Request for Proposals for IP Address Broker
RFP No. 2020-GA-03

Massachusetts Technology Collaborative
75 North Drive
Westborough, MA 01581-3340

Procurement Team Leader: Dan Mushrush
RFP Issued: February 11, 2020
Questions Due: February 18, 2020
Answers to Questions Posted: February 21, 2020
Responses Due: March 11, 2020 by 3:00PM
1. INTRODUCTION

Massachusetts Technology Collaborative ("MassTech") is issuing this Request for Proposals for an IP Address Broker (RFP No. 2020-GA-03) (the “RFP” or “RFP”) to solicit responses from qualified auctioneers or brokers (“Applicants”) to assist with the sale/auction of Internet Protocol ("IP") addresses. Applicants will be competing against each other for selection to provide the services set forth herein (the “Services”). The submissions of all Applicants shall be compared and evaluated pursuant to the evaluation criteria set forth in this RFP, and a single Applicant will be selected.

2. SERVICES REQUIRED

2.1 Overview

The IP addresses consist of 1 contiguous block totaling approximately 65,534 unique IP addresses from one overall class B IP address space. The block is currently available. MassTech wishes to auction the addresses either as individual blocks, or one large block, depending on recommendations of the chosen Applicant.

MassTech will be looking for the successful Applicant to provide demonstrable, market based guidance on the process of an IP address auction and sale from beginning to end. This guidance will include required ARIN filings, internal and external steps to complete the auction and sale including hosting the auction and advice on contracting with the chosen buyer, and revenues MassTech should expect the sale to generate as well as any other information Applicant determines appropriate given the nature of the transaction and its market knowledge. The successful Applicant shall also be responsible for the marketing and execution of the auction. Notwithstanding the foregoing, MassTech reserves the right to set a minimum floor price for each sale. MassTech does not want to sell the IP addresses at below market rates.

2.2 Scope of Services

Applicants must be able to provide the following Services:

- Market-based guidance on and assistance with the process of an IP address auction and sale from beginning to end, including but not limited to ARIN filings, determination as to required internal and external steps to complete the auction and sale, and the expected pricing for each IP address block or the one overall block.
- Platform for the auction or sale to occur.
- Marketing to prospective customers about the auction or sale of the available block of IP addresses.
- Validation that auction participants are legally and financially capable of funding an auction they win.
- Performance of the actual auction(s).
- Guidance on contracting with the chosen buyer.
- Performance of all necessary financial settlement transactions between auction winner(s) and MassTech.
- Performance of the necessary transactions with the proper Internet registry authorities to transfer the sold IP address blocks from MassTech to auction winner(s).
Applicants must:

- Validate that they can perform the Services described above.
- Identify how many years they have been providing IP address auctions and sales and how many of these auctions resulted in a successful winning bid for the seller.
- Provide a detailed rate proposal for the services described under this section 2.2.
- Provide at least three (3) references from previous organizations who have used the Applicant for the same or similar services as those set forth herein.
- Provide their recommendation for performing multiple (as each IP block becomes available) or one auction (all IP address blocks are available for auction).
- Provide proof that they financially sound to conduct business with MassTech.
- Provide a timeline for when the auction(s) will occur.
- Identify any key issues or recommendations regarding the sale of the IP addresses that MassTech should know about based on the experience of the Applicant.

3 EVALUATION PROCESS AND CRITERIA

3.1 Process

MassTech shall evaluate each application that is properly submitted. As part of the selection process, MassTech may invite finalists to answer questions regarding their application in person or in writing. In its sole discretion, MassTech may also choose to enter into a negotiation period with one or more finalist Applicant(s) and then ask the Applicant(s) to submit a best and final offer. MassTech reserves the right to contact any Applicant for additional information if needed for further evaluation.

3.2 Criteria

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

- Match of services that the Applicant provides to Services MassTech requires.
- Cost of providing Services.
- Experience conducting and executing IP address auctions.

Lack of debarment status by either the state or federal government is also required.

The order of these factors does not generally denote relative importance. The goal of this RFP is to select and enter into an Agreement with the Applicant that will provide the best value for the Services to achieve MassTech’s goals. MassTech reserves the right to consider such other relevant factors as it deems appropriate in order to obtain the “best value”.

4 APPLICATION PROCESS

4.1 Application and Submission Instructions

Applicants are cautioned to read this RFP carefully and to conform to its requirements. Failure to comply with the requirements of this RFP may serve as grounds for rejection of an application.
a. All Applications must be submitted in writing, on 8 ½ x 11 paper (including all required submissions), with one (1) unbound original to the address below, AND one (1) electronic version (.pdf or .doc with the budget in excel format) to be sent via email.

**Hardcopy responses must be submitted to:**

2020-GA-03
Massachusetts Technology Collaborative
75 North Drive
Westborough, MA 01581

**Electronic responses must be submitted to:**

proposals@masstech.org (please include the RFP number in the subject heading).

All responses must be received by 3PM EST on the date set forth in Section 4.2 below. Responses received later than the date and time specified may be rejected or deemed non-conforming and may be returned to the Respondent unopened. Mass Tech Collaborative assumes no responsibility or liability for late delivery or receipt of responses.

b. Required Submissions- All Applications must include the items listed below:

- Application Cover Sheet *(Attachment A)*

- Application, which shall include:
  - A description of the firm responding to the RFP (including descriptions of proposed subcontractors, if any) and the firm’s qualifications to perform the Services.
  - The proposed approach to providing the Services. Additionally, Applicants are invited to propose alternative(s) which provide substantially better or more cost-effective performance than achievable under the stated RFP scope of services.
  - An explanation of how Applicant will price the Services, including calculation of commissions, and any additional costs that may arise in the event of a sale such as escrow costs. MassTech needs to understand the potential total costs for this project.
  - A complete budget detailing the fee structure and estimated costs for providing the Services based on proposed percentages, projected hours, proposed hourly rates, and any other appropriate costs. List additional fees, overhead charges, or reimbursable expenses, if any.
  - Three (3) references for work previously performed by the Applicant that is substantially similar to the Services. References should include a contact person, address and phone number.

- Authorized Application Signature and Acceptance Form *(Attachment B)*. **By executing the Authorized Applicant’s Signature and Acceptance Form and submitting a response to this RFP, Applicants certify that they (1) are in compliance with the terms, conditions and specifications contained in this RFP, (2) acknowledge and understand the procedures for handling materials submitted to MassTech as set forth in subsection d. below, (3)**
agree to be bound by those procedures, and (4) agree that MassTech shall not be liable under any circumstances for the disclosure of any materials submitted to MassTech pursuant to this RFP or upon the Applicant's selection.

- Exceptions to the Services Agreement and Statement of Work, located HERE, if any. MassTech reserves the right to amend the Agreement at any time prior to execution. Applicants should review the Agreement as they are required to specify any exceptions to the Agreement and to make any suggested counterproposal in their Application. A failure to specify exceptions and/or counterproposals will be deemed an acceptance of the Agreement's general terms and conditions, and no subsequent negotiation of such provisions shall be permitted.

c. Any and all responses, Applications, data, materials, information and documentation submitted to MassTech in response to this RFP shall become MassTech’s property and shall be subject to public disclosure. As a public entity, MassTech is subject to the Massachusetts Public Records Law (set forth at Massachusetts General Laws Chapter 66). There are very limited and narrow exceptions to disclosure under the Public Records Law. If an Applicant wishes to have MassTech treat certain information or documentation as confidential, the Applicant must submit a written request to MassTech’s General Counsel’s office no later than 5:00 p.m. fourteen (14) business days prior to the required date of Application submission set forth in Section 4.2 below. The request must precisely identify the information and/or documentation that is the subject of the request and provide a detailed explanation supporting the application of the statutory exemption(s) from the public records cited by the Applicant. The General Counsel will issue a written determination within ten (10) business days of receipt of the written request. If the General Counsel approves the request, the Applicant shall clearly label the relevant information and/or documentation as “CONFIDENTIAL” in the Application and shall only include the confidential material in the hard copy of the Application. Any statements in an Application reserving any confidentiality or privacy rights that is inconsistent with these requirements and procedures will be disregarded.

4.2 Application Timeframe

The application process will proceed according to the following schedule. The target dates are subject to change. Therefore, Applicants are encouraged to check MassTech’s website frequently for updates to the schedule.

<table>
<thead>
<tr>
<th>Task</th>
<th>Date:</th>
</tr>
</thead>
<tbody>
<tr>
<td>RFP Released</td>
<td>February 11, 2020</td>
</tr>
<tr>
<td>Questions Due</td>
<td>February 18, 2020 @ 5 PM EST</td>
</tr>
<tr>
<td>Question and Answer File Posted</td>
<td>February 21, 2020 @ 5 PM EST</td>
</tr>
<tr>
<td>Applications Due</td>
<td>March 11, 2020 @ 3 PM EST</td>
</tr>
</tbody>
</table>

4.3 Questions

Questions regarding this RFP must be submitted by electronic mail to proposals@MassTech.org with the following Subject Line: “Questions – RFP No. 2020-GA-03”. All questions must be received by 5:00 p.m. EST on February 18, 2020. Responses to all questions received will be posted on or before 5:00 p.m. on February 21, 2020 to MassTech and CommBuys website(s).
5.0 GENERAL CONDITIONS

5.1 General Information

a) If an Application fails to meet any material terms, conditions, requirements or procedures, it may be deemed unresponsive and disqualified. The MassTech reserves the right to waive omissions or irregularities that it determines to be not material.

b) This RFP, as may be amended from time to time by MassTech, does not commit MassTech to select any firm(s), award any contracts for services pursuant to this RFP, or pay any costs incurred in responding to this RFP. MassTech reserves the right, in its sole discretion, to withdraw the RFP, to engage in preliminary discussions with prospective Applicants, to accept or reject any or all Applications received, to request supplemental or clarifying information, to negotiate with any or all qualified Applicants, and to request modifications to Applications in accordance with negotiations, all to the same extent as if this were a Request for Information.

c) On matters related solely to this RFP that arise prior to an award decision by MassTech, Applicants shall limit communications with MassTech to the Procurement Team Leader and such other individuals as MassTech may designate from time to time. No other MassTech employee or representative is authorized to provide any information or respond to any questions or inquiries concerning this RFP. Applicants may contact the Procurement Team Leader for this RFP in the event this RFP is incomplete.

d) MassTech may provide reasonable accommodations, including the provision of materials in an alternative format, for Applicants with disabilities or other hardships. Applicants requiring accommodations shall submit requests in writing, with supporting documentation justifying the accommodations, to the Procurement Team Leader. The MassTech reserves the right to grant or reject any request for accommodations.

e) Applicant's Application shall be treated by MassTech as an accurate statement of Applicant's capabilities and experience. Should any statement asserted by Applicant prove to be inaccurate or inconsistent with the foregoing, such inaccuracy or inconsistency shall constitute sufficient cause for MassTech in its sole discretion to reject the Application and/or terminate of any resulting Agreement.

f) Costs that are not specifically identified in the Applicant's response and/or not specifically accepted by MassTech as part of the Agreement will not be compensated under any contract awarded pursuant to this RFP.

g) MassTech’s prior approval is required for any subcontracted services under any Agreement entered into as a result of this RFP. The selected Applicant will take all appropriate steps to assure that minority firms, women’s business enterprises, and labor surplus area firms are used when possible. The selected Applicant is responsible for the satisfactory performance and adequate oversight of its subcontractors. Subcontractors are required to meet the same requirements and are held to the same reimbursable cost standards as the selected Applicant.

h) Submitted responses must be valid in all respects for a minimum period of sixty (60) days after the deadline for submission.

5.2 Posting of Modifications/Addenda to RFP

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

<table>
<thead>
<tr>
<th>Name of Respondent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mailing Address</td>
</tr>
<tr>
<td>Telephone</td>
</tr>
<tr>
<td>Primary Contact for Clarification</td>
</tr>
<tr>
<td>Authorized Signatory</td>
</tr>
<tr>
<td>Legal Status/Jurisdiction (e.g., a Massachusetts Corporation, LLC, LLP, etc.)</td>
</tr>
</tbody>
</table>
Attachment B
Massachusetts Technology Collaborative
Authorized Applicant’s Signature and Acceptance Form

The undersigned is a duly authorized representative of the Applicant listed below. The Applicant has read and understands the RFP requirements. The Applicant acknowledges that all of the terms and conditions of the RFP are mandatory, and that Applicant’s response is compliant with such requirements. The Applicant specifically acknowledges the application of the procedures regarding disclosure of sensitive information as set forth in Section 4.1 (c) of the RFP, and specifically agrees that it shall be bound by those procedures.

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

☐ specified exceptions and counter-proposals to the terms and conditions of the Agreement; or
☐ agrees to the terms and conditions set forth therein;

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

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

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

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

Applicant: ________________________________________________
(Printed Name of Applicant)

By: _______________________________________________________
(Signature of Authorized Representative)

Name: _____________________________________________________

Title: _____________________________________________________

Date: _____________________________________________________