

City of Cambridge – Request for Statement of Interest for Cannabis Business Host Community Agreement

The City of Cambridge, through its City Manager (the “City Manager”), invites interested parties to submit a Statement of Interest (hereafter “SI”) for a Cannabis Business Host Community Agreement for individuals and entities qualified and interested in operating a Cannabis Business (“Cannabis Business”) as defined in Chapter 5.50 of the Cambridge Municipal Code (the “Ordinance”). This is not a binding Request for Proposals (“RFP”) under state procurement laws, but an invitation for interested parties (“Applicants”) to submit a SI to the City. The City Manager will use the SI submittals to determine suitability of Applicants. The City Manager reserves the right to decline to enter into negotiations with one or more Applicants for a Host Community Agreement (“HCA”). Applicants interested in any available Cannabis Business licenses issued by the state Cannabis Control Commission (“CCC”) should follow this process. The City Manager will accept Statements of Interest on a rolling basis.

I. Overview of Application Process

The information provided in the SI will be reviewed by the City Manager and/or his or her designee and other City staff (collectively, the “City”). The City may seek input from other relevant City Departments. The City reserves the right to reject any SI it deems to be incomplete; however, it may, at its discretion, request that additional information be provided by the Applicant. Applicants may be asked to appear before City staff to present their information in person and to respond to questions. Upon completion of the review process, City staff will make a report to the City Manager indicating whether the SI should receive further consideration by the City Manager. Further consideration by the City Manager may include, but is not limited to, negotiation of certain terms of an HCA with an Applicant in the City Manager and/or his or her designee’s discretion. The City 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.

II. Statement of Interest Submission Requirements

Format – Include page numbers and a Table of Contents.

1. **Cover Letter** – 1-2-page cover letter summarizing the Applicant’s proposal and indicating why the Applicant should be selected to operate a Cannabis Business in the City. Submit a signed copy of the SI with all necessary supporting documentation indicated below, along with the cover letter, to the City Manager.
2. **Special Permit** (required only for Cannabis Production Facility)– As a prerequisite to the SI, the Applicant shall have received a special permit from the Cambridge Planning Board to operate the Cannabis Production Facility for which an HCA is sought prior to consideration for an HCA. The Applicant will attach the Special Permit Decision and the special permit

application materials, which will be considered as part of the SI. This Section is not applicable for a Cannabis Cultivator, Cannabis Retail Store, Cannabis Transporter, Cannabis Courier Establishment, Cannabis Delivery Operator Establishment, and Cannabis Microbusiness.

3. **Cannabis Business Permit** – As a prerequisite to the SI, the Applicant shall have applied for the Cannabis Business Permit for which this HCA is sought, pursuant to the Ordinance.

For Cannabis Retail Store applicants, for the first five years after the Effective Date of the Ordinance (which is September 23, 2019), only Priority “A” Applicants are eligible to apply for a Cannabis Business Permit (i.e. until September 23, 2024). The Director of the Economic Opportunity and Development Division of the Community Development Department (“EODD”) shall have certified whether the Applicant is a Priority “A” Applicant.

For Cannabis Courier Establishments and Cannabis Delivery Operator Establishments, for the first year after the expiration of the CCC’s exclusivity period for Marijuana Courier Licenses and Marijuana Delivery Operator Licenses, as set forth in 935 CMR 500.050(10) and (11), only Priority “A” Applicants are eligible to apply for a Cannabis Business Permit. The CCC’s exclusivity period runs for 36 months from when the first Delivery Operator licensee receives a notice to commence operations from the CCC; that date was April 5, 2022. Therefore, the CCC and City’s exclusivity periods run until April 5, 2026.

After the end of the priority periods referenced above the EODD shall have certified whether the Applicant is a Priority “A” or Priority “B” Applicant under Section 5.50.020 of the Ordinance. The Applicant shall attach the information the Applicant submitted in support of the application for a Cannabis Business Permit or may obtain print-outs of such information submitted to the City electronically from the Community Development Department, all of which will be considered as part of the SI.

4. **Additional Supporting Documentation** – The Applicant shall submit the following additional documentation and/or information.
 - a. **Qualifying Documentation** –
 1. Identify any licenses held by the Applicant issued by the CCC, including the license number and type.
 2. Documentation of: (1) whether the Applicant, any member of its Board of Directors, if applicable, any entity or individual having direct or indirect control of the Applicant, and any officers of the Applicant have ever obtained a cannabis-related license in any jurisdiction outside of the Commonwealth; and (2) whether any such license has ever been denied, revoked or suspended.
 3. Documentation detailing the amounts and sources of capital resources available to the Applicant from any individual or entity that will be contributing capital

resources for purposes of establishing or operating the Cannabis Business, that has been or will be submitted to the CCC pursuant to 935 CMR 500.101(1)(a)(4).

4. Documentation of the proposed address for the Cannabis Business and evidence of the Applicant holding a property interest or site control in the form of clear title, an option to purchase, a lease, a legally enforceable agreement to give title, or documentation evidencing permission to use the premises, that has been or will be submitted to the CCC pursuant to 935 CMR 500.101(1)(a)(7).
5. Context map and plans showing compliance with all standards in the Zoning Ordinance. Documentation must show the proposed address for the Cannabis Business and demonstrate that the proposed address is not within 1800 feet of another Retail Cannabis Business (waived for Economic Empowerment and Social Equity applicants) nor within 300 feet of a K-8 school or facility serving children in grades K-8.
6. Documentation detailing how the Cannabis Business will be accessible by public transportation, describing available on-street or off-street parking, and for a Cannabis Retail Store describing a plan for traffic mitigation per the Cambridge Zoning Ordinance (see 11.804 c). Please include the following information using narratives and graphics:
 - a. Hours of operation and anticipated numbers of employees and consumers on-site during operating hours.
 - b. Expected frequency of loading/unloading trips by delivery and service vehicles.
 - c. Access and egress routes for customers and employees.
 - d. Locations of parking and bicycle parking areas for customers and employees.
 - e. Number of delivery vehicles, where applicable, and locations where they will be stored on-site.
 - f. Locations where loading/unloading and service activities will take place and a description of how such activities will be conducted.
 - g. A description of transportation options for customers and employees, including public transportation services, on-site and off-site parking facilities, transportation demand management measures to encourage and support sustainable forms of travel for employees and customers, and short-term and long-term bicycle facilities.
 - h. Specific measures that will be employed by the Cannabis Use to prevent adverse impacts on the public way including but not limited to sidewalk crowding, blocking of vehicular or bicycle travel lanes, potential safety hazards, and other issues identified by City departments.
 - i. A specific plan for the initial opening period that includes measures to identify and respond to unexpected impacts.
7. For a Cannabis Retail Store, documentation describing how the Applicant intends to deal with crowd control and lines of customers at times of high demand.

8. For a Cannabis Retail Store, documentation describing how the Applicant will activate the Cannabis Business' storefront, including but not limited to the placement of art or the inclusion of a separate small active use in front of the Cannabis Business, in order to address the requirement that all Cannabis products are kept out of plain sight and not visible from a public place pursuant to 935 CMR 500.110(1)(l) but in order to also address the City's advisory Urban Design Guidelines for window and door transparency. Priority "B" Applicants should describe the existing Registered Marijuana Dispensary storefront as well as any proposed changes.
 9. Documentation describing lighting for the Cannabis Business that projects into public places, including lighting provided for pursuant to 935 CMR 500.110(1)(k).
- b. **Management and Operations Profile** – For each of the numbered document requests below, please submit the information that has been or will be submitted to the CCC pursuant to 935 CMR 500.101(1)(c), as amended, or is requested in order to meet Cambridge-specific requirements:
1. Information regarding business registration with the Commonwealth. 935 CMR 500.101(1)(c)(1).
 2. Certificate of good standing issued within the previous 90 days from submission of SI from the Corporations Division of the Secretary of the Commonwealth. 935 CMR 500.101(1)(c)(2).
 3. Certificate of good standing or certificate of tax compliance from the Department of Revenue. 935 CMR 500.101(1)(c)(3).
 4. Proposed timeline for achieving operation of the Cannabis Business and evidence the Cannabis Business will be ready to operate within the intended timeline. 935 CMR 500.101(1)(c)(5).
 5. Description of plan to obtain and maintain liability insurance that meets the Cambridge Host Community Agreement requirements. 935 CMR 500.101(1)(c)(6) & Template Host Community Agreement Paragraph 27 which requires a higher general insurance in the aggregate (3 million in the aggregate)
 6. Detailed operating policies and procedures for the Cannabis Business relative to the following pursuant to 935 CMR 500.101(1)(c)(8):
 - a. Security;
 - b. Prevention of diversion;
 - c. Cannabis storage;
 - d. Transportation of Cannabis, if applicable to state license sought;
 - e. Inventory procedures;
 - f. Procedures for quality control and testing of product for potential contaminants, if applicable to state license sought;
 - g. Personnel policies;
 - h. Dispensing procedures;
 - i. Record keeping and maintenance of financial records; and

- j. Diversity plan to promote equity among minorities, women, veterans, people with disabilities, people of all gender identities and sexual orientation, in the operation of the Cannabis Business.
 - 7. Description of qualifications and intended training(s) of proposed management team and employees. 935 CMR 500.101(1)(c)(9).
 - 8. Description of proposed hours of operation. 935 CMR 5.00(1)(c)(11).
- c. **Plan for Positive Community Impacts**
 - 1. Description of any local ties to the Cambridge community.
 - 2. Description of plans for hiring full-time and/or part-time employees and description of anticipated competitive benefits packages for employees.
 - 3. A proposal demonstrating what benefits the Applicant will bring to the community.
 - 4. Describe how the Applicant will market its products or services including but not limited to all forms of marketing and advertising.
 - 5. The Applicant shall use sustainable green practices and renewable energy sources. Please describe how the Applicant will do so.
- d. **Certification** – The Applicant hereby certifies by signing and submitting the SI that:
 - 1. No individual having direct or indirect control of the Cannabis Business has committed any offense(s) that would result in a Presumptive Negative Suitability Determination under 935 CMR 500.802 Tables B-D, as amended.
 - 2. If the Applicant has a Board of Directors, the Board of Directors will include minorities, women and/or veterans.
 - 3. The Applicant will hire at least 51% of the Cannabis Business’s employees as minorities, women, and/or military veterans.
 - 4. The Applicant will make best efforts to hire at least 51% of the Cannabis Business’s employees as residents of the City.
 - 5. The Applicant will work in concert with local work-force organizations and programs in an effort to inform the community and to help identify Cambridge residents and/or minorities, women and/or military veterans who have acquired or can acquire the appropriate training, skills and work experience. The Applicant will advertise such positions in local media and will post such advertisements in multiple languages.
 - 6. The Applicant will make best efforts to hire individuals who have a prior conviction solely for a Cannabis-related offense unless the offense involved the distribution of a controlled substance, including Cannabis, to a minor, as employees of the Cannabis Business.
 - 7. The Applicant will comply with employee pay standards set out in the City’s Living Wage Ordinance, Chapter 2.121 of the Cambridge Municipal Code.
 - 8. The Applicant will work to ensure and protect the public health, including working with the City to create and distribute to consumers public education materials regarding Cannabis.

9. The Applicant will inform customers about restrictions on public consumption set forth in G.L. 94G, §13.
10. The Applicant and the owner of the property, if different, have paid all taxes, fees and fines to the City.
11. The Cannabis Business will comply with applicable provisions of all federal, state and local accessibility laws, rules and regulations, including but not limited to the Americans with Disabilities Act.

III. Community Outreach Meeting

1. Community Outreach Meeting Pursuant to 935 CMR 500.101(1)(a)(9)

Pursuant to CCC regulations, 935 CMR 500.101(1)(a)(9), as amended, an Applicant is required to hold a Community Outreach Meeting and to enter into an HCA with the host community prior to applying to the CCC for a provisional state cannabis license. Please attach documentation reporting on the following:

- a. If a Community Outreach Meeting has been held, please attach documentation reporting on the following:
 - i. The time, place and subject matter of the meeting;
 - ii. What outreach the Applicant conducted or publicity the Applicant provided in advance of the meeting;
 - iii. How many people attended the meeting;
 - iv. How many people spoke at the meeting; and
 - v. Summarizing comments from the public both in support of or in opposition to the proposed Cannabis Business.
- b. If a Community Outreach Meeting has not been held, please state where and when it will be held.

2. Ongoing Community Outreach Meetings

Upon City request, the Applicant shall conduct community outreach meetings twice a year after opening for business. Within thirty days after each meeting, the Applicant shall provide a report to the City describing the following:

- a. What outreach the Applicant conducted or publicity the Applicant provided in advance of the meeting;
- b. The time and place of the meeting;
- c. How many people attended the meeting;
- d. How many people spoke at the meeting; and
- e. Summarizing comments from the public concerning the impacts the Cannabis Business has on the community.

Signed under the pains and penalties of perjury as of _____, 20____.

By: _____

Name: _____

Title: _____

Address: _____

If a corporation, please complete the Certificate of Authority in the form attached hereto.

CERTIFICATE OF AUTHORITY

At a meeting of the Board of Directors of _____ on _____, 20____, at which a majority of the Directors was present, it was voted that _____ be and hereby is authorized to execute contracts and bonds in the name and on behalf of said Company, and affix its corporate seal thereto; and the execution of any contract or obligation in this Company's name and on its behalf by such Officer shall be valid and binding upon this Company.

Attest: _____
(Clerk)

Place of Business:

Date of Statement of Interest:

I hereby certify that the above vote has not been amended or rescinded and remains in full force and effect as of this date _____, 20_____.

Attest: _____
(Clerk)