# Town of Norton*-* Request for Information

# Marijuana Retail Establishments

The Town of Norton (the “Town”) invites interested parties (“Respondents”) to submit an application in response to this Request for Information (“RFI”) for individuals/companies seeking to operate a Marijuana Retail Establishment in the Town. Selected Respondent(s) may be invited to negotiate a Host Community Agreement with the Select Board (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 “Marijuana Retail 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 (insert location)

# Deadline for Responses

Under the Town’s Zoning Bylaw, there is a limit of two (2) adult use marijuana retail establishments permitted. The Town is accepting responses for available Marijuana Retailer licenses issued by the Cannabis Control Commission. The deadline for submission of the RFI is (insert date).

# Overview of Application Process

The information provided will be evaluated by the Marijuana Retailer Subcommittee (“MRS”) 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 Select Board.] (to be discussed)

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 MRS to present their information in person and respond to questions.

Upon completion of the evaluation process the MRS will present its findings to the Select Board 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 “Marijuana Retail 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:

Mr. Paul DiGuiseppe

Director of Planning and Economic Development

70 East Main Street

Norton Town Hall - 2nd Floor

Norton, MA 02766

Each RFI submission shall include the following information:

1. **Cover Letter –** Please submit a 1-page cover letter summarizing the Respondent’s proposal and indicating why the Respondent should be selected to operate a Marijuana Retailer in the Town.

# Application of Intent –

* 1. Documentation that the entity applying for the Marijuana Retailer license with the CCC is an entity registered to do business in Massachusetts.
  2. Certificate of good standing issued within the previous 90 days from submission of RFI from the Corporations Division of the Secretary of the Commonwealth.
  3. A list of all Persons or Entities having Direct or Indirect Control of the Marijuana Retailer, as defined in 935 CMR 500.002.
  4. 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 Retailer.
  5. Documentation of the proposed address(es) for the Marijuana Retailer 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.
  6. 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

# Management and Operations Profile -

* 1. Timeline for achieving operation of the Marijuana Retailer and evidence the Marijuana Retailer will be ready to operate within the timeline.
  2. Demonstration of Marijuana Retailer’s plan to obtain liability insurance policy.
  3. Detailed operating policies and procedures from the Marijuana Retailer, including, but not limited to. the following (to the extent applicable to the proposed operations):
     1. Security
     2. Personnel policies
     3. Prevention of diversion of marijuana to minors or the illicit market
     4. Marijuana storage
     5. Transportation and onsite deliveries both to and from the Marijuana Retailer
     6. Delivery to customers
     7. Record keeping and maintenance of financial records
  4. Qualifications of all Close Associates with managerial or operational control.
  5. Certification that no Person Having Direct or Indirect Control of the Marijuana Retailer has committed any offense(s) that would result in a Presumptive Negative Suitability Determination under 935 CMR 500.802 Tables B-D.
  6. Disclosure of ownership interest of any Person Having Direct or Indirect Control of the proposed Marijuana Retailer in any other licensed Marijuana Retailers within the Commonwealth or elsewhere (license pending or otherwise approved).
  7. Training plans for employees

# Plan for Positive Community Impacts:

* 1. Proposed hours of operation.
  2. Proposal for ensuring the protection of public health.
  3. Proposal for full and part-time employment and anticipated benefits packages for employees.
  4. A proposal demonstrating municipal benefits the Marijuana Retailer will provide to the Town, financial or otherwise.
  5. Diversity plan to promote equity among minorities, women, veterans, people with disabilities, people of all gender identities and sexual orientation.
  6. Plan for environmental sustainability in sourcing of retail products and within the overall operation of the Marijuana Retailer.
  7. Status as Economic Empowerment or Social Equity Applicant.

# Community Outreach Hearing

Following the submission of the RFI, the MRS may conduct an initial screening and preliminary review of Respondents to determine Respondents’ general compliance with the review criteria outlined in Addendum A. The MRS 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 MRS may invite a select group of Respondents to meet with the MRS as part of the staff review process.

# Application Review

Applications will be subject to detailed reviewed by a MRS 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 MRS 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 MRS 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 MRS 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.

# TOWN OF NORTON – REQUEST FOR INFORMATION ADDENDUM A

**REVIEW CRITERIA**

The MRS shall review responses to the Marijuana Retail Establishment RFI in accordance with the following review criteria to make recommendations to the Select Board with respect to the Respondent(s) it considers to have submitted proposals deemed to be in the best interest of the Town. The MRS 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 Retailer 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 Norton.

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.