

Town of Natick - Request for Information
Adult Use Marijuana Establishments

The Town of Natick (the “Town”) invites interested parties (“Respondents”) to submit an application in response to this Request for Information (“RFI”) for individuals/companies seeking to operate an Adult Use Marijuana Establishment in the Town. Selected Respondent(s) may be invited to negotiate a Host Community Agreement with the Board of Selectmen (the “Board”) and move forward with the local permitting and licensing processes.

This is not a binding Request for Proposals (RFP), but an invitation for interested parties to submit an “Adult Use Marijuana Establishment Plan” to the Town. The Town will use the RFI submittals to gauge interest and determine suitability of Respondents. Following analysis of the RFI submittals, the Town reserves the right to enter into negotiations with Respondents to the RFI for a Host Community Agreement. Respondents interested in any available licenses issued by the Cannabis Control Commission should follow this process.

The RFI is available at <https://www.natickma.gov/1556/Regulation-of-Adult-Use-Recreational-Mar>

The Town is accepting responses for any available licenses issued by the Cannabis Control Commission, with the exception of Marijuana Retailer. The deadline for Marijuana Retailer submission has passed. Should a Marijuana Retailer license become available, the Town will issue a new deadline for RFI submission. The deadline for submission of the RFI is as follows:

License Type	Number Allowed	Deadline for RFI Submission
Marijuana Retailer	2	NA
Marijuana Cultivator	No Cap	Rolling
Marijuana Product Manufacturer	No Cap	Rolling
Craft Marijuana Cooperative	No Cap	Rolling
Microbusiness	No Cap	Rolling
Marijuana Transporter	No Cap	Rolling
Independent Testing Laboratory	No Cap	Rolling
Marijuana Research Facility	No Cap	Rolling
Marijuana Courier	No Cap	Rolling
Marijuana Delivery Operator	No Cap	Rolling

Overview of Application Process

The information provided will be evaluated by a coordinated municipal staff review group comprised of the Community and Economic Development Director, the Police Chief or his/her designee, the Director of Public Health or his/her designee, the Town Administrator or his/her designee and a designee of the Board of Selectmen.

The Town reserves the right to reject any application it deems to be incomplete, however it may, at its discretion, request that the omitted information or further clarifications be provided by the Respondent.

Respondents may be asked to appear before the municipal staff review group to present their information in person and respond to questions.

Upon completion of the evaluation process the municipal staff review group will present its findings to the Board of Selectmen and make recommendations regarding which, if any, Respondent(s) should receive further consideration by the Board.

Further consideration by the Board may include, but is not limited to, negotiation of a Host Community Agreement with the recommended Respondent(s).

Submission Requirements

Respondents shall submit 5 hardcopies and one electronic copy of RFI proposals in an envelope clearly marked "Adult Use Marijuana Establishment RFI." Information regarding security and any other information considered proprietary shall be sealed in an inner envelope marked "Confidential." Submittals shall be delivered to:

James Freas
Department of Community & Economic Development
13 East Central Street
Natick, MA 01760

Included in the envelope shall be a check made out to "Town of Natick" in the amount of \$500 to cover the cost of the RFI Review. Each RFI submission shall include the following information:

1. **Cover Letter** – Please submit a 1-2 page cover letter summarizing the Respondent's proposal and indicating why the Respondent should be selected to operate a Marijuana Establishment in the Town.
2. **Application of Intent** –
 - a. Documentation that the entity applying for the Marijuana Establishment license with the CCC is an entity registered to do business in Massachusetts.
 - b. Certificate of good standing, issued within the previous 90 days from submission of RFI from the Corporations Division of the Secretary of the Commonwealth.
 - c. A list of all Persons or Entities having Direct or Indirect Control of the Marijuana Establishment, as defined in 935 CMR 500.002.
 - d. Documentation detailing the amounts and sources of capital resources available to the Respondent from any individual or entity that will be contributing capital resources for purposes of establishing or operating the Marijuana Establishment.
 - e. Documentation of the proposed address for the Marijuana Establishment and evidence of property interest or site control in the form of clear title, an option to purchase, a legally enforceable agreement to give title, or documentation evidencing legal authorization to use the premises, such as a lease or option to lease.
 - f. Evidence that the proposed location complies with applicable buffer zones and zoning requirements in the form of a survey plan or GIS mapping showing the location and all properties and uses within applicable buffers as set forth in the Town's Zoning Bylaw

3. Management and Operations Profile -

- a. Timeline for achieving operation of the Marijuana Establishment and evidence the Marijuana Establishment will be ready to operate within the timeline.
- b. Demonstration of Marijuana Establishment's plan to obtain liability insurance policy.
- c. Detailed operating policies and procedures from the Marijuana Establishment, including, but not limited to, the following (to the extent applicable to the proposed operations):
 - i. Security
 - ii. Personnel policies
 - iii. Prevention of diversion of marijuana to minors or the illicit market
 - iv. Marijuana storage
 - v. Transportation and onsite deliveries both to and from the Marijuana Establishment
 - vi. Delivery to customers
 - vii. Cultivation process and procedures, including evidence of plans for compliance with Cannabis Control Commission best practices for energy use, water consumption and pesticide controls.
 - viii. Product Manufacturing process and procedures
 - ix. Retail dispensing procedures
 - x. Research process and procedures
 - xi. Testing process and procedures
 - xii. Record keeping and maintenance of financial records
- d. Qualifications of all Close Associates with managerial or operational control.
- e. Certification that no Person Having Direct or Indirect Control of the Marijuana Establishment has committed any offense(s) that would result in a Presumptive Negative Suitability Determination under 935 CMR 500.802 Tables B-D.
- f. Disclosure of ownership interest of any Person Having Direct or Indirect Control of the proposed Marijuana Establishment in any other licensed Marijuana Establishments within the Commonwealth or elsewhere (license pending or otherwise approved).
- g. Training plans for employees

4. Plan for Positive Community Impacts:

- a. Proposed hours of operation.
- b. Proposal for ensuring the protection of public health.
- c. Proposal for full and part-time employment and anticipated benefits packages for employees.
- d. A proposal demonstrating municipal benefits the Marijuana Establishment will provide to the Town, financial or otherwise.
- e. Diversity plan to promote equity among minorities, women, veterans, people with disabilities, people of all gender identities and sexual orientation.
- f. Plan for environmental sustainability in cultivation, manufacturing, and sourcing of retail products and within the overall operation of the marijuana establishment.
- g. Status as Economic Empowerment or Social Equity Applicant.

Community Outreach Hearing

Following the submission of an RFI response, the municipal staff review group may conduct an initial screening and preliminary review of the Respondent(s) to determine Respondent's general compliance with the review criteria outlined in Addendum A. The municipal staff review group may employ the preliminary review process as a means to reject applicants deemed less qualified or presenting less than favorable applications. After completing initial screening and preliminary review, the municipal staff review group may invite the Respondent(s) to schedule a Community Outreach Meeting as part of the staff review process. Respondents invited to proceed with a Community Outreach Meeting shall consult with the Community and Economic Development Director for purposes of selecting a date and location for the Community Outreach Meeting that will minimize conflict with the meeting schedules of other municipal boards requiring notification of this meeting and in order to ensure availability and attendance of appropriate municipal representatives at the meeting. Respondents are encouraged to make use of municipally-owned meeting space for Community Outreach Meetings and shall reserve public space on the same terms as applicable to other private entities.

The Community Outreach Meeting shall include, at a minimum, disclosure of the following information:

1. The type(s) of Marijuana Establishments to be located at the proposed address.
2. Information adequate to demonstrate that the location will be maintained securely.
3. Steps to be taken by the Marijuana Establishment to prevent diversion to minors.
4. A plan by the Marijuana Establishment to positively impact the Town.

Application Review

After Community Outreach Meetings have taken place, applications will be subject to detailed reviewed by a municipal staff review group for purposes of making a recommendation to the Board as to whether a Respondent has met the minimum criteria to be recommended to the Board for negotiation of a Host Community Agreement. In the case of Marijuana Retailers for which there are a limited number of licenses, the municipal staff review evaluation will include a ranking of Respondents based on the review criteria in Appendix A. The municipal staff review group may, in its discretion, assign numeric rankings and weight to the various review criteria in Appendix A to determine which respondents have presented proposals deemed to be in the best interest of the Town.

The Town does not discriminate on the basis of race, sex, age, color, national origin, religion, genetic identity, disability, gender identity or expression, marital or parental status, sexual orientation, transgender status, veteran status, or any other protected status.

Selection Process

Respondents deemed qualified by the municipal staff review group and recommended to the Board may be invited by the Board to enter into negotiations with the Board, which may include, but is not limited to, negotiation of a Host Community Agreement.

To augment the information provided in the submittal, additional information, interviews and/or presentations may be required by the municipal staff review group or the Board.

The Board reserves the right to reject any and all applications deemed not to be in the Town's best interest, regardless of the recommendation of the municipal staff review group

Neither the Town, its Board, employees or any of its agents, attorneys, consultants or officials will be liable for any costs incurred by the Respondent for preparation of their response to this RFI or their participation in subsequent interviews or presentations.

Compliance with RFI Requirements

Respondents providing submissions to this RFI are expected to follow its requirements. Failure to comply with the requirements of any portion of this RFI may result in disqualification from the review process.

Ownership of Documents

Any material submitted by Respondents shall become the property of the Town.

Public Record

Any personal or financial identifiers (e.g. SSNs, bank account numbers, etc.) contained in submittal documents shall be redacted by the Respondent prior to submittal.

All information contained in submittals and not redacted as above may be open for public inspection. All security-related information furnished by the Respondent will be treated as confidential by the Town to the extent permitted by Massachusetts public records law and shall be submitted in a separate sealed envelope marked as such.

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ADDENDUM A

REVIEW CRITERIA

The municipal staff review group shall review responses to the Adult Use Marijuana Establishment RFI in accordance with the following review criteria to make recommendations to the Board of Selectmen with respect to the Respondent(s) it considers to have submitted proposals deemed to be in the best interest of the Town. The municipal staff review group may, in its discretion, develop and implement a numeric or other ranking system for Respondents, assign weight to the various review criteria; and expand upon the general review categories listed below by breaking down general categories into subparts:

- ❖ Respondent demonstrates knowledge and understanding of licensing procedures
- ❖ Respondents' management and operations team demonstrates prior experience in commercial cannabis ventures or other relevant experience in relevant fields
- ❖ Respondent has presented high quality and well-formulated management and operations plans
- ❖ Respondent has presented high quality and comprehensive security plans
- ❖ Respondent has established a comprehensive plan to prevent diversion of marijuana to minors and/or the illegal market.
- ❖ The Respondent's proposal demonstrates market and financial feasibility
- ❖ The Respondent's has an acceptable development timeline and ability to bring the proposed Marijuana Establishment to timely commencement
- ❖ The Respondent has proposed a location appropriate for the proposed use given the scale and nature of the use, including but not limited to potential impacts on parking and traffic
- ❖ The Respondent has made financial commitments and other proposals for positive community impact
- ❖ The Respondent's proposal fits within the Town's goals for geographic diversity in the locations
- ❖ The Respondent has addressed the potential detrimental municipal impacts and proposed acceptable mitigation measures.
- ❖ The Respondent has demonstrated efforts to meet Cannabis Control Commission best practices for waste disposal, air pollution, and all other relevant energy and environmental standards, including maximization of energy efficient and renewable energy technology.
- ❖ The Respondent's proposal integrates into the overall goals of the Town of Natick.

In the event of a ranking tie between Respondents, the municipal staff review committee may consider the following additional criteria:

- ❖ Respondents qualification as Economic Empowerment/Social Equity Applicants.