



Resilient Food Systems Infrastructure Grant Program Fiscal Year 2024

Request for Response (RFR): RFR File: **AGR-RFSI-FY24**

To build resilience across the middle-of-the-food-supply-chain within Massachusetts. Funds will support expanded capacity for the aggregation, processing, manufacturing, storing, transporting, wholesaling, and distribution of locally and regionally produced food products.

MDAR will accept one of two types of proposals from applicants for this grant funding:

1. **Infrastructure Grants**, which are large-scale grants up to \$500,000 that will enhance resilience in the middle-of-the-supply-chain and strengthen local and regional food systems by creating new revenue streams for producers, and
2. **Simplified Equipment-Only Grants**, which will be equipment-only fixed-price grants between \$10,000 and \$100,000.

Application Deadline: 4:00 PM Friday, March 29, 2024 via the online application portal:

Link for RFSI Infrastructure Grant Application:

<https://www.mass.gov/forms/rfsi-infrastructure-grant-proposal-application>

Link for RFSI Simplified Equipment-Only Grant Application:

<https://www.mass.gov/forms/rfsi-equipment-only-grant-proposal-application>

See Section 2.A. for Submission Instructions and for the required submission process.

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Massachusetts Department of Agricultural Resources
100 Cambridge Street, Suite 900
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GRANT OPPORTUNITY SUMMARY

<p>Executive Office of Energy & Environmental Affairs Rebecca Tepper, Secretary Grant Announcement RFR ID: RFR- AGR-RFSI-FY24 Dated: January 19, 2024</p>	
<p>Proposals Sought For</p>	<p>The Massachusetts Department of Agricultural Resources (“MDAR”) is soliciting proposals (Bid/Quotes) that bolster the “middle-of-the-supply-chain” of the Massachusetts food system, as that term is defined herein. Such proposals include, but are not limited to, projects that expand capacity, aggregation, processing, manufacturing, storing, transporting, wholesaling, or distribution of locally and regionally produced food products, including specialty crops, dairy, grains for human consumption, aquaculture, and other food products, excluding meat and poultry*.</p> <p>MDAR will accept one of two types of proposals for this grant funding per applicant:</p> <ol style="list-style-type: none"> 1. Infrastructure Grants, which are large-scale grants up to \$500,000 that will enhance resilience in the middle-of-the-supply-chain and strengthen local and regional food systems by creating new revenue streams for producers, and 2. Simplified Equipment-Only Grants, which will be equipment-only fixed-price grants between \$10,000 and \$100,000. <p>*Ineligible products include: meat and poultry, wild-caught seafood, exclusively animal feed and forage products, fiber, landscaping products, tobacco, or dietary supplements.</p>
<p>Overview & Goals</p>	<p>The purpose of the Resilient Food Systems Infrastructure Program (“RFSI”) is to assist U.S. states and territories (“States”) to build resilience in the middle-of-the-supply-chain and strengthen local and regional food systems by creating new revenue streams for their state’s producers. USDA has awarded states funding, and states are to make subawards in the form of Infrastructure Grants and Simplified Equipment-Only Grants to middle-of-the-supply businesses to create more diverse local and regional market options and create more economic opportunities for communities, allowing them to retain more of the value chain dollar. RFSI investments aim to create a food systems infrastructure to support competitive and profitable market access for domestic farm products.</p> <p>The program also aims to:</p> <ul style="list-style-type: none"> • Support development of value-added products available to consumers; • Support proposals that provide fair prices, fair wages and new and safe job opportunities that keep profits in rural communities; and • Increase diversity in processing options in terms of business model approaches, geography, and availability to underserved communities.
<p>Application Deadline</p>	<p>Applications must be received by 4:00 PM Friday, March 29, 2024, via the online application portal. Please review the RFR carefully to determine which grant opportunity will best serve your funding goals.</p> <p>Infrastructure Grant - https://www.mass.gov/forms/rfsi-infrastructure-grant-proposal-application</p> <p>Simplified Equipment-Only Grant - https://www.mass.gov/forms/rfsi-equipment-only-grant-proposal-application</p> <p>Late submissions will not be considered.</p> <p>Applicants may not apply to both grant opportunities, they must determine which opportunity best serves their funding goals. Applications that are sent by mail, email, or fax will NOT be accepted. MDAR will not accept any late submissions and will not</p>

	consider late applications due to technical difficulties, so please be mindful of your submission timeliness. See Section 2 for specific details.
Funding Availability	<p>MDAR intends to fund \$3,000,000 in projects through this competitive RFR process. All funding is subject to appropriation.</p> <p>Funding may be split between two funding opportunities within the RFSI Grant Program:</p> <ol style="list-style-type: none"> 1. Infrastructure Grants – Maximum request amount of \$500,000 <ul style="list-style-type: none"> • 50% match cost requirement. • 25% match requirement for Historically Underserved Farmers or Ranchers (see section 1F below for more information). 2. Simplified Equipment-Only Grants – Minimum request of \$10,000 and a maximum of \$100,000 <ul style="list-style-type: none"> • No match requirement. <p>Estimated Contract/Project Start Date is June 2024. All applicants selected for funding by MDAR must be reviewed and approved through USDA before MDAR can enter a contract phase with an applicant.</p> <p>All contracts will end no later than May 24, 2027.</p> <p>A successful respondent will enter into a contract with MDAR, which reserves the right to fund the project in part, add and delete tasks, and ask for clarification on the work plan, timeline, and budget. MDAR may ask grantees to acknowledge MDAR it as a grantor where appropriate. No contract shall be entered into until is satisfied with all the specifications of the project.</p> <p>Any successful contractor will be required to follow all the applicable federal and state regulations that pertain to the RFSI.</p>
Duration of Contract	All contracts will end no later than May 24, 2027.
Number of Contracts	Each applicant may submit a single (1) proposal. Multiple applications from the same entity will not be considered. Applicants must determine if they will apply for either the Infrastructure Grant or Simplified Equipment-Only Grant, applicants are not allowed to apply to both. MDAR anticipates between 15 and 20 contracts to be awarded but reserves the right to determine the final number of awardees based on the eligibility requirements outlined in this RFR.
Single or Multiple Departments	All contracts awarded under this RFR will be utilized solely by MDAR.
Informational Webinars	<p>Two informational webinars will be held for interested applicants on the dates listed below. The webinars will be approximately 1 hour in length.</p> <p>The webinars will be recorded and made publicly available on MDAR's RFSI Webpage prior to the application deadline so that all potential applicants who are unable to attend the webinar live or who wish to further review the webinar's content may do so before submitting an application.</p> <p>Webinar Dates:</p> <ul style="list-style-type: none"> • Thursday, February 8th, 2024 at 12:00pm <ul style="list-style-type: none"> ○ To access this webinar, register here. • Tuesday, March 5th, 2024 at 12:00pm <ul style="list-style-type: none"> ○ To access this webinar, register here.

Questions	<p>Applicants may submit questions regarding the RFR and application process. Please submit questions by email to: Keri.Cornman@mass.gov</p> <p>The deadline for questions is Friday, March 22, at 4:00 p.m. Responses to questions along with an FAQ will be posted to the RFSI Webpage and COMMBUYS.</p> <p>Please note that MDAR cannot assist in preparing grant applications. To maintain the integrity of the competitive grant process, MDAR cannot advise or provide individuals with any information regarding specific applications during the solicitation process.</p>
Contact Information	<p>Keri Cornman Keri.Cornman@mass.gov</p>
Definitions	<p>All definitions are defined by USDA as follows:</p> <p>Middle-of-the-supply-chain: The food supply chain involves the following stages: 1. Production, 2. Processing, 3. Aggregation/Distribution, and 4. Markets/Retail/Consumers.</p> <p>For the purposes of RFSI, “middle-of-the-supply-chain” refers to the middle stages: 2. Processing and 3. Aggregation/Distribution.</p> <p>Beginning Farmer or Rancher is an individual or entity that has not operated a farm or ranch for more than 10 years and substantially participates in the operation.</p> <p>Cooperatives: A business or service organization (1) that is owned and democratically controlled by the people who use its services and (2) whose benefits (services received and earnings allocations) are distributed to the user-owners based on how much they use the cooperative.</p> <p>Critical Resources: Critical resources and infrastructure can be facilities, land, structure, use of city street/parks, shared-used kitchen, and/or other resources that are essential for the proposed project activities.</p> <p>Domestically owned: An entity organized in the United States under the law of the State, the states, or under Tribal jurisdiction where the entity operates, and a majority of the entity is owned by US citizens.</p> <p>Food Access Considerations: Distinct cultural markets, marginalized communities, or defined by USDA as low-income low access.</p> <p>Hazard Analysis and Critical Control Points (HACCP): HACCP provides a framework for establishments to conduct science-based process controls that can be validated as effective in eliminating, preventing, or reducing to an acceptable level the food safety hazards that are reasonably likely to occur in an official establishment's particular production processes.</p> <p>Historically Underserved Farmer or Rancher: Four groups are defined by USDA as “Historically Underserved,” including farmers or ranchers who are: Beginning; Socially Disadvantaged; Veterans; and Limited Resource as described at "Historically Underserved Farmers and Ranchers" Natural Resources Conservation Service (usda.gov).</p> <p>Institutions: These include organizations such schools (K-12; colleges/universities), hospitals, food banks, gleaners, food rescue, workplace cafeterias, prisons, and care centers (senior, preschools).</p> <p>Intermediaries: Includes aggregators, distributors, food hubs, brokers, auction houses, and wholesale.</p> <p>Mid-Size Producers: USDA defines small family farms as those with a Gross Cash Farm Income (GCFI) of less than \$350,000; mid-size farms have a GCFI of \$350,000 to \$999,999.</p> <p>Nonprofit Corporations: Any organization or institution, including nonprofits with State or IRS 501 (c) status and accredited institutions of higher education, where no part of the organization or institution's net earnings inure to the benefit of any private shareholder or individual.</p>

	<p>Small Disadvantaged Business: A business that is small according to SBA's size standards for its business type and that is 51% or more owned and controlled by one or more disadvantaged persons. The disadvantaged person or persons must be socially disadvantaged and economically disadvantaged. For the purposes of this designation, disadvantaged persons is defined per eCFR :: 13 CFR 124.103 -- "Who is socially disadvantaged?" as "Those who have been subjected to racial or ethnic prejudice or cultural bias within American society because of their identities as members of groups and without regard to their individual qualities. The social disadvantage must stem from circumstances beyond their control." See "Small Disadvantaged Business" (sba.gov) for more information.</p> <p>Tribal Entities: Tribal Entities is expansive and includes all entities falling under the eligible legal structures, including but not limited to: tribal owned corporations, intertribal non-profits and associations, Alaska Native Corporations, Native entities within the State of Alaska recognized by and eligible to receive services from the U.S. Department of the Interior's Bureau of Indian Affairs, Native Hawaiian organizations including Homestead Associations, State recognized tribes/non-profits, and individually-owned Native American entities.</p> <p>Tribe: means the term as defined in the Federally Recognized Indian Tribe List Act of 1994 (Public Law 103-454; 108 Stat. 4791, 4792).</p> <p>Value-Added Agricultural Product: means any agricultural commodity or product that:</p> <ul style="list-style-type: none"> • Has undergone a change in the physical state or form of the product, such as milling wheat into flour or making strawberries into jam. • Is produced in a manner that enhances the value of the agricultural commodity or product. • Is physically segregated in a manner that results in the enhancement of the value of that commodity or product, such as an identity preserved product. • Is a source of farm- or ranch-based renewable energy, including E-85 fuel; or • Is aggregated and marketed as a locally produced agricultural food product and, as a result of the change in physical state or the manner in which the agricultural commodity or product is produced and segregated, the customer base for the commodity or product is expanded and a greater portion of revenue derived from the marketing, processing, or physical segregation is made available to the producer of the commodity or product. <p>Veteran Farmer or Rancher: is a producer who served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, including the reserve component thereof, was released from service under conditions other than dishonorable, and has not operated a farm or ranch or has operated a farm or ranch for no more than 10 years or who first obtained status as a veteran during the most recent 10-year period.</p> <p>Veteran-Owned Small Business: A small business, as defined by the SBA size standard for its business type that has no less than 51% of the business owned and controlled by one or more veterans. For those veterans who are permanently and totally disabled and unable to manage the daily business operations of their business, their business may still qualify if their spouse or appointed, permanent caregiver is assisting in that management. See "Veteran contracting assistance programs" (sba.gov) for more information.</p> <p>Women-Owned Small Business: A small business according to SBA size standards for its business type that is at least 51% owned and controlled by women who are U.S. citizens; and have women manage day-to-day operations who also make long-term decisions. See "Women-Owned Small Business Federal Contract program" (sba.gov) for more information.</p>
Additional Information	<p>The Contractor shall ensure compliance with all applicable federal, state, and local public health orders, regulations, ordinances, or other guidance issued to the extent such apply to the Project for the duration of any Contract awarded under this RFR.</p>

	<p>This RFR has been distributed electronically via COMMBUYS. It is the responsibility of every applicant to check COMMBUYS for any addenda or modifications to an RFR to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to applicants who fail to check for amended RFRs and submit inadequate or incorrect responses. Potential respondents are advised to check the "last change" field on the summary page of RFRs for which they intend to submit a response to ensure they have the most recent RFR files.</p>
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1. PERFORMANCE AND CONTRACT SPECIFICATIONS

1A. Eligible Applicants

Entities eligible for the RFSI Infrastructure Grants and Simplified Equipment-Only Grants:

- Agricultural producers or processors, or groups of agricultural producers and processors
- Nonprofit organizations operating middle-of-the-supply-chain activities such as processing, aggregation, distribution of targeted agricultural products
- For-profit entities operating middle-of-the-supply-chain activities such as processing, aggregation, or distribution of targeted agricultural products, whose activities are primarily focused for the benefit of local and regional producers, and that meet the eligibility requirements of the SBA small business size standards are eligible.
 - For-profit entities must meet the eligibility requirements of the SBA small business size standards matched to industries described in the North American Industry Classification System (NAICS). For more information on these size standards, please visit [SBA's Size Standards webpage](#). For a quick check on whether your business qualifies, please use the [Size Standards Tool](#).
- Local government entities operating middle-of-the-supply-chain activities such as processing, aggregation, distribution of targeted agricultural products
- Tribal governments operating middle-of-the-supply-chain activities such as processing, aggregation, distribution of targeted agricultural products.
- Institutions such as schools, universities, or hospitals bringing producers together to establish cooperative or shared infrastructure or invest in equipment that will benefit multiple producers middle-of-the-supply-chain activities such as processing, aggregation, distribution of targeted agricultural product.

All applicant businesses and organizations must be domestically owned, and applicants' facilities must be physically located within the 50 States of the United States, the Commonwealth of Puerto Rico, the District of Columbia, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.

1B. Eligible Project Areas

While all projects that meet the RFSI Infrastructure Grant and Simplified Equipment-Only Grant requirements will be considered, the categories listed below are examples of eligible projects. This is not a comprehensive or exhaustive list, and applicants may suggest projects that differ from these suggestions. Applicants have flexibility in determining a project that works for the region and their community(ies).

1. **Infrastructure Grants** are larger-scale projects that aim to expand middle-of-the-food-supply-chain capacity for locally and regionally produced foods. These projects will offer more and better market opportunities and new streams of revenue to small and mid-sized agricultural producers, including those who may not have access to value-added opportunities or processing to meet market demand for premium or value-added products, such as underserved producers. Infrastructure Grant applications may request equipment expenses, as well as associated facility upgrades, staffing, or other costs (see Section 1F for more details). Examples of Infrastructure Grant project areas include:

- Expanding processing capacities, including adding product types, increasing production volumes, and supporting new wholesale/retail, product lines;
- Modernizing equipment or facilities through upgrades, repairs, or retooling; (e.g., adapting product lines for institutional procurement or adding parallel processing capacity);
- Purchase and installation of specialized equipment, such as processing components, sorting equipment, packing and labeling equipment, or delivery vehicles (may be used or new);
- Modernizing manufacturing, tracking, storage, and information technology systems;

- Enhancing worker safety through adoption of new technologies or investment in equipment or facility improvements;
- Supporting construction of a new facility;
- Increasing packaging and labeling capacities that meet compliance requirements under applicable laws (e.g. sealing, bagging, boxing, labeling, conveying, and product moving equipment); Construction of wastewater management structures, etc.;
- Increasing storage space, including cold storage;
- Develop, customize, or install climate-smart equipment that reduces greenhouse gas emissions, increases efficiency in water use, improves air and/or water quality, and/or meets one or more of USDA's climate action goals;
- Modernize equipment or facilities to ensure food safety, including associated Hazard, Analysis, and Critical Control Points (HACCP) consultation, plan development and employee training; and
- Training on the use of all equipment purchased under the grant and associated new processes.

Allowable tasks or activities that could be part of such project areas listed above include:

- Hiring term-limited personnel to assist with project implementation activities;
- Purchasing special purpose equipment: defined in section 8.2 of the [AMS General Terms and Conditions](#). This includes the purchase of new or used special purpose equipment for institutions or others that will benefit multiple producers through middle-of-the-supply-chain activities such as processing, aggregation, distribution of targeted agricultural product;
- Analyzing potential facility upgrades and changes that meet regulatory requirements, obtaining design and/or architecture services, etc. (to the extent these costs are directly related to the project);
- Planning for Hazard Analysis Critical Control Points (HACCP) or other food safety or worker safety measures or equipment recommendations; and
- Upgrades or new facilities for processing specific agricultural products, such as:
 - On-farm post-harvest processing, preservation, and storage/cold storage;
 - Post-harvest cleaning and grading;
 - Aggregator warehouse and storage, including cooperatives;
 - Purchase of freezing equipment, freezer, or cold storage;
 - Processing, canning, preserving and pasteurization;
 - Preparation and packing;
 - Drying, hulling, shelling, and milling; and
 - Cooking, baking, juicing, distilling, fermenting.

2. Simplified Equipment-Only Grants will fund smaller grants between \$10,000 and \$100,000 for only equipment purchases. The Simplified Equipment-Only option is a fixed-price grant, meaning it will fund only equipment purchases (and not associated facility upgrades, staffing, or other costs), and the amount awarded will be equal to the cost of the equipment up to \$100,000. Equipment costs are costs for equipment valued at \$5,000 or higher, **per unit**. Applicants should explain how the equipment purchases will enhance middle-of-the-supply-chain activities, and provide expense justification documents (i.e. quote) for the equipment items requested. Applicants must submit documentation to substantiate the costs of each piece of equipment, which can include contracts, catalog pricing, or binding quotes provided by license commercial entities. Examples of Simplified Equipment-Only Grant projects include purchases of:

- New or used special purpose vehicles, such as delivery or refrigerated vehicles
- Equipment for processing specific agricultural products, such as:
 - On-farm post-harvest processing equipment, preservation equipment, and storage/cold storage;
 - Post-harvest cleaning and grading equipment;
 - Aggregator warehouse and storage equipment;

- Freezing equipment, freezer, or cold storage;
- Processing, canning, preserving and pasteurization equipment;
- Preparation and packing equipment;
- Drying, hulling, shelling, and milling equipment; and
- Cooking, baking, juicing, distilling, fermenting equipment

1C. Ineligible Project Areas

Examples of Ineligible Project Areas:

- Projects focused on meat and poultry processing or other ineligible agricultural products.
 - Ineligible products include: meat and poultry, wild-caught seafood, exclusively animal feed and forage products, fiber, landscaping products, tobacco, or dietary supplements.
- Projects that do not support middle-of-the-supply-chain activities.
 - The food supply chain involves the following stages: 1. Production, 2. Processing, 3. Aggregation/Distribution, and 4. Markets/Retail/Consumers. For the purposes of RFSI, “middle-of-the-supply-chain” refers to the middle stages: 2. Processing and 3. Aggregation/Distribution.
 - Projects that focus on 1. Production or 4. Markets/Consumers are ineligible.
- Acquiring real property (including land purchases), or any interest therein;
- Activities that have received a Federal award from another Federal award program (an applicant cannot request funding for activities already funded previously or currently through a Federal grant);
- Projects that claim expenses that have been or will be reimbursed under any Federal, State, or local government funding; and
- Projects which have already received funding from another federal grant or subaward programs may not receive funding for the same activities through an Infrastructure Grant or Simplified Equipment-Only Grant. However, Grants may build on the successes of prior funding, such as the USDA Regional Food Business Centers Business Builder subawards, to fund subsequent activities.

1D. Project Requirements

This grant funds two types of projects:

1. Infrastructure Grants
2. Simplified Equipment-Only Grants.

Below, you will find the project requirements for both types of grants. If you are interested in applying for an Infrastructure Grant, please see section 1.D.1. If you are interested in applying for a Simplified Equipment-Only Grant, please see Section 1.D.2.

1D.1 Project Requirements for Infrastructure Grants

A project is a set of interrelated tasks with a cohesive, distinct, specified, and defined goal. It follows a planned, organized approach over a fixed period and within specific limitations (cost, performance/quality, etc.). Additionally, it uses resources that are specifically allocated to the work of the project and usually involves a team of people.

Projects are different from other ongoing operations in an organization because, unlike operations, projects have a limited duration with a definitive beginning and end. A project will also have an overarching goal that the applicant wants to accomplish through a series of individual activities or tasks. Applicants must demonstrate in their application that the funding will be used specifically for a project, and not for other ongoing operations.

Projects should complete the purpose of expanding middle-of-the-food-supply-chain capacity for locally and regionally produced foods and offer more and better market opportunities and new streams of revenue to small and mid-sized agricultural producers, including those who may not have access to value-added opportunities or processing to meet market demand for premium or value-added products such as underserved producers.

Applicants will select all appropriate (one or more of the following) Expected Performance Measures during the application process, and will track the selected Expected Performance Measures over the life of the grant. This table is provided for reference in [Attachment B1 \(Expected Performance Measures – Infrastructure Grants\)](#) and should be reviewed before application submission. There will be a section within the online application form to complete the Expected Performance Measures. Applicants are responding to Outcomes 2 and 3 as outlined by USDA in its reporting requirements of MDAR. MDAR is internally reporting on Outcome 1, so you may disregard the fact that Outcome 1 is not included in this Attachment.

OUTCOME 2: CAPACITY IN THE MIDDLE OF THE SUPPLY CHAIN FOR LOCAL/REGIONAL FOOD PRODUCTS			
Indicator	Description	Expected Numbers	N/A
2.1	Number of new facilities constructed:		<input type="checkbox"/>
2.2	Number of existing facilities improved or expanded:		<input type="checkbox"/>
2.3	Number of processing equipment units purchased and installed:		<input type="checkbox"/>
2.4	Number of processing equipment units modernized through upgrades, repairs, or retooling:		<input type="checkbox"/>
2.5	Number of aggregation, storage, distribution equipment units purchased and installed:		<input type="checkbox"/>
2.6	Number of aggregation, storage, distribution equipment units modernized through upgrades, repairs, or retooling:		<input type="checkbox"/>
2.7	Number of employees trained on new equipment and processes:		<input type="checkbox"/>
2.8	Number of employees that received food safety training:		<input type="checkbox"/>
2.9	Number of employees that received worker safety training:		<input type="checkbox"/>
2.10	Number of new or improved wastewater management systems:		<input type="checkbox"/>
2.11	Number of new or improved information technology systems:		<input type="checkbox"/>
OUTCOME 3: INCREASE ECONOMIC VIABILITY OF LOCAL/REGIONAL PRODUCERS AND PROCESSORS			
Indicator	Description	Expected Numbers	N/A
3.1	Number of new jobs created:		<input type="checkbox"/>
3.2	Number of local/regional agricultural producers who benefited from the new or improved processing/aggregation/storage or distribution capacity:		<input type="checkbox"/>
3.3	Number of new local/regional products processed, aggregated, stored or distributed:		<input type="checkbox"/>
3.4	Number of new value-added products developed:		<input type="checkbox"/>
3.5	Number of new market-outlets established:		<input type="checkbox"/>

Applicants of awarded Infrastructure Grant projects will be responsible for the following:

- Completing tasks outlined in the USDA-approved application.
- Completing the project within the contractual timeframe, **by May 24, 2027**.
- Tracking Objectives and selected Expected Performance Measures over the life of the grant. Submitting annual performance and financial reporting.
- Submitting a final project report including a description of how the funds were used within one month after the contract ends.
- Tracking and reporting on expenses on a quarterly basis.
- Submitting a final financial report itemizing actual expenses.
- Providing copies of invoices and proof of payment with payment requests.

USDA requires that Evidence of Critical Infrastructure is submitted if critical resources and/or infrastructure are necessary for the completion of the proposed Infrastructure Grant project. Critical resources and infrastructure can be facilities, land, structure, use of city street/parks, shared-used kitchen, and/or other resources that are essential for the proposed project activities. Applicants must submit evidence (in MS Word or PDF format) that critical resources and infrastructure necessary to support the initiation and completion of a project are in place. Land, structures, and other critical resources must be in place and in working condition at the time of application submission. Applicant should utilize [Attachment F. Critical Resource Infrastructure Template Letter](#) to indicate the critical resource(s) that are necessary for initiation and completion of the project and certify that they are in place and committed prior to the start date of the project.

1D.2. Project Requirements for Simplified Equipment-Only Grants

Applicants will select all appropriate (one or more of the following) Expected Performance Measures during the application process and will track the selected Expected Performance Measures over the life of the grant. This table is provided for reference in [Attachment B2 \(Expected Performance Measures – Simplified Equipment-Only Grants\)](#) and should be reviewed before application submission. There will be a section within the online application form to complete the Expected Performance Measures. Applicants are responding to partial indicators within Outcomes 2 and 3 as outlined by USDA in its reporting requirements of MDAR. MDAR is internally reporting on Outcome 1, so you may disregard the fact that Outcome 1 is not included in this Attachment.

OUTCOME 2: CAPACITY IN THE MIDDLE OF THE SUPPLY CHAIN FOR LOCAL/REGIONAL FOOD PRODUCTS			
Indicator	Description	Expected Numbers	N/A
2.3	Number of processing equipment units purchased and installed:		<input type="checkbox"/>
2.5	Number of aggregation, storage, distribution equipment units purchased and installed:		<input type="checkbox"/>
OUTCOME 3: INCREASE ECONOMIC VIABILITY OF LOCAL/REGIONAL PRODUCERS AND PROCESSORS			
Indicator	Description	Expected Numbers	N/A
3.2	Number of local/regional agricultural producers who benefited from the new or improved processing/aggregation/storage or distribution capacity:		<input type="checkbox"/>
3.3	Number of new local/regional products processed, aggregated, stored or distributed:		<input type="checkbox"/>
3.4	Number of new value-added products developed:		<input type="checkbox"/>
3.5	Number of new market-outlets established:		<input type="checkbox"/>

Applicants of awarded Simplified Equipment-Only Grant projects will be responsible for the following:

- Completing tasks outlined in the USDA-approved application.
- Purchasing all requested equipment in accordance with state procurement regulations before the project deadline of May 24, 2027.
- Completing the project within the contractual timeframe, **by May 24, 2027**.
- Tracking Objectives and selected Expected Performance Measures over the life of the grant.
- Submitting annual performance and financial reporting.
- Submitting a final project report including a description of how the funds were used within one month after the contract ends.
- Tracking and reporting expenses on a quarterly basis.
- Submitting a final financial report itemizing actual expenses.
- Providing copies of invoices and proof of payment with payment requests.

1E. Environmental Justice Policy & Awarding Priorities

Environmental Justice Policy

For the purposes of this RFR, “Environmental Justice” is based on the principle that all people have a right to be protected from environmental hazards and to live in and enjoy a clean and healthful environment regardless of race, color, national origin, income, or English language proficiency. Environmental justice is the equal protection and meaningful involvement of all people and communities with respect to the development, implementation, and enforcement of energy, climate change, and environmental laws, regulations, and policies and the equitable distribution of energy and environmental benefits and burdens.

For more information, please review the Environmental Justice Policy in Attachment D of this RFR. We also encourage you to complete the Environmental Justice Questions form in Attachment D. These questions are incorporated into the online application submission portal.

Proposals that demonstrate these priorities during the evaluation process may receive a higher score:

- Projects located in Environmental Justice Communities and serving Environmental Justice populations will receive priority scoring.
- Projects that prioritize capacity-building of groups who are working on systemic, holistic approaches to feeding people and working in sectors throughout the food system.
- Projects that support organizations and groups that are led by marginalized communities including black, indigenous, people of color (BIPOC), members of the LGBTQ+ community, and persons with disabilities.

Additional Priorities

MDAR will prioritize Infrastructure Grant and Simplified Equipment-Only Grant applications that benefit the following:

- Historically Underserved Farmers and Ranchers;
- New and beginning farmers or ranchers;
- Veteran producers;
- Processors and other middle-of-the-supply businesses owned by socially disadvantaged individuals, as defined by the Small Business Administration (SBA).

Additional prioritization will be made for Infrastructure Grant and Simplified Equipment-Only Grant projects that:

- Offer family-supporting job quality and treatment/safety of workers (Infrastructure Grants only);
- Focus on small and medium-sized enterprises that add options and choices for consumers and producers (emphasis on value-added);
- Demonstrate local support for the project;
- Support underserved communities; and
- Are submitted by cooperatives, farmer- and worker-owned enterprises.

1F. Funding Availability, Allowable Expenditures & Additional Information

Type of Procurement

Reimbursable payment program

Maximum Reimbursement

The Department intends to fund \$3,000,000 in projects through this competitive RFR process. Infrastructure Grants will be awarded a maximum of \$500,000 and Simplified Equipment-Only Grants will be awarded between a minimum of \$10,000 and a maximum of \$100,000.

Invoicing and Disbursement of Grant Funds

Reimbursements will be made on a quarterly basis. All invoices, at a minimum, must include:

- Date(s) of service covered;
- Invoice number;
- Invoice date;
- Full contact information for the contracted entity; and
- Sufficient supporting documentation to show that all reimbursed costs are allowable, reasonable/necessary, and allocable. Supporting documentation may include, but is not limited to, canceled checks, receipts, paid bills, payroll, and contracts.

Invoices and reports that are incomplete fail to meet the invoicing schedule, or include unauthorized charges will not be paid and may result in a site visit by Department staff to review financial and programmatic documents. Repeated invoicing issues may result in ineligibility for future Department grants and programs.

Allowable Expenses

1. Infrastructure Grants Allowable Expenses

Applicants may request funds for Salary (Personnel), Fringe Rates, Travel, Supplies, Equipment, Contractual, Other, and Indirect Costs. Applicants can review the [AMS General Terms and Conditions](#) section 8.2 Allowable and Unallowable Costs and Activities for more details. The Budget Narrative for Infrastructure Grants (Attachment C1) can be found [here](#). An in-depth description of allowable expenses can be found in Attachment A, at the end of this RFR document.

2. Simplified Equipment-Only Grants Allowable Expenses

The Simplified Equipment-Only Grant option is a fixed-price grant, meaning it will fund only equipment purchases. The amount awarded will be equal to the cost of the equipment up to \$100,000. Equipment costs are costs for equipment valued at \$5,000 or higher, per unit. Applicants should explain how the equipment purchases will enhance middle-of-the-supply-chain activities, and provide expense justification documents for the equipment items requested. Applicants must submit

documentation to substantiate the costs of each piece of equipment, which can include contracts, catalog pricing, or binding quotes provided by license commercial entities

For both Infrastructure Grants and Simplified Equipment-Only Grants, expenses must be incurred through Contract Effective Date through May 24, 2027.

Ineligible Expenses

Examples of Ineligible expenses include the following:

- Any expense incurred prior to the Contract Effective Date
- Costs for loans and/or loan programs
- Costs relating to lobbying activities
- Tuition/tuition reimbursement or career-related/scholarship funds
- Costs for projects focused on ineligible products including meat and poultry processing, wild-caught seafood, exclusively animal feed and forage products, fiber, landscaping products, tobacco, or dietary supplements.
- Expenses that do not support middle-of-the-supply-chain (see Definitions).
- Real property purchases (including land purchases)
- Expenses that have been or will be reimbursed under any Federal, State, or local government funding.

Matching Costs

1. Infrastructure Grants Match Cost Requirements

Infrastructure Grant applicants are required to contribute 50% of the **total proposed project cost** as a match to federal funding. This applies to all applicants except those who qualify for the reduced match described below.

Reduced Matching Funds– Historically Underserved Groups

For Historically Underserved Farmers and Ranchers, or for other businesses that qualify under [SBA categories](#) of small, disadvantaged business, women-owned small business, or veteran-owned small business, the required match funding contribution or cost share is reduced to 25% of the **total proposed project cost**. Applicants must self-certify in their Infrastructure Grant applications to being eligible for this reduced match.

Match Verification Letter Requirement

Each application must include the total amount of match and how it will specifically align with their requested funding in the budget narrative. Additionally, applicants must submit one match verification letter for EACH cash or in-kind resource signed by the matching organization. Applicants should use [Attachment E. Verification of Matching Funds Template Letter](#) to outline match costs.

The match verification letter requires applicants to include the following information:

- Project Applicant Information
- Project Title
- Cash Commitment per year (if applicable) and Total Cash Match
- In-kind Contribution per year (if applicable) and Total In-kind Match. Applicants will break down items into categories as applicable:
 - Salaries (employee name, title, duties, pay rate/hr., amount matched per year)
 - Items/Activities (fair market value per unit, how value determined, and amount matched per year)

- Explanation of how each type of match will correspond to the budget or be used by the applicant.
- Signature of Matching Organization Representative with typed name and title.

Match Verification Letters are required for all matching costs and for application submission.

Other Match Requirement Information

In-kind contributions are defined, when used as a match for a grant, as the value of goods or services provided for the benefit of the grant program, where no funds transferred hands. For example, a partner, such as a tribal community member, may volunteer their professional expertise as a match contribution to the project as described in [2 C.F.R. § 200.306\(e\)](#). These contributions cannot satisfy a cost sharing or matching requirement for this grant program if they are used toward satisfying a match requirement under any other Federal grant agreement to which the applicant is a party.

All matching contributions must be committed or secured at the time an applicant is recommended for an award.

Indirect costs may count toward the Infrastructure Grant applicant's match. Refer to Attachment A. Allowable Expenses Overview for more details on Indirect costs.

Program income (as defined in [2 C.F.R. § 200.1](#)) or any other Federal funds is an ineligible source of match or cost share.

2. Simplified Equipment-Only Grants Match Cost Requirements

No match is required for Simplified Equipment Only Projects.

1G. Reporting Requirements

Applicants of awarded either Infrastructure Grant or Simplified Equipment-Only Grant projects will be responsible for the following:

- Completing the project within the contractual timeframe.
- Tracking and reporting on expenses on a quarterly basis. Awardees will submit invoices on a quarterly basis. Financial reports shall include paid invoices and other relevant expense documentation and be submitted to the MDAR Program Manager. Awardees must show sufficient and appropriate documentation for all expenses incurred during the quarter.
- Submitting a final project report, including a description of how the funds were used and the values for the Expected Performance Measures, within one month after the contract ends.
- Submitting a final financial report itemizing actual expenses.
- Providing copies of invoices and proof of payment with payment requests at the conclusion of the project.

2. APPLICATION SUBMISSION INSTRUCTIONS & REQUIREMENTS

2.A. Submission Instructions

DUE DATE: Applications must be received by: 4:00 PM Friday, March 29, 2024.

Use the online application found at the below links to submit your application and supporting documents:

For Infrastructure Grant application:

<https://www.mass.gov/forms/rfsi-infrastructure-grant-proposal-application>

For Simplified Equipment-Only Grant application:

<https://www.mass.gov/forms/rfsi-equipment-only-grant-proposal-application>

Applications must be RECEIVED electronically by Friday, March 29, 2024, by 4:00pm. Late submissions will not be accepted. Failure to provide any of the materials listed below may result in the disqualification of the proposal. Applications that are sent by email, mail, or fax will NOT be accepted. The Department will not accept submission or re-submission of incomplete or delayed applications after the posted deadline. Submissions that do not contain a complete Application Form will also not be considered.

This RFR allows only for the submission of on-line applications. All applicants are advised to allow adequate time for submission of their proposal by considering potential on-line impediments like internet traffic, Internet connection speed, file size, and file volume. While no applications will be reviewed prior to the RFR deadline, the Department encourages Applicants to provide adequate time for transmittal of materials through the online system.

The Department is not responsible for delays encountered by Applicants or for an Applicant's local hardware failures, such as computers or related networks, associated with application compilation or submission. An application submitted via the application website will be deemed received at the time accepted by MDAR's application webpage system and is considered the official time of record. Submissions received within a time after the deadline will be deemed ineligible for review and funding.

Please do not submit applications to the Department by any other means except those provided for in this RFR.

Notice: the online application system has a strict 25MB limitation. Applicants must keep their application and attachments below this limit, or an error will occur, and the application will not be transmitted. Applicants should reduce file sizes as needed to meet this limitation.

PUBLIC RECORDS: All responses and information submitted in response to this call for applications are subject to the Massachusetts Public Records Law, M.G.L. c. 66, sec. 10 and c. 4, sec. 7, cl. 26. Applicants should not include personal information or personal data in their responses.

All on-line submissions should generate a confirmation page as well as send a confirmation email. **If you do not receive a confirmation, do not assume the application was received.** Please reach out to Keri Cornman (Keri.Cornman@mass.gov) if you do not see a confirmation page for your application submission.

2B. Proposal Requirements

This grant funds two types of projects:

1. Infrastructure Grants
2. Simplified Equipment-Only Grants

Below, you will find the proposal requirements for both types of grants. If you are interested in applying for an Infrastructure Grant, please see section 2B.1. If you are interested in applying for a Simplified Equipment-Only Grant, please see Section 2B.2.

2B.1. Infrastructure Grants Proposal Requirements

- Applicant Information including organization name, entity type, Unique Entity ID (UEI), phone number, email address, physical address, mailing address, and point of contact information.
- Agricultural Product types produced
- Environmental Justice Questionnaire and Information
- Project Title
- Duration of Project
- Executive Summary
 - An executive summary is a project summary of 250 words or less suitable for dissemination to the public. A Project Summary provides a very brief (one sentence, if possible) description of your project. A Project Summary includes:
 - The name of the applicant organization that if awarded a grant will establish an agreement or contractual relationship with MDAR to lead and execute the project,
 - The project's purpose, deliverables, and expected outcomes and
 - A description of the general tasks/activities to be completed during the project period to fulfill this goal.
- Project Purpose
 - Project Type (may include more than one). Project Types to choose from include:
 - Expanding processing capacities, including adding product types, increasing production volumes, and supporting new wholesale/retail, product lines;
 - Modernizing equipment or facilities through upgrades, repairs, or retooling; (e.g., adapting product lines for institutional procurement or adding parallel processing capacity);
 - Purchase and installation of specialized equipment, such as processing components, sorting equipment, packing and labeling equipment, or delivery vehicles (may be used or new);
 - Modernizing manufacturing, tracking, storage, and information technology systems;
 - Enhancing worker safety through adoption of new technologies or investment in equipment or facility improvements;
 - Supporting construction of a new facility;
 - Increasing packaging and labeling capacities that meet compliance requirements under applicable laws (e.g. sealing, bagging, boxing, labeling, conveying, and product moving equipment); Construction of wastewater management structures, etc.;
 - Increasing storage space, including cold storage;
 - Develop, customize, or install climate-smart equipment that reduces greenhouse gas emissions, increases efficiency in water use, improves air and/or water quality, and/or meets one or more of USDA's climate action goals;

- Modernize equipment or facilities to ensure food safety, including associated Hazard, Analysis, and Critical Control Points (HACCP) consultation, plan development and employee training; and
 - Training on the use of all equipment purchased under the grant and associated new processes.
 - Other (expand upon)
 - Project Need
 - Provide the Specific Issue, Problem, or Need that the Project Will Address
 - Project Objectives
 - Provide a List of 1-4 Objectives that the Project Hopes to Achieve
 - Project Overview
 - Provide an overview of the project, including how the listed Objectives will be met and a timeline for major activities. Program priorities may be described in this section.
 - Project Beneficiaries
 - Provide an estimated value of project beneficiaries
 - Does the project directly benefit one or more of the following groups (as defined by USDA):
 - Historically Underserved Farmers and/or Ranchers
 - New and beginning farmers and/or ranchers
 - Veteran producers
 - Processors or other middle-of-the-supply businesses owned by socially disadvantaged individuals
 - Other Funding Support
 - Provide a description of other support from Federal and/or State Grant Programs.
 - If the project application has been submitted for funding to a Federal or State grant program other than the RFSI and/or is a Federal or State grant program other than this RFSI funding, applicants must provide a brief explanation of those efforts.
- External Project Support
 - Applicants must describe the stakeholders who support the need for this project and why (other than the applicant and organizations involved in the project).
- Expected Performance Measures
 - Applicants should review [Attachment B1. Expected Performance Measures – Infrastructure Grants](#) and complete the section within the online application. Expected Performance Measures are provided in section 1D. Project Requirements of this RFR and in Attachment B1. Expected Performance Measures – Infrastructure Grants.
- Budget Narrative
 - Applicants must complete a budget narrative utilizing [Attachment C1. Budget Narrative Template – Infrastructure Grants](#) and upload the attachment to their online application.
 - The budget must show the total cost for the project and describe how category costs listed in the budget are derived. The budget justification must provide enough detail for reviewers to easily understand how costs were determined and how they relate to the Project Objectives and Expected Performance Measures.
 - The budget must show a relationship between work planned and performed to the costs incurred.
 - List and justify all expenses to be covered with matching funds separately and where they will be coming from.
 - All eligible entities must provide a 50% match OR a 25% graduated match of the total project cost if they qualify for the reduced match requirement. See Section 1F of this RFR for match funding information. Applicants must self-certify that they are one or more of the following to qualify for graduated match requirements:
 - Beginning Farmer or Rancher
 - Veteran Farmer or Rancher

- Limited Resource Farmer or Rancher
 - Socially Disadvantaged Farmer or Rancher
 - Small Disadvantaged Business
 - Women-Owned Small Business
 - Historically Underserved Farmer or Rancher
- Match Verification Letter(s)
 - Applicants must submit written and signed verification of match commitment from any party, including the eligible entity, who will contribute a match of non-Federal resources to this project. Applicants should utilize [Attachment E. Verification of Matching Funds Template Letter](#) for all match funding sources. See section 1F of this RFR for more match funding information.
- Evidence of Critical Infrastructure
 - Applicants must submit supporting evidence (in MS Word or PDF format) that critical resources and infrastructure necessary to support the initiation and completion of a project are in place. Land, structures, and other critical resources must be in place and in working condition at the time of application submission.
 - Applicants should utilize [Attachment F. Critical Resource Infrastructure Template Letter](#) to indicate the critical resource(s) that are necessary for initiation and completion of the project and certify that they are in place and committed prior to the start date of the project.
- Supporting Documentation/Quotes
 - For all equipment, contractual and construction services applicants must submit documentation to substantiate the costs, which can include contracts, catalog pricing, or binding quotes provided by licensed commercial entities.

2B.2. Simplified Equipment-Only Grants Proposal Requirements

- Applicant Information including organization name, entity type, Unique Entity ID (UEI), phone number, email address, physical address, mailing address, and point of contact information.
- Environmental Justice Questionnaire and Information
- Project Title
- Executive Summary
 - An executive summary is a project summary of 250 words or less suitable for dissemination to the public. A Project Summary provides a very brief (one sentence, if possible) description of your project. A Project Summary includes:
 - The name of the applicant organization that if awarded a grant will establish an agreement or contractual relationship with MDAR to lead and execute the project,
 - The project's purpose, deliverables, and expected outcomes and
 - A description of the general tasks/activities to be completed during the project period to fulfill this goal.
- Project Purpose
 - Operations Identifier
 - Applicants must provide where within the middle-of-the-supply-chain the equipment will be used:
 - Processing
 - Aggregation
 - Distribution
 - Value-Added Production
 - Other (expand upon)
 - Type of Agricultural Food Products to be Processed with the Equipment
 - Applicants must list all product types
 - Scope of Work

- Applicants should describe the current business operations including services being offered in their geographic area.
- Applicants should describe the specific need that the requested equipment will address.
- Applicants should describe the impact the requested equipment will have on local and regional producers, market outlets and more.
- Applicants should provide an estimated number of local and regional producers that will be impacted.
- Does the project directly benefit one or more of the following groups (as defined by USDA):
 - Historically Underserved Farmers and/or Ranchers
 - New and beginning farmers and/or ranchers
 - Veteran producers
 - Processors or other middle-of-the-supply businesses owned by socially disadvantaged individuals
- Expected Performance Measures
 - Applicants should review [Attachment B2. Expected Performance Measures – Simplified Equipment-Only Grants](#) and complete the section within the online application. Expected Performance Measures are provided in section 1D. Project Requirements of this RFR and in Attachment B2. Expected Performance Measures – Simplified Equipment-Only Grants.
- Budget Narrative
 - Applicants must complete a budget narrative utilizing [Attachment C2. Budget Narrative Template – Simplified Equipment-Only Grants](#) and upload the attachment to their online application.
 - For each Equipment item listed in the Budget Narrative, applicants should describe how the equipment will be used to achieve the objectives and outcomes of the project.
- Quotes/Supporting Documentation
 - Applicants must submit documentation to substantiate the costs of each piece of equipment, which can include contracts, catalog pricing, or binding quotes provided by licensed commercial entities.

2C. Evaluation Criteria

MDAR will conduct an administrative review and applications will be evaluated by a MDAR panel representing multiple facets of the food supply chain. The review panel will make award recommendations to the Commissioner of MDAR for decision. MDAR will submit chosen proposals to USDA, and USDA will have final review and approval authority for all MDAR-selected proposals. The evaluation will be weighted heavily on the Project Purpose, Expected Performance Measures, Budget Narrative, and Supporting Documentation as well as the awarding priorities. Project applications should clearly present the impact of their project on the middle-of-the-supply-chain.

Proposals that demonstrate these priorities during the evaluation process may receive a higher score:

- Projects located in Environmental Justice Communities and serving Environmental Justice populations will receive priority scoring.
- Projects that prioritize capacity building of groups who are working on systemic, holistic approaches to feeding people and working in sectors throughout the food system.
- Projects that support organizations and groups that are led by marginalized communities including Black, Indigenous, People of Color (BIPOC), members of the LGBTQ+ community, and persons with disabilities.

Additional Priorities

MDAR will prioritize Infrastructure Grant and Simplified Equipment-Only Grant applications that benefit the following:

- Historically Underserved Farmers and Ranchers;
- New and beginning farmers or ranchers;
- Veteran producers;
- Processors and other middle-of-the-supply businesses owned by socially disadvantaged individuals, as defined by the Small Business Administration (SBA).

Additional prioritization will be made for Infrastructure Grant and Simplified Equipment-Only Grant projects that:

- Offer family-supporting job quality and treatment/safety of workers (Infrastructure Grants only);
- Focus on small and medium-sized enterprises that add options and choices for consumers and producers (emphasis on value-added);
- Demonstrate local support for the project;
- Support underserved communities; and
- Are submitted by cooperatives, farmer- and worker-owned enterprises.

To determine whether your farmers market and/or proposed project will impact an Environmental Justice Population, visit the [Environmental Justice MapViewer](#). If you have any questions about Environmental Justice, please contact Rebecca.Davidson@Mass.gov, or visit [MDAR's Environmental Justice Program](#) page.

1. Infrastructure Grants Evaluation Criteria

Infrastructure Grant applications will be scored as follows (out of a total 110 points possible):

- **Applicant Information and Agricultural Product type(s) – Eligibility Requirement**
 - Does the applicant qualify as an eligible entity, will the project support eligible agricultural products? Yes/No. If no, the application will not be scored.
- **Is the project located within an Environmental Justice Community? (5 points)**
Yes/No
- **Is the applicant one or more of the following? (5 points)**
 - Historically Underserved Farmers and Ranchers;
 - New and beginning farmers or ranchers;
 - Veteran producers;
 - Processors and other middle-of-the-supply businesses owned by socially disadvantaged individuals, as defined by the Small Business Administration (SBA).
- **Project Purpose**
 - **Project Type (may include more than one) (5 points)**
Is(are) the Project Type(s) appropriate and related to the project goals
 - **Project Need (10 points)**
Proposal provides the specific issue, problem, or need that the project will address. The Project need is appropriate and related to the project goals. Does
 - **Project Objectives (10 points)**
Proposal lists 1-4 appropriate objectives that are timely and related to the goals of the project.
 - **Project Overview (15 points)**
Proposal provides an overview of the project, including how the listed Objectives will be met and a timeline for major activities.
 - **Awarding Priorities (up to an additional 5 points)**
Does the proposal include one or more of the following awarding priorities:
 - Offer family-supporting job quality and treatment/safety of workers (Infrastructure Grants only);

- Focus on small and medium-sized enterprises that add options and choices for consumers and producers (emphasis on value-added);
 - Demonstrate local support for the project;
 - Support underserved communities; and
 - Are submitted by cooperatives, farmer- and worker-owned enterprises.
- **Project Beneficiaries (5 points)**
Does the project directly benefit one or more of the following groups (as defined by USDA):
 - Historically Underserved Farmers and/or Ranchers
 - New and beginning farmers and/or ranchers
 - Veteran producers
 - Processors or other middle-of-the-supply businesses owned by socially disadvantaged individuals
- **External Project Support (10 points)**
Proposal describes the stakeholders who support the need for this project and why (other than the applicant and organizations involved in the project).
- **Expected Performance Measures (10 points)**
Proposal includes selected Expected Performance Measures – Infrastructure Grants and selected Expected Performance Measures are appropriate, feasible and related to the goals of the project. Applicants can review Expected Performance Measures in [Attachment B1. Expected Performance Measures – Infrastructure Grants](#)
- **Budget Narrative (15 points)**
 - Proposal includes Budget Narrative utilizing [Attachment C1. Budget Narrative Template – Infrastructure Grants](#). Budget justification includes enough detail for reviewers to easily understand how costs were determined and how they relate to the Project Objectives and Expected Performance Measures.
 - The Budget Narrative shows a relationship between work planned and performed to the costs incurred.
 - All expenses to be covered with matching funds are listed separately and justified as to where they will be coming from.
 - Proposal successfully reflects a 50% match OR a 25% graduated match of the total project cost if they qualify for the reduced match requirement.
- **[Match Verification Letter\(s\)](#) (5 points)**
Applicant has included all written and signed verification of match commitment from any party, including the eligible entity, who will contribute a match of non-Federal resources to the project. Match verification of all match funding sources is explicitly required by USDA.
- **[Evidence of Critical Infrastructure](#) (5 points)**
Applicant has included supporting evidence (in MS Word or PDF format) that critical resources and infrastructure necessary to support the initiation and completion of a project are in place. Land, structures, and other critical resources must be in place and in working condition at the time of application submission. Evidence of Critical Infrastructure is explicitly required by USDA.
- **Supporting Documentation/Quotes (5 points)**
Applicant has provided supporting documentation for all equipment, contractual and construction services to substantiate the costs, which can include contracts, catalog pricing, or binding quotes provided by licensed commercial entities.

2. Simplified Equipment-Only Grants Evaluation Criteria

Simplified Equipment-Only Grant applications will be scored as follows (out of a total 75 points possible):

- **Applicant Information and Agricultural Product type(s) – Eligibility Requirement**

- Does the applicant qualify as an eligible entity, will the project support eligible agricultural products? Yes/No. If no, the application will not be scored.
- **Is the project located within an Environmental Justice Community? (5 points)**
Yes/No
- **Is the applicant one or more of the following? (5 points)**
 - Historically Underserved Farmers and Ranchers;
 - New and beginning farmers or ranchers;
 - Veteran producers;
 - Processors and other middle-of-the-supply businesses owned by socially disadvantaged individuals, as defined by the Small Business Administration (SBA).
- **Project Purpose/ Scope of Work**
 - **Geographic details (5 points)**
Applicant describes the current business operations including services being offered in their geographic area.
 - **Project Need (10 points)**
Applicant describes the specific need that the requested equipment will address.
 - **Local Impact (10 points)**
Applicants should describe the impact the requested equipment will have on local and regional producers, market outlets and more.
 - **Beneficiaries (10 points)**
 - Applicant provides an estimated number of local and regional producers that will be impacted.
 - The project directly benefits one or more of the following groups (as defined by USDA):
 - Historically Underserved Farmers and/or Ranchers
 - New and beginning farmers and/or ranchers
 - Veteran producers
 - Processors or other middle-of-the-supply businesses owned by socially disadvantaged individuals
- **Expected Performance Measures (10 points)**
Proposal includes selected Expected Performance Measures – Simplified Equipment-Only Grants and selected Expected Performance Measures are appropriate, feasible and related to the goals of the project. Applicants can review Expected Performance Measures in [Attachment B2. Expected Performance Measures – Simplified Equipment-Only Grants](#)
- **Budget Narrative (15 points)**
 - Proposal includes a Budget Narrative utilizing [Attachment C2. Budget Narrative Template – Simplified Equipment-Only Grants](#).
 - For each Equipment item listed in the Budget Narrative, the applicant successfully described how the equipment will be used to achieve the objectives and outcomes of the project.
- **Quotes/Supporting Documentation (5 points)**
 - Applicant successfully submitted all documentation to substantiate the costs of each piece of equipment, which can include contracts, catalog pricing, or binding quotes provided by licensed commercial entities.

2D. Additional Contract Responsibilities & Documentation

Applicants of awarded projects will be responsible for the following:

- Completing the project within the contractual timeframe.
- Tracking and reporting on expenses on a quarterly basis. Awardees will submit invoices on a quarterly basis. Financial reports shall include paid invoices and other relevant expense documentation and be submitted to the MDAR Program Manager. Awardees must show sufficient and appropriate documentation for all expenses incurred during the quarter.
- Submitting a final project report, including a description of how the funds were used and the values for the Expected Performance Measures, within one month after the contract ends.

- Submitting a final financial report itemizing actual expenses.
- Providing copies of invoices and proof of payment with payment requests at the conclusion of the project.

If selected (not to be completed now), the applicant(s) will be required to submit the following forms to complete the contract:

- Commonwealth Standard Contract Form that includes the Commonwealth Terms and Conditions;
- Completed Contractor Authorized Signature Verification Form;
- Commonwealth W-9 tax information form;
- Completed Electronic Funds Transfer Form;
- IRS letter of Determination as 501 entity, if applicable.

Assistance to complete these forms will be provided to respondents selected to participate in the program. These forms are available for review at www.mass.gov/osd or by request.

Build America, Buy America (BABA)

Overview: Any public infrastructure project funded under RFSI must coordinate with MDAR to ensure adherence to BABA guidance. For such projects, the recipient must comply with the Buy America Sourcing requirements outlined in the Build America, Buy America (BABA) provisions of the [Infrastructure Investment and Jobs Act](#).

For-Profit Entities: BABA is *not applicable to for-profit entities* particularly for infrastructure projects. USDA-Agricultural Marketing Services (AMS) will review facilities owned by public entities to determine whether BABA requirements apply, following USDA guidance to exempt *de minimis* grant awards and other inapplicable activities. All other Infrastructure Grant entities that surpass the \$250,000 threshold of applicable procurement costs must adhere to BABA.

Small Grants Waiver: The small grants waiver will apply to awards with total federal funding below the Simplified Acquisition Threshold, which is currently set at \$250,000. BABA is not applicable to Equipment Only Grants as they do not surpass this threshold of \$250,000.

Resource: 2 CFR Part 184 - BUY AMERICA PREFERENCES FOR INFRASTRUCTURE PROJECTS: <https://www.ecfr.gov/current/title-2/part-184>

National Environmental Policy Act (NEPA)

Overview: All activities funded under this RFR must comply with the National Environmental Policy Act (NEPA) and related applicable agency regulations and instructions, Section 106 of the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA), other laws and regulations as outlined therein, and any applicable state, local, or tribal laws. A review for NEPA compliance is required prior to the award of grant funds. If selected for an award, applicants must provide all requested information to support compliance with NEPA, NHPA, ESA, and all other federal environmental laws and regulations.

Resource: [A Citizen's Guide to NEPA \(doe.gov\)](#) is a relatively short guide that provides an overview of NEPA requirements.

3. DEADLINES & PROCUREMENT CALENDAR

Release of RFR	Friday, January 19, 2024
Application Due Date	4:00 PM Friday, March 29, 2024
Estimated Award Date	April 2024 – Though final approval subject to USDA review, to be completed around June 2024.
Estimated Award and Contract Start Date	The project period is <u>estimated</u> to begin in June 2024, or later. Eligible costs are those incurred only after an award is issued, and a final scope of services has been negotiated and executed by all parties. Costs incurred prior to the executed contract shall not be eligible for reimbursement. The effective start date of a contract shall be the latest of the following dates: the date the Standard Contract Form has been executed by an authorized signatory of the contractor and the procuring department; the date of the secretariat or other approval(s) required by law or regulation; or a later date specified in the Standard Contract Form.
Duration of Contract:	Estimating June 2024 and Projects must be completed by May 24, 2027.

4. MISCELLANEOUS

Type of Procurement	Grant
Use of This Procurement by Single or Multiple Departments	This RFR is a single-department procurement. All contracts awarded under this RFR will be utilized by MDAR.
Single or Multiple Contractors	Multiple
RFR Distribution Method	<p>This RFR has been distributed electronically via COMMBUYS. Every Applicant is responsible for checking COMMBUYS for any addenda or modifications to an RFR to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to Applicants who fail to check for amended RFRs and submit inadequate or incorrect responses. Potential Respondents are advised to check the "last change" field on the summary page of RFRs for which they intend to submit a response to ensure they have the most recent RFR files.</p> <p>This RFR has also been distributed by MDAR's Farm and Market Newsletter, posted to the program's website at www.mass.gov/agr, and by a distribution list of requested applicants.</p> <p>Respondents may not alter the RFR language or any RFR component files. Those submitting a proposal must respond in accordance with the RFR directions and complete only those sections that prompt a Respondent for a response. Modifications to the body of this RFR, specifications, terms, and conditions, or which change the intent of this RFR are prohibited. Any unauthorized alterations will disqualify the response.</p>

List of and Links to Attachments	<p>A. Allowable Expenses Overview- <i>(part of this document)</i></p> <p>B1. Expected Performance Measures – Infrastructure Grants</p> <p>B2. Expected Performance Measures – Simplified Equipment-Only Grants</p> <p>C1. Budget Narrative Template – Infrastructure Grants</p> <p>C2. Budget Narrative Template – Simplified Equipment-Only Grants</p> <p>D. Environmental Justice Policy & Questionnaire</p> <p>E. Verification of Matching Funds Template Letter</p> <p>F. Critical Resource Infrastructure Template Letter</p> <p>G. RFR Specifications- <i>(part of this document)</i></p>
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Attachment A: Allowable Expenses Overview

Applicants can review the [AMS General Terms and Conditions](#) section 8.2 Allowable and Unallowable Costs and Activities for more expense details. Please reach out to Keri Cornman for questions on cost allowability. Please be mindful, MDAR staff cannot help you determine your budget or financial plan.

- **Salary Costs**
 - Personnel whose time and effort can be specifically identified and easily and accurately traced to the project. Each applicant will need to describe the activities to be completed by name/title including approximately when activities will occur.
- **Fringe Rates**
 - Provide the fringe benefit rates for each of the project's employees described in the Personnel section.
- **Travel**
 - Applicants will need to explain the purpose for each planned trip. Applicants must describe the purpose of this trip and how it will achieve the objectives and outcomes of the project. Please note that travel costs are limited to those allowed by formal organizational policy; in the case of air travel, project participants must use the lowest reasonable commercial airfares. For recipient organizations that have no formal travel policy and for-profit recipients, allowable travel costs may not exceed those established by the Federal Travel Regulation, issued by GSA, including the maximum per diem and subsistence rates prescribed in those regulations. This information is available at <https://www.gsa.gov>.
- **Supplies**
 - Applicants must list the materials, supplies, and fabricated parts costing less than \$5,000 per unit and describe how they will support the purpose and goal of the proposal and enhance the mid-supply chain and infrastructure efforts of the project.
- **Equipment Costs**
 - Applicants must describe any special purpose equipment to be purchased or rented under the award. "Special purpose equipment" is tangible, nonexpendable, personal property having a useful life of more than one year and an acquisition cost that equals or exceeds \$5,000 per unit and is used only for research, medical, scientific, or other technical activities (including agricultural activities). Rental of "general purpose equipment" must also be described in this section. Purchase of general-purpose equipment is not allowable under this award.
- **Construction Costs**
 - Applicants must describe costs including administrative and legal expenses, structures, relocation expenses and payments, architectural and engineering fees, project inspection fees, site work, demolition and removal, construction, and miscellaneous expenses related to modernizing or expanding a new or existing facility. Applicants must describe the need for construction costs. For projects involving construction, applicants must include any design and construction documents. Applicants that are selected for funding will be required to follow all applicable federal regulations regarding the construction activities.
- **Contractual Costs**
 - Applicants must provide a list of contractors/consultants, detailing out the name, hourly/flat rate, and overall cost of the services performed. Applicants must provide a description of the project activities each contractual cost/consultant will accomplish to meet the objectives and outcomes of the project, and include timelines for each contractual activity. If contractor employee and consultant hourly rates of pay exceed the salary of a [GS-15 step 10](#) Federal

employee in your area, applicants must provide a justification for the expenses. This does not include fringe benefits, travel, indirect costs, or other expenses.

- **Other Costs**

- Applicants should include any expenses not covered in any of the other described budget categories. Be sure to break down costs into cost/unit. “Other” expenses include, but are not limited to, meetings and conferences, communications, rental expenses, advertisements, publication costs, and data collection. If you budget meal costs for reasons other than meals associated with travel per diem, provide an adequate justification to support that these costs are not entertainment costs.

- **Indirect Costs**

- Indirect costs, also known as “facilities and administrative costs,” are those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Direct charging of these costs may be appropriate where the following conditions are met:
 - Administrative or clerical services are integral to a project or activity;
 - Individuals involved can be specifically identified with the project or activity;
 - Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency; and
 - The costs are not also recovered as indirect costs.
- As stated in [2 CFR § 200.413](#) and [414](#), any non-Federal entity that does not have a current negotiated (including provisional) indirect cost rate, except State and Local Government and Indian Tribe Indirect Cost Proposals, may elect to charge a de minimis rate of 10 percent of modified total direct costs (MTDC), which may be used indefinitely. No documentation is required to justify the 10% de minimis indirect cost rate. As described in [2 CFR § 200.403](#), costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology must be used consistently for all Federal awards until a recipient chooses to negotiate for a rate, which the recipient may apply to do at any time.
- All applicants who elect to charge a de minimis rate of 10 percent must use the MTDC as the base. MTDCs are defined in [2 CFR § 200.1](#) as all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDCs exclude equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each subaward in excess of \$25,000. Other items may be excluded only when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of its cognizant agency for indirect costs.
- If an applicant has a negotiated indirect cost rate approved by its cognizant agency, the applicant must submit a copy of its approved NICRA with its application. Entities that would like to negotiate an indirect cost rate must contact their cognizant agency. For cognizant agency assignments, see [2 CFR § 200.1](#).

Attachments B1 to F:

LINKS TO DOCUMENTS:

ATTACHMENT B1:	<u>B1. Expected Performance Measures – Infrastructure Grants</u>
ATTACHMENT B2:	<u>B2. Expected Performance Measures – Simplified Equipment-Only Grants</u>
ATTACHMENT C1:	<u>C1. Budget Narrative Template – Infrastructure Grants</u>
ATTACHMENT C2:	<u>C2. Budget Narrative Template – Simplified Equipment-Only Grants</u>
ATTACHMENT D:	<u>D. Environmental Justice Policy & Questionnaire</u>
ATTACHMENT E:	<u>E. Verification of Matching Funds Template Letter</u>
ATTACHMENT F:	<u>F. Critical Resource Infrastructure Template Letter</u>

Attachment G:

RFR - Required Specifications for Commodities and Services

Revision Date: July 13, 2023

In general, most of the required contractual stipulations are referenced in the *Standard Contract Form and Instructions* and the *Commonwealth Terms and Conditions*. However, the following RFR provisions must appear in all Commonwealth competitive procurements conducted under 801 CMR 21.00.

The terms of 801 CMR 21.00: *Procurement of Commodities and Services* are incorporated by reference into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00. Additional definitions also may be identified in this RFR. Other terms not defined elsewhere in this document may be defined in OSD's [Glossary of Terms](#). Unless otherwise specified in this RFR, all communications, responses, and documentation must be in English, all measurements must be provided in feet, inches, and pounds and all cost proposals or figures in U.S. currency. All responses must be submitted in accordance with the specific terms of this RFR.

1. COMMBUYS Market Center. COMMBUYS is the official source of information for this Bid and is publicly accessible at no charge at www.commbuys.com. Information contained in this document and in COMMBUYS, including file attachments, and information contained in the related Bid Questions and Answers (Q&A), are components of the Bid, as referenced in COMMBUYS, and are incorporated into the Bid and any resulting contract.

Bidders are solely responsible for obtaining all information distributed for this Bid via COMMBUYS. Bid Q&A supports Bidder submission of written questions associated with a Bid and publication of official answers.

It is each Bidder's responsibility to check COMMBUYS for:

- Any amendments, addenda, or modifications to this Bid, and
- Any Bid Q&A records related to this Bid.

The Commonwealth accepts no responsibility and will provide no accommodation to Bidders who submit a Quote based on an out-of-date Bid or on information received from a source other than COMMBUYS.

2. COMMBUYS Registration. Bidders may elect to register for a free COMMBUYS Seller account which provides value-added features, including automated email notification associated with postings and modifications to COMMBUYS records. However, to respond to a Bid, Bidders must register and maintain an active COMMBUYS Seller account.

All Bidders submitting a Quote (previously referred to as Response) in response to this Bid (previously referred to as Solicitation) agree that, if awarded a contract: 1) they will maintain an active seller account in COMMBUYS; 2) they will, when directed to do so by the procuring entity, activate and maintain a COMMBUYS-enabled catalog using Commonwealth Commodity Codes; 3) they will comply with all requests by the procuring entity to utilize COMMBUYS for the purposes of conducting all aspects of purchasing and invoicing with the Commonwealth, as added functionality for the COMMBUYS system is activated; and 4) in the event the Commonwealth adopts an alternate e-procurement platform, successful Bidders will be required to utilize such system, as directed by the procuring entity. Commonwealth Commodity Codes are based on the United Nations Standard Products and Services Code (UNSPSC).

COMMBUYS uses terminology with which bidders must be familiar to conduct business with the Commonwealth. To view this terminology and to learn more about COMMBUYS, please visit the [Learn about COMMBUYS Resources](#) page on mass.gov.

3. Multiple Quotes. Bidders may not submit Multiple Quotes in response to a Bid unless the RFR authorizes them to do so. If a Bidder submits multiple quotes in response to an RFR that does not authorize multiple responses, only the latest dated quote submitted prior to the bid opening date will be evaluated.

4. Quote Content. Bid specifications for delivery, shipping, billing, and payment will prevail over any proposed Bidder terms entered as part of the Quote, unless otherwise specified in the Bid.

5. Supplier Diversity Office (SDO) Programs. Pursuant to [Executive Order 599](#), the Commonwealth supports the use of diverse and small businesses through the Small Business Purchasing Program (SBPP) and the Supplier Diversity Program (SDP). Based on the estimated value of the procurement, one of the above-mentioned programs shall be applicable to this RFR. For more information on the program that applies to this solicitation, see the body of this RFR.

6. Small Business Purchasing Program (SBPP)

Program Background. The Massachusetts [Small Business Purchasing Program](#) (SBPP) was established pursuant to [Executive Order 599](#) to increase state contracting opportunities with small businesses having their principal place of business within the

Commonwealth of Massachusetts. Pursuant to the SBPP, it is the intention of the issuing department to award this Small Procurement to one or more SBPP participating business(es) as described below.

SBPP Award Preference. While all businesses, no matter the size or principal place of business, may submit responses to this solicitation, should an SBPP participant respond and meet the best value criteria described in this solicitation, the SBPP participant shall be awarded the contract. The Strategic Sourcing Services Team (SST) will not evaluate submissions from non-SBPP participants unless no SBPP Bidder meets the SSST's best value evaluation criteria.

SBPP Participation Eligibility. To be eligible to participate in this procurement as an SBPP participant, an entity must meet the following criteria, and be marked as an SBPP-registered business in [COMMBUYS](#):

1. Have its principal place of business in the Commonwealth of Massachusetts;
2. Been in business for at least one year;
3. Employ a combined total of 50 or fewer full-time equivalent employees in all locations, or employees work less than a combined total of 26,000 hours per quarter; and
4. Have gross revenues, as reported on appropriate tax forms, of \$15 million or less, based on a three-year average.

Non-profit firms also must be registered as a non-profit or charitable organization with the MA Attorney General's Office and be up to date with all filings required by that office and be tax exempt under Section 501(c) of the Internal Revenue Code.

SBPP Compliance Requirements. It is the responsibility of the Bidder to ensure that their SBPP status is current at the time of submitting a response and throughout the life of any resulting contract. Misrepresentation of SBPP status will result in disqualification from consideration, and may result in debarment, contract termination, and other actions. To learn more about the SBPP, including how to apply, visit the SBPP webpage, <http://www.mass.gov/sbpp>.

Program Resources and Assistance. Bidders and Contractors seeking assistance regarding SBPP may visit the [SBPP Webpage](#), or contact the SBPP Help Desk at sbpp@mass.gov.

7. Supplier Diversity Program (SDP)

Program Background. Pursuant to [Executive Order 599](#), the Commonwealth's [Supplier Diversity Program](#) (SDP) promotes business-to-business relationships between awarded Contractors and diverse businesses and non-profit organizations ("SDP Partners") certified or recognized (see below for more information) by the [Supplier Diversity Office \(SDO\)](#).

All Bidders and Contractors are strongly encouraged to create a profile on the SDO's Supplier Diversity Hub to access the Commonwealth's supplier diversity resources and tools.

Financial Commitment Requirements. All Bidders responding to this solicitation are required to make a significant financial commitment ("SDP Commitment") to partnering with one or more SDO-certified or recognized diverse business enterprise(s) or non-profit organization(s). This SDP Commitment must be expressed as a percentage of contract sales resulting from this solicitation that would be spent with the SDP Partner(s).

After contract award (if any), the Total SDP Commitment shall become a contractual requirement to be met annually on a Massachusetts fiscal year basis (July 1 – June 30) for the duration of the contract. The minimum acceptable Total SDP Commitment in response to this solicitation shall be 1%. Bidders shall be awarded additional evaluation points for higher SDP Commitments.

No contract shall be awarded to a Bidder without an SDP Commitment that meets the requirements stated herein. This requirement extends to **all** Bidders regardless of their own supplier diversity certification.

Eligible SDP Partner Certification Categories

SDP Partners must be business enterprises and/or non-profit organizations certified or recognized by the SDO in one or more of the following certification categories:

- Minority-Owned Business Enterprise (MBE)
- Minority Non-Profit Organization (M/NPO)
- Women-Owned Business Enterprise (WBE)
- Women Non-Profit Organization (W/NPO)
- Veteran-Owned Business Enterprise (VBE)
- Service-Disabled Veteran-Owned Business Enterprise (SDVOBE)
- Disability-Owned Business Enterprise (DOBE)
- Lesbian, Gay, Bisexual, and Transgender Business Enterprise (LBGTBE)

Eligible Types of Business-to-Business Relationships. Bidders and Contractors may engage SDP Partners as follows:

- **Subcontracting**, defined as a partnership in which the SDP partner is involved in the provision of products and/or services to the Commonwealth.
- **Ancillary Products and Services**, defined as a business relationship in which the SDP partner provides products or services that are not directly related to the Contractor's contract with the Commonwealth but may be related to the Contractor's own operational needs.

Other types of business-to-business relationships are not acceptable under this contract. All provisions of this RFR applicable to subcontracting shall apply equally to the engagement of SDP Partners as subcontractors.

Program Flexibility. The SDP encompasses the following provisions to support Bidders in establishing and maintaining sustainable business-to-business relationships meeting their needs:

- SDP Partners are **not** required to be subcontractors.
- SDP Partners are **not** required to be Massachusetts-based businesses.
- SDP Partners **may be changed or added** during the term of the contract, provided the Contractor continues to meet its SDP Commitment.

SDP Plan Form Requirements. All Bidders must complete the SDP Plan Form included in this solicitation and attach it to their bid response. In addition to proposing an SDP Commitment, each Bidder must propose one or more SDP Partner(s) to utilize to meet its SDP Commitment. Certified diverse Bidders may not list their own companies, their subsidiaries, or affiliates as SDP Partners and may not meet their SDP Commitment by spending funds internally or with their own subsidiaries or affiliates.

Bidders may propose SDP Partners that are:

- **Certified or recognized by the SDO:** Such partners appear in the [SDO Directory of Certified Businesses](#) or in the [SBA Veteran Small Business Certification \(VetCert\)](#) directory. After contract award (if any), spending with such partners will contribute to meeting the Contractor's SDP Commitment.
- **Not yet certified or recognized by the SDO:** Such partners must be certified in eligible categories by a third-party certification body, such as another city or state supplier diversity certification office, the [National Minority Supplier Development Council](#), the [Women Business Enterprise National Council](#), [Disability: IN](#), or the [National LGBT Chamber of Commerce \(NGLCC\)](#), but are not listed in the above-mentioned directories. Self-certification is not acceptable. While Bidders may list such proposed SDP Partners on their SDP Plans, spending with such partners will not contribute to meeting the Contractor's SDP Commitment unless they apply for and are granted SDO supplier diversity certification or recognition. If proposed SDP Partners do not receive SDO supplier diversity certification or recognition, the Contractor must find alternative SDP Partners to meet the SDP Commitment.

It is the responsibility of the Contractor to ensure that their proposed SDP Partners obtain such certification or recognition by the SDO after contract award (if any). The issuing department and the SDO will not conduct outreach to proposed SDP Partners to ensure their certification. Furthermore, no guarantee may be made that a proposed SDP Partner will be certified, or regarding the time it may take to process a proposed SDP Partner certification. Contractors may direct partners to the SDO's homepage, www.mass.gov/sdo and the [Certification Self-Assessment Tool](#) for guidance on applying for certification.

It is **desirable** for Bidders to provide an SDP Focus Statement that describe the bidder's overall approach to increasing the participation of diverse businesses in the provision of products and services under this proposal/contract (subcontracting) and in the Bidder's general business operations (ancillary products and services). Such a description may include but not be limited to:

- A clearly stated purpose or goal.
- Specific types of diverse and small businesses targeted.
- Which departments/units within the business are responsible for implementing supplier diversity.
- Types of opportunities for which diverse and small businesses are considered.
- Specific measures/methods of engagement of diverse and small businesses.
- An existing internal supplier diversity policy.
- Public availability of the Bidder's supplier diversity policy.

It also is **desirable** for Bidders to use the SDP Plan Form to describe additional creative initiatives (if any) related to engaging, buying from, and/or collaborating with diverse businesses. Such initiatives may include but not be limited to:

- Serving as a mentor in a mentor-protégé relationship.
- Technical and financial assistance provided to diverse businesses.
- Participation in joint ventures between nondiverse and diverse businesses.
- Voluntary assistance programs by which nondiverse business employees are loaned to diverse businesses or by which diverse business employees are taken into viable business ventures to acquire training and experience in managing business affairs.

Evaluation of SDP Forms. To encourage Bidders to develop substantial supplier diversity initiatives and commitments as measures valuable to the Commonwealth, at least 25% of the total available evaluation points for this bid solicitation shall be allocated to the evaluation of the SDP Plan submissions. Because the purpose of the SDP is to promote business-to-business partnerships, the Bidders' workforce diversity initiatives will not be considered in the evaluation.

SDP Spending Reports. After contract award, Contractors must submit reports at least annually to demonstrate compliance with the agreed-upon SDP Commitment. To submit SDP spending reports using the Hub, Contractors must create a profile in the Hub. Contractors must follow report submission instructions from the issuing department and the SDO.

SDP Spending Compliance. Only spending with SDP Partners that appear in the [SDO Directory of Certified Businesses](#) or in the [SBA Veteran Small Business Certification \(VetCert\)](#) directory shall be counted toward a Contractor's compliance with their SDP Commitment. Spending with SDP Partners that do not appear in the directories above shall not be counted toward meeting a Contractor's SDP Commitment.

It is the responsibility of the Contractor to ensure they meet their SDP Commitment, and the SDO and the issuing department assume no responsibility for any Contractor's failure to meet its SDP Commitment.

SDP Spending Verification. The SDO and the contracting department reserve the right to contact SDP Partners at any time to request that they attest to the amounts reported to have been paid to them by the Contractor.

Program Resources and Assistance. Contractors seeking assistance in the development of their SDP Plans or identification of potential SDP Partners may visit the SDP webpage, www.mass.gov/sdp, or contact the SDP Help Desk at sdp@mass.gov.

8. Agricultural Products Preference (only applicable if this is a procurement for Agricultural Products). Chapter 123 of the Acts of 2006 directs the State Purchasing Agent to grant a preference to products of agriculture grown or produced using locally grown products. Such locally grown or produced products shall be purchased unless the price of the goods exceeds the price of products of agriculture from outside the Commonwealth by more than 10%. For purposes of this preference, products of agriculture are defined to include any agricultural, aquacultural, floricultural, or horticultural commodities; the growing and harvesting of forest products; the raising of livestock, including horses; raising of domesticated animals, bees, and/or fur-bearing animals; and any forestry or lumbering operations.

9. Best Value Selection and Negotiation. The Strategic Sourcing Services Team or SSST may select the response(s) which demonstrates the best value overall, including proposed alternatives that will achieve the procurement goals of the department. The SSST and a selected bidder, or a contractor, may negotiate a change in any element of contract performance or cost identified in the original RFR or the selected bidder's or contractor's response which results in lower costs or a more cost effective or better value than was presented in the selected bidder's or contractor's original response.

10. Bidder Communication. Bidders are prohibited from communicating directly with any employee of the procuring department or any member of the SSST regarding this RFR except as specified in this RFR, and no other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this RFR. Bidders may contact the contact person for this RFR in the event this RFR is incomplete or the bidder is having trouble obtaining any required attachments electronically through COMMBUYS.

11. Contract Expansion. If additional funds become available during the contract duration period, the department reserves the right to increase the maximum obligation to some or all contracts executed as a result of this RFR or to execute contracts with contractors not funded in the initial selection process, subject to available funding, satisfactory contract performance and service or commodity need.

12. Costs. Costs which are not specifically identified in the bidder's response and accepted by a department as part of a contract will not be compensated under any contract awarded pursuant to this RFR. The Commonwealth will not be responsible for any costs or expenses incurred by bidders responding to this RFR.

13. Electronic Communication/Update of Bidder's/Contractor's Contact Information. It is the responsibility of the prospective bidder and awarded contractor to keep current on COMMBUYS the email address of the bidder's contact person and prospective contract manager, if awarded a contract, and to monitor that email inbox for communications from the SSST, including requests for clarification. The SSST and the Commonwealth assume no responsibility if a prospective bidder's/awarded contractor's designated email address is not current, or if technical problems, including those with the prospective bidder's/awarded contractor's computer, network, or internet service provider (ISP) cause email communications sent to/from the prospective bidder/awarded contractor and the SSST to be lost or rejected by any means including email or spam filtering.

14. Electronic Funds Transfer (EFT). All bidders responding to this RFR must agree to participate in the Commonwealth Electronic Funds Transfer (EFT) program for receiving payments, unless the bidder is able to provide compelling proof that it would be unduly burdensome. EFT is a benefit to both contractors and the Commonwealth because it ensures fast, safe, and reliable payment directly to contractors and saves both parties the cost of processing checks. Contractors may track and verify payments made electronically through the Comptroller's [Vendor Web system](#). A link to the EFT application may be found on the [OSD Forms](#) page (www.mass.gov/lists/osd-forms). Additional information about EFT is available on the [VendorWeb](#) site (www.mass.gov/osc). Click on MASSfinance.

Successful bidders, upon notification of contract award, will be required to enroll in EFT as a contract requirement by completing and submitting the *Authorization for Electronic Funds Payment Form* to this department for review, approval, and forwarding to the Office of the Comptroller. If the bidder already is enrolled in the program, it may so indicate in its response. Because the *Authorization for Electronic Funds Payment Form* contains banking information, this form, and all information contained on this form, shall not be considered a public record and shall not be subject to public disclosure through a public records request.

The requirement to use EFT may be waived by the SSST on a case-by-case basis if participation in the program would be unduly burdensome on the bidder. If a bidder is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in its response. The SSST will consider such requests on a case-by-case basis and communicate the findings to the bidder.

15. Executive Order 509, Establishing Nutrition Standards for Food Purchased and Served by State Agencies. Food purchased and served by state agencies must be in compliance with Executive Order 509, issued in January 2009. Under this Executive Order, all contracts resulting from procurements posted after July 1, 2009, that involve the purchase and provision of food must comply with nutrition guidelines established by the Department of Public Health (DPH). The nutrition guidelines are available at the Department's website: [Tools and Resources for Implementation of Executive Order 509](#).

16. HIPAA: Business Associate Contractual Obligations. Bidders are notified that any department meeting the definition of a Covered Entity under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) will include in the RFR and resulting contract sufficient language establishing the successful bidder's contractual obligations, if any, that the department will require in order for the department to comply with HIPAA and the privacy and security regulations promulgated thereunder (45 CFR Parts 160, 162, and 164) (the Privacy and Security Rules). For example, if the department determines that the successful bidder is a business associate performing functions or activities involving protected health information, as such terms are used in the Privacy and Security Rules, then the department will include in the RFR and resulting contract a sufficient description of business associate's contractual obligations regarding the privacy and security of the protected health information, as listed in 45 CFR 164.314 and 164.504 (e), including, but not limited to, the bidder's obligation to: implement administrative, physical, and technical safeguards that reasonably and appropriately protect the confidentiality, integrity, and availability of the protected health information (in whatever form it is maintained or used, including verbal communications); provide individuals access to their records; and strictly limit use and disclosure of the protected health information for only those purposes approved by the department. Further, the department reserves the right to add any requirement during the course of the contract that it determines it must include in the contract in order for the department to comply with the Privacy and Security Rules. Please see other sections of the RFR for any further HIPAA details, if applicable.

17. Minimum Quote (Bid Response) Duration. Bidders Quotes made in response to this Bid must remain in effect for at least 90 days from the date of quote submission.

18. Prompt Payment Discounts (PPD). All bidders responding to this procurement must agree to offer discounts through participation in the Commonwealth's Prompt Payment Discount (PPD) initiative for receiving early and/or on-time payments, unless the bidder provides compelling proof that it would be unduly burdensome. PPD benefits both contractors and the Commonwealth. Contractors benefit by increased, usable cash flow as a result of fast and efficient payments for commodities or services rendered. Participation in the Electronic Funds Transfer (EFT) initiative further maximizes the benefits with payments directed to designated accounts, thus eliminating the impact of check clearance policies and traditional mail lead time or delays. The Commonwealth benefits because contractors reduce the cost of products and services through the applied discount. Payments that are processed electronically may be tracked and verified through the Comptroller's Vendor Web system. The PPD form may be found as an attachment for this Bid on [COMMBUYS](#).

Bidders must submit agreeable terms for Prompt Payment Discount using the PPD form within their proposal, unless otherwise specified by the SSST. The SSST will review, negotiate, or reject the offering as deemed in the best interest of the Commonwealth.

The requirement to use PPD offerings may be waived by the SSST on a case-by-case basis if participation in the program would be unduly burdensome on the bidder. If a bidder is claiming that this requirement is a hardship or unduly burdensome, the specific reason must be documented in or attached to the PPD form.

19. Public Records. All responses and information submitted in response to this RFR are subject to the Massachusetts Public Records Law, M.G.L., c. 66, s. 10, and to c. 4, s. 7, ss. 26. Any statements in submitted responses that are inconsistent with these statutes, including marking by bidders of information as confidential during the quote submission process in COMMBUYS, shall be disregarded.

20. Reasonable Accommodation. Bidders with disabilities or hardships that seek reasonable accommodation, which may include the receipt of RFR information in an alternative format, must communicate such requests in writing to the contact person. Requests for accommodation will be addressed on a case by case basis. A bidder requesting accommodation must submit a written statement which describes the bidder's disability and the requested accommodation to the contact person for the RFR. The SSST reserves the right to reject unreasonable requests.

21. Restriction on the Use of the Commonwealth Seal. Bidders and contractors are not allowed to display the Commonwealth of Massachusetts Seal in their bid package or subsequent marketing materials if they are awarded a contract because use of the coat of arms and the Great Seal of the Commonwealth for advertising or commercial purposes is prohibited by law.

22. Subcontracting Policies. Prior approval of the department is required for any subcontracted service of the contract. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors. Human and social service subcontractors are also required to meet the same state and federal financial and program reporting requirements and are held to the same reimbursable cost standards as contractors.

23. Acceptable Forms of Signature

Effective June 15, 2021, for all 1) CTR forms, including the Standard Contract Form, W-9s, Electronic Funds Transfer (EFT) forms, ISAs, and other CTR-issued documents and forms, or 2) documents related to state finance and within the statutory area of authority or control of CTR (i.e. contracts, payrolls, and related supporting documentation), CTR will accept signatures executed by an authorized signatory in any of the following ways: 1. Traditional "wet signature" (ink on paper); 2. Electronic signature that is either: a. Hand drawn using a mouse or finger if working from a touch screen device; or Page 2 b. An uploaded picture of the signatory's hand drawn signature 3. Electronic signatures affixed using a digital tool such as Adobe Sign or DocuSign. If using an electronic signature, the signature must be visible, include the signatory's name and title, and must be accompanied by a signature date. Please be advised that typed text of a name not generated by a digital tool such as Adobe Sign or DocuSign, even in computer-generated cursive script, or an electronic symbol, are not acceptable forms of electronic signature.

#END#