencies.

YES _____

NO _____

2. The proposer has provided implementing permitting and inspection software to at least five (5) jurisdictions of similar size and similar complexity of the requirements outlined in this Request for Proposal.

YES _____

NO _____

3. The proposer has provided field tablet PC devices with the proposed application and access web portal to allow permit submission from the public to at least two jurisdictions.

YES _____

NO _____

4. The Proposer agrees no additional charges will be associated with upgrading to the most current version of the product?

YES _____

NO _____

5. The Proposer will provide annual support and maintenance for all functionality developed under this proposal on all items in the Requirements Matrix (Section IV (C)) and any future custom functionality developed by the City that utilize internal tools that define fields and manage interactive behavior

YES _____

NO _____

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SECTION VII. COMPARATIVE EVALUATION CRITERIA

All comparative evaluation criteria will be weighed equally.

A. Technical Solution

Highly Advantageous: The proposal and presentation indicates that the proposer meets all essential requirements specified in the software functionality section with a measurably large predominance of out-of-the-box features and configurations as opposed to specialized programming using either internal or external tools. In addition, the proposal meets a majority of desirable elements.

Advantageous: The proposal and presentation indicates that the proposer lacks some of the essential software functionality, but proposes compensatory elements, and explains fully how these will result in an equivalent (or greater) level of functionality. The proposal and presentation indicate that a substantial portion of the functionality requires the use of specialized programming using internal or external tools. In addition, the proposal meets some of the desirable elements.

Not Advantageous: The proposal and presentation indicates that the proposer lacks some essential software functionality. The proposal and presentation indicate that an extensive portion of the functionality requires the use of specialized programming using internal or external tools.

Not Acceptable: The proposal and/or presentation indicates that the proposer lacks a measurably large amounts of required software functionality.

B. Support and Reliability

Highly Advantageous: The proposer has answered “Yes” or “N/A” to all questions in the Support section 8(E) of this document. The Service Level Agreement (SLA) is deemed to be highly responsive. References generally report a high level of satisfaction with the responsiveness and solutions provided to problems that have been encountered.

Advantageous: The proposer has answered “Yes” or “N/A” to all questions except #2 in the Support section 8(E) of this document. The Service Level Agreement (SLA) is deemed to be responsive. References generally report satisfaction with the responsiveness and solutions provided to problems that have been encountered.

Not Advantageous: The proposer has answered “No” to all questions in the Support section 8(E) of this document. The Service Level Agreement (SLA) is deemed to be lacking responsiveness. References report inconsistent responsiveness and solutions provided to problems that have been encountered.

Not Acceptable: The proposer has answered “No” to all questions in the Support section 8(E) of this document. The Service Level Agreement (SLA) is deemed to be inadequate. References report poor responsiveness and solutions provided to problems that have been encountered.

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C. Qualifications of Personnel

Highly Advantageous: The proposer has selected staff having a minimum of three years experience in their proposed role and a minimum of two years experience in that role with the product.

Advantageous: The proposer has selected staff with nearly all having a minimum of three years experience in their proposed role and a minimum of two years experience in that role with the product.

Not Advantageous: The proposer has selected staff with most having a minimum of three years experience in their proposed role and a minimum of two years experience in that role with the product.

Not Acceptable: The proposer has selected staff with few, if any, having a minimum of three years experience in their proposed role and a minimum of two years experience in that role with the product.

D. References

Highly Advantageous: At least three references contacted by the City that comment substantively and positively on their experiences with the firm and their expertise and give the firm a highly positive recommendation for this project. No references contacted by the City indicate significant dissatisfaction on their experiences.

Advantageous: At least three references contacted by the City that comment substantively and positively on their experiences with the firm and their expertise and give the firm a highly positive recommendation for this project. One reference contacted by the City indicates significant dissatisfaction on their experiences.

Not Advantageous: Two references contacted by the City that comment substantively and positively on their experiences with the firm and their expertise and give the firm a highly positive recommendation for this project. One reference contacted by the City indicates significant dissatisfaction on their experiences.

Not Acceptable: Less than two references contacted by the City comment substantively and positively on their experiences with the firm and their expertise and give the firm a highly positive recommendation for this project OR more than one reference contacted by the City indicated significant dissatisfaction on their experiences.

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SECTION VIII. PROPOSAL SUBMISSION DOCUMENTS

The following documents must be submitted with your bid, and will be taken into consideration during the evaluation process. All proposals should present a description of the proposer’s qualifications based on the comparative evaluation criteria.

- A. Resumes for personnel who will be involved in providing services for this project.
- B. Completion of the following table documenting the experience of key personnel identified to be assigned to this project:

Role	Company	Name(s)	Career Experience (Yrs)	Experience in Role With Product (Yrs)
Project Management				
Business Analyst - Requirements Gathering				
Administrative Configuration				
Programming				
Integrations				
User Training				
Reports/Permits/Correspondence				
Administrative Training				
Programming Training For Internal Tools				

- C. The completed table in Section IV (C) - Software Functionality Requirements indicating the functionality that will be delivered to the City. Additionally, the vendor must designate a code and optionally provide comments.
- D. A copy of the current Service Level Agreement (SLA) that documents maintenance and support practices.
- E. Completion of the following table so that the City will understand the scope of support that will be provided .

No.	Scope of Support Questions	Yes	No	N/A
1	Will annual support and maintenance cover all future functionality developed by the City that require the use of scripting or other programming languages if they are in any way used to enhance the functionality of the product as long as the City should continue to pay for support and maintenance in the future? If scripting or other programming languages are not used to enhance the functionality of the product, please indicate “N/A”.			
2	Will annual support and maintenance cover each of the integrations developed under this proposal as long as the City should continue to pay for support and maintenance in the future and the other systems remain unchanged?			

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- G. A rough outline of a typical project plan including a detailed description of the specific training (type and duration) provided to City personnel.
- H. Server and tablet PC requirements.
- I. A sample user and administrative training document.

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SECTION IX. PRICE PROPOSAL- The entire price proposal must be submitted in a sealed envelope, separate from the technical proposal. Failure to adhere to this instruction will result in automatic disqualification of your proposal

The following grid is intended to provide the respondent with the City’s anticipated user figures for software acquisition, licensing and support and maintenance.

Module	Named User Licenses	Concurrent User Licenses
Base System	40	30
Permitting	40	30
Licensing	40	30
Mobile	20	15
Public Access	Unlimited	Unlimited
GIS	40	30
Inspections	40	30
Code Violations	40	30
Other:	40	30

Price Proposal The contract duration will be three years.

Year One: Includes initial Product Acquisition and Licensing Costs including Implementation Services, Maintenance & Support

\$ _____

Year Two: Includes Software License & Maintenance annual fee and support

\$ _____

Year Three: Includes Software License & Maintenance annual fee and support

\$ _____

Total Price Submitted for a period of three years:

\$ _____

Total in words: _____

Supplemental Price Sheet - Please submit a supplemental sheet. The supplemental price sheet should include an itemized breakdown of fees equaling the total bid submitted and explain the services provided by the provider to the City for the following:

Product Acquisition and Licensing Cost- The supplemental sheet should include information describing how the providers license their product and the detailed cost breakdown associated with licenses. For example: named user licenses, concurrent user licenses or unlimited users.

Implementation Services – The supplemental price sheet must take in all labor, materials, profit, travel, overhead and expenses associated with implementation. The supplemental price sheet shall include itemized pricing for installation, configuration, customization and associated programming services; data conversion; the development of permit documents, applications, correspondence and reports; and training.

Note: The City reserves the right to choose whether to have the proposer implement each integration. The City may elect to forego some specified integrations and the associated cost.

Price Proposal Section continued on next page.

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Company: _____

Address: _____

Phone: _____

Email: _____

Signature: _____

Name: _____

Title: _____

This bid includes addenda numbered: _____

END OF SECTION IX. PRICE PROPOSAL

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ANTI-COLLUSION AND TAX COMPLIANCE CERTIFICATE

The undersigned certifies under penalties of perjury that this proposal has been made and submitted in good faith and without collusion or fraud with any person. As used in this certification, "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization or other group of individuals.

As required by MGL Chapter 62C, Section 49A, the undersigned further certifies under penalty of perjury that the bidder has complied with all of the laws of the Commonwealth of Massachusetts relating to taxes, reporting of employees and Proposers, and withholding and remitting child support.

Signature:

Name of person signing proposal:

Title of officer signing for firm, if applicable:

Name of business, of applicable:

Address:

Signature of all firm partners, if applicable:

This form must be submitted with the proposal.

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CORI COMPLIANCE FORM

Persons and businesses supplying goods and/or services to the City of Cambridge (“Vendors”), who are required by law to perform CORI checks, are further required by Section 2.112.060 of the Cambridge Municipal Code to employ fair policies, practices and standards relating to the screening and identification of persons with criminal backgrounds through the CORI system. Such Vendors, when entering into contracts with the City of Cambridge, must affirm that their policies, practices and standards regarding CORI information are consistent with the policies, practices and standards employed by the City of Cambridge as set forth in the City of Cambridge CORI Policy (“CORI Policy”) attached hereto.

CERTIFICATION

The undersigned certifies under penalties of perjury that the Vendor employs CORI related policies, practices and standards that are consistent with the provisions of the attached CORI Policy. **All Vendors must check one of the three lines below.**

1. _____ CORI checks are not performed on any Applicants.
2. _____ CORI checks are performed on some or all Applicants. The Vendor, by affixing a signature below, affirms under penalties of perjury that its CORI policies, practices and standards are consistent with the policies, practices and standards set forth in the attached CORI Policy.
3. _____ CORI checks are performed on some or all Applicants. The Vendor’s CORI policies, practices and standards are not consistent with the attached CORI Policy. Please explain on a separate sheet of paper.

(Typed or printed name of person signing quotation, bid or Proposal)

Signature

(Name of Business)

NOTE:

The City Manager, in his sole discretion may grant a waiver to any Vendor on a contract by contract basis.

Instructions for Completing CORI Compliance Form:

A Vendor should not check Line 1 unless it performs NO CORI checks on ANY applicant. A Vendor who checks Line 2 certifies that the Vendor’s CORI policy conforms to the policies, practices and standards set forth in the City’s CORI Policy. A Vendor with a CORI policy that does NOT conform to the City’s CORI Policy must check Line 3 and explain the reasons for its nonconformance in writing. Vendors, who check Line 3, will not be permitted to enter into contracts with the City, absent a waiver by the City Manager.

This form must be submitted with your proposal.

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ORDINANCE NUMBER 1312

Final Publication Number 3155. First Publication in the Chronicle on December 13, 2007.

City of Cambridge

In the Year Two Thousand and Eight

AN ORDINANCE

In amendment to the Ordinance entitled “Municipal Code of the City of Cambridge”

Be it ordained that Cambridge Municipal Code Chapter 2.112 is hereby amended by adding a new Section 2.112.060 entitled “CORI Screening by Vendors of the City of Cambridge” as follows:

Adding after Section 2.112.050 the following new sections:

SECTION 2.112.060

CORI SCREENING BY VENDORS OF THE CITY OF CAMBRIDGE

Sections:

2.112.061 Purpose

2.112.062 Definitions

2.112.063 CORI-Related Standards of the City of Cambridge

2.112.064 Waiver

2.112.065 Applicability

2.112.061 Purpose

These sections are intended to ensure that the persons and businesses supplying goods and/or services to the City of Cambridge deploy fair policies relating to the screening and identification of persons with criminal backgrounds through the CORI system.

2.112.062 Definitions

Unless specifically indicated otherwise, these definitions shall apply and control.

Awarding Authority means the City of Cambridge Purchasing Agent or designee.

Vendor means any vendor, contractor, or supplier of goods and/or services to the City of Cambridge.

2.112.063 CORI-Related Standards of the City of Cambridge

The City of Cambridge employs CORI-related policies, practices and standards that are fair to all persons involved and seeks to do business with vendors that have substantially similar policies, practices and standards. The City of Cambridge will do business only with vendors who, when required by law to perform CORI checks, employ CORI-related policies, practices, and standards that are consistent with

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policies, practices and standards employed by the City of Cambridge. The awarding authority shall consider any vendor's deviation from policies, practices and standards employed by the City of Cambridge as grounds for rejection, rescission, revocation, or any other termination of the contract.

2.112.064 Waiver

The City Manager may grant a waiver to anyone who or which has submitted a request for waiver if it is objectively reasonable; and the City Manager, or a delegate, shall report promptly in writing to the City Council all action taken with respect to every request for a waiver and the reasons for the decision.

2.112.065 Applicability

If any provision of these sections imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, order, or policy then the provisions of these sections shall control.

In City Council January 28, 2008.

Passed to be ordained by a yeas and nays vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- D. Margaret Drury, City Clerk.

A true copy;

ATTEST:-

D. Margaret Drury
City Clerk

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City of Cambridge CORI Policy

1. Where Criminal Offender Record Information (CORI) checks are part of a general background check for employment or volunteer work, the following practices and procedures will generally be followed.
2. CORI checks will only be conducted as authorized by Criminal History Systems Board (CHSB). All applicants will be notified that a CORI check will be conducted. If requested, the applicant will be provided with a copy of the CORI policy.
3. An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the educational materials made available by the CHSB.
4. Prior to initiating a CORI check, the City will review the qualifications of the applicant to determine if the applicant is otherwise qualified for the relevant position. The City will not conduct a CORI check on an applicant that is not otherwise qualified for the relevant position.
5. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determination of suitability based on CORI checks will be made consistent with this policy and any applicable law or regulations.
6. If a criminal record is received from CHSB, the authorized individual will closely compare the record provided by CHSB with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant.
7. If, in receiving a CORI report, the City receives information it is not authorized to receive (e.g. cases with dispositions such as not guilty or dismissal, in circumstances where the City is only authorized to receive convictions or case-pending information), the City will inform the applicant and provide the applicant with a copy of the report and a copy of CHSB's *Information Concerning the Process in Correcting a Criminal Record* so that the applicant may pursue correction with the CHSB.
8. If the City of Cambridge is planning to make an adverse decision based on the results of the CORI check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the City's CORI policy, advised of the part(s) of the record that make the individual unsuitable for the position and given an opportunity to dispute the accuracy and relevance of the CORI record.
9. Applicants challenging the accuracy of the criminal record shall be provided a copy of CHSB's *Information Concerning the Process in Correcting a Criminal Record*. If the CORI record provided does not exactly match the identification information provided by the applicant, the City of Cambridge will make a determination based on a comparison of the CORI record and documents provided by the applicant. The City of Cambridge may contact CHSB and request a detailed search consistent with CHSB policy.
10. If the City of Cambridge reasonably believes the record belongs to the applicant and is accurate, then the determination of suitability for the position will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:
 - (a) Relevance of the crime to the position sought;
 - (b) The nature of the work to be performed;
 - (c) Time since the conviction;
 - (d) Age of the candidate at the time of offense;

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- (e) Seriousness and specific circumstances of the offense;
 - (f) The number of offenses;
 - (g) Whether the applicant has pending charges;
 - (h) Any relevant evidence of rehabilitation or lack thereof;
 - (i) Any other relevant information, including information submitted by the candidate or requested by the City.
11. The Personnel Department will assist affected departments, in assessing the suitability of candidates in accordance with paragraph 10 a through i above, to ensure consistency, fairness, and protection of employment opportunities and the public interest.
12. The City of Cambridge will notify the applicant of the decision and the basis of the decision in a timely manner.
13. CORI information shall not be disseminated or shared with any unauthorized employees or other, but shall be maintained in confidence consistent with the obligations of law.

Revised May 5, 2007

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Chapter 2.121

LIVING WAGE ORDINANCE

Sections:

2.121.010	Title and Purpose
2.121.020	Definitions
2.121.030	Living Wage
2.121.040	Waivers and Exceptions
2.121.050	Notification Requirements
2.121.060	Duties of covered Employers
2.121.070	Community Advisory Board
2.121.080	Enforcement
2.121.090	Severability
2.121.100	Effective Date

2.121.010 Title and Purpose.

This Chapter shall be known as the "Cambridge Living Wage Ordinance". The purpose of this ordinance is to assure that employees of the City of Cambridge and employees of City contractors, subcontractors and beneficiaries of tax abatements, loans, grants, subsidies and other assistance provided by the City earn an hourly wage that is needed to support a family of four.

2.121.020 Definitions.

For the purposes of this ordinance, the term:

(a) "Applicable Department" means the Personnel Department for employees of the City of Cambridge, the Purchasing Department, with the advice and assistance of the appropriate department which receives the services, for Covered Employers who contract or subcontract with the City of Cambridge, the School Department for employees, contractors and subcontractors of the School Department, and the City Manager's Office for any other Person who is a Beneficiary of assistance other than a contract or subcontract.

(b) "Assistance" means:

(1) any grant, loan, tax incentive, bond financing, subsidy, or other form of assistance valued at least \$10,000 that an employer receives by or through the authority or approval of the City of Cambridge, including, but not limited to, c. 121A tax abatements, industrial development bonds, Community Development Block Grant (CDBG) loans and grants, Enterprise Zone designations awarded after the effective date of this Chapter, and the lease of city owned land or buildings below market value; and

(2) any service contract, as defined herein, of at least \$10,000 with the City of Cambridge that is made with an employer to provide services pursuant to G.L.c. 30B or other public procurement laws, awarded, renegotiated or renewed after the effective date of this Chapter.

(3) any service subcontract, as defined herein, of at least \$10,000.

(c) "Beneficiary" means:

(1) any person who is a recipient of Assistance;

(2) any company or person that is a tenant or sub-tenant, leaseholder or sub-leaseholder of a recipient of Assistance, provided that said company or person employs at least 25 persons and occupies

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property or uses equipment or property that is improved or developed as a result of Assistance, after the effective date of this Chapter; and

(d) "Covered Employer" means the City of Cambridge or a Beneficiary of Assistance.

(e) "Covered Employee" means:

(1) a person employed by the City of Cambridge except for persons in those positions listed in Section 2.121.040(j) of this ordinance; and

(2) a person employed by a Covered Employer, or a person employed by an independent contractor doing business with a Covered Employer, who would directly expend any of his or her time on the activities funded by the contract or the activities for which the Beneficiary received the Assistance, except for persons in those positions listed in Section 2.121.040(j) of this ordinance..

(f) "Living Wage" has the meaning stated in Section 2.121.030.

(g) "Person" means one or more of the following or their agents, employees, servants, representatives, and legal representatives: individuals, corporations, partnerships, joint ventures, associations, labor organizations, educational institutions, mutual companies, joint-stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, fiduciaries, and all other entities recognized at law by the Commonwealth of Massachusetts.

(h) "Service Contract" means a contract let to a contractor by the City of Cambridge for the furnishing of services, to or for the City, except contracts where services are incidental to the delivery of products, equipment or commodities. A contract for the purchase or lease of goods, products, equipment, supplies or other property is not a "service contract" for the purposes of this definition.

(i) "Service Subcontract" means a subcontract primarily for the furnishing of services, to or for a recipient of Assistance, except where services are incidental to the delivery of products, equipment or commodities. A contract for the purchase or lease of goods, products, equipment, supplies or other property is not a "service subcontract" for the purposes of this definition.

2.121.030 Living Wage.

(a) Applicability. Covered Employers shall pay no less than the Living Wage to their employees.

(b) Amount of wage. The Living Wage shall be calculated on an hourly basis and shall be no less than \$10.00, subject to adjustment as provided herein. The Living Wage shall be upwardly adjusted each year no later than March first in proportion to the increase at the immediately preceding December 31 over the year earlier level of the Annual Average Consumer Price Index for All Urban Consumers (CPI -U) Boston-Lawrence-Salem, MA - NH, as published by the Bureau of Labor Statistics, United States Department of Labor applied to \$10.00.

(c) No reduction in collective bargaining wage rates. Nothing in this Chapter shall be read to require or authorize any beneficiary to reduce wages set by a collective bargaining agreement.

(d) Cuts in non-wage benefits prohibited. No Beneficiary will fund wage increases required by this Chapter, or otherwise respond to the provisions of this Chapter, by reducing the health, insurance, pension, vacation, or other non-wage benefits of any of its employees.

2.121.040 Waivers and Exceptions.

(a) Waivers. A Covered Employer may request that the City Manager grant a partial or whole waiver to the requirements of this Chapter.

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(b) General Waivers. Waivers may be granted where application of this Chapter to a particular form of Assistance is found by the City Solicitor to violate a specific state or federal statutory, regulatory or constitutional provision or provisions, and the City Manager approves the waiver on that basis.

(c) Hardship Waivers for certain not-for-profit employers. An employer, who has a contract with the City of Cambridge which is not subject to the provisions of G.L. c. 30B, may apply to the City Manager for a specific waiver where payment of the Living Wage by a not-for-profit Covered Employer would cause a substantial hardship to the Covered Employer.

(d) Chapter 30B contract waivers. Prior to issuing an invitation for bids for a procurement contract subject to the provisions of G.L. c. 30B, any Applicable Department may apply to the City Manager for a waiver of the application of the Living Wage to the contract where payment of the Living Wage by a Covered Employer would make it inordinately expensive for the City to contract for the services or would result in a significant loss of services, because the contracted work cannot be segregated from the other work of the Covered Employer.

(e) General Waiver Request Contents. All General Waiver requests shall include the following:

- (1) The nature of the Assistance to which this Chapter applies;
- (2) The specific or official name of the Assistance and Assistance program, the statutory or regulatory authority for the granting of the Assistance, and a copy of that authority;
- (3) The conflicting statutory, regulatory, or constitutional provision or provisions that makes compliance with this Chapter unlawful, and a copy of each such provision; and
- (4) A factual explication and legal analysis of how compliance with this Chapter would violate the cited provision or provisions, and the legal consequences that would attach if the violation were to occur.

(f) Hardship Waiver Request Contents. All Hardship Waiver requests shall include the following:

- (1) The nature of the Assistance to which this Chapter applies;
- (2) A detailed explanation of why payment of the Living Wage would cause a substantial hardship to the Covered Employer; and
- (3) A statement of proposed wages below the Living Wage.

(g) Chapter 30B Contract Waiver Request Contents. A Chapter 30B contract waiver request shall include the following:

- (1) The nature of the Assistance to which this Chapter applies;
- (2) A detailed explanation of why the contracted work cannot be segregated from the other work of the bidding Covered Employers thereby making the cost of the contract with the payment of the Living Wage inordinately expensive or would result in a significant loss of services;

(h) Community Advisory Board review and recommendation regarding waiver requests. The Community Advisory Board, as described in Section 2.121.070 of this ordinance, shall consider waiver requests along with their supporting documentation and analysis, and may hold a public hearing to consider the views of the public before making a recommendation to the City Manager regarding the waiver request. For a hardship waiver, the Community Advisory Board shall offer an opportunity to be heard to employees of the Covered Employer. After reviewing the recommendation of the Community Advisory Board, the City Manager may approve and grant or deny all or part of a request. The City Manager may in his or her discretion grant a temporary hardship waiver pending the hearing before the Community Advisory Board. For Chapter 30B contract waivers, the Community Advisory Board shall make its recommendation to the City Manager no more than thirty days after it is notified of the request for a Chapter 30B contract waiver.

(i) Terms of exceptions. If an employer is subject to this Chapter as a result of its receipt of more than one kind of Assistance covered by this Chapter, and if the City Manager grants a waiver with respect to one form of Assistance, the City Manager need not find that this Chapter is inapplicable to the employer with respect to another form of Assistance received by the employer.

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(j) Exceptions. The following positions will be excepted from the requirement of the payment of the Living Wage upon certification in an affidavit in a form approved by the Applicable Department and signed by a principal officer of the Covered Employer that the positions are as follows:

- (1) youth hired pursuant to a city, state, or federally funded program which employs youth as defined by city, state, or federal guidelines, during the summer, or as part of a school to work program, or in other related seasonal or part-time program;
- (2) work-study or cooperative educational programs;
- (3) trainees who are given a stipend or wage as part of a job training program that provides the trainees with additional services, which may include, but are not limited to, room and board, case management, or job readiness services.
- (4) persons working in a recognized supported employment program that provides workers with additional services, which may include, but are not limited to, room and board, case management, counseling, or job coaching;
- (5) positions where housing is provided by the employer;
- (6) employees who are exempt from federal or state minimum wage requirements; and
- (7) individuals employed by the City of Cambridge where the employment of such individuals is intended primarily to provide a benefit or subsidy to such individuals, although the City is compensating them for work performed.

2.121.050 Notification Requirements.

All Applicable Departments shall provide in writing an explanation of the requirements of this ordinance in all requests for bids for service contracts and to all persons applying for Assistance as defined by this ordinance. All persons who have signed a service contract with the City of Cambridge or a contract for Assistance shall forward a copy of such requirements to any person submitting a bid for a subcontract on the Assistance contract.

2.121.060 Duties of Covered Employers.

(a) Notification Requirements. Covered employers shall provide each Covered employee with a fact sheet about this ordinance and shall post a notice about the ordinance in a conspicuous location visible to all employees. The fact sheet and poster shall be provided to the Covered Employer by the Applicable Department and shall include:

- (1) notice of the Living Wage amount;
- (2) a summary of the provisions of this ordinance;
- (3) a description of the enforcement provisions of the ordinance;
- (4) the name, address, and phone number of a person designated by the Applicable Department to whom complaints of noncompliance with this ordinance should be directed.

(b) Contract for Assistance. At the time of signing a contract for assistance with the City of Cambridge or with a Beneficiary, the contract must include the following:

- (1) the name of the program or project under which the contract or subcontract is being awarded;
- (2) a local contact name, address, and phone number for the Beneficiary;
- (3) a written commitment by the Beneficiary to pay all Covered Employees not less than the Living Wage as subject to adjustment under this ordinance and to comply with the provisions of this ordinance;
- (4) a list of Covered Employees under the contract with the employees' job titles;
- (5) a list of all subcontracts either awarded or that will be awarded to Beneficiaries with funds from the Assistance. Upon signing any subcontracts, the Covered Employer shall forward a copy of the subcontract to the Applicable Department.

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(c) Maintenance of payroll records. Each Covered Employer shall maintain payrolls for all Covered Employees and basic records relating thereto and shall preserve them for a period of three years. The records shall contain the name and address of each employee, the job title and classification, the number of hours worked each day, the gross wages, deductions made, actual wages paid, and copies of social security wage and withholding reports, and evidence of payment thereof and such other data as may be required by the Applicable Department from time to time.

(d) Applicable Department duties. The Applicable Department shall cause investigations to be made as may be necessary to determine whether there has been compliance with this Ordinance. The Applicable Department shall report the findings of all such investigations to the Community Advisory Board.

(e) Covered Employer to cooperate. The Covered Employer shall submit payroll records on request to the Applicable Department. The Covered Employer shall permit City representatives to observe work being performed upon the work site, to interview employees and to examine the books and records relating to the payrolls being investigated to determine payment of wages.

(f) City Assistance Reports. Each Applicable Department shall file a City Assistance Report with the City Manager and the Community Advisory Board by July 31 of each year. The report shall include, for each Assistance package or contract approved during the preceding fiscal year:

- (1) the name of the Applicable Department (awarding agency), the name of the specific program under which the Assistance was awarded, and the origin of funds for Assistance;
- (2) a description of the purpose or project for which the Assistance was awarded;
- (3) the name, address, and phone number of a local contact person for the Covered Employer;
- (4) the total cost to the City of Assistance provided to each Beneficiary, including both face-value of Assistance, as well as revenue not collected as a result of the Assistance.

2.121.070 Community Advisory Board.

(a) Purpose. The purpose of the Community Advisory Board shall be to review the effectiveness of this Ordinance at creating and retaining Living Wage jobs, to make recommendations to the City Manager regarding the granting of Waivers to Covered Employers, to review the implementation and enforcement of this ordinance, and to make recommendations from time to time in connection therewith.

(b) Composition. The Community Advisory Board shall be composed of nine members and shall include representatives of labor unions, community organizations and the business community. All members will be appointed by the City Manager. Members of the Board shall serve a three-year term. Whenever a vacancy shall occur the City Manager shall appoint a replacement within thirty days of said vacancy.

(c) Meetings. The Community Advisory Board shall meet quarterly and in special session as required. All meetings of the Board shall be open to the public and will allow for public testimony on the uses of the City Assistance generally, and on specific instances of Assistance or proposed Assistance as received or sought by individual enterprises.

(d) Conflict of Interest. No member of the Community Advisory Board shall participate in any proceeding concerning a Beneficiary, a Covered Employer or a Covered Employee, or applicant for waiver or exemption, if the member or any member of his or her immediate family has a direct or indirect financial interest in the outcome of said proceeding.

2.121.080 Enforcement.

(a) Enforcement powers. In order to enforce this Chapter, the Applicable Department may, with the approval and assistance of the City Solicitor, issue subpoenas, compel the attendance and testimony of witnesses and production of books, papers, records, and documents relating to payroll records necessary

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for hearing, investigations, and proceedings. In case of failure to comply with a subpoena, the City may apply to a court of appropriate jurisdiction for an order requiring the attendance and testimony of witnesses and the productions of books, papers, records, and documents. Said court, in the case of a refusal to comply with any such subpoena, after notice to the person subpoenaed, and upon finding that the attendance or testimony of such witnesses or the production of such books, papers, records, and documents, as the case may be, is relevant or necessary for such hearings, investigation, or proceedings, may issue an order requiring the attendance or testimony of such witnesses or the production of such documents and any violation of the court's order may be punishable by the court as contempt thereof.

(b) Complaint procedures. An employee who believes that he or she is a Covered Employee or an applicant for a position to be filled by a Covered Employee who believes that his or her employer is not complying with requirements of this Chapter applicable to the employer may file a complaint with the Applicable Department or with the Community Advisory Board. Complaints of alleged violations may also be filed by concerned citizens or by the City Council. Complaints of alleged violations may be made at any time, but in no event more than three years after the last date of alleged violation, and shall be investigated promptly by the Applicable Department. Statements written or oral, made by an employee, shall be treated as confidential and shall not be disclosed to the Covered Employer without the consent of the employee.

(c) Investigations and hearings. The Applicable Department shall investigate the complaint, and may, in conjunction with the City Solicitor, and in accordance with the powers herein granted, require the production by the employer of such evidence as required to determine compliance. Prior to ordering any penalty the applicable Department shall give notice to the employer and conduct a hearing. If at any time during these proceedings, the employer voluntarily makes restitution of the wages not paid to the employee making the complaint and to any similarly situated employees, by paying all back wages owed plus interest at the average prior year Massachusetts passbook savings bank rate, or otherwise remedies the violation alleged if the violation involves matters other than wages, then the Applicable Department shall thereafter dismiss the complaint against the employer.

(d) Remedies. In the event that the Applicable Department, after notice and hearing, determines that any Covered Employer has failed to pay the Living Wage rate or has otherwise violated the provisions of this Chapter, the Applicable Department may order any or all of the following penalties and relief:

(1) Fines up to the amount of \$300 for each Covered Employee for each day that the Covered Employer is in violation of this Ordinance, except if the violation was not knowing and willful, then the total fine shall not exceed the amount of back wages plus interest owed;

(2) Suspension of ongoing contract and subcontract payments;

(3) Ineligibility for future City Assistance for up to three years beginning when all penalties and restitution have been paid in full. In addition, all Covered Employers having any principal officers who were principal officers of a barred beneficiary shall be ineligible under this section; and

(4) Any other action deemed appropriate and within the discretion and authority of the city.

Remedies in this section shall also apply to the party or parties aiding and abetting in any violation of this chapter.

(e) Private right of action. Any Covered Employee, or any person who was formerly employed by a Beneficiary, may bring an action to enforce the provisions of this Chapter to recover back pay and benefits, attorneys fees and costs, by filing suit against a Beneficiary in any court of competent jurisdiction.

(f) Remedies herein non-exclusive. No remedy set forth in this Chapter is intended to be exclusive or a prerequisite for asserting a claim for relief to enforce the right granted under this Chapter in a court of law. This Chapter shall not be construed to limit an employee's right to bring a common law cause of action for wrongful termination.

(g) Retaliation and discrimination barred. A Covered Employer shall not discharge, reduce the compensation or otherwise retaliate against any employee for making a complaint to the City, otherwise asserting his or her rights under this Chapter, participating in any of its proceedings or using any civil

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remedies to enforce his or her rights under the Chapter. The City shall investigate allegations of retaliation or discrimination and shall, if found to be true, after notice and a hearing, order appropriate relief as set out in paragraphs (c) and (d) herein

2.121.090 Severability.

In the event any provision of this ordinance shall be held invalid or unenforceable by any court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provisions hereof.

2.121.100 Effective Date.

This law shall be effective sixty (60) after final passage.

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The Living Wage Ordinance (2.121) provides, at 1.121.030(b) that the wage shall be upwardly adjusted each year no later than March 1st in proportion to the increase in the Annual Average Consumer Price Index for the prior calendar year for All Urban Consumers (CPI-U) in the Boston area, as published by the federal Bureau of Labor Statistics.

For calendar year 1999, the CPI-U increased by 2.5%. Therefore the new living wage, as of March 1, 2000 is \$10.25.

For calendar year 2000, the CPI-U increased by 4.3%. Therefore the new living wage, as of March 1, 2001 is \$ 10.68.

For calendar year 2001, the CPI-U increased by 4.3%. Therefore the new living wage, as of March 1, 2002 is \$11.11.

For calendar year 2002, the CPI-U increased by 2.6% . Therefore the new living wage, as of March 1, 2003 is \$11.37.

The City Council has voted to amend the section of the Living Wage Ordinance (1.121.030 (b) that provides the method for calculating cost of living increases each year. As a result of this change, the living wage as of March 30, 2003 is \$11.44.

For calendar year 2003, the CPI-U increased by 3.76%. Therefore the new living wage, as of March 1, 2004 is \$11.87.

For calendar year 2004, the CPI-U increased by 2.7%. Therefore the new living wage, as of March 1, 2005 is \$12.19.

For calendar year 2005, the CPI-U increased by 3.3%. Therefore the new living wage, as of March 1, 2006 is \$12.59.

For calendar year 2006 the CPI-U increased by 3.1 %. Therefore the new living wage, as of March 1, 2007 is \$12.98.

For calendar year 2007 the CPI-U increased by 1.9 %. Therefore the new living wage, as of March 1, 2008 is \$13.23.

For calendar year 2008 the CPI-U increased by 3.5 %. Therefore the new living wage, as of March 1, 2009 is \$13.69.

For calendar year 2009 the CPI-U decreased by .67 %. Therefore the new living wage, as of March 1, 2010 will remain at \$13.69.

For calendar year 2010 the CPI-U increased by 1.57%. Therefore the new living wage, as of March 1, 2011 is \$13.90.

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**City Of Cambridge
Articles of Agreement**

**Commodity:
File Number:**

This agreement is made and entered into this _____, by and between the **City Of Cambridge** ("the CITY"), a municipal corporation organized and existing under the laws of the Commonwealth of Massachusetts, and _____, existing under the laws of the State of _____ ("the Contractor").

Address:

Telephone, Fax, E-mail:

Article I. Definition. "This Contract" as used herein shall mean these Articles of Agreement and "the bid documents," which include, but are not limited to, the instructions to bidders, the Contractor's bid or proposal, the specifications, the general conditions, the requirements, the applicable addenda, and all documents and forms submitted with the Contractor's bid or proposal that were accepted by the City.

Article II. Duration. The Contractor shall commence the performance of this contract for the period beginning on _____ and ending on _____.

Article III. Terms. The Contractor agrees to provide the services all in accordance with the bid documents of (bid opening date) or (proposal if appropriate).

Contract Value:

Article IV. Payment. The City agrees to pay to Contractor the sum set forth in the Contractor's bid or proposal. **Contractor shall invoice department to which it provided the service, not the Purchasing Department.**

Article V. Termination. The following shall constitute events of default under this Contract requiring immediate termination: a) any material misrepresentation made by the Contractor, b) any failure by the Contractor to perform any of its obligations under this Contract including, but not limited to, the following: (i) failure to commence performance of this Contract at the time specified in this Contract due to a reason or circumstance within the Contractor's reasonable control, (ii) failure to perform this Contract with sufficient personnel and equipment or with sufficient material to ensure the completion of this Contract within the specified time due to a reason or circumstance within the Contractor's reasonable control, (iii) failure to perform this Contract in a manner reasonably satisfactory to the City, (iv) failure to promptly re-perform within reasonable time the services that were rejected by the City as erroneous or unsatisfactory, (v) discontinuance of the services for reasons not beyond the Contractor's reasonable control, (vi) failure to comply with a material term of this Contract, including, but not limited to, the provision of insurance and nondiscrimination, and (vii) any other acts specifically and expressly stated in this Contract as constituting a basis for termination of this Contract.

Except as otherwise provided in the Articles of Agreement, the City may terminate the contract upon seven days notice.

Article VI. Damages. From any sums due to the Contractor for services, the City may keep for its own the whole or any part of the amount for expenses, losses and damages as directed by the Purchasing Agent, incurred by the City as a consequence of procuring services as a result of any failure, omission or mistake of the Contractor in providing services as provided in this Contract.

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Article VII. Conflict. In the event there is a conflict between these Articles and the bid documents, the bid documents shall supersede these articles.

Article VIII. Governing laws and ordinances. This Contract is made subject to all the laws of the Commonwealth and the Ordinances of the City and if any such clause thereof does not conform to such laws or ordinances, such clause shall be void (the remainder of the Contract shall not be affected) and the laws or ordinances shall be operative in lieu thereof.

Article IX. Performance Security. Upon execution of this Contract by the Contractor, the Contractor shall furnish to the City security for the faithful performance of this Contract in the amount of 0% of the value of the bid in the form of a performance bond issued by a surety satisfactory to the city or in the form of a certified check.

Article X. Equal Opportunity. the Contractor in the performance of all work under this contract will not discriminate on the grounds of race, color, sex, age, religious creed, disability, national origin or ancestry, sexual orientation, marital status, family status, military status, or source of income in the employment practices or in the selection or retention of subcontractors, and in the procurement of materials and rental of equipment. The city may cancel, terminate or suspend the contract in whole or in part for any violation of this article.

Article XI. Assignability. the Contractor shall not assign, sell, subcontract or transfer any interest in this contract without prior written consent of the city.

In witness whereof the parties have hereto and to three other identical instruments set their hands the day and year first above written.

Approved as to Form:

The Contractor:

Donald A Drisdell
City Solicitor

Signature And Title

Robert W. Healy
City Manager

Cynthia H. Griffin
Purchasing Agent