

EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Kathleen A. Theoharides, Secretary
Grant Announcement

Request for Responses ENV 20 DCS 07 Posting Date: December 4, 2019

Conservation Assistance for Small Communities Grant FY 2020

COMMBUYS Bid #BD-20-1042-ENV-ENV01-46447

1. Grant Opportunity Summary:

A. Proposals sought for: Financial assistance to small municipalities (6,000 or fewer residents) to produce an Open Space and Recreation Plan (OSRP), or to complete another plan to facilitate land conservation, and/or to prepare an appraisal of land, as required to apply to the Local Acquisitions for Natural Diversity (LAND), Parkland Acquisitions and Renovations for Communities (PARC), Landscape Partnership, Conservation Partnership, or Drinking Water Supply Protection (DWSP) grant programs.

B. OVERVIEW AND GOALS: The Executive Office of Energy and Environmental Affairs (EEA) protects, conserves, and restores the natural resources of the Commonwealth. This program assists municipalities with populations below 6,000 in meeting the requirements for eligibility for the EEA grant programs, which provide funding for acquisition of land for conservation and recreation. Funding will be provided to all eligible municipalities on a first-come, first-served basis.

This program is a component of the Baker Administration's goal of enhancing outdoor recreation opportunities, conserving natural resources and open space, and addressing climate change. It is part of a longstanding tradition of protecting the Commonwealth's rich natural heritage for the generations to come.

C. ELIGIBLE PROJECTS:

- 1. An appraisal of the value of the fee simple interest or a conservation restriction (CR), of land suitable for conservation or recreation. In order to be eligible for funding, the applicant municipality must also apply to the FY21 LAND, PARC, DWSP, or Landscape Partnership grant program to acquire the appraised property, or, a qualified 501(c)(3) non-profit may apply to the FY21 Conservation Partnership grant to acquire the appraised property if the applicant municipality will hold an interest.
- 2. **Preparation of an Open Space and Recreation Plan (OSRP)**, including the updating of an expired plan. In order to be eligible for OSRP funding, the applicant municipality must also apply to the FY21 LAND, PARC, DWSP, or Landscape Partnership grant program, or,
- 3. **Other planning to facilitate conservation projects.** Other plans to promote conservation may be funded at EEA's discretion.
- 4. A combination of these.

See Section 2A.

D. ELIGIBLE APPLICANTS: Conservation commissions of municipalities with a 2010 population of less than 6,000 people. See Section 2B. Eligible communities are listed in an attachment.

E. APPLICATION DEADLINE: Rolling basis, no later than Friday, May 8, 2020. Funding is available on a first-come, first-served basis; applications will be accepted on a rolling basis until all allocated funds have been awarded. See Section 4.

F. FUNDING AVAILABILITY:

This grant provides an 80% reimbursement for approved project expenses in the following amounts:

Appraisal: up to \$ 3,000 OSRP: up to \$ 10,000 Other plans: up to \$ 5,000

See Section 2C.

G. BUDGET REQUIREMENT: Applicants selected to receive grant funding must show municipal expenditures for the total project cost, upon which reimbursement under this program will be based. Community Preservation Act (CPA) payments may be paired with this grant. Municipalities that use CPA funds are responsible for ensuring compliance with CPA requirements, and are encouraged to also consult the LAND, PARC, DWSP, or Landscape Partnership grant BIDs. See Section 2D.

H. TOTAL ANTICIPATED DURATION OF CONTRACT(S): The contract period will begin on the date EEA executes the contract. Contracts issued pursuant to this BID must expend costs associated with the approved project by:

Appraisal(s): June 30, 2020

OSRP: June 30, 2020 and/or June 30, 2021 Other plans: June 30, 2020 and/or June 30, 2021

See section 2E and F.

I. REGULATIONS, STATUTES, OR AUTHORIZATION GOVERNING THIS GRANT PROGRAM: This BID is issued according to M.G.L. c. 132A, §11 and 301 CMR 5.00, Chapter 312 of the Acts of 2008, and Chapter 286 of the Acts of 2014. All applicants to whom grant assistance is provided to prepare an appraisal must also submit a complete and eligible application to the FY 21 LAND, PARC, DWSP, or Landscape Partnership grant program for funding to acquire the appraised property for conservation and/or recreation, or an eligible 501(c)(3) non-profit partnering with the municipality must apply to the FY21 Conservation Partnership grant program to acquire the appraised property, and in which the applicant municipality commits to hold an interest. All applicants to whom grant assistance is provided to prepare an OSRP must submit an eligible application to the FY21 LAND, PARC, DWSP, Landscape Partnership, or, an eligible non-profit may apply to the FY21 Conservation Partnership grant to acquire a property in which the applicant municipality commits to hold an interest. All applicants to whom funding is provided for other conservation planning that is specific to a particular property or properties must apply to the FY21 round of one of the aforementioned EEA grant programs. Awarded municipalities will not be reimbursed for work done under the contract unless and until these criteria are met. Land acquired with funding assistance from any EEA grant will become protected open space under Article 97 of the Amendments to the Constitution of the Commonwealth of Massachusetts, dedicated to conservation use in accordance with M.G.L. c. 40, §8c, or M.G.L. c. 45, §3 or 14.

J. CONTACT INFORMATION: Nathaniel Thomas

Executive Office of Energy and Environmental Affairs

100 Cambridge Street – Suite 900

Boston, MA 02114

617-626-1187

Nathaniel.Thomas1@mass.gov

2. Performance and Contract Specifications

A. ELIGIBLE PROJECT(s)/SCOPE(s) OF WORK: EEA seeks to further the preservation of suitable open space and recreation land within the Commonwealth. Funding is offered through this grant program for several different project types; a municipality may seek funding for one or more projects. Only work conducted during the municipality's contract period (after grant application and award) is eligible for funding.

Project types:

1. Real property appraisal: Funding for appraisals required for application to the LAND, PARC, DWSP, or Landscape Partnership grant programs. Applicants should consult the BID for the specific grant program for which they are preparing the appraisal for detailed requirements on number and type of appraisal. Generally, this will be one certified appraisal report, however, properties with very low estimated values may be able to complete a less rigorous analysis. All appraisals must be prepared in accordance with the most recent version of the EEA Specifications for Analytical Narrative Appraisal Reports. The EEA appraisal policy and specifications are available at http://www.mass.gov/eea/docs/eea/dcs/fy15-gr/eea-grant-programs-appraisal-report-requirements.pdf.

To receive funding for an appraisal, the municipality must do one of the following:

a. Apply to the FY21 LAND, PARC, DWSP, or Landscape Partnership grant program, to acquire the property appraised, or, an eligible 501(c)(3) non-profit organization may apply to acquire the property appraised provided the municipality commits to hold an interest.

Note: The PARC grant reserves a portion of its funding for Small Towns (classified for PARC grant purposes as those with 35,000 or fewer residents); applications from such communities will compete only against applications from other PARC-designated Small Towns.

The Property (for which appraisal funding is sought) must:

- a. **Not be permanently protected.** This includes properties not protected under Article 97 either through an EEA grant program, a Conservation Restriction (CR), or Agricultural Preservation Restriction (APR), or other land protected under Article 97. Lands enrolled in Chapter 61, 61A or 61B are eligible to receive funding;
- b. Not be owned by the municipality/eligible 501 (c) (3) non-profit organization. Appraisals for land already owned by the applicant municipality or the non-profit organization are not eligible for reimbursement; and
- c. Not be in a designated Priority Development Area, as shown on the South Coast Rail Corridor Plan,I-495/MetroWest Development Compact Plan, Merrimack Valley Regional Plan, Central Massachusetts Land Use Priority Plan, Metro North Land Use Priority Plan, or other regional plan as they become available (if applicable). See http://www.mass.gov/hed/economic/eohed/pro/zoning-and-permitting/regional-planning.html and Executive Order No. 525.
- 2. Preparation of an Open Space and Recreation Plan (OSRP): Preparation of an OSRP may include creating a new plan, updating an expired plan, or updating a plan that will expire by June 30, 2020. Information on OSRP requirements is available here: <a href="http://www.mass.gov/eea/docs/eea/d

To receive funding for an OSRP, the municipality must apply to the FY21 LAND, PARC, DWSP, or Landscape Partnership grant program

3. Preparation of a plan to facilitate a conservation project: Preparation of a plan or plans to facilitate land conservation projects in the applicant town. Plans may include, but are not limited to, mapping of locally-important agricultural or forestry soils, and site assessments to determine the most environmentally important portions of a property that will be the subject of an application to an FY21 EEA grant. Subject to EEA approval.

B. ELIGIBLE APPLICANTS: This BID is open to Massachusetts municipalities, which must:

- 1. Have a population below 6,000 people. Population will be determined using the 2010 Census data available at http://www.sec.state.ma.us/census2020/. A list of eligible communities is available as a separate attachment.
- 2. Act and apply through the conservation commission for all projects in support of LAND and Conservation Partnership grants, through the appropriate town entity for projects in support of a PARC grant application, through the board of water commissioners for projects in support of the DWSP grant, and through the select board or town administrator for projects in support of planning. Applications in support of a Landscape Partnership grant should be filed by the town entity that will be a partner in the Landscape Partnership grant application.
- 3. Have no unresolved protected open space conversion issues with EEA (see EEA Article 97 Disposition Policy at: http://www.mass.gov/eea/agencies/mepa/about-mepa/eea-policies/eea-article-97-land-disposition-policy.html).

C. FUNDING AVAILABILITY, BUDGETING GUIDELINES & ALLOWABLE EXPENDITURES:

This is a reimbursement program. Reimbursements will be based upon submitted proof of municipal expenditure, not to exceed 80% of the approved project cost. Maximum funding available for an appraisal is \$3,000, available in FY20 only. Multiple appraisals for the same property interest will not be funded unless required by an EEA grant program, and must be approved by EEA. Maximum funding for the preparation of an OSRP is \$10,000. Maximum funding for other types of planning is \$5,000, available in FY20 and/or FY21. Expenditures must be contracted with outside vendors; in-kind services or municipal employee wages or salaries will not be reimbursed.

Municipalities must have an executed state contract prior to commencement of work.

All contracts shall be subject to available funding, whether through the appropriation and authorization of sufficient funds or the receipt of sufficient revenues. If available funding ceases for any reason, a contract shall be deemed under suspension and contract performance must halt. A contractor will not be entitled to compensation for any performance provided during the period of contract suspension. EEA may lift the suspension if available funding is received. In the absence of foreseeable available funding, EEA may terminate the contract.

D. BUDGET REQUIREMENT: Municipalities selected to receive grant funding must show expenditure of municipal funds. They will be required to submit documentation of municipal expenditure for total approved project cost, as shown by canceled municipal checks, wire transfer statements, and a statement from the municipal treasurer.

E. PROJECT TERMS:

Expenditures must not predate contract execution

Appraisals will be funded with FY20 contracts and must be completed on or before June 30, 2020. Only work done while under contract and on or before June 30, 2020 will be reimbursed. To receive reimbursement payment for an appraisal under this BID, an eligible application to acquire interest(s) in the property appraised must be submitted to the FY21 grant round of one of the following EEA grants: LAND, PARC, DWSP, or Landscape Partnership, or must agree to hold an interest on a property that is the

subject of an eligible FY21 Conservation Partnership grant application. The application to the other EEA grants must include the appraisal prepared with the use of this grant funding.

OSRPs will be funded with a contract covering one or two years. FY20-only contracts require final plan submission by June 30, 2020. Reimbursement payment for an OSRP under this BID is contingent upon receipt by EEA of an eligible application to an EEA grant. For FY20 and FY21 contracts, work allocated for FY20 must be completed on or before June 30, 2020. Work allocated for FY21 must be completed between July 1, 2020 and June 30, 2021. A draft OSRP must be submitted to EEA no later than the application deadline of the EEA grant program to which the municipality or partner non-profit will apply. A draft OSRP may require additional edits to Sections 1-5 after submission, but Sections 6-9 must be final and informed by a thorough public outreach process, as described on page 12 of the OSRP Workbook. For contracts including FY21, a final OSRP must be completed and submitted to EEA for review no later than April 1, 2021. Two year contracts will receive reimbursement in the first year for work completed to that point; however, final reimbursement in the second year will be contingent upon completion and final approval of the OSRP.

Other planning projects will be funded with a one or two year contract, as determined by EEA to be appropriate. Work allocated for FY20 must be completed on or before June 30, 2020. Work allocated for FY21 must be completed between July 1, 2020 and June 30, 2021. The plan must be completed, and any other terms and conditions met, as determined by EEA and described in the scope of the contract, prior to reimbursement.

If awarded, all projects will be required to abide by the Standard Commonwealth of Massachusetts Terms and Conditions. In addition, all final contracts are subject to successful negotiation of a Final Scope of Services. EEA does not guarantee that any contracts may result from this BID or that any particular funding level will be awarded. It is anticipated that projects could commence immediately upon EEA's decision. Contracts may be extended or otherwise amended at the sole discretion of EEA.

- **F. ANTICIPATED DURATION OF CONTRACTS:** All contracts for appraisals only will end on or before June 30, 2020; all contracts for OSRPs and other plans will end on or before June 30, 2020 or June 30, 2021.
- **G. DELIVERABLES, OWNERSHIP, AND CREDIT DUE:** Appraisals funded through this BID must be used to prepare an application to an FY21 LAND, PARC, DWSP, Landscape Partnership, or Conservation Partnership grant. OSRPs must be completed and receive final DCS approval prior to the final OSRP reimbursement payment. Other plans funded through this program must be completed prior to reimbursement.
- **H. REPORTING**: Applicants receiving funding through this grant to prepare an OSRP must submit a draft plan by the application deadline of the EEA grant program to which they plan to apply, or in which they will be a partner. No interim reports are required.
- **I. INVOICING:** This is a reimbursement program. Applicants selected to receive funding will be required to submit a State Standard Contract prior to commencing work. A reimbursement billing form, which will be sent to Applicants with their contract, must be submitted with documentation of payment.

3. Instructions for Application Submission

A. EVALUATION CRITERIA: This is a non-competitive grant; all eligible applications will receive funding on a rolling basis, to the extent that funds are available. Funding is not contingent upon being selected to receive a LAND, PARC, or other EEA grant award. EEA reserves the right to ask clarifying questions on applications prior to making a final award.

B. APPLICATION SUBMISSION INSTRUCTIONS: Applications must be received in hard copy by **Friday, May 8, 2020.** Earlier submission is strongly encouraged. Any application received after the deadline will not be accepted. Applications will not be accepted by fax or email. Submit application to:

Nathaniel Thomas RE: ENV 20 DCS 07 – Small Communities Executive Office of Energy and Environmental Affairs 100 Cambridge Street – Suite 900 Boston, MA 02114

B. REQUIRED APPLICATION DOCUMENTS:

Application form
Letter from Town Manager or Chair of Selectmen authorizing the application and the Project Manager to
represent the town in connection with this application
Letter from non-profit 501(c)(3) organization eligible for the Conservation Partnership grant, affirming its
intention to submit an FY21 grant application, in which the Town agrees to hold an interest (if applicable)
Property map (if applicable)

The Application Form is provided as an attachment to this document.

C. DOCUMENTATION REQUIRED UPON APPROVAL FOR FUNDING (to get a contract):

- Commonwealth Standard Contract Form, filled out and signed by the Respondent
- Commonwealth Scope and Budget Form
- Completed Contractor Authorized Signatory Listing (both sides)

D. DOCUMENTATION REQUIRED FOR REIMBURSEMENT:

- **For appraisals:** Copy of appraiser's summary letter/estimation of value (typically the first 1-3 pages of the full appraisal).
- **For OSRP preparation:** Draft OSRP must be submitted by the application deadline for the EEA grant program to which the municipality will apply or be partner to. Completed OSRP submitted to EEA for final approval no later than **June 30, 2020 or April 1, 2021.** Final OSRP must be approved by EEA.
- For other types of conservation project planning: Conditions as determined by EEA at the time of contracting. Planning must be completed prior to submission of a request for reimbursement.
- Receipt by EEA of eligible FY21 LAND, PARC, DWSP, Landscape Partnership or Conservation Partnership grant application, according to the requirements previously described.
- Copy of the bill or invoice from the appraiser, OSRP preparer, and/or plan preparer.
- Copy of the cancelled municipal check(s) paying for the work or a s statement by municipal treasurer attesting to payment for the work, if the cancelled municipal check(s) at the time the town is submitting its reimbursement request to the state.

Respondents are encouraged to review the Commonwealth Standard Contract Form, Scope and Budget Form, and Contractor Authorized Signatory Listing prior to submission of an Response, available under the Forms & Terms tab of this Comm-PASS posting, or

http://www.mass.gov/??pageID=osdmodulechunk&L=1&L0=Home&sid=Aosd&b=terminalcontent&f=osd_forms&csid=Aosd.

4. Deadlines and Procurement Calendar

A. RELEASE OF BID: December 4, 2019

B. INFORMATION SESSION: No information sessions will be provided.

C. APPLICATION DUE DATE: Rolling acceptance, not later than Friday, May 8, 2020.

- **D. ESTIMATED AWARD DATE:** Funding selections are estimated to be announced within two weeks of a municipality's submission of a complete application, with contract negotiations to begin immediately thereafter.
- **E. ESTIMATED CONTRACT START DATE:** Rolling. 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.

5. Miscellaneous

A. Type of procurement: Grant

- **B.** USE OF THIS PROCUREMENT BY SINGLE OR MULTIPLE DEPARTMENTS: This BID is a single department procurement. All contracts awarded under this BID will be utilized solely by EEA.
- **C. REQUEST FOR SINGLE OR MULTIPLE CONTRACTORS:** This BID will result in multiple contracts.
- **D. BID DISTRIBUTION METHOD:** This BID has been distributed electronically using the CommBuys system. It is the responsibility of every Applicant to check CommBuys for any addenda or modifications to a BID 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 BIDs and submit inadequate or incorrect responses. Potential Respondents are advised to check the "last change" field on the summary page of BIDs for which they intend to submit a response to ensure they have the most recent BID files. The application and answers to questions will also be posted on the DCS website at www.mass.gov/eea/dcs.

Respondents may not alter BID language or any BID component files. Those submitting a proposal must respond in accordance to the BID directions and complete only those sections that prompt a Respondent for a response. Modifications to the body of this BID, specifications, terms and conditions, or which change the intent of this BID are prohibited. Any unauthorized alterations will disqualify response.

E. LIST OF ATTACHMENTS:

- A. Application Form
- B. EEA appraisal report specifications
- C. Eligible applicant communities and 2010 population

1.

2.

Conservation Assistance for Small Communities Grant Program APPLICATION FORM – FY 2020

Rolling submission. Absolute deadline: May 8, 2020. Early applications encouraged.

Applicant information					
Municipality:					
Population (2010 Census): (only municipalities with a pop	ulation of 6,000 or below are eligible)				
Project manager & contact person: Attach authorization from the town's Chief Executive C town administrator) identifying the individual named be in connection with this application.					
Name:					
Affiliation with town:					
Address at town:					
Phone number: E-mail address: Project information Reimbursement payments are for 80% of approved exp What do you want to do? How much money do you Appraisal(s): \$3,000 maximum award for each Applicants are eligible to receive reimbursement for only	enditures. a need? (check all that apply):				
\$750,000 or greater, in which case they will be eligible to expenditures preceding receipt of an executed state contra	receive reimbursement payment for two appraisals. Work or				
Estimated total cost:	\$				
Funding request (Maximum 80% of tota	ıl): \$				
☐ Open Space and Recreation Plan (OSRP): \$	10,000 maximum award				
Work to be completed in FY20 (from contra	act execution to June 30, 2020):				
Estimated total cost:	\$				
Funding request (80% of total):	\$				
Work to be completed in FY21 (from July 1,	2020 to June 30, 2021):				

Estimated total cost:

Funding request (80%)	% of total): \$		
☐ Planning to facilitate land cor	nservation projects: \$	5,000 maximum total award	d
Work to be completed in FY	'20 (from contract exec	cution to June 30, 2020):	
Estimated total cost:	\$		
Funding request (80%)	% of total): \$		
Work to be completed in FY	'21 (from July 1, 2020 t	to June 30, 2021):	
Estimated total cost:	\$		
Funding request (80%)	% of total): \$		
TOTAL funding request, all items:	\$		
Which of the following EEA grant progr	rams will the town ap	oply for? (mark all that appl	ly)
DWSP Landscape Partnership The Town commits to holding as Partnership Grant application, to be attach a letter from the non-profit affirming. For projects requesting funds to prepare Have you had an approved OSRP in If you have previously had an appro Only applicants that do not have OSRPs, funding.	submitted by	o the Conservation Partnership g P: Yes No Or will) it expire? ired or will expire by June 30, 2	(non-profit). Please grant. 020, are eligible for
For projects requesting funds to conduct	t an appraisal, or to c	onduct planning on a spe	ecific property:
Property location: Acreage (approximate): Number of parcels: Assessor's Map/Lot: Interest to be appraised and proposed to	o acquire:	☐ Both	_
If both, explain:	<u> </u>		
Attach a map of the property.	_		

Authorizing sig	natures		
Chief Executive	e Officer:		
	Print Name	Date:	
Signature	Print Name		
		nmission, or Board of Water Commi	
Signature	(chair) Print Name		
Signature		Date:	
Signature Signature	Print Name	Date: Date:	
	Print Name	Date:	
Signature Signature	Print Name Print Name	Date: Date:	
Signature	Print Name Print Name Print Name	Date: Date: Date: Date:	
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Application check-list:

Application form
Letter from Town Manager/Chair of the Board of Selectmen authorizing the application and the Project
Manager to represent the town in connection with this application
Letter from non-profit 501(c)(3) organization eligible for the Conservation Partnership grant, affirming its
intention to submit an FY21 application, in which the town agrees to hold an interest (if applicable)
Property map for appraisal projects.