



Division of Agricultural Conservation & Technical Assistance

The Climate Smart Agriculture Program (CSAP)

Includes the following grants:

- ACRE- Agricultural Climate Resiliency & Efficiencies Grant
- AEEP- Agricultural Environmental Enhancement Program Grant
- ENER- Agricultural Energy Grant

RFR Number: AGR-CSAP-FY21

**For Fiscal Year 2021
(July 1, 2020 to June 30, 2021)**

For the implementation of projects that help the agricultural sector adapt to climate change, mitigate climate change in agriculture, improve economic resiliency, and advance general goals identified in the Massachusetts Local Action Food Plan

**Application Deadline Extended from:
Friday, May 8th, 2020 to Applications must be received by
4:00 pm on Friday, June 19th, 2020**

Contact: Laura J. Maul
Telephone: (617) 626-1739
E-Mail: Laura.Maul@mass.gov



Massachusetts Department of Agricultural Resources
251 Causeway Street, Suite 500
Boston, MA 02114

B. Mitigation

Project Area	Description	Project Examples
Water Conservation	Conservation practices that work towards improving agricultural water-use efficiency, with further benefits of climate resiliency and response planning.	<ul style="list-style-type: none"> • Tailwater recovery • Automated irrigation systems/upgrades • Irrigation upgrades • Rainwater harvest systems • Sub-irrigation systems (ebb & flow, trough benches, drip irrigation)
Water Quality	Conservation management practices and systems that help prevent impacts on water quality by reducing runoff that may result from agricultural uses of the land.	<ul style="list-style-type: none"> • Manure storage • Exclusion fencing & watering facilities • Stream crossings • Small scale composting for manure management (including equine) • Heavy use area • Fertilizer/pesticide storage • Chemical mixing & handling
Soil Health	Conservation practices to improve soil health that increase organic matter and improve microbial activity, sequester carbon, and increase water filtration.	<ul style="list-style-type: none"> • Conservation tillage equipment • No-till grain drills • Roller crimpers • Precision ag equipment • Manure injectors • Fencing for rotational grazing • Silvopasture development
Produce Post-Harvest Infrastructure	Limited to produce operations to improve storage and post-harvest handling infrastructure projects to reduce post-harvest food losses and improve food safety improving food safety	<ul style="list-style-type: none"> • Infrastructure projects, either new construction or retrofits that significantly improve the washing, packing, and storing of fresh fruits and vegetables

Maximum Funding Per Applicant \$50,000

PART II: ENERGY EFFICIENCY & RENEWABLES

A. Energy Efficiency

Sector	Priority Projects
Cranberry	<ul style="list-style-type: none"> • Cranberry irrigation engine upgrades to new electric pumps
Dairy	<ul style="list-style-type: none"> • Plate Cooler • Variable Speed Vacuum Pumps • Refrigeration Heat Recovery / Free-Heaters
Greenhouse & Nurseries	<ul style="list-style-type: none"> • Thermal Blankets / Energy Screens • Envelope Insulation • Natural Ventilation • Root Zone Heating • Electronic Temperature Controls
Maple Sugaring	<ul style="list-style-type: none"> • High Efficiency Evaporators • Reverse Osmosis (RO) Systems • Heat Recovery & Steam Enhanced Units
Other Technologies	<ul style="list-style-type: none"> • Process Heat Recovery • High Efficiency Refrigeration (optimally with heat recovery) • Higher Efficiency Heating Systems • Energy efficient technologies advancing urban food gardens • Cold Storage Systems
Maximum Funding Per Applicant \$50,000	

B. Renewable Energy

Project Area	Description
Renewables	<ul style="list-style-type: none"> • Photovoltaics (PV) with battery storage for new or existing PV • Integrated greenhouse solar PV glazing • Solar irrigation systems • Wind Systems • Solar thermal technologies • High efficiency air source/ground source heat pumps/Geothermal • High efficiency advanced gasification wood biomass heating systems • Advanced biomass (gasification) Outdoor Wood Boilers (OWB)
Maximum Funding Per Applicant \$50,000	

5. FUNDING AVAILABILITY, BUDGETING GUIDELINES, & ALLOWABLE EXPENDITURES

5A. Maximum Funding

Each applicant must submit a proposal and budget requesting not more than specified under the project category being applied for:

Part I: Adaptation & Mitigation	Maximum funding per applicant is 80% of total project costs, up to \$50,000.
Part II: Energy	Maximum funding per applicant is \$50,000.

- MDAR reserves the right to distribute the allocated funding between each grant section, Part I or Part II, and project categories based on the level and quality of respective responses. All funding is subject to appropriation.
- As MDAR would like to fund as many eligible projects as possible, MDAR encourages projects requesting less than the maximums stated.
- MDAR reserves the right to reallocate an application to either section of the Program based on the proposed project and may, at its sole discretion, determine from which grant funding an eligible project may be funded.
- If grant funding is available, the Department may increase the maximum threshold at its discretion.
- MDAR reserves the right to offer an award amount different than the amount requested.
- Funding requests can be for specific components of a project. However, an applicant must demonstrate that the result of such a request will result in a complete functional and operable system.

5B. Additional Funding Requirements

Part II: Energy

- If awarded a contract, funding must be used for payment toward the initial cost of materials and sub-contractor installation to implement the project prior to reimbursement.
- Third party financial arrangements such as leases are acceptable **provided MDAR Ag Energy Grant funds are used toward the initial total cost of materials and sub-contractor installation for the proposed project, prior to any financial or lease agreement, thereby reducing the project amount to be financed or leased, and subsequent loan or lease payments, and possibly term and buyout stipulations. Ag-Energy Grant funds SHALL NOT BE used for lease, mortgage, or loan payments.**
- Higher priority will be given to non-utility scale or non-large scale commercial projects that demonstrate predominately agricultural related renewable energy usage.
- Utility-scale and large-scale projects shall be considered those that are greater than 500kW D.C. and generate more than 200% of average annual or projected agriculturally related energy usage.
- Projects receiving and/or applying to receive other program funds, such as the Massachusetts Clean Energy Center (MassCEC), United States Department of Agriculture Rural Energy for America Program (USDA REAP), United States Department of Agriculture Environmental Quality Incentives Program (USDA EQIP), Massachusetts Farm Energy Program (MFEP), Massachusetts Solar Energy Renewable Energy Certificates (MA SRECs/SMART) and Federal Investment Tax Credit (ITC), known or anticipated, must provide this information by agency in Part II: Energy, Sections 3A or 4A, and shall be considered as funds contributed to those relevant projects.

- Preference shall be given to applicants who demonstrate having the balance of funding needed to implement the proposed project. This can be by bank credit reference letters, line of credit reference letters, demonstration of other grant funds for the project, or an executed loan.
- Priority for all heating and cooling projects shall be given to clean heating and cooling technologies as per the Massachusetts Department of Energy Resources (DOER) and the Massachusetts Clean Energy Center (MassCEC) programs and subsequent requirements found at www.masscec.com/business/clean-heating-and-cooling.
- Agricultural operations with less access to federal and state electric and natural gas energy efficiency incentive rebate and grant programs are encouraged to apply.
- New construction and new equipment incentives, i.e., not replacement of existing, shall be based on incremental costs from minimum code and standard efficiency baselines.

5C. 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. MDAR may lift the suspension if available funding is received. In the absence of foreseeable available funding, MDAR may terminate the contract.
- Funding for Water Management and Water Quality projects will be funded under amounts appropriated for the Agricultural Environmental Enhancement Program (AEEP). Funding for soil health and post-harvest infrastructure projects will be funded under amounts appropriated for the Agricultural Climate Resiliency & Efficiencies (ACRE) Program. Agricultural Energy Efficiency & Renewable projects will be funded under the amounts appropriated for the Agricultural Energy Program. In the absence of funding for one of these Programs, projects will be funded through allocated funds from the other Programs.

5D. Budgeting Guidelines

- Proposals must include an adequate budget for the proposed project. Preliminary budgets are acceptable for the evaluation process but applicants must receive quotes from vendors or contractors before a contract will be given. Applicants who provide quotes from a vendor or contractor with their response will receive additional points in the review.
- As this is a reimbursement program, applicants who demonstrate having the balance of funding needed to implement the proposed project by providing bank credit reference letters, line of credit reference letters, demonstration of other grant funds for the project, or an executed loan will receive additional points in the review.

5E. Match

Applicants are required to contribute a minimum of the match required by project category being applied for. The ability to contribute the cost share commitment must be demonstrated as part of the response.

Part I: Adaptation & Mitigation	Applicants are required to contribute a minimum of 20% towards total project costs. In-kind labor is not an eligible match.
Part II: Energy	No maximum percentage of total project costs is specified but a cost share is required in the form of cash or in-kind services.

6. PROJECT TERMS

6A. Terms

If awarded, all projects will be required to execute and 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. No project may commence until a contract has been executed by all parties.

6B. Review Process

MDAR cannot assist in the preparation of grant applications. In order to maintain integrity of the competitive grant process, MDAR is unable to advise and/or provide individuals with any information regarding specific applications during the solicitation process.

There will be two steps of review following the grant application period.

Step I: An initial review to evaluate eligibility and completeness to determine if all required information is provided. The application will then be reviewed and a point score will be given based on the criteria listed in Evaluation Criteria, Section 8C.

Step II: All projects which are favorably reviewed in Phase I may require a field visit prior to final award determinations being made. A favorable initial evaluation and field visit DOES NOT guarantee funding for a proposed project. The purposes of the field visit are as follows:

- To verify the information presented in the proposal;
- To view the agricultural operation and assess the project request;
- To verify the operation is engaged in commercial agriculture;
- To determine the appropriateness of the practice proposed for the farm;
- To confirm the ability to implement and maintain the practice;
- To explore other items deemed necessary; and
- To develop a basis for future 'before and after' comparisons.
- MDAR staff may modify the scope of the proposed project to more effectively achieve program goals.
- MDAR may request additional project information.

6C. Duration of Contracts

All projects must be completed by June 30, 2021 with no options for extensions.

7. DELIVERABLES, OWNERSHIP, AND CREDIT DUE

7A. Installation Standards & Permits

- The funded contractual activity will be evaluated prior to full reimbursement. Work will be evaluated for satisfactory completion and compliance to standards. Spot inspections may be conducted at MDAR's discretion on all work for the life of the project. Only work that satisfies the terms and conditions for this RFR, contract, and any other instructions by MDAR shall be eligible for reimbursement.
- ACRE & AEEP funded projects must use USDA-NRCS Standards & Specifications as installation standards when receiving funding under both NRCS and ACRE/AEEP, or when required by MDAR.

- Proposals which are favorably reviewed and awarded a contract must apply for and receive all required permits, licenses, and any other federal, state, or local approvals necessary for the project prior to any reimbursement from MDAR. Failure to obtain or remain in compliance with any federal, state, or local approvals (including but not limited to, permits, licenses, regulations, ordinances, bylaws, or regulations) necessary for the project may result in termination of the contract.

7B. Installation & Equipment Standards & Permits for Energy Projects

- All construction shall be completed and installed in accordance with all applicable federal, state and local codes, ordinances and regulations. Equipment and materials must be considered new and shall meet relevant IEEE certifications and must be UL listed.
- Solar PV, Clean Energy Heating and Cooling, Wind, Hydro and Woody Biomass projects shall meet the applicable Massachusetts Clean Energy Center (MassCEC) equipment and installation program requirements, the applicable Regulations and Guidelines of the Renewable Portfolio and Alternative Portfolio Standards, as administered by the Department of Energy Resources (DOER), and all relevant regulations MA Department of Environmental Protection (MADEP) and the Department of Public Utilities (MADPU) and shall be installed by contractors engaged, licensed and certified in the relevant technology and meet the same contractor requirements for installing these technologies as originally or currently established by DOER and MassCEC.
- Ground-mounted and dual use of land PV projects must comply with the requirements set forth under DOER's SMART Program.
- Any outdoor wood-fired hydronic heater rated at 1 MMBTU/hr or greater that is hand fed, or any outdoor wood-fired hydronic heater that is rated at 3 MMBtu/hr or higher shall comply with the MassDEP Air Pollution Control Regulations cited as 310 CMR 7.02(5) for a non-major Comprehensive Plan Application "Permit" requirements including a BACT determination prior to construction.
- Any project component with a wood-fired outdoor hydronic heater rated at 350,000 BTU/hr output or greater (defined as a commercial sized hydronic heater), and below the applicable heat input permitting thresholds of 1 MMBTU/hr or greater hand fed or alternatively 3 MMBtu/hr or greater automatic feed, shall meet the requirements of MassDEP outdoor wood-fired hydronic heater regulation cited as 310 CMR 7.26(50)-(54). The requirements include meeting a PM standard of .32 lb/MMBtu output, testing at an EPA certified lab, setbacks, and stack height requirements. In addition, the MassDEP requires under this regulation that the manufacturer of a hydronic heater proposed for the project, submit a compliance certification for a particular model in order for that hydronic heater to be installed and operated in MA. See this link for certified hydronic heaters: www.mass.gov/service-details/massachusetts-certified-outdoor-hydronic-heaters.
- High Efficiency Advanced Gasification Biomass - thermal boilers or furnaces intended for indoor use only, utilizing wood pellets, wood chips, or cordwood, shall meet all current federal, state and/or local construction laws and regulations, including the Standards of Performance for New Residential Hydronic Heaters if applicable, cited as 40 CFR Part 60 Subpart Q and DOER Biomass Boiler Criteria established under the Commercial/Industrial Biomass Pilot Program, emission and efficiency standards, and regulations and certified for MA installation.
- Advanced Biomass (gasification) Outdoor Wood Boilers (OWB) -Requirements that must be met include a demonstration that the OWB system shall:
 - a. meet all local Board of Health requirements
 - b. be installed and certified under Mass DEP regulations for outdoor wood-fired hydronic heaters cited as 310 CMR 7.26(54) or if meeting permitting heat input thresholds prior to construction, comply with 310 CMR 7.02 Plan Approval and Emission Limitations requirements.
 - c. comply with all certified equipment requirements; MassDEP certified OWB equipment is listed at: www.mass.gov/service-details/massachusetts-certified-outdoor-hydronic-heaters.
 - d. Existing OWB must be recycled or destroyed – not reused.

- Proposals which are favorably reviewed and awarded a contract must apply for and receive all required permits, licenses, and any other federal, state, or local approvals necessary for the project prior to any reimbursement from the Department.
- New High Efficiency, Single or Multi Temperature, Walk-In Coolers include new, replacement or consolidation of on-site refrigeration needs; walk-in refrigeration systems can be field fabricated or modular; all walk-ins must incorporate high efficiency envelopes (5 inches insulation or greater) and high EER refrigeration systems in comparison to what is conventionally available; higher priority will be given to those proposals complying with as many of the provisions as feasible of the U.S. Department of Energy (DOE) Standard 10 CFR Part 431, e-CFR Data current as of December 30, 2015, including but not necessarily limited to: Annual Walk-in Energy Factors (AWEFs); infiltration reduction on doors; higher panel insulation values; floating head pressure controls; high efficiency compressors and those capable of operating at low condensing temperatures; variable speed compressor, evaporator and condensing fan motors; electronically commutated motors (ECMs); and advanced defrost controls. Incorporating heat recovery will be a plus.

7C. Reporting

There are no written reporting requirements; however, MDAR will periodically check on the progress of awarded projects to ensure they will meet completion deadlines.

7D. Invoicing

- Disbursement of funds under this RFR will be done on a reimbursement basis and will require that acceptable documentation be submitted to MDAR prior to any payment. **Only expenses incurred during the period of the contract are eligible for reimbursement. Any incurred project costs that occur prior to an executed contract are NOT eligible for reimbursement from MDAR.**
- Satisfactory documentation in the form of cancelled checks, receipts, invoices, etc. for costs associated with approved projects must be submitted to MDAR and approved prior to reimbursement.

8. INSTRUCTIONS FOR APPLICATION SUBMISSIONS

8A. Application Submission Instructions

An application form is attached and **must** be completed in its entirety. Once completed, a hard copy of the application form **must** be mailed or hand-delivered to the Massachusetts Department of Agricultural Resources by the response date deadline. Postmarked applications will **not** be accepted for consideration. Applications that are sent by fax or email will **not** be accepted for consideration.

- **Deadline extended from Friday, May 8th, 2020 to Friday, June 19th, 2020.**
- **Applications must be received by the Department by Friday, June 19th, 2020 by 4:00 P.M.**
- Applications must be sent by mail or hand delivered to:

**Laura J. Maul
Program Coordinator
Department of Agricultural Resources, Suite 500
251 Causeway Street, Boston, MA 02114**

8B. Additional Application Documentation

Section I: Climate Adaptation & Mitigation

- Balance of funding needed to implement the proposed project by providing bank credit reference letters, line of credit reference letters, demonstration of other grant funds for the project, or an executed loan will receive additional points in the review (See Section 5D).
- Vendor or contractor quotes (See Section 5D).
- Applicants that are eligible operations should provide proof of a MACD/Natural Resources Conservation Service (“NRCS”) Conservation Plan. A copy of the entire plan is not required (See Section 2D).
- Proposals should include a map or aerial photo with the property boundaries drawn and the exact location of the project described in the application (See Section 2E).

Section II: Energy Efficiency & Renewables

- A project specific technical assessment, attached to the application, that provides back-up and supporting documentation required within the application (See Section 2A).
- The completion of a general energy audit for the agricultural operation, or the commitment to complete such prior to proposed project completion and funding reimbursement (See Section 2A).
- Vendor or contractor quotes (See Section 5D).
- Balance of funding needed to implement the proposed project by providing bank credit reference letters, line of credit reference letters, demonstration of other grant funds for the project, or an executed loan will receive additional points in the review (See Section 5D).

8C. Additional Contract Documentation

If selected, the Respondent will be required to submit the following forms to complete the contract:

- Commonwealth Standard Contract Form with Commonwealth Terms & Conditions 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

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.

Special Note:

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 optional; 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.

8D. Evaluation Criteria

All Proposals

- Proposal follows the submission requirements and format presentation for this RFR;
- Provides supporting documentation as identified above;
- Applicant does not anticipate any major modifications to the operation that would impact the longevity of this project;
- Adequate project economics are presented meaning costs and savings as applicable are supported by quotes and technical assessments. Applicant demonstrates the balance of funding resources needed to implement the project;
- Adequate project implementation schedule is presented, including a clear and reasonable timeframe for completion before 06/30/2021;
- Adequate identification of any on-going operation & maintenance and/or periodic replacement needs and how they will be accomplished to ensure project longevity. This includes warranties and guarantees where applicable.
- Adequate identification of permit needs is presented;
- Team makeup, experience and demonstrated capacity and ability to administer project of the type, scope, and value described in the RFR.

Water Conservation/Water Quality Proposals

- Operation is located in a drinking water protection zone or overlying an aquifer;
- Applicant adequately identifies a resource concern and/or environmental goal and the proposal demonstrates how implementing the proposed project will address this concern and/or goal;
- Proposed project will help mitigate or prevent negative impacts to natural resources that may result from agricultural practices;
- Proposal demonstrates how the proposed project will increase sustainability and productivity for their agricultural operation;
- Project increases farm resiliency to impacts from a changing climate;
- Project demonstrates the capacity to reduce emissions, enhance sequestration, or works towards long term preservation of soil carbon.
- Applicant will receive additional points in the review if they have not been previously funded under an MDAR grant program within the past five years.
- Where applicable, an applicant who demonstrates that they have a written and updated Conservation Plan with NRCS will receive additional points in the review.

Soil Health

- Proposal/equipment demonstrates that it will increase soil fertility, reduce erosion, and increase moisture retention;
- Will the practice/equipment reduce runoff/nutrient loading;
- Cost v. Acreage return on investment (Low Cost per/Acre, Medium, High);
- Percent of Total Applicable Land (0%, 10-20%, 20-40%, 60-80%, 80-100%);
- Applicant is working with NRCS for assistance with conservation tillage/cover cropping practices;
- Proposal demonstrates how the proposed project will increase sustainability and productivity for their agricultural operation;
- Project increases farm resiliency to impacts from a changing climate;
- Project demonstrates the capacity to reduce emissions, enhance sequestration, or works towards long term preservation of soil carbon.
- Applicant will receive additional points in the review if they have not been previously funded under an MDAR grant program within the past five years.
- Where applicable, an applicant who demonstrates that they have a written and updated Conservation Plan with NRCS will receive additional points in the review.

Produce Post Harvest Infrastructure

- Proposal adequately identifies inefficiencies in the produce operations current washing, packing, and storing of produce and addresses how the proposed project will improve on these inefficiencies;
- Proposal identifies how current practices are resulting in post-harvest food losses and how the proposed project will reduce these losses;
- Proposal demonstrates how the proposed project will increase sustainability and productivity for their agricultural operation;
- Project increases farm resiliency to impacts from a changing climate;
- Project demonstrates the capacity to reduce emissions, enhance sequestration, or works towards long term preservation of soil carbon.
- Applicant will receive additional points in the review if they have not been previously funded under an MDAR grant program within the past five years.
- Where applicable, an applicant who demonstrates that they have a written and updated Conservation Plan with NRCS will receive additional points in the review.

Energy Proposals

- Applicant has submitted a technical assessment demonstrating costs and savings calculations specific to the project being proposed and requested for funding.
- Applicant demonstrates a match for the proposed project.
- Proposal demonstrates a realistic opportunity to be a successful implementation given the scope, budget, necessary permits, and timeline.
- Proposal demonstrates a realistic opportunity to be a successful long-term implementation given the expected life of the project and the resulting cost savings, cost avoidance, and other revenue streams contributing to the project cash flow.
- Preference shall be given to applicants with projects that have completed design engineering, received quotes for materials and labor from qualified professionals engaged in the field of work specified, and intends to begin and complete the construction/implementation stage.
- Applicant who has not received a prior award for an energy project in the past five years will receive additional points in the review.
- Applicants who demonstrate having received an overall general energy audit for the total farm operation or demonstrates the initiation of one will receive additional points in the review.

9. DEADLINES & PROCUREMENT CALENDAR

Release of RFR	March 13th, 2020
Application Due Date	Deadline extended from May 8 th , to 4:00 PM on Friday, June 19 th , 2020
Estimated Award Date	October, 2020
Estimated Contract Start Date	October, 2020. 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.

10. 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 only by MDAR.
Request for Single or Multiple Contractors	Multiple Contractors
RFR Distribution Method	<p>This RFR has 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>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> <p>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.</p>
List of Attachments	<ul style="list-style-type: none"> A. Application Form B. RFR Required Specifications

**AG CLIMATE RESILIENCY & EFFICIENCIES (ACRE) PROGRAM &
AG ENVIRONMENTAL ENHANCEMENT PROGRAM (AEEP) -
GRANT RESPONSE FORM (FY 2021)**

1. Agricultural Operation Information

Applicant Name:

Operation Name:

Legal Structure: Sole Proprietor Corporation Partnership LLC Other _____

Mailing Address:

City, State, Zip:

County:

Home Phone: **Mobile Phone:**

E-Mail: **Website:**

Site address same as above

Site Address

Site City, State, Zip

Is this property rented or leased? Rented Leased N/A

Do you have the lease in writing? Yes No **What year does the lease end?**

Who is the owner of the property?

I am a farmer as identified in Massachusetts General Laws Chapter 128, Sec. 1A: Yes No

How many years have you been farming on this property?

Do you anticipate any major modifications on your farm within the next five years? Yes No

If yes, please check the appropriate box(es) Business Structure Operation Type Expansion Diversification
 Retirement Sale Subdivide

Farm Purpose Primary Enterprise Secondary Enterprise

Estimated Sales \$0 - \$24,999 \$25,000 - \$249,999 \$250,000 - \$499,999 \$500,000 +

2. Agricultural Operation Details

Type of Operation: Produce Beef Dairy Greenhouse Nursery Cranberry Horse
 Vineyard Sheep/Goats Livestock Other Other _____

Acreage: Owned Leased In Production

3. Involvement with Other Programs

My operation has an agricultural preservation restriction (APR): Yes No

This project will be implemented on APR Restricted Land: Yes No

This project will require a Certificate of Approval (COA) from the APR Program: Yes No

Year the APR was recorded: Name on APR:

MACD/NRCS Contact Person:

My operation has a written and updated conservation plan (within the last five years) from MACD/NRCS for the land where this project is proposed? Yes No N/A

Year Conservation Plan was Created:

My operation has applied for financial assistance through a NRCS funding program for this project? Yes No

If Yes, program and date:

My operation has been accepted into or completed other MDAR funding programs: Yes No

ENER AEEP AFSIP AIP FVEP MEGA SARA Other _____

4. Project

Project Title: Concisely describe the project in 15 words or less.

Specify what is being applied for:

<input type="checkbox"/> Section I: Climate Adaptation & Mitigation Complete Pages 21 to 32.	<input type="checkbox"/> Soil Health <input type="checkbox"/> Produce Post-Harvest Infrastructure <input type="checkbox"/> Water Management <input type="checkbox"/> Water Quality
<input type="checkbox"/> Section II: Agricultural Energy Complete Pages 33 to 41.	<input type="checkbox"/> Energy Efficiency <input type="checkbox"/> Renewable Energy

PART I – CLIMATE ADAPTATION & MITIGATION PROJECTS

Application

1. Project Details

1A. Overview of Business:

Please provide a brief description of your agricultural operation including crops grown, livestock raised, years in business and how you market your products.

1B. Project Description:

Assess your site-specific vulnerabilities that may be affected by a changing climate. This includes soils, topography, current infrastructure & equipment, current access to technology or markets, or other areas that reduce the ability of your farm to cope with projected climate change. Please provide details of any resource areas on or near your farm that may be of concern including any surface waters, wetlands, etc. that may be impacted by farming activities. Describe any concerns that you may have about your operations' potential impacts to these areas.

1C. Project Description Continued:

Please describe your proposed project and how it will help your operation adapt to the vulnerabilities listed above. If you identified any resource areas of concern, please provide details on how your proposed project may help improve any potential impacts to these areas. Water conservation projects should estimate current water use and estimated water savings resulting from the proposed project.

1D. Equipment Proposals

1. Select the equipment category you are applying for:

- Cover Crop Management & Field Improvement
 Conservation Tillage
 Precision Agriculture
 Manure Management

2. Please describe your involvement with NRCS for conservation tillage and cover cropping, if any:

3. Please outline your plan for weed control in your system:

4. Please complete the following table:

Equipment	Description: (Make/Model)	Crop Type	Equipment Use	Annual Use: Acres	Cost
Example: No-Till Grain Drill	Example: John Deere 1750	Example: Corn/Hay Rotation	Example: 100 acres/year	Example: 20% of all cornland	Example: \$30,000

5. Will you be getting a soil analysis? If so, how often?

1E. Mitigation Benefits:

Please describe the potential of the project to reduce or limit greenhouse gas emissions, enhance greenhouse gas sequestration or how your project will work towards long-term management and preservation of soil carbon. Projects that demonstrate climate adaptation and mitigation benefits will rank higher in the review process.

1F. Produce Post-Harvest Infrastructure Upgrades – please answer the following:

Estimated produce sales: \$0 - \$24,999 \$25,000 - \$249,999 \$250,000 - \$499,999 \$500,000 +

Do your average total food sales for the past three years, including animal feed, total over \$500,000 a year? Yes No

Do you buy produce from another farm? Yes No

How is your produce marketed? Wholesale Direct Market Both

Is your produce grown for personal/on farm consumption? Yes No

Are more than 50% of sales either (1) Direct to Consumer or (2) Retail or Restaurant? Yes No

If yes, are most of the sales within Massachusetts? Yes No

Please check all commodities your operation grows:

- | | | | |
|--|---|---|--|
| <input type="checkbox"/> Apples | <input type="checkbox"/> Sweet cherries | <input type="checkbox"/> Melon | <input type="checkbox"/> Radish |
| <input type="checkbox"/> Apricots | <input type="checkbox"/> Chestnuts | <input type="checkbox"/> Mulberries | <input type="checkbox"/> Raspberries |
| <input type="checkbox"/> Apriums | <input type="checkbox"/> Chicory | <input type="checkbox"/> Microgreens | <input type="checkbox"/> Rhubarb |
| <input type="checkbox"/> Artichoke | <input type="checkbox"/> Chives | <input type="checkbox"/> Mung beans | <input type="checkbox"/> Rosemary |
| <input type="checkbox"/> Basil | <input type="checkbox"/> Cilantro | <input type="checkbox"/> Sprouts | <input type="checkbox"/> Rutabaga |
| <input type="checkbox"/> Blackberries | <input type="checkbox"/> Cucumber | <input type="checkbox"/> Mushroom | <input type="checkbox"/> Turnips |
| <input type="checkbox"/> Blueberries | <input type="checkbox"/> Berry Currant | <input type="checkbox"/> Mustard greens | <input type="checkbox"/> Sage |
| <input type="checkbox"/> Bok Choy | <input type="checkbox"/> Endive | <input type="checkbox"/> Nectarine | <input type="checkbox"/> Scallions |
| <input type="checkbox"/> Boysenberries | <input type="checkbox"/> Dandelion | <input type="checkbox"/> Onions | <input type="checkbox"/> Shallot |
| <input type="checkbox"/> Fava Beans | <input type="checkbox"/> Spring salad mix | <input type="checkbox"/> Oregano | <input type="checkbox"/> Spinach |
| <input type="checkbox"/> Broccoli | <input type="checkbox"/> Garlic | <input type="checkbox"/> Parsley | <input type="checkbox"/> Sprouts |
| <input type="checkbox"/> Brussel Sprouts | <input type="checkbox"/> Gooseberries | <input type="checkbox"/> Parsnips | <input type="checkbox"/> Strawberries |
| <input type="checkbox"/> Burdock | <input type="checkbox"/> Grapes | <input type="checkbox"/> Peas/sno peas | <input type="checkbox"/> Summer squash |
| <input type="checkbox"/> Chinese Cabbage | <input type="checkbox"/> Green beans | <input type="checkbox"/> Peaches | <input type="checkbox"/> Swiss chard |
| <input type="checkbox"/> Cabbages | <input type="checkbox"/> Honeydew | <input type="checkbox"/> Pears | <input type="checkbox"/> Thyme |
| <input type="checkbox"/> Cantaloupes | <input type="checkbox"/> Huckleberries | <input type="checkbox"/> Sweet peppers | <input type="checkbox"/> Tomatoes |
| <input type="checkbox"/> Carrots | <input type="checkbox"/> Kale | <input type="checkbox"/> Hot peppers | <input type="checkbox"/> Turnip greens |
| <input type="checkbox"/> Cauliflower | <input type="checkbox"/> Leek | <input type="checkbox"/> Plums | <input type="checkbox"/> Walnuts |
| <input type="checkbox"/> Celeriac | <input type="checkbox"/> Lettuce | <input type="checkbox"/> Quince | <input type="checkbox"/> Watercress |
| <input type="checkbox"/> Celery | <input type="checkbox"/> Marjoram | <input type="checkbox"/> Radicchio | <input type="checkbox"/> Watermelon |

Please list any other fruits and vegetables you grow that are not listed above:

Please list any livestock types and numbers on the operation:

Are you in production year round? Yes No

Do you have a greenhouse? Yes No

Season start date: **Season end date:**

1F. Continued: (Post-Harvest Infrastructure Upgrades Only)

Please describe how you currently wash, pack, and store your produce. Please indicate how your current practices result in inefficiencies and food losses within your operation.

1F. Continued: (Post-Harvest Infrastructure Upgrades Only)

Please describe your proposed project for infrastructure improvements to the washing, packing, and storage of your produce. How will these changes improve food safety and reduce post-harvest food losses within your operation? If you have a design for your project please indicate as such and include a copy of your design with your submission.

2. Project Need:

Please summarize the need for the project, describe the goals and outcomes, and present a plan for evaluating and measuring the success of the project. How will this project improve sustainability and productivity within your operation?

3. Timeline:

Provide a project schedule. Assuming successful funding, when do you expect to complete this project?

Provide a schedule of implementation including design, permits, site mobilization, purchases, delivery, installation, start up, training, etc.

4. Team Members:

List team members and their capacity to achieve the goals of the proposed project.

5. Warranties, Ongoing Operations & Maintenance, and Permits:

Provide a list of all project warranties and guarantees. Provide operation and maintenance necessary to maintain equipment. List any state, local or federal permits or approvals that will be necessary for you to implement this project.

6. Climate Adaptation & Mitigation Budget:

ACRE & AEEP may reimburse applicants for the costs of a project up to a maximum of 80% of total project costs up to \$50,000. A 20% minimum contribution towards the project must come from the applicant. MDAR has the option to negotiate the budget before entering into a contract with the applicant. Preliminary budgets are acceptable for the evaluation process but upon request applicants must receive quotes from vendors or contractors before a contract will be given. MDAR will decide if an applicant has adequately addressed this requirement. Applicants who provide quotes from a vendor or contractor with their application will receive a higher evaluation.

Project	Description	Qty.	Estimated Hours	Hourly Rate	Total
Total Project Costs:					\$ _____
Eligible Project Costs (80% of Total Project Costs up to \$50,000)					\$ _____
Contribution from NRCS Funded Projects					\$ _____
Eligible Project Costs minus Contribution from NRCS Funded Projects					\$ _____
Applicant's Contribution Towards Project (minimum of 20%)					\$ _____
Total Dollars Requested Through ACRE/AEEP (80% of Total Project up to \$50,000)					\$ _____

7. Amount Requested:

Please state your requested ACRE/AEEP funding request. MDAR has the option to negotiate the requested amount before entering into a contract with the applicant.

Total Cost Requested For Funding Through ACRE/AEEP

\$

Grant:

8. Attestation:

By signing this application, you attest all statements herein are accurate and true. By signing this application, you give permission to have a site visit by MDAR staff which may be necessary before a funding decision is made. All site visits will be arranged with you in advance.

Signature

Date

Print Name

PART II – AGRICULTURAL ENERGY EFFICIENCY & RENEWABLE PROJECTS

Application

1. Project Details

1A. Provide a clear description of the agricultural operation including crops grown and/or livestock raised and how your products are marketed.

1B. Provide a clear description of the proposed energy project and how the project will beneficially impact the agricultural activities of the operation and help mitigate and/or adapt to climate change.

1C. Please list what energy efficiency measures, if any, you have implemented to reduce energy use on your farm.

2. Energy Efficiency Audit

Date general efficiency audit was conducted for this site:

Name of auditor:

Please include a copy of the audit report with this application.

If you have not conducted a general efficiency audit, please state plans to do so:

Scheduled

Will Schedule

Energy Efficiency Project Details

3. Agricultural Energy Grant – Energy Efficiency

Is there a separate, specific energy efficiency project assessment conducted only for the proposed project? If yes, please attach to the application? Yes No

What is your current annual agricultural energy use associated with the proposed project? (kWh, therms, gals fuel, cords, etc.)

What amount of existing energy will be saved by the proposed energy efficiency project? (kWh, therms, gals fuel, cords, etc.,)

What percentage of energy currently used by the existing component will be saved by implementing the proposed energy efficiency project? %

What are the projected Greenhouse Gas (GHGs) Emission reductions associated with implementing this project? Please show or refer to calculations.

3A. Project Economics

A		Total Project Costs	\$
B		Expected Annual Cost Saving	\$
C		Non-AgEnergy Grant Funds	
	1	Electric/Gas Utility Energy Efficiency Incentive	\$
	2	USDA REAP or EQIP	\$
	3	Other (Please List): _____	\$
		C. Total (1+2+3)	\$
D		MDAR Ag Energy Request (\$50,000 or less)	\$
E		Applicant Contribution to Project	\$
[Total Project Costs (A) – (Rebates, Grants, Incentives (C+D))] / (Annual Cost Savings (B)) = Simple Payback Years			_____

Renewable Energy Project Details

4. Agricultural Energy Grant – Renewable Energy

Was a specific energy assessment conducted for the proposed project? If yes, please attach to the application. Yes No

What is the proposed annual renewable energy generation (kWh, gals of hot water, etc.) for the proposed project?

What is the current annual energy consumption relevant to the proposed project for the operation (kWh, therms, gals, cords, etc.)?

What percentage of energy currently used by the operation will be saved by implementing the proposed renewable energy project? %

What are the projected Greenhouse Gas Emissions (GHGs) reductions associated with implementing this project? Please show or refer to calculations.

4A. Project Economics

A		Total Project Costs	\$
B		Expected Annual Cost Saving	\$
C		Annual Average Renewable/Alternative Energy Credits (RECs, AECs, SMART, non-Solar PV Net Metering Credits)	\$
D		Non-AgEnergy Grant Funds	
	1	MA Clean Energy Center (MassCEC)	\$
	2	USDA REAP or EQIP	\$
	3	Federal Investment Tax Credit (ITC)	\$
	4	Other (Please List): _____	\$
		D. Total (1+2+3+4)	\$
E		MDAR Ag Energy Request (\$50,000 or less)	\$
F		Applicant Contribution to Project	\$

[Total Project Costs (A) – (Rebates, Grants, Incentives (D+E))] / (Annual Cost Savings/Revenue Streams (B+C)) = Simple Payback Years

5. Permits:

Provide a list of all necessary permits and when they will be secured for this project.

6. Schedule:

Provide a schedule of implementation including design, permits, site mobilization, purchases, delivery, installation, start up, customer training, etc.

7. Warranties:

Provide a list of all project warranties and guarantees.

8. Operation & Maintenance:

Provide operation and maintenance necessary to maintain equipment.

9. Team Members:

List team members and their capacity to achieve the goals of the proposed project.

10. Amount Requested:

Please state your requested Agricultural Energy funding request. MDAR has the option to negotiate the requested amount before entering into a contract with the applicant

Total Cost Requested For Funding Through Ag-Energy Grant \$

11. Attestation:

By signing this application you attest all statements herein are accurate and true. By signing this application you give permission to have a site visit by MDAR staff which may be necessary before a funding decision is made. All site visits will be arranged with you in advance.

Signature

Date

Print Name

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.

Of Special Note:

All state agencies are subject to 815 CMR 2.00, State Grants, Federal Grant 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 grantee selections. Use of COMMBUYS to receive electronic quotes for grant opportunities is optional; 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.

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](#) page (www.mass.gov/osd). 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 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.