



Division of Agricultural Conservation & Technical Assistance

**Farm Viability
Enhancement Program (FVEP)
Fiscal Year 2022
(July 1, 2021 to June 30, 2022)**

Request for Response (RFR): RFR File: **AGR-FVEP-FY22-29**

To increase the financial viability of farm businesses, support environmental sustainability, and preserve productive agricultural resources through short-term covenants.

**Responses must be received no later than
4:00 PM on Thursday April 29, 2021**

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Executive Office of Energy & Environmental Affairs
Kathleen A. Theoharides, Secretary
RFR ID: RFR-FVEP-FY21-29
Date Released- March 19, 2021
Farm Viability Enhancement Program (FVEP)

GRANT OPPORTUNITY SUMMARY

Proposals Sought For	The Massachusetts Department of Agricultural Resources (“Department”) invites responses from Massachusetts farmers who raise and sell agricultural products who wish to participate in the Farm Viability Enhancement Program (“Program”). This Program provides business planning and technical assistance to help develop a farm business plan (“FVEP Plan”). Upon completion and approval of the FVEP Plan by the Department, participants may be selected to enter into a Project Contract Amendment with the Department to receive grant funds to be spent on agreed upon farm improvements identified in the FVEP Plan in return for a short-term agricultural covenant on the farm property. There is no guarantee of funding for Program participants who are selected to receive business planning services or for any proposal.
Overview & Goals	The purpose of the Program is to provide business planning and technical assistance to established farmers to increase the financial viability of their farm businesses, support environmental sustainability, and preserve productive agricultural resources through short-term agricultural covenants placed on the farm. In Phase I of the program, business planning and technical assistance and required active participation by the applicant selected to the Program will result in the FVEP business Plan. If a participant completes a business plan through the program, they may be able to advance to Phase II to receive a grant for an agreed upon farm improvement project in return for putting an agricultural covenant on the farm. It is Program policy that the entire farm- all land owned by the applicant(s)- be placed under the Covenant.
Eligible Applicants	To be eligible for participation in the Program, a Responder must own, or be a Co-Responder with the owner who has a legal interest in the land by deed, at least five (5) acres of land that is in active agricultural use and has been managed as a commercial enterprise by the Responder for at least the three (3) previous years. (See additional requirements in Section 1.)
Eligible Projects	New structures for agricultural use, improvements to existing farm structures, new or used farm equipment, agricultural resource improvements, food processing and marketing improvements (See further details in Section 2.)
Application Deadline	4:00 PM on Thursday, April 29, 2021
Funding Availability	Grant sizes vary from \$50,000 to \$150,000 per applicant and shall be made at the discretion of the Department. (See further details in Section 3).
Match Requirement	No match requirement
Duration of Contract	Phase 2 Project Contracts are expected to be approved around April 2022 and end December 31, 2022.
Contact Information	Melissa Adams 857-276-2377 or Melissa.L.Adams@mass.gov
Regulations Governing this Grant Program	Authorized in M.G.L. Chapter 20: Section 22.

1. Eligible Applicants:	
A. Eligible Applicants	<p>To be eligible for participation in this program, Applicants must meet the following requirements:</p> <ul style="list-style-type: none"> • Applicant must own minimum of five (5) acres of land currently in active agricultural use. • This farmland must have been managed as a commercial enterprise by the Applicant for at least the three (3) previous years. • Gross Farm Income of farm business of applicant must be at least \$10,000 (as shown on Schedule F (Form 1040); Form 1120, or other tax statements from most recent tax year). • In order to receive a grant through this program, the landowner(s) will need to sign an agricultural covenant to agree to keep their farmland in agriculture use for a specified term. • If an applicant does not own the land, but coapplies with the landowner who has a legal interest in the land by deed, a copy of a written signed lease with the landowner must be provided that allows permission for them as lessee to farm the land for a term at least as long as the term of the covenant and that allows any proposed infrastructure to be constructed and used on the property. • Cranberry operators must own, or be a co-applicant with the owner of, a minimum of twenty (20) acres total, with at least three (3) acres of cranberry bogs currently in production and at least ten (10) acres of non-wetland (upland) and have an NRCS Farm Conservation Plan dated no earlier than 2016. The acreage as defined in the Farm Conservation Plan, if any, will govern farm eligibility. • All Responders, including landowners and farm business owners, must sign this application. • Applicants and landowners must be in good standing with all applicable local, state, and federal laws, ordinances, bylaws and/or programs at the time the application is made, prior to, and at all times during the terms of the contract. • Must meet applicable federal, state, and local public health orders, regulations, ordinances, or other guidance issued related to COVID-19 in effect at the time of the Project.
B. Ineligible Applicants	<p>The following are <u>NOT eligible</u> for participation in this program:</p> <ul style="list-style-type: none"> • Farms owned by non-profit organizations or by municipalities. • Farmers with farmland acreage already restricted by an Agricultural Preservation Restriction ("APR"), a Conservation Restriction, or other encumbrance are not eligible to apply to this program. Non-restricted acreage, owned by an owner of an APR or similarly encumbered lands, may be able to be placed under a Covenant to qualify for funding through the Program. • Previous participants in the APR Improvement Program (AIP) are ineligible to apply to FVEP. • Prior recipients of FVEP funding are ineligible to reapply, until after the agricultural covenant has expired. A farm that has already received 2 grants from FVEP, or 1 grant from FVEP and 1 grant from AIP, is not eligible to apply to this program again. • Prior participants of the MDAR Matching Enterprise Grants for Agriculture (MEGA) Program are ineligible until a three (3) years after g the start date of their MEGA contract. • All projects involving marijuana or hemp shall not be eligible for funding from the Department at this time under this program.

2. Eligible Projects:

Eligible Projects

Funds must be used for approved capital projects, including new or improved farm infrastructure, farm equipment, or farm resource improvements. Examples of farm infrastructure include, but are not limited to, farm buildings such as farm stands, greenhouses, livestock housing, washing, packing or processing facilities, and hay or equipment storage barns. Examples of resource improvements include, but are not limited to, pasture improvements, fencing, reseeding hay land, establishing perennial crops, improving drainage, and installing irrigation. Examples of farm equipment include, but are not limited to, new or used tractors, implements, or other field equipment, farm delivery vehicles, food washing, packing or processing equipment, signs, and retail displays. (See allowable expenditures section 3C)

3. Funding Availability, Budgeting Guidelines & Allowable Expenditures

A. Maximum Funding

The total amount available for Program in Fiscal Year 2022 is expected to be around \$950,000. Grant levels vary based on the scale of operations and acreage to go under covenant with typical levels up to either \$50,000; \$100,000 or \$150,000 per farm.

B. Budgeting Guidelines and Grant Levels

Once a FVEP Plan has been developed, with active participation by the selected applicant, and approved by the Department at the completion of Phase I, grant funding may then be available in Phase II in return for an agricultural covenant on the farm. It is Program policy that the entire farm- all land owned by the applicant(s)- be placed under the Covenant. Funding from the Program is optional, and awards may be rescinded at any time during the technical assistance and business plan development phase prior to the grant of an agricultural covenant. Prior to proceeding to Phase II, both the participant and the Department must agree upon how grant funds will be used for improvements identified in the FVEP Plan.

The level of funding offered to eligible participants shall vary depending on the total acres owned to be placed under agricultural covenant through the Program as well as the scale of the farm operations as determined by the operation's current gross farm income (Schedule F or Form 1120, or other relevant tax statements from most recent tax year) and the 3-year projected gross farm income in participants' FVEP Plan. Depending on the availability of funding, the Department may offer a participant one of the following grant levels to be determined using the following guidelines:

Level	Grant Award	Covenant Term	Annual Gross Farm Income	Total Farm Acreage
1	\$50,000	5 years	\$10,000 - \$100,000	5+ acres
2	\$100,000	10 years	\$100,000+	50+ acres
3	\$150,000	15 years	\$150,000+	100+ acres

Responders will be informed which option the Department may be able to offer when notified of acceptance in Phase I of the program. However, neither this notification nor a Phase I contract for technical assistance are confirmation that the participant will receive a project grant award. A final determination of award, and the amount, to be offered to a participant will be made by the Department once the business planning process has been satisfactorily completed and deed research completed. These determinations rest solely with the Department and may be based on additional factors such as: availability of funding in the annual program budget, farm productivity, intensity of use, substantial gross farm income, high capital needs for large improvement projects, or projects that will have a positive impact on other agricultural producers in Massachusetts. Costs incurred prior to the Phase II contract cannot be reimbursed and shall not qualify as Program expenditures.

C. Allowable Expenditures	Awarded grant funds must be spent on contracted labor and/or the purchase of materials associated with the capital project(s) as outlined in the agreed upon Scope of Services to be attached to the contract with the Department. Funds may NOT be used for operating expenses, payment of debt, purchase of livestock, farm owner or employee labor, or to purchase land.
D. Appropriation	All contracts shall be subject to available funding, whether through the appropriation and authorization of sufficient funds or the receipt of sufficient revenues. If available funding ceases for any reason, a contract shall be deemed under suspension and contract performance must halt. A contractor will not be entitled to compensation for any performance provided during the period of contract suspension. EEA may lift the suspension if available funding is received. In the absence of foreseeable available funding, EEA may terminate the contract.
E. Match	While participants may contribute their own funds towards identified project costs, there is no match required by program participants. Project Grant awards are provided in return for an agricultural covenant by the landowner(s).
F. Reporting	<p>Once the project is complete and all funds spent, a closeout visit will be conducted by program staff or consultant to view improvements as a result of purchases made through program participation and interview participants to complete a program evaluation form.</p> <ul style="list-style-type: none"> • Program participants must provide the Department with paid receipts and documentation verifying that expenditures were made during the contract period in the amount of the grant funds received. • In order to evaluate the impact of the Program, upon request from the Department, participants must submit information and financial data pertaining to their farming operation to the Department for a period of up to five (5) years following the termination date specified on the contract. All such financial data shall be considered confidential to the extent permitted by M.G.L. c. 4, Section 7(26).

4. Permits and Approvals

Permits & Approvals	Participants who sign a Phase II grant contract must apply for and receive all permits and any other federal, state or local approvals necessary for the project. Participants must complete agreed upon purchases identified from their FVEP Plan and provide documentation for expenses incurred.
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5. Project Terms

A. Terms	If awarded, all projects will be required to abide by the Standard Commonwealth of Massachusetts Terms and Conditions. In addition, all final contracts are subject to successful negotiation of a Final Scope of Services and Budget. Please note that EEA does not guarantee that any contracts may result from this RFR or that any particular funding level will be awarded. It is anticipated that Phase II projects could commence following completion of Phase I and project contract execution. The awarded contracts will be reviewed during their course and, upon request by the Contractor, may be extended or otherwise amended at the sole discretion of EEA. Any extensions granted will not necessarily change, or increase, the monetary value of the contract.
B. Contract Duration	Phase I contracts to receive business planning and technical assistance services are expected to be executed around September or October 2021. Phase II contracts to receive a project grant for an approved project in return for a covenant are expected to be approved in April 2022 with an 8- to 12-month duration.

6. Instructions for Application Submissions

<p>A. Application Submission Instructions</p>	<p>To submit a response to this Request for Response applicants must submit a completed Attachment A Application Response Form signed by applicants and landowners <u>with required attachments</u> (see 6B. below for required attachments) by either:</p> <ul style="list-style-type: none"> Emailing as attachments to Jill.Ward@mass.gov with subject: FVEP APPLICATION OR Mailing or hand delivering* hard copies to the following address: <p>Farm Viability Enhancement Program Massachusetts Department of Agricultural Resources 138 Memorial Ave, Suite 42 West Springfield, MA 01089</p> <p><i>* Due to COVID, MDAR's West Springfield office is closed. If you would like to hand deliver your AIP application, you must call Jill Ward at 413-726-2011 to schedule a time to drop it off. (Applications cannot be sent by fax).</i></p> <p>Applications MUST be received by 4:00 P.M. on Thursday April 29, 2021. (Postmarks shall NOT be considered).</p> <p>Special Note:</p> <p><i>All State agencies are subject to 815 CMR 2.00, State Grants, Federal Grants Awards, Federal Sub-grants and Subsidies as well as the Office of the Comptroller's policy on State Grants, Federal Sub-Grants, and Subsidies. Departments must use COMMBUYS to publicly post the availability of a discretionary Grant or Grant Program and publish the results of the grantee selections. Use of COMMBUYS to receive electronic quotes for grant opportunities is <u>optional</u>; however, state agencies are encouraged to require grantees to register and submit quotes (applications) through COMMBUYS, which provides a central repository for receipt of electronic applications. As more grantees use COMMBUYS to identify grant opportunities, they will have a single location to apply for grants from multiple state agencies, resulting in efficiencies for both the grantees and the state agencies. For more information regarding the benefits of registering in COMMBUYS, you may go to COMMBUYS support pages.</i></p>
<p>B. Additional Required Documentation</p>	<p>In addition to submitting a completed attachment A application, a Responder must <u>include the following along with the completed application</u>:</p> <ul style="list-style-type: none"> Aerial photograph or map with your farm property outlined*. NRCS Farm Conservation Plan or Co-operator's Agreement (requirement for cranberry farmers only) Completed Attachment A-1 addendum (requirement for prior FVEP grant recipients only). Copy of signed lease agreement with the landowner if the applicant does not own the farmland. <p><i>* You may obtain copies of maps or aerial photos online, from an up-to-date NRCS conservation plan or contact your USDA-NRCS field office to request a map with advance notice. It is not necessary to submit the entire plan unless you operate cranberry bogs.</i></p>
<p>C. Additional Contract Documentation</p>	<p>If selected, the Respondent will be required to submit the following forms to complete the contract:</p> <ul style="list-style-type: none"> Commonwealth Standard Contract Form, filled out and signed by the Respondent Scope and Budget Form Commonwealth W-9 tax information form filled out and signed by the Respondent Completed Contractor Authorized Signature Verification Form Completed Electronic Funds Transfer Form <p>These forms do not need to be completed as part of the response. 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.</p>

D. Evaluation Criteria	<p>A review team (“Review Team”) will consider all complete responses from eligible responders and rank them according to the stated criteria. The Review Team will be comprised of Department staff and Program consultants who shall convey recommendations to the Commissioner of Agricultural Resources and Secretary of Energy and Environmental Affairs for final decisions. All respondents will be mailed written notification of acceptance to or rejection from the Program once all approvals are final – estimated to be around September 2021. A Responder can withdraw a response at any point. The Department reserves the right to consider geographic distribution of awards and/or agricultural diversity as additional criteria. All acceptances shall be conditional upon the availability of funding.</p> <p><u>Each eligible response will be scored based on the following criteria:</u></p> <ol style="list-style-type: none"> 1) Whether project proposal is expected to increase the financial viability of the farm business. 2) Willingness of applicant(s) to invest in farm (based on recent investments and planned contribution to proposed project). 3) Financial management of the farm 4) Number of acres proposed to go under covenant (larger acreages score higher) 5) Current agricultural productivity of acreage owned 6) Commitment to keeping farmland in active agricultural production over long-term. 7) Current practices support healthy soils 8) Interest in assistance to reduce environmental and/or climate change impacts 9) Proposal meets goals of the program and indicates potential for increased profitability and sustainability as a result of program assistance and investment. <p><u>Additional considerations in the review and selection of applicants will include:</u></p> <ul style="list-style-type: none"> • Ability and willingness to put whole farm under covenant • Contribution to industry • Diversification efforts • Impact of prior investment for prior FVEP grant recipients
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7. Deadlines and Procurement Calendar	
Release of RFR:	March 19, 2021
Information Sessions:	None planned at this time
Application Due Date:	Must be received by 4:00 PM Thursday April 29, 2021
Estimated Award Date:	Notification of acceptance to program is estimated around September 2021.
Estimated Contract Start Date:	<p><u>Phase I: Contracts for the FVEP Planning process are estimated to be around September or October 2021.</u></p> <p><u>Phase II: If approved, the Estimated Project Contract Start Date: Around April 2022.</u></p> <p>Notwithstanding any verbal representations by the parties, or an earlier start date listed in the Standard Contract Form, and only after an award is issued and a final scope of services has been negotiated, 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 secretariat or other approval(s) required by law or regulation; or a later date specified in the Standard Contract Form.</p>

8. Miscellaneous	
Type of Procurement:	Grant
Use of This Procurement by Single or Multiple Departments:	This RFR is a single department procurement. All contracts award under this RFR will be utilized solely by MDAR.
Request for Single or Multiple Contractors:	Multiple
RFR Distribution Method:	This RFR has been distributed electronically via COMMBUIYS. 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. Respondents may not alter RFR language or any RFR component files. Those submitting a proposal must respond in accordance to 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 response.
List of Attachments to this RFR:	A. Application Form B. RFR Required Specifications

ATTACHMENT A
FARM VIABILITY ENHANCEMENT PROGRAM (FVEP)
APPLICATION RESPONSE FORM (FY 2022)

Date received by (official use only) _____

1. Applicant Information

Applicant Name:

Farm Name:

Legal Structure: ☐ Sole Proprietor ☐ Corporation ☐ Partnership ☐ LLC ☐ Other _____

Mailing Address:

City, State, Zip:

County:

Home Phone:

Mobile Phone:

E-Mail:

Website:

☐ Farm Address is same as above

Farm Address

City, State, Zip

☐ Owner of record is same as above

Owner(s) of Record

City, State, Zip

Home Phone:

Is this owner a Trust? ☐ Yes ☐ No If yes, name:

Is the owner a Corporation? ☐ Yes ☐ No If yes, name:

2. Agricultural Operation Details

Type of
Operation
(check all that
apply):

☐ Produce ☐ Orchard ☐ Dairy ☐ Greenhouse ☐ Nursery ☐ Cranberry ☐ Horse
☐ Forestry ☐ Maple ☐ Livestock ☐ Value-added ☐ Other:

Please list all crops your operation grows with number of acres for each:

If your operation has livestock, please specify the type(s) and numbers:

List any additional agricultural activities on the farm in 2020 with associated volume (i.e. maple taps & gallons)

3. Marketing

What is the current % breakdown between wholesale and retail sales of your farm products?

% Wholesale

% Retail

How are your agricultural products marketed? (check all that apply)

☐ Distributor

☐ Farmstand

☐ Pick-Your-Own

☐ CSA – number of shares?

☐ Farmers markets – number of markets?

☐ Other: please describe

Is there a value-added operation? Yes ☐ No ☐

If Yes, please describe:

4. Farmland Use

How many acres of land does the applicant own?

Total Acres

How many acres of land would you put under agricultural covenant?

Total Acres

It is Program policy that the entire farm- all land owned by the applicant(s)- be placed under the Covenant. If you are proposing that any of your owned acreage be excluded from the covenant, please explain why:

Provide deed information for land that you are proposing to go under covenant:

This information can be found at the Registry of Deeds by County at <http://www.masslandrecords.com/>

Deed Common Name: Book: Page: Owned by: # Acres in Deed:

Copies of deeds are not needed with the application but program participants will need to provide to the Department. For complex ownership situations, it may be the responsibility of participant to provide a legal description of the property.

How many acres of farmland do you rent, lease, or use *from* other people?

Acres

Do you rent land *to* others? ☐ Yes ☐ No Use:

Acres

Is the land under Farmland Assessment (Ch 61A)?

☐ Yes ☐ No

Acres

Is the land under Forestry Assessment (Ch 61)?

☐ Yes ☐ No

Acres

Is any owned land in an Agricultural Preservation Restriction (APR)?

☐ Yes ☐ No

Acres

Is there a conservation restriction, easement or other restriction on any owned land?

☐ Yes ☐ No

Acres

If yes, please explain purpose & what organization holds the restriction:

Please complete table:

Land Type or Use	Acres Owned	Acres Rented	Total Acres
Example: Tillable Cropland	70	30	100
Tillable Cropland			
Non-tillable Cropland			
Nursery – Orchard – Cranberry Bog			
Pasture			
Managed Woodland			
Non-managed Woodland			
Ponds - Wetlands			
Land Occupied by Farm Buildings			
Land Occupied by Residences			
Totals:			

5. Farm Management

How many farm employees do you have? Full-Time

Part Time

Of these, how many are immediate family members (children, spouse, siblings)?

List the current managers on the farm, their roles, and years of experience:

Has the manager completed a course through MDAR's Agricultural Training Program?

☐ Yes ☐ No

If yes, which course(s)?

☐ Tiling the Soil of Opportunity

Year Completed:

☐ Growing your Farm Business

Year Completed:

☐ Planning for Startup

Year Completed:

☐ Exploring the Small Farm Dream

Year Completed:

Has the applicant or a farm business partner participated previously in the Farm Viability Enhancement Program? (*Prior FVEP participants must complete & submit Attachment A1 addendum along with this application*).

☐ Yes ☐ No

If yes, what year did your covenant expire? (*covenant must have expired to apply again*)

Do you have a written business plan for your farm that you can provide if accepted into the program? (*no need to include with this application*)

☐ Yes ☐ No

List any other business/management training relevant to your farming enterprise:

Who are the managers expected to be on the farm at the conclusion of the covenant term?

How would you rate your interest in receiving assistance to reduce your farm's impact on the environment or climate?

☐ High ☐ Med ☐ Low

Do you currently employ any practices to increase soil health?
(Check all that apply)

☐ Cover cropping

☐ No-till

☐ Regenerative

☐ Rotational grazing

☐ Organic

☐ Low-spray

☐ Integrated Pest Management

☐ Other

(describe)

Do you have a Conservation Plan with the Natural Resources Conservation Service of USDA? ☐ Yes ☐ No

If Yes, what year was it completed? _____

Are you interested in receiving succession planning assistance to help transfer the farm to the next owner? ☐ Yes ☐ No

Would any technical assistance be helpful if you are accepted into the Program in addition to the business plan assistance? (i.e. marketing plan, website, retail layout, financial (i.e. Quickbooks setup or enterprise budgets))

☐ Yes ☐ No If Yes, please describe:

6. Financial Information

List any loans or other debt for the farm under Encumbrances (to whom money is owed) and \$ amounts:

Encumbrance(s):	\$ Amount Owed:

Do any of these include a lien on your residence or a mortgage on the property including your home? ☐ Yes ☐ No

☐ Check here if there is no debt associated with the farm.

Please complete the following table:

To complete this table, applicants should use their 2018, 2019, and 2020 Schedules F or 11205S or 1120C tax forms. If taxes for 2020 are not complete, estimate gross and net income. Do not send copies of these records with the application. They will need to be presented to representatives of the Department if selected for Phase I of the Program.

Tax Year	Gross Farm Income (Total Revenue)	Net Farm Income (Total Revenue minus expenses and taxes)	Other Farm Income (rent, custom work, gravel sales)
2018			
2019			
2020			

Do you live solely off the farm income now? ☐ Yes ☐ No

Please include any off-farm income/jobs that immediate farm family members have:

Relationship	Name	Off-farm Income that Contributes to family farm	Estimated Amount
Operator		\$	\$
Partner/Spouse		\$	\$
Other:		\$	\$

7. Proposal – Please provide answers to the following questions in the space provided. Do not attach additional information in response to these questions.

7A. Investments and Needs:

Please summarize any recent investments you have made on the farm. Describe any challenges and/or needs that you have on your farm that are a barrier to the continued success of your farm business.

7B. Proposed Project:

How could program assistance and funding help you address these needs? Please describe farm projects you are proposing for use of any grant funding and how they would improve the financial viability of your farm business.

7C. Proposed Project Budget:

In the table below, list the project(s) that you propose for use of any grant along with estimated costs (you do not need to include quotes from contractors). Do not include any labor from farm owners or employees or any pre-purchased materials. Include the grant level you would be eligible for (see grant level eligibility guidelines on page 5) as well as the amount of funds your farm would contribute, if any, if the grant would not cover total project costs.

Whether or not participants will receive a grant, and if so what amount, will be determined once their FVEP Plan is completed and approved in Phase I to determine entry into Phase II: Agricultural Covenant & Grant Funding.

Proposed Project	Item or service to be purchased	Cost Estimate
		\$
		\$
		\$
		\$
		\$
		\$
(A) Total Project Costs		\$
(B) Eligible Grant Amount		\$
(C) Estimated Farm Contribution (A minus B)		\$

7D. Long-term plans

What are your plans for keeping the farmland in agricultural use in the long-term? Have you done any succession planning to transition the farmland and/or farm business to the next owner?

8. Required Signatures: All Applicants and Landowners

By signing below, you certify the information provided in this application is true and accurate to the best of your knowledge and you are authorizing the Department to conduct a field inspection of the land to be considered for inclusion in the Covenant. In addition, landowners signing below are expressing a willingness to execute an Agricultural Covenant which will be recorded at the Registry of Deeds. All farm business owners and farmland owners must sign; Substitutes or signatures initialed by another person shall not be accepted.

Signature of Farmland owner

Printed Name

Date

Signature of Farmland owner

Printed Name

Date

Signature of Farm Business Owner
(if different)

Printed Name

Date

Signature of Farm Business Owner
(if different)

Printed Name

Date

ATTACHMENT A1 – ADDENDUM for Previous FVEP Grant Recipients

If you have previously participated in the Farm Viability Enhancement Program (FVEP) please answer the following questions and submit this page along with your completed application in order to be considered for participation and a second grant through the Program.

1. What year did you receive Farm Viability Enhancement Program (FVEP) funding?

2. How much did you receive?

3. How did you spend the original grant funding?

4. How did the business planning, technical assistance and grant impact your operation?

5. How did this assistance from FVEP affect your gross farm income?

END OF APPLICATION FORM

(See Instructions for Application Submission Instructions on page 7)

ATTACHMENT B

RFR - REQUIRED SPECIFICATIONS FOR COMMODITIES AND SERVICES

Revision Date: June 6, 2016

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 may also 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.

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 all 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.

COMMBUYS Registration. Bidders may elect to obtain a free COMMBUYS Seller registration which provides value-added features, including automated email notification associated with postings and modifications to COMMBUYS records. However, in order 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; (4) Bidder understands and acknowledges that all references to the Comm-PASS website or related requirements throughout this RFR, shall be superseded by comparable requirements pertaining to the COMMBUYS website; and (6) in the event the Commonwealth adopts an alternate market center system, 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).

The COMMBUYS system introduces new terminology, which bidders must be familiar with in order to conduct business with the Commonwealth. To view this terminology and to learn more about the COMMBUYS system, please visit the [COMMBUYS Resource Center](#).

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.

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.

Supplier Diversity Program (SDP). Massachusetts [Executive Order 565](#) reaffirmed and expanded the Commonwealth's policy to promote the award of state contracts in a manner that develops and strengthens certified Minority Business Enterprises (MBEs), Women Business Enterprises (WBEs), Minority and Women Nonprofit Organizations (M/WNPOs), Veteran Business Enterprises (VBEs), Service-Disabled Veteran-Owned Business Enterprises (SDVOBEs), Disability-Owned Business Enterprises (DOBEs), and Lesbian, Gay, Bisexual and Transgender Business Enterprises (LGBTBEs).

Partnerships with certified diverse businesses: All bidders are **required** to make a significant financial commitment to partner with certified M/WBEs, M/WNPOs, VBEs, SDVOBEs, DOBEs and/or LGBTBEs certified or verified by the Supplier Diversity Office (SDO). Bidders must identify a commitment in the form of a specific percentage of sales made under the resulting contract that will be spent with an SDP Partner(s) on a Massachusetts fiscal year basis, using SDP Plan Form #1 – SDP Plan Commitment. This percentage commitment will extend for the life of any resulting contract.

This requirement extends to all bidders regardless of their certification status, and no bidder will be awarded a Contract unless and until the above requirement is met. Bidders may not list themselves or affiliates as SDP Partners. In order to ensure compliance with this section and encourage bidder participation, SDP Plans will be evaluated at 10% or more of the total evaluation score for all for Large Procurements (those with a total value of greater than \$150,000). SDP Plan submission is encouraged but not required for Small Procurements (those with a total value equal to or less than \$150,000).

Once an SDP commitment is approved, the agency will monitor the Contractor's performance, and use the Contractor's reported expenditures with M/WBEs, M/WNPOs, VBEs and SDVOBEs to fulfill their own SDP expenditure benchmarks. The Commonwealth reserves 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.

SDP Forms: Unless otherwise specified in the RFR, the following SDP forms are required to be submitted by the deadlines noted below in order to meet the mandatory participation requirements of the SDP:

SDP Plan Form #/Name	Submitted By	When Submitted
SDP Plan Form #1 – SDP Plan Commitment	All Bidders	With Bid Response
SDP Plan Form #2 – Declaration of SDP Partners	Newly Awarded Contractors	Within 30 days of contract execution
SDP Plan Form #3 – SDP Spending Report	Contractors	Within 45 days of the end of each quarter

In addition to the requirements above, all bidders must follow the requirements set forth in the Supplier Diversity Program (SDP) Plan Section of the RFR. During the life of the contract, the Commonwealth reserves the right to expand the range of certified business categories available for SDP partnerships to all those mentioned above and/or request reports on the Contractors' spending with such certified business categories.

Supplier Diversity Program (SDP) Resources: Bidders may refer to the [SDP Resources for Vendors and Contractors](#) webpage for additional program information, training and compliance resources.

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, fur-bearing animals and any forestry or lumbering operations.

Best Value Selection and Negotiation. The Strategic Sourcing Team or SST may select the response(s) which demonstrates the best value overall, including proposed alternatives that will achieve the procurement goals of the department. The SST 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.

Bidder Communication. Bidders are prohibited from communicating directly with any employee of the procuring department or any member of the SST 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.

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.

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.

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 SST, including requests for clarification. The SST 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 SST to be lost or rejected by any means including email or spam filtering.

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 can 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 are able to track and verify payments made electronically through the Comptroller's Vendor Web system. A link to the EFT application can be found on the [OSD Forms](http://www.mass.gov/osd) page (www.mass.gov/osd). Additional information about EFT is available on the [VendorWeb](http://www.mass.gov/osc) 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 is already 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 SST 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 SST will consider such requests on a case-by-case basis and communicate the findings with the bidder.

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](#).

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.

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.

Prompt Payment Discounts (PPD). All bidders responding to this procurement must agree to offer discounts through participation in the Commonwealth Prompt Payment Discount (PPD) initiative for receiving early and/or on-time payments, unless the bidder can provide 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 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 can be tracked and verified through the Comptroller's Vendor Web system. The PPD form can 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 SST. The SST 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 SST 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.

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.

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 SST reserves the right to reject unreasonable requests.

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.

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.