



Division of Agricultural Markets

## **Farmers Market Sustainability Grant Program Fiscal Year 25**

Request for Response (RFR): RFR File: **AGR-Farmers-Markets-FY25**

To support Massachusetts farmers markets through Strategic Planning, Promotion, Marketing, Consumer Education, and Infrastructure Needs.

**Application Deadline: Tuesday, October 8, 2024, by 4:00 pm via the online application portal:**  
<https://www.mass.gov/forms/farmers-market-sustainability-grant-application>.

**See Section 2. INSTRUCTIONS FOR APPLICATION SUBMISSIONS** for the required submission process.

Point of Contact: David Webber

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Massachusetts Department of Agricultural Resources  
100 Cambridge Street, Suite 900  
Boston, MA 02114

## GRANT OPPORTUNITY SUMMARY

<b>Executive Office of Energy &amp; Environmental Affairs</b> <b>Rebecca Tepper, Secretary</b> <b>Grant Announcement</b> <b>RFR ID: RFR-AGR-Farmers-Markets-FY25</b> <b>Dated: August 29, 2024</b>	
<b>Proposals Sought For</b>	<p>The Massachusetts Department of Agricultural Resources (“MDAR”) is soliciting proposals (Bid/Quotes) to enhance Massachusetts farmers markets through strategic planning, promotion, marketing, consumer education, and infrastructure improvements. Farmers markets, as defined by MDAR’s policy on farmers markets, are eligible to apply for funds to support these efforts. All farmers markets must have at least two farms on site to be eligible. Entities that purchase products from multiple farms but don’t have at least two farms present and on-site during sales hours, are ineligible for this grant opportunity.</p>
<b>Overview &amp; Goals</b>	<p>This funding comes from MDAR’s FY25 Operating Budget on state appropriation 2511-0100.</p> <p>Hundreds of farmers and local food producers market their products weekly at farmers markets across Massachusetts. Over 200 farmers markets operate from spring until fall, with approximately 50 operating over the winter months. Farmers markets not only provide a direct market venue for local farms and food producers to sell their goods but also connect consumers with those that grow and produce their food. Farmers markets play a key role in educating consumers about the benefits of buying locally, where their food comes from, and food access.</p> <p>Many farmers markets and market vendors participate in programs like the WIC and Senior Farmers Market Nutrition Programs, SNAP, and the Healthy Incentives Program (HIP). Some farmers markets offer cooking demonstrations and other community activities, such as music or activities for children.</p> <p>The goal of this RFR is to support farmers markets with funding for strategic planning, promotion, marketing, consumer education, and infrastructure needs. See section 1B for information on eligible projects.</p>
<b>Application Deadline</b>	<p><b>Applications must be received by 4:00 PM Tuesday, October 8, 2024.</b> Late submissions will not be considered. Submit proposals via the online application portal. An online application is posted to: <a href="https://www.mass.gov/forms/farmers-market-sustainability-grant-application">https://www.mass.gov/forms/farmers-market-sustainability-grant-application</a>. See Section 2 for full instructions.</p> <p>Applications that are sent by mail, email or fax will NOT be accepted. MDAR will not accept any late submissions and will not consider late applications due to technical difficulties, so please be mindful of your submission timeliness.</p>
<b>Funding Availability</b>	<p>MDAR intends to fund \$150,000 in projects through this competitive RFR process with a maximum award of \$10,000 per applicant. Applicants may only submit a single (1) proposal.</p> <p>This program does not have a cost sharing or match requirement.</p> <p>All contracts will end no later than June 30, 2025.</p> <p>This is a one-time funding opportunity.</p> <p>Successful respondents will enter into a contract with MDAR. MDAR reserves the right to fund the project in part, add and delete tasks, and ask for clarification on the work plan, timeline, and budget. MDAR may ask grantees to acknowledge MDAR as a grantor where appropriate. No contract shall be entered into until MDAR is satisfied with all the project specifications.</p>

<b>Duration of Contract</b>	All contracts will end no later than June 30, 2025.
<b>Single Contract</b>	Each applicant may submit a single (1) proposal. Multiple applications from the same entity will not be considered.
<b>Single or Multiple Departments</b>	All contracts awarded under this RFR will be utilized solely by MDAR. MDAR anticipates between 15-20 contracts to be awarded.
<b>Questions and Information Session</b>	<p>Applicants may submit questions regarding the RFR and application process.</p> <p>Please submit questions by email to: <a href="mailto:David.Webber@mass.gov">David.Webber@mass.gov</a>. <b>The deadline for questions is Monday, September 30, at 4:00 p.m.</b> Responses to questions, along with an FAQ, will be posted to the Farmers Market webpage and COMMBUYS.</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>MDAR cannot assist in the preparation of grant applications. In order to maintain the integrity of the competitive grant process, MDAR cannot advise or provide individuals with any information regarding specific applications during the solicitation process.</p> <p>An informational webinar will be held for interested applicants on the below date. To access the webinar, <b>register <a href="#">here</a></b>. The webinar will be approximately 1 hour in length. The webinar will be recorded and made publicly available on MDAR’s Farmers Market <a href="#">webpage</a> prior to the application deadline so that all potential applicants who are unable to attend the webinar live or who wish to review the webinar’s content further may do so before submitting an application.</p> <ul style="list-style-type: none"> <li>• <b>Friday, September 6th, 2024, 2:00 pm</b></li> </ul>

## 1. PERFORMANCE AND CONTRACT SPECIFICATIONS

### 1A. Eligible Applicants

- MDAR is soliciting proposals from Massachusetts farmers markets, as defined by MDAR’s [Policy for Massachusetts Farmers Markets](https://www.mass.gov/doc/policy-for-massachusetts-farmers-markets) (<https://www.mass.gov/doc/policy-for-massachusetts-farmers-markets>) (“Policy”). **Be sure to review the complete policy before responding to this RFR.**
- The Policy defines farmers markets as public markets for the primary purpose of connecting and mutually benefiting Massachusetts farmers, communities, and shoppers while promoting and selling products grown and raised by participating farmers, and include the following qualifications:
  - Two or more farmers, or their employees, volunteers, or representatives, who are present (on-site) at all times during the operation of the farmers market and who are selling products of which a majority are grown, produced, or raised by the farmer at their agricultural operation within the Commonwealth.
    - Have set hours of operation and operate on a regular schedule.
    - Have products clearly labeled as to origin.

- Market compliance with all applicable local, state, and federal laws and regulations.
- The market must have, and abide by, a set of written rules that govern the operation of the market and, at a minimum, assures the primary purpose of a Massachusetts farmers market as providing a direct marketing opportunity for Massachusetts farmers, foresters, and fisheries and addresses the following:
  - Terms and conditions of sales, including pricing and labeling.
  - Vendor eligibility and product source.
- Compliance by all vendors with local, state, and federal laws and regulations.
- The farmers market must be able to enter into a contract with the Commonwealth of Massachusetts.
- All applicants must have at least two farms on site during all hours of operation. Entities that purchase products from multiple farms but don't have at least two farms present and on-site during sales hours, are ineligible for this grant opportunity.

## 1B. Eligible Project Areas

While all projects that meet the grant requirements will be considered, the categories listed below are examples of eligible projects. This is not a comprehensive or exhaustive list, and applicants may suggest projects that differ from these suggestions. Applicants have flexibility in determining a project that works for their farmers market and their community.

### Examples of Eligible Projects:

- Strategic planning, such as board development, training, volunteer recruitment and long term or succession planning.
- Develop and/or administer a farmers market marketing/advertising campaign.
- Website or social media development/enhancement.
- Market signage or printed materials.
- Repair, replace, or enhance market infrastructure (i.e., tents, tables, handwashing stations, etc.), or SNAP processing equipment that is not already funded through an outside source (Hardware only: no yearly, monthly, transaction fees or subscriptions). For information on SNAP processing, go to <https://www.mass.gov/info-details/snap-and-hip-at-farmers-markets-and-farms>.
- Develop, increase, or improve consumer outreach and education, including events or activities that educate consumers about Massachusetts agriculture nutrition or enhance the farmers market.
- Language access services, including translation of materials and language classes for market staff.
- Staff/personnel costs to administer a funded project of this grant.

## 1C. Ineligible Project Areas

### Examples of Ineligible Projects:

- Insurance such as farmers market liability insurance.
- Funds to support food purchases through Market Match Programs such as SNAP, WIC/Senior Farmers Market Nutrition Program matching, veggie prescriptions or other types of food coupons or food distribution programs.
- Rent or lease costs associated with the market(s) location.
- Construction Costs

- Staff/personnel costs unrelated to a funded project of this grant.

## 1D. Project Requirements

Projects must enhance farmers markets in Massachusetts through strategic planning, promotion, marketing, consumer education, and infrastructure. Applicants of awarded projects will be responsible for the following:

- Completing the project within the contractual timeframe **by June 30, 2025**.
- Submitting a final project report, including a description of how the funds were used within one month after the contract ends.
- Submitting a final financial report itemizing actual expenses.
- Providing copies of invoices and proof of payment with payment requests.

## 1E. Environmental Justice Policy

For the purposes of this RFR, “Environmental Justice” is based on the principle that all people have a right to be protected from environmental hazards and to live in and enjoy a clean and healthful environment regardless of race, color, national origin, income, or English language proficiency. Environmental justice is the equal protection and meaningful involvement of all people and communities with respect to the development, implementation, and enforcement of energy, climate change, and environmental laws, regulations, and policies and the equitable distribution of energy and environmental benefits and burdens. For more information, please review the Environmental Justice Policy in Attachment D. of this RFR. We also encourage you to complete the Environmental Justice Questions form, incorporated into the on-line application.

## 1F. Awarding Priorities

Applications that demonstrate the following priorities during the evaluation process will receive priority scoring:

- a. Farmers markets located in Environmental Justice Communities.
- b. Strategic planning projects, such as board development, training, volunteer recruitment and long term or succession planning.
- c. Organizations who provide operating guidelines/market rules that meet MDAR’s Policy on Farmers Markets.
- d. Organizations who did not receive funding through the Farmers Market Sustainability Grant Program in Fiscal Year 2024.

## 1G. Funding Availability, Allowable Expenditures & Additional Information

### Type of Procurement

Reimbursable payment program

### Maximum Reimbursement

MDAR intends to fund \$150,000 in projects through this competitive RFR process with a maximum award of \$10,000 per organization. Applicants may only submit one proposal.

## Invoicing and Disbursement of Grant Funds

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

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

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

## Allowable Expenses

Expenses incurred through June 30, 2025:

Examples of allowable expenses include Salary, Fringe Rates, Travel, Supplies, Equipment, Contractual, and Indirect Costs. Examples of allowable expenses include expenses related to eligible projects. Examples of eligible projects include:

- Strategic planning projects such as board development, training, volunteer recruitment and long term or succession planning.
- Develop and/or administer a farmers market marketing/advertising campaign.
- Website or social media development/enhancement.
- Market signage or printed materials.
- Repair, replace, or enhance market infrastructure, i.e., tents, tables, and handwashing stations.
- SNAP processing equipment that is not already funded through an outside source (Hardware only: No monthly, yearly, transaction fees or subscriptions). For information on SNAP processing, go to <https://www.mass.gov/info-details/snap-and-hip-at-farmers-markets-and-farms>.
- Develop, increase, or improve consumer outreach and education, including events or activities that educate consumers about Massachusetts agriculture nutrition or enhance the farmers market.
- Language access services, including translation of materials and language classes for market staff.
- Staff/personnel costs to administer a funded project of this grant.
- Indirect costs. Organizations may utilize their Federally Negotiated Indirect Cost Rate (NICRA). If an applicant does not have a NICRA, please use a de minimis rate of 10%.

## Ineligible Expenses

Ineligible expenses include the following:

- Any expense incurred prior to contract execution.
- Costs for loans and/or loan programs.
- Costs relating to lobbying activities.
- Tuition/tuition reimbursement or career-related/scholarship funds.
- Construction costs.
- Land acquisition/mortgages.
- Any portion or expense for which the applicant pays a contractor in merchandise or service in lieu of cash.
- Routine business expenses that fall outside of the scope of the proposed Project.
- Legal expenses related to litigation.
- Indirect (above negotiated indirect rate or de minimis 10%).

## Matching Costs

Matching costs are not required.

## 1H. Reporting Requirements

Applicants of awarded projects will be responsible for the following:

- Completing the project within the contractual timeframe.
- Submitting a final project report, including a description of how the funds were used within one month after the contract ends.
- Submitting a final financial report itemizing actual expenses.
- Providing copies of invoices and proof of payment with payment requests at the conclusion of the project.

## 2. APPLICATION SUBMISSION INSTRUCTIONS & REQUIREMENTS

### 2.A. Submission Instructions

Use the online application found at <https://www.mass.gov/forms/farmers-market-sustainability-grant-application> is required to submit your application and supporting documents.

**Applications must be RECEIVED electronically by Tuesday, October 8, 2024, by 4:00pm.**

Late submissions will not be accepted. Failure to provide any of the materials listed below may result in the disqualification of the proposal. Applications that are sent by email, mail, or fax will NOT be accepted.

The Department will not accept submission or re-submission of incomplete or delayed applications after the posted deadline. Submissions that do not contain a complete Application Form will also not be considered.

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

The Department is not responsible for delays encountered by Applicants or for an Applicant's local hardware failures, such as computers or related networks, associated with application compilation or submission. An application submitted via the application website will be deemed received at the time



accepted by MDAR's application webpage system and is considered the official time of record. Submissions received within a time after the deadline will be deemed ineligible for review and funding.

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

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

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

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

## 2B. Proposal Requirements

- **Executive Summary:** An executive summary is a project summary of 250 words or less suitable for dissemination to the public.
- **Introduction:** Provide the official (legal) organization name or fiscal sponsor that will hold responsibility for an awarded contract. Include a brief description of the organization, the project, and the project goals. How will the funding enhance the farmers market? What needs will the grant fulfill? What is your total budget request?
- **Project Narrative/Plan:** Describe the project in detail, including project objectives, expected outcomes and potential impacts. If the project has more than one component, describe each component with the corresponding outcomes and impacts. How will the project impact the market, its vendors, and the community?
- **Environmental Justice:** Describe how the work will include and/or impact Environmental Justice Communities. How will this work be prioritized?
- **Work Plan and Timeline:** Describe how the project will be accomplished and undertaken by June 30, 2025. Provide a Work Plan that describes the activities and timeline associated with each project goal/objective.
- **Project Budget:** Using Attachment B- the [budget template](#), provide a detailed budget providing a breakdown of costs associated with performing the work described in the narrative. The budget is included as a separate attachment; (see below). Projects that involve hiring a subcontractor must include quotes from the subcontractor.
- **Project Staff:** Include information about the applicant organization, demonstrating its eligibility for the Project. Describe the individual or team that will be involved in completing this project, their qualifications, and any level of market or community support. List relevant work, projects, and qualifications or those of any external partnering entities.
- **Project Sustainability:** How will this project contribute to building long-term sustainability of the farmers market and increase the market's viability?

## 2C. Evaluation Criteria

The Farmers Market Sustainability Grant Program is a competitive program. Only complete applications, as outlined above and submitted on time will be evaluated. Project applications should clearly present the impact of their project on their market, vendors, and community.



Applications will be evaluated by a MDAR panel of reviewers. The review panel will make award recommendations to the Commissioner of MDAR for a final decision. The evaluation will be weighted heavily on the project explanation in the grant project narrative as well as the awarding priorities listed in this RFR. Project applications should clearly present how the project will be accomplished and undertaken by June 30, 2025.

**Awarding Priorities:** Applications that demonstrate these priorities during the evaluation process will receive priority scoring:

- a. Farmers markets located in Environmental Justice Communities. See Section 1E for additional information.
- b. Strategic planning projects such as board development, training, volunteer recruitment and long term or succession planning.
- c. Organizations who provide operating guidelines/market rules that meet MDAR's Policy on Farmers Markets.
- d. Organizations who did not receive funding through the Farmers Market Sustainability Grant Program in Fiscal Year 2024.

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

Applications will be scored as follows (out of a total 78 points possible):

1. **The applicant's farmers market(s) is located in an Environmental Justice Community (5 points):** Yes/No.
2. **The applicant did not receive funding through the Farmers Market Sustainability Grant Program in Fiscal Year 2024 (3 points):** Yes/No
3. **Introduction (up to 10 points):** How well the applicant explains the project's contribution to enhance the farmers market and the market's needs. Is there a clear description of the organization, the project, and the project's goals?
4. **Project Narrative (up to 15 points):** How well the applicant has identified and explained the project scope, details and objective(s), including quantifiable outcome(s) and potential impacts to the market, it's vendors and/or the community.
5. **Project Timeline and Budget (up to 15 points):** Are costs and deadlines reasonable and accurate? Will the work be completed by June 30, 2024? Is enough detail provided for reviewers to easily understand how costs were determined and how they relate to the workplan and objectives? Was the budget template provided by MDAR followed?
6. **Project staff and Market/Community Support (up to 10 points):** Who will be involved in completing this project? Was a description of the individual or team's qualifications provided? What is the level of market/community support? Is it sufficient to complete the project's goals?
7. **Project Sustainability (up to 5 points):** How does this project contribute to building long-term sustainability or increase the farmers market's viability?
8. **Application Prioritization (up to 5 points):** The proposal includes strategic planning projects such as board development, training, volunteer recruitment and long term or succession planning.
9. **Application Prioritization (up to 5 points):** How does the project meet priority considerations to serve Environmental Justice Communities?
10. **Application Prioritization (up to 5 points)** How closely the market and its operating guidelines/rules align with and meet MDAR's policy on farmers markets.

**Additional Considerations:**

1. Final Reports from previous MDAR grant initiatives have been submitted in a timely manner consistent with the requirements of the grant initiative's goals.
2. Successful completion of previous Farmers Market Sustainability Grant project initiatives.

**2D. Required Attachments****Attachment A.**

Include a copy of your market's operating guidelines/rules.

**Attachment B.**

Budget Narrative /Table, **Use the Template which can be found [here](#).**

**Attachment C.**

Include the name, location, and brief description for each market vendor in the following format and categories: Farm Vendors, (including produce, meat/poultry, dairy, honey, maple, flowers, bedding plants, etc.); Non-Farm Food Vendors (excluding prepared foods such as ready-to-eat foods and food trucks); Prepared Food Vendors (ready-to-eat foods/food trucks); Other Vendors (i.e., artisans/crafts). **Use the Template [which can be found here](#).**

**Attachment D.**

Environmental Justice Policy and Questionnaire. The environmental justice questions are integrated into the on-line application form. The attachment is for review and can be found below.

**2E. Optional Attachments**

Up to 2 letters of support demonstrating community support and interest for the project.

Projects that involve hiring a subcontractor must include quotes from the subcontractor. Purchases prior to a grant award cannot be included in a project for reimbursement.

**2F. Additional Contract Responsibilities & Documentation**

Applicants of awarded projects will be responsible for the following:

- Signing an agreement with the Commonwealth of Massachusetts;
- Completing the contract within the contractual timeframe;
- Submitting a final project report within one month after the contract ends, including a summary of the project's accomplishments and impacts and a description of how the funds were used;
- Submitting a final financial report itemizing actual expenses;
- Providing copies of invoices and proof of payment with payment requests at the conclusion of the project.

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

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

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

### 3. DEADLINES & PROCUREMENT CALENDAR

<b>Release of RFR</b>	Thursday, August 29, 2024
<b>Application Due Date</b>	4:00 PM, Tuesday, October 8, 2024
<b>Estimated Award Date</b>	Award notifications are estimated in December of 2024
<b>Estimated Award and Contract Start Date</b>	The project period is estimated to begin in December 2024 or later. Eligible costs are those incurred only after an award is issued, and a final scope of services has been negotiated and executed by all parties. Costs incurred prior to the executed contract shall not be eligible for reimbursement. The effective start date of a contract shall be the latest of the following dates: the date the Standard Contract Form has been executed by an authorized signatory of the contractor and the procuring department; the date of the secretariat or other approval(s) required by law or regulation; or a later date specified in the Standard Contract Form.
<b>Duration of Contract:</b>	MDAR will negotiate with all successful respondents within the established 6-7 month grant period. The grant period may begin in December 2024 or later. Projects must be completed no later than June 30, 2025. Final project reports are due 30 days after the end of the contract period.  Projects must be completed by June 30, 2025. Through this grant, MDAR can reimburse expenses incurred through June 30, 2025. This includes all project deliverables and expenses, including but not limited to purchases, planning, advertising, and personnel costs.

### 4. MISCELLANEOUS

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

	specifications, terms, and conditions, or which change the intent of this RFR are prohibited. Any unauthorized alterations will disqualify the response.
<b>List of Attachments</b>	<ul style="list-style-type: none"> <li>A. Market's operating guidelines/rules</li> <li>B. Budget Narrative Table</li> <li>C. List of market's vendors</li> <li>D. Environmental Justice Policy &amp; Questionnaire</li> <li>E. RFR Required Specifications</li> </ul>

**Farmers Market Sustainability Grant Program**  
**AGR-Farmers Markets-FY25**

**PLACEHOLDER**

Attachment A:

Reminder to upload a copy of **your** market's operating guidelines/rules.

**Farmers Market Sustainability Grant Program  
AGR-Farmers Markets-FY25**

Attachment B: Budget Narrative

Farmers Market: \_\_\_\_\_

**BUDGET NARRATIVE**

*All expenses described in this Budget Narrative must be associated with expenses that will be covered by the Farmers Market Sustainability Grant Program.*

**PERSONNEL**

*List the organization's employees whose time and effort can be specifically identified and easily and accurately traced to project activities that relate to your Farmers Market Grant Project.*

#	Name/Title	Level of Effort (# of hours OR % FTE)	Funds Requested
1			
2			
3			
4			

<b>Personnel Subtotal</b>	
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**Personnel Justification:**

**FRINGE BENEFITS**

*Provide the fringe benefit rates for each of the project's salaried employees described in the Personnel section that will be paid with Grant funds. Fringe benefits are allowances and services provided by employers to their employees as compensation in addition to regular salaries and wages. Fringe benefits include, but are not limited to, the costs of leave (vacation, family-related, sick or military), employee insurance, pensions, and unemployment benefit plans.*

#	Name/Title	Fringe Benefit Rate	Funds Requested
1			
2			
3			

#	Name/Title	Fringe Benefit Rate	Funds Requested
4			

<b>Fringe Subtotal</b>	
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Fringe Justification:



## TRAVEL

*Explain the purpose for each Trip Request. Please note that travel costs are limited to those allowed by formal organizational policy; in the case of air travel, project participants must use the lowest reasonable commercial airfares.*

#	Trip Destination	Type of Expense (airfare, car rental, hotel, meals, mileage, etc.)	Unit of Measure (days, nights, miles)	# of Units	Cost per Unit	# of Travelers Claiming the Expense	Funds Requested
1							
2							
3							
4							
5							
6							
7							

<b>Travel Subtotal</b>	
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Travel Justification:

## EQUIPMENT

*Describe any special purpose equipment to be purchased or rented under the grant. Equipment is an acquisition cost that equals or exceeds \$5,000 per unit.*

#	Item Description	Rental or Purchase	Acquire When?	Funds Requested
1				
2				
3				
4				

<b>Equipment Subtotal</b>	
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Equipment Justification:

## SUPPLIES

List the materials, supplies, and fabricated parts costing less than \$5,000 per unit.

Item Description	Per-Unit Cost	# of Units/Pieces Purchased	Acquire When?	Funds Requested

Supplies Subtotal	
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Supplies Justification:

## CONTRACTUAL/CONSULTANT

Contractual/consultant costs are the expenses associated with purchasing goods and/or procuring services performed by an individual or organization other than the applicant in the form of a procurement relationship. If there is more than one contractor or consultant, each must be described separately. (Repeat this section for each contract/consultant.)

### ITEMIZED CONTRACTOR(S)/CONSULTANT(S)

Provide a list of contractors/consultants, detailing out the name, hourly/flat rate, and overall cost of the services performed. Please note that any statutory limitations on indirect costs also apply to contractors and consultants.

#	Name/Organization	Hourly Rate/Flat Rate	Funds Requested
1			
2			
3			
4			

Contractual/Consultant Subtotal	
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Contractual Justification:

#### OTHER

*Include any expenses not covered in any of the previous budget categories. Be sure to break down costs into cost/unit. Expenses in this section include, but are not limited to, meetings, events, communications, advertising, stipends, printing, etc.*

Item Description	Per-Unit Cost	Number of Units	Acquire When?	Funds Requested

Other Subtotal	
----------------	--

Other Justification:

#### INDIRECT COSTS

*Indirect costs are any costs that are incurred for common or joint objectives that therefore, cannot be readily identified with an individual project, program, or organizational activity. They generally include facilities operation and maintenance costs, depreciation, and administrative expenses.*

Indirect Cost Rate	Funds Requested

Indirect Subtotal	
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Indirect breakdown:

TOTAL PROJECT Budget Summary	
Expense Category	Funds Requested
Personnel	
Fringe Benefits	
Travel	
Equipment	
Supplies	
Contractual	
Other	
Direct Costs Subtotal	
Indirect Costs	

Total Budget	
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## Farmers Market Sustainability Grant Program

### AGR-Farmers Markets-FY25

## Attachment C.

## List of Market Vendors

### Farmers Market:

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**Market Location:**

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**This form is organized by 4 vendor categories. Please list your vendors in each table by category. Add additional rows as needed.**

**1. Farm Vendors** (Include all farm vendors present at market, ((on-site)) such as produce, meat/poultry, dairy, honey, maple, flowers, bedding plants, etc.)

[illegible]

## 2. Non-Farm Food Vendors (excluding ready to eat foods or food trucks)

[illegible]

### 3. Prepared Food Vendors (ready to eat foods or food trucks)

[illegible]



#### 4. Other Vendors (i.e., artisans or crafts)

[illegible]

## Attachment D

### Environmental Justice Policy

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

While encouraged, the following questions are voluntary and will not impact eligibility. Answers to these questions help MDAR track progress towards the goals set forth in the [2021 Environmental Justice Policy](#), and the [2022 Environmental Justice Strategy](#), which require MDAR to a) report the amount of public funds used in Environmental Justice Communities, and b) track the number of new applicants for grant programs from Environmental Justice Communities and BIPOC Farmers. More information can be found in below. MDAR encourages stakeholders to provide feedback on the Environmental Justice Policy and Strategy, by visiting [mass.gov/environmental-justice](https://mass.gov/environmental-justice).

#### **Environmental Justice Questions** *Answers to the following questions are optional. This information will not in any way affect your eligibility for MDAR programs and is used for statistical purposes only.*

Has the applicant applied for MDAR funding programs before this current application?

☐ Yes ☐ No ☐ I don't know

Has the applicant received funding from any MDAR funding programs?

☐ Yes ☐ No ☐ I don't know

#### **Questions for Farmer or Individual Applicants:**

A. Select one or more of the racial categories below:

☐ American Indian/Alaskan Native/Indigenous ☐ Black or African American ☐ Native Hawaiian or other Pacific Islander ☐ White  
☐ Asian/South Asian ☐ Middle Eastern or North African ☐ Other: \_\_\_\_\_ Please state with the understanding that the races above may not be reflective of everyone.

B. Select one or more of the ethnic categories below:

☐ Not Hispanic or Latino ☐ Hispanic or Latino ☐ Other: \_\_\_\_\_ Please state with the understanding that the races above may not be reflective of everyone.

C. Are any applicants a Historically Underserved Farmer? Please check any of the following categories that apply based on these USDA definitions:

<https://www.nrcs.usda.gov/getting-assistance/underserved-farmers-ranchers>

☐ Limited Resource Farmer (With direct or indirect gross farm sales not more than the current indexed value in each of the previous two years, and who has a total household income at or below the national poverty level for a family of four, or less than 50 percent of county median household income in each of the previous two years. A Self-Determination Tool is available to the public and may be completed on-line at: <https://lrftool.sc.egov.usda.gov/>)  
☐ Socially Disadvantaged Farmer (Individual or entity who is a member of a socially disadvantaged group. A socially disadvantaged group is a group whose members have been subject to racial or ethnic prejudice because of their identity as members of a group without regard to their individual qualities.)  
☐ N/A  
☐ Beginning Farmer (Has not operated a farm or ranch, or who has operated a farm or ranch for not more than 10 consecutive years)  
☐ Veteran Farmer (Served in the United States Army, Navy, Marine Corps, Air Force, or Coast Guard, including the reserve component thereof; was released from service under conditions other than dishonorable; and has not operated a farm or ranch, or has operated a farm or ranch for not more than 10 years; or Who first obtained status as a veteran during the most recent 10-year period.)

**Question for Organization/Collective-Applicants** For organizations, regardless of formal legal status, or other collective applicants – does the majority of your board membership, majority owner (or owners), majority of your leadership team, fall into one or more of these groups? MDAR has adapted USDA's definition of [Historically Underserved Farmers and Ranchers](#) to allow organizations or entities representing multiple applicants to respond.

☐ Limited Resource Farmer, Low-Income Individuals, or Individuals with Lived Experience Relevant to the Organization's Mission  
☐ Beginning Farmers  
☐ Veteran Farmers  
☐ N/A  
☐ Socially Disadvantaged Groups (American Indian/Alaska Native/Indigenous, Asian/South Asian, Black or African American, Middle Eastern or North African, Native Hawaiian or Other Pacific Islands, Hispanic or Latino) **Other:** \_\_\_\_\_ Please state with understanding that the races and ethnicities above may not be reflective of everyone

If you feel that this application did not allow you to fully explain the diversity of the applicant for this grant (whether you are applying as an individual or on behalf of an entity), please explain here:

If you have any input on this form, please complete [this feedback form](#). The review team will not see this information, and responses will not affect eligibility

## RFR - Further Information on MDAR's Environmental Justice Goals

Revision Date: February 23, 2024

MDAR strives to promote and integrate EJ considerations across their programs, policies, and activities to ensure the equal access and meaningful involvement of all people residing in the Commonwealth with respect to agricultural economic and environmental sustainability and the equitable development, implementation, and accessibility to information and resources.

Among the priorities and goals outlined in the [2021 Environmental Justice Policy](#), and the [2022 Environmental Justice Strategy](#), EEA agencies are tasked with ensuring that Environmental Justice neighborhoods benefit from positive impacts of environmental programs, grants and investments.

### A. Environmental Justice Populations

EJ populations are those segments of the population that EEA has determined to be most at risk of being unaware of or unable to participate in environmental decision-making or to gain access to state environmental resources, or are especially vulnerable.

"Environmental Justice Population" is defined by the Environmental Justice Policy, issued by the Massachusetts Executive Office of Energy and Environmental Affairs in 2017, and updated in June, 2021, as

- A. a neighborhood that meets 1 or more of the following criteria:
  - i) the annual median household income is not more than 65 per cent of the statewide annual median household income;
  - ii) minorities comprise 40 per cent or more of the population;
  - iii) 25 per cent or more of households lack English language proficiency; or
  - iv) minorities comprise 25 per cent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 per cent of the statewide annual median household income; or
- B. a geographic portion of a neighborhood designated by the Secretary as an environmental justice population in accordance with law.

### B. MA Environmental Justice Map Viewer

The [MA Environmental Justice Map Viewer](#) was designed to map Environmental Justice populations as census block groups in Massachusetts.

Please note - The data submitted in your application will be used to determine whether your project falls within an Environmental Justice block group, and will be used to design a map, available on the MDAR website, to show the positive impact of its grant awards, demonstrating the reach of its programs in EJ communities.

For more information on MDAR's Environmental Justice Program, or to provide feedback, please visit <https://www.mass.gov/info-details/mdars-environmental-justice-program>.



OPERATIONAL SERVICES DIVISION

## Attachment E

### RFR - Required Specifications for Commodities and Services

Revision Date: July 13, 2023

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **6. Small Business Purchasing Program (SBPP)**

**Program Background.** The Massachusetts [Small Business Purchasing Program](#) (SBPP) was established pursuant to [Executive Order 599](#) to increase state contracting opportunities with small businesses having their principal place of business within the Commonwealth of Massachusetts. Pursuant to the SBPP, it is the intention of the issuing department to award this Small Procurement to one or more SBPP participating business(es) as described below.

Sensitivity level - low

## RFR - Required Specifications for Commodities and Services

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

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

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

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

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

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

### **7. Supplier Diversity Program (SDP)**

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

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

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

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

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

#### **Eligible SDP Partner Certification Categories**

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

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

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

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

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

## RFR - Required Specifications for Commodities and Services

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

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

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

**Bidders may propose SDP Partners that are:**

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

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

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

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

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

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

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

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

**SDP Spending Compliance.** Only spending with SDP Partners that appear in the [SDO Directory of Certified Businesses](#) or in the [SBA Veteran Small Business Certification \(VetCert\)](#) directory shall be counted toward a Contractor's compliance with their SDP Commitment. Spending with SDP Partners that do not appear in the directories above shall not be counted toward meeting a Contractor's SDP Commitment. It is the responsibility of the Contractor to ensure they meet their SDP Commitment, and the SDO and the issuing department assume no responsibility for any Contractor's failure to meet its SDP Commitment.

## RFR - Required Specifications for Commodities and Services

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

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

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

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

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

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

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

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

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

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

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

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



## RFR - Required Specifications for Commodities and Services

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

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

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

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

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

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

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

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

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

**23. Acceptable Forms of Signature**

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