



**REQUESTS FOR PROPOSALS  
FOR  
FEDERAL-STATE MARKET IMPROVEMENT GRANT PROGRAM FY23**  
Funded by the United States Department of Agriculture  
In Cooperation with  
The Massachusetts Department of Agricultural Resources

Request for Response (RFR): RFR File: [AGR-FSMIP-2023](#)

**Responses must be received by  
2:00PM Friday, March 24, 2023**  
**Responses must be sent to Rebecca Davidson AND Keri Cornman**  
**Email: [Rebecca.Davidson@mass.gov](mailto:Rebecca.Davidson@mass.gov)**  
**Email: [Keri.Cornman@mass.gov](mailto:Keri.Cornman@mass.gov)**



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

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## **1. AVAILABLE FUNDING FOR 2023**

Federal-State Market Improvement Grant Program (FSMIP) is funded by annual appropriations to the Agricultural Marketing Service (AMS), USDA. AMS anticipates that approximately \$1 million will be available for support for this program in fiscal year (FY) 2023. The final amount available is subject to Congressional action. The minimum award amount is \$50,000, the maximum award is \$250,000 per project.

## **2. APPLICANT ELIGIBILITY**

In accordance with authorizing legislation, FSMIP funds can be allotted to State Departments of Agriculture, State Agricultural Experiment Stations, and other appropriate Agencies. State agencies under the authorizing legislation should assume the lead role in FSMIP projects, and use cooperative or contractual linkages with other agencies, universities, institutions, and producer, industry or community-based organizations, as appropriate. Multi-State projects are encouraged, as long as one State assumes the coordinating role, using appropriate cooperative arrangements with the other States involved. Projects must comply with both state and federal laws.

Participants may be private or public, for-profit or nonprofit entities, including but not limited to:

- New and beginning farmers and ranchers (individuals or entities that have not operated a farm or ranch for more than 10 years and substantially participate in the operation);
- Rural enterprises (small and emerging private businesses in rural areas that have fewer than 50 employees and less than \$1 million in gross revenue);
- Agri-businesses; and
- Local government entities

Applicants are required to show evidence of existing community or industry support and engagement. Applications should demonstrate a commitment to engage potential project beneficiaries as active participants.

## **3. PROJECT ELIGIBILITY**

### **A. Program Scope**

FSMIP funds a wide range of applied research projects that address barriers, challenges, and opportunities in marketing, transportation, and distribution of U.S. food and agricultural products domestically and internationally. The purpose of the program is to explore new market opportunities for U.S. food and agricultural products, and encourage research and innovation aimed at improving the efficiency and performance of the U.S. agricultural marketing system

Eligible agricultural categories include poultry, livestock, livestock products, dairy, food, feed and fiber crops, fish and shellfish, horticulture, viticulture, apiary, and forest products and processed or manufactured products derived from such commodities. Reflecting the growing diversity of U.S. agriculture, in recent years, FSMIP has funded projects dealing with nutraceuticals, bioenergy, compost, and products made from agricultural residues.

Proposals must have a strong marketing focus, must involve research, and the primary beneficiaries must be agricultural producers and agribusinesses. Proposals may address topics dealing with barriers, challenges or opportunities manifesting at any stage of the marketing chain including direct, wholesale, and retail as well as issues of importance at the State, multi-State, or national level. Proposals that involve training or education programs must include a research component that tests the effects of the program on the marketing goals.

Proposals may involve small, medium or large-scale agricultural entities but must benefit multiple producers or agribusinesses, whereas proposals that benefit one business or individual will not be considered. Proposals that address issues of importance at the State, regional or national level are appropriate for FSMIP. FSMIP will consider unique proposals on a smaller scale that may serve as pilot projects or case studies useful as models for others. Such proposals must include an objective to analyze opportunities and formulate recommendations with regard to how the project could be scaled up or expanded to other regions.

USDA encourages applications intended to serve, smaller farms and ranches, new and beginning farmers and ranchers, socially disadvantaged producers, veteran producers, and/or underserved communities. For projects intending to serve these audiences, applicants should engage and involve those beneficiaries when developing projects and applications. All proposals that fit within the FSMIP scope are encouraged and will receive equal consideration during the review process.

FSMIP's enabling legislation authorizes projects to

- Determine the best methods for processing, preparing for market, packing, handling, transporting, storing, distributing, and marketing agricultural products.
- Determine the costs of marketing agricultural products in their various forms and through various channels.
- Assist in the development of more efficient marketing methods, practices and facilities to bring about more efficient and orderly marketing, and reduce the price spread between the producer and the consumer.
- Develop and improve standards of quality, condition, quantity, grade and packaging in order to encourage uniformity and consistency in commercial practices.
- Eliminate artificial barriers to the free movement of agricultural products in commercial channels.
- Foster new/expanded domestic/foreign markets and new/expanded uses of agricultural products.
- Collect and disseminate marketing information to anticipate and meet consumer requirements, maintain farm income, and balance production and utilization.

## **B. Projects and Activities Not Eligible for Funding**

Projects are not eligible for funding if the proposed activities:

- Are related to construction or purchasing land for use by a non-Federal entity.
- Benefit only one agricultural producer, entity, or individual.
- Depend upon the completion of another project or the receipt of another grant.
- Duplicate activities of a project that has received a Federal award from another Federal award program.

## **C. Project Types**

Applicants must align their proposal to one of the four project types:

1. Agricultural Product Distribution (handling, storage, processing, transportation, and distribution)
2. Cooperative Development (cooperation among Federal and State agencies, producers, industry organizations, and others in the development and effectuation of research and marketing programs to improve the distribution processes)
3. Economic Research to Clarify Marketing Barriers and Opportunities, including regulatory compliance costs
4. Agricultural Product Development

Applicants may apply under one project type. If a project aligns with more than one project type, the applicant must assign one primary project type and may have multiple secondary project types.

#### **D. Project Benefit**

FSMIP will not award grant funds for projects that solely benefit one individual farm or agribusiness. FSMIP projects must benefit multiple producers or agribusinesses, or have agricultural sector-wide impact.

### **4. ADDITIONAL PROJECT DETAILS**

#### **A. Matching Funds**

FSMIP requires a \$1-for-\$1 match in the form of cash or with properly-valued, in-kind non-Federal resources. There is no competitive advantage for an applicant to provide a cost share or match that exceeds the required amount. If the project is selected for funding, any exceeding amount will be considered voluntary and must be documented.

Cost sharing or the required match must be in the form of allowable direct or indirect costs. Refer to [2 CFR § 200.306](#) for additional Federal requirements and definitions, including the basis for determining the value of cash and in-kind contributions.

In-kind contributions when used as a cost share or match for a grant are generally defined as the value of goods or services provided by a third party for the benefit of the grant program, where no funds transferred hands. These contributions cannot satisfy a cost sharing or matching requirement for this grant program if they are used toward satisfying a match requirement under any other Federal grant agreement to which the applicant is party.

All matching contributions **must be committed or secured** when the proposal is submitted. An award will not be issued unless all matching funds over the life of the grant are secured. Additional anticipated matching funds not in place by the time the project commences cannot be counted toward the matching requirement.

Applicants will indicate the total amount of match and how it will specifically align with their requested funding when completing the budget section of the Project Narrative and submit letters or other documentation verifying the match for EACH cash and/or in-kind resource. Indirect costs may count toward the match. Applicants may not use program income (as defined in [2 CFR § 200.80](#)) or Federal funds of any kind as a match or cost share.

#### **B. Project Length**

FSMIP projects must be completed within 36 months (3 years). It is acceptable to complete a project before the scheduled ending date. The grant period must begin on September 30, 2023, and end no later than September 29, 2026. A proposal that builds on previous FSMIP project may also be submitted. In such cases, the narrative should indicate clearly how the new proposal complements previous work. It is generally FSMIP's policy not to fund successive projects beyond a period of three years.

Projects are not eligible for funding if the proposed activities:

- Are related to construction or purchasing land for use by a non-Federal entity.
- Benefit only one agricultural producer, entity, or individual.
- Depend upon the completion of another project or the receipt of another grant.
- Duplicate activities of a project that has received a Federal award from another Federal award program

### C. Environmental Justice Policy

For the purposes of this RFR, “Environmental Justice” is defined as 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. 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 Population” is defined by the Environmental Justice Policy, issued by the Massachusetts Executive Office of Energy and Environmental Affairs in 2017, as neighborhoods where one or more of the following criteria are met:

- Annual median household income that is equal to or less than 65 percent of the statewide median
- 25% of its population is minority; or
- 25% or more of the residents have English Isolation.

## 5. APPLICATION PROCEDURES AND REQUIREMENTS

### A. Submission Deadline

FSMIP funds will be allocated on the basis of one round of competition. Grant proposals must be received by the Department no later than **March 24, 2023 by 2:00 PM** in order to comply with the Federal deadline in April 2023.

Send Grant proposal via email to:

[Rebecca.davidson@mass.gov](mailto:Rebecca.davidson@mass.gov)

Rebecca Davidson

Cc: [Keri.Cornman@mass.gov](mailto:Keri.Cornman@mass.gov)

Keri Cornman

Division of Agricultural Development  
Massachusetts Department of Agricultural Resources  
251 Causeway Street, Suite 500  
Boston, MA 02114-2151

This RFR requires the submission of electronic proposals. All Applicants are advised to allow adequate time for submission of their proposal by considering potential online impediments like Internet traffic, Internet connection speed, file size, and file volume. MDAR is not responsible for delays encountered by applicants or their agents, or for an Applicant’s local hardware failures, such as computers or related networks, associated with proposal compilation or submission. Proposals submitted via email to the Program Manager are time and date stamped received by the email system clock which is considered the official time of record.

### B. Informational Webinar

An informational webinar will be held on **February 16, 2023, at 2:00pm** and **March 1, 2023 at 10:00am**. Questions may be asked about the FSMIP grant program by interested applicants during this session. Please contact Rebecca Davidson at [Rebecca.Davidson@mass.gov](mailto:Rebecca.Davidson@mass.gov) to request access to the webinar.

## C. Contents of Proposal

A narrative description of the proposal is required. The Project Narrative must be submitted as a PDF. Handwritten applications or applications in MS Word will not be accepted. Narratives must not exceed 15 pages, exclusive of supporting documents. The required format is single-spaced, 11-point font. Number the pages in the right-hand bottom corner.

The application must include the following sections, which must be combined into one PDF in the order listed below:

- 1) **Cover Page** – Include proposal title (no more than 10 words), name and contact information of the project leader. Required Cover Letter template is included in Attachments below.
- 2) **Table of Contents** – All pages must be numbered.
- 3) **Executive Summary** – Include a summary of 250 words or less suitable for dissemination to the public. This summary should include a concise outline of the project’s outcome(s) and description of the general tasks to be completed during the project period to fulfill this goal.
- 4) **Narrative** – Must include the following sections, and must be in a paragraph form:
  - a. **Alignment and Intent**
    - Clearly state the purpose of the project and Project Type identified in section “Project Types” on Page 4. Describe the specific issue, problem, or need that the project will address in relation to the statutory language of the program ([7 U.S.C. § 1623\(b\)](#)). Include data and/or estimates that describe the extent of the issue, problem, or need.
    - List the objectives of the project. The objectives must be related to addressing the issue(s), problem(s), or need(s) mentioned in section (4)(a).
    - Provide a description of the benefits that are intended to be achieved as a result of engaging in the activities associated with this project, including the number of affected producers or processors.
  - b. **Technical Merit**
    - Provide a Work Plan that describes the activities and timeline associated with each project objective. Include the following information for each objective mentioned in the Alignment and Intent section above: a timeline for each activity and major output including the anticipated date of completion; how and where the activities will take place; required resources; milestone(s) for assessing progress and success; the person(s) responsible for completing the activity, including collaborative arrangements or subcontractors; if conducting training and technical assistance, how participants will be recruited; and how you will help guide program development and delivery.
    - If the proposed project will be or has been submitted to another federal program for funding, provide the grant program name.
    - If the proposed project builds on work previously funded by a federal program, including [AMS grant programs](#), provide the year and grant program name, and describe how the proposed project, if funded, would not duplicate work previously funded the federal government.
  - c. **Achievability**
    - Provide at least one distinct, quantifiable, measurable project outcome and associated indicator. If the outcome measures are long-term and occur after the project’s completion, identify an intermediate outcome that occurs before, and is expected to help lead to the fulfillment of long-term outcomes

- For each completed outcome indicator, describe how you derived the numbers, how you intend to measure and achieve each relevant outcome and indicator, and any potential challenges to achieving the estimated targets and action steps for addressing them.
- Describe how you will disseminate the project's results (positive and negative) to similar organizations, stakeholders, and others that may be interested in the project's results or implementing a similar project.

**d. Expertise and Partners**

- List key staff, including personnel and external project partners and collaborators that comprise the Project Team, their roles, and their relevant experience and past successes in developing and operating projects similar to this project. Ensure that you have included Letters of Commitment from Partner and Collaborator Organizations to support the information.
- Describe your management plan for coordinating, communicating, and sharing data and reports among members of the Project Team and stakeholder groups, both internally to personnel and externally to partners and collaborators.
- Describe how the project, and its partnerships and collaborations, will be sustained beyond the project's period of performance (without grant funds).

- 5) **Fiscal Plan and Resources** – The Budget Spreadsheet must show the relevant expenditure categories in the far left column and, proceeding across the page, there must be a column showing the dollar amount of FSMIP funds requested and separate columns showing the dollar amount for each of the non-federal entities that will provide matching resources. Provide separate Year 1, Year 2, Year 3, and cumulative budgets.

The Budget Narrative must explain how the dollar amounts for each category shown on the Budget Spreadsheet were derived and what they cover. For a full listing of allowable and unallowable costs, see “Restrictions and Limitations on Program Activities and Expenditures,” on page 10 of this RFR.

Relevant cost categories must include: Personnel, Fringe Benefits, Travel, Special Purpose Equipment, Supplies, Contracts/Consultants, Indirect Costs, Program Income, Other.

The Fiscal Plan and Resources do not count toward the 15-page Project Narrative maximum.

- 6) **Personnel Qualifications** – Provide a one- to two-page resume of relevant experience and/or qualifications of the principal investigator(s) and for each of the other major project participants. Longer resumes will be disregarded.
- 7) **Approved Negotiated Indirect Cost Rate Proposal** – If an applicant has a NICRA, it is required to submit with the proposal. If an applicant has a negotiated indirect cost rate greater than 10 percent of total direct costs, they must submit a copy of their approved *indirect cost rate proposal* to substantiate their request. For more information on Indirect Costs, see “5. RESTRICTIONS AND LIMITATIONS ON PROGRAM ACTIVITIES AND EXPENDITURES” on Page 10 of this RFR.
- 8) **Letters from Third Parties who will Contribute Matching Resources** – Each applicant is required to have written verification of commitment from any party, including the applicant, who will contribute cash and/or in-kind matching non-Federal resources to the project. Submit one letter verifying the match for EACH source of cash or in-kind resource, signed by the matching organization. AMS has posted a suggested match verification template letter on the [FSMIP application website](#). We highly encourage you to use this template. If you do not use this template, your match verification document must minimally include the following:
- a. Project Applicant
  - b. Project Title



- c. Cash Commitment per year (if applicable) and Total Cash Match
- d. In-kind Contribution per year (if applicable) and Total In-kind Match. Break down items into categories as applicable:
  - Salaries (employee name, title, duties, pay rate/hour, amount matched per year)
  - Items/Activities (fair market value per unit, how value determined (provide documentation), and amount matched per year)
- e. Explanation of how each type of match will correspond to the budget or be used by the Applicant.
- f. Signature of Matching Organization Representative with typed name and title.

Submit Matching Fund and Letters of Verification on letterhead and address them to the FSMIP Applicant (i.e., Project Director). Clearly indicate at the top of the documents that they are MATCH VERIFICATION LETTERS. Letters must accompany the proposal at the time of application. Unsigned letters will not be accepted.

- 9) **Letter(s) of Commitment from Partner and Collaborator Organizations** – Applicants must provide letters of commitment (in MS Word or PDF) from all project partners and collaborators. The letter must state the partner or collaborator agrees to the project management plan presented in the Project Narrative. Emails will not be accepted. The federally negotiated indirect rate, distribution base, and rate type must be available publicly on an OMB-designated Federal website. AMS has posted a suggested Partner Organization Template Letter on the [FSMIP application website](#). We highly encourage you to use this template. If you do not use this template, your Letter of Commitment must minimally include the following:

- a. The Letter of Commitment must include the following:
  - Project Applicant
  - Project Title
  - A short introduction describing the partnering organization’s mission and its interest in FSMIP development
  - What the organization commits to participating in and supporting
  - The time period of the partnership
  - Roles of the participating individuals, as applicable, and any individual time commitment
  - A statement that these individuals and the organization agree to abide by the management plan contained in the application

Submit Letters of Commitment on letterhead and address them to the applicant (i.e., Project Director). Clearly indicate at the top of the documents that they are LETTERS OF COMMITMENT. Letters must accompany the proposal at the time of application. Unsigned letters will not be accepted.

- 10) **Areas Affected by Project** – List the cities, counties, states, etc., that your project will affect.

#### **D. Project Evaluation Criteria**

Proposals are reviewed and evaluated by subject matter specialists from AMS and elsewhere in USDA, and/or another Federal agency as appropriate to the subject matter and scope of the proposal.

As a basis for allocating FSMIP funds among competing proposals, AMS is guided by the following criteria:

- **Alignment and Intent (25 points)** –

- The extent to which the application provides a clear and concise description of the specific issue, problem, or need and objectives for the project.
- The extent to which the project addresses an important marketing barrier, challenge or opportunity, and aligns with FSMIP's legislative and program goals.
- The extent to which the applicant identifies the intended beneficiaries and how they will benefit, including the number of beneficiaries.
- **Technical Merit (25 points) –**
  - The extent to which the application presents a clear, well-conceived, and suitable overall methodology for fulfilling the goals and objectives of the proposed project.
  - The extent to which the application presents a realistic schedule for implementing the proposed project during the award project period.
  - If the project or entity was previously funded, the extent to which the previous lessons learned are incorporated into the proposed project.
- **Achievability (15 points) –**
  - The extent to which the Outcomes and Indicator(s) is/are feasible for the scale and scope of the project including:
    - How indicator numbers were derived, with a clear means to collect feedback to evaluate and achieve each relevant Outcome indicator;
    - The anticipated key factors that are predicted to contribute to and restrict progress toward the applicable indicators, including action steps for addressing identified restricting factors.
  - The extent to which the proposed project can be easily adaptable to other regions, communities, and/or agricultural systems.
  - The extent to which the applicant provides a comprehensive plan to disseminate the project's results (both positive and negative) electronically and in person to target audiences, stakeholders, and interested parties.
- **Expertise and Partners (25 Points) –**
  - The extent to which the proposed project represents a substantial and effective diverse array of relevant partnerships and collaborations to accomplish the project's goals and objectives and meet the needs of the intended beneficiaries, including:
    - Commitment from the key staff demonstrated through Letters of Commitment from Partner and Collaborator Organizations;
    - The key staff who will be responsible for managing the projects and the individuals (name and title) who comprise the Project Team;
    - The expertise and experience of the Project Team necessary to successfully manage and implement the proposed project.
  - The extent to which the application describes plans for coordination, communication, data sharing and reporting among members of the Project Team and stakeholder groups, both internal applicant personnel and external partners and collaborators.
  - The extent to which the application describes how the project, and its partnerships and collaborations, will be sustained beyond the project's period of performance (without grant funds).
- **Fiscal Plan and Resources (10 Points) –**
  - The extent to which the application Budget Narrative/justification provides a clear, detailed description for each budget line item, and:
    - Budget is consistent with the size and scope of the project
    - Budget relates logically to the Project Narrative describing the project.
  - The extent to which the application provides evidence that critical resources and infrastructure are currently in-place that are necessary for the initiation and completion of the proposed project.

- The extent to which the applicant demonstrates its partners' or collaborators' contribution of non-Federal cash resources or in-kind contributions are available and obtainable for the project as evidenced through the submitted Matching Funds and Letters of Match Verification.

## 5. RESTRICTIONS AND LIMITATIONS ON PROGRAM ACTIVITIES AND EXPENDITURES

### A. Indirect Costs

Indirect costs, also known as “facilities and administrative costs,” are those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. Direct charging of these costs may be appropriate where the following conditions are met:

1. Administrative or clerical services are integral to a project or activity;
2. Individuals involved can be specifically identified with the project or activity;
3. Such costs are explicitly included in the budget or have the prior written approval of the Federal awarding agency; and
4. The costs are not also recovered as indirect costs.

As stated in [2 CFR § 200.413](#) and [414](#), any non-Federal entity that does not have a current negotiated (including provisional) indirect cost rate, except State and Local Government and Indian Tribe Indirect Cost Proposals, may elect to charge a de minimis rate of 10 percent of modified total direct costs (MTDC), which may be used indefinitely. No documentation is required to justify the 10% de minimis indirect cost rate. As described in [2 CFR § 200.403](#), costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. If chosen, this methodology must be used consistently for all Federal awards until a recipient chooses to negotiate for a rate, which the recipient may apply to do at any time.

All applicants who elect to charge a de minimis rate of 10 percent must use the MTDC as the base. MTDCs are defined in [2 CFR § 200.1](#) as all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDCs exclude equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs, and the portion of each subaward in excess of \$25,000. Other items may be excluded only when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of its cognizant agency for indirect costs.

If an applicant has a negotiated indirect cost rate approved by its cognizant agency, the applicant must submit a copy of its approved NICRA with its application. Entities that would like to negotiate an indirect cost rate must contact their cognizant agency. For cognizant agency assignments, see [2 CFR § 200.1](#).

### Using Indirect Costs for Cost Sharing or Matching

The maximum amount of indirect costs allowed for a project may be included under the Federal portion of the budget or, alternatively, may be offered as a matching contribution if no indirect costs are requested on the Federal portion of the budget. For example, if a proposed project's maximum allowable indirect costs are \$20,000, the applicant may include \$20,000 on the Federal portion of the budget or \$20,000 as a matching contribution, but not both.

The applicant may split the indirect cost allocation between the Federal and non-Federal portions of the budget only if the total amount of indirect costs does not exceed the maximum indirect costs allowed.

Alternatively, the recipient may request any other combination that, when combined, does not exceed the maximum indirect costs allowable. Refer to [2 CFR § 200.413](#) and [414](#) for additional information on determining if costs charged to the award are direct or indirect.

**Sample Calculation**

Total Direct Cost = \$80,000  
 Total Indirect Cost assuming a negotiated cognizant rate of 30% = \$24,000  
 Total Project Cost = \$104,000  
 FSMIP Share = \$52,000  
 Applicant Share = \$52,000

Some examples of possible allocations of Indirect Cost:

- A. FSMIP covers all indirect cost:  
 FSMIP = \$28,000 direct + \$24,000 indirect; Applicant = \$52,000 direct
- B. Applicant covers all indirect cost:  
 FSMIP = \$52,000 direct; Applicant = \$28,000 direct + \$24,000 indirect
- C. FSMIP and Applicant split indirect cost:  
 FSMIP = \$40,000 direct + \$12,000 indirect; Applicant = \$40,000 direct + \$12,000 indirect

**B. Allowable and Unallowable Costs and Activities**

The following link provides information on allowable and unallowable costs in common categories of FSMIP proposal budgets. Note that the allowable costs listed in the link below may also be cost-shared or brought as part of the required match. Unallowable costs cannot be brought as a match.

[AMS General Terms and Conditions – Section 8.0 Allowable Costs and Activities](#) (Section 8.0 begins on Page 9).

**6. REPORTING**

The Annual Performance Report is due to MDAR within 90 calendar days after each one-year period of performance. An Annual and Final Performance Report Template will be provided in the final contract. The 3-year period of performance begins September 30, 2023, and ends September 29, 2026. Recipients must submit two interim reports to MDAR.

Annual Report Number	One-Year Marker	Due Date
1	September 15, 2024	December 1, 2024
2	September 15, 2025	December 1, 2025

To officially close out a FSMIP award, the final performance report is due by December 1, 2026. A Final Performance Report Template will be provided in the final contract.

The recipient should submit the reports to FSMIP electronically as required in the FSMIP Terms and Conditions of Award.

**7. SELECTION OF GRANTEES**

Proposals will be reviewed by the Massachusetts Department of Agricultural Resources - staff and will be sent to the USDA Agricultural marketing Service 'FSMIP' program where final analysis and funding will be decided.

Upon announcement of the grant awards, FSMIP will prepare and send grant agreements and certification to State agencies for signature by the appropriate official. Unsuccessful applicants will be contacted by State FSMIP coordinator as soon as possible after the awards are announced and upon request; will receive feedback on their proposal.

#### **8. PROPOSAL DEADLINE TO DEPARTMENT OF AGRICULTURAL RESOURCES**

**March 24, 2023 by 2:00pm – only one round of FSMIP funding.**

Send Proposals via email to: Rebecca Davidson, FSMIP Coordinator: [rebecca.davidson@mass.gov](mailto:rebecca.davidson@mass.gov) and Keri Cornman, Grants and Procurement Manager: [keri.cornman@mass.gov](mailto:keri.cornman@mass.gov)

FSMIP FY23 Cover Page

Proposal Title:  
Organization name:  
Organization Contact:  
Contact Phone Number:  
Contact Email Address:

**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.

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 Attachment X. MDAR encourages stakeholders to provide feedback on the Environmental Justice Policy and Strategy, by visiting [mass.gov/environmental-justice](http://mass.gov/environmental-justice).

**Environmental Justice Questions**

1. Has the applicant applied for MDAR Funding Programs before this current application?  
 Yes       No       I don’t know
2. Has the applicant received funding from any MDAR Funding Programs?  
 Yes       No       I don’t know
3. Select one or more of the racial categories below:  
 American Indian/Alaska Native/Indigenous       Middle Eastern or North African  
 Asian/South Asian       Native Hawaiian or Other Pacific Islander  
 Black or African American       White  
 Other:  
*Please state with understanding that the races above may not be reflective of everyone.*
4. Select one or more of the ethnic categories below:  
*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.*  
 Not Hispanic or Latino       Hispanic or Latino  
 Other:  
*Please state with understanding that the races above may not be reflective of everyone.*
5. Are any applicants a Historically Underserved Farmer?  
*Please check any of the following categories that apply based on [these USDA definitions](#).*  
 Limited Resource Farmer       Socially Disadvantaged Farmer  
 Beginning Farmer       Veteran Farmer
6. 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:

Appendix A:  
RFR - Further Information on MDAR's Environmental Justice Goals

Revision Date: January 15, 2023

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

1. 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
2. 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>.

**RFR Attachments**  
**Appendix B: Required Specifications**

**RFR - Required Specifications for Commodities and Services**  
**Revision Date: October 5, 2021**

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](http://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 Orders [523](#) and [565](#), 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 523](#) to increase state contracting opportunities with small businesses having their principal place of business within the Commonwealth of Massachusetts. Pursuant to the SBPP, it is the intention of the issuing department to award this Small Procurement to one or more SBPP participating business(es) as described below.

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

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

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

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

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

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

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

**Program Background.** Pursuant to [Executive Order 565](#), 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 \(SDO\)](#).

**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 (LGBTBE)

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

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

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

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

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

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

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

- **Certified or recognized by the SDO:** Such partners appear in the [SDO Directory of Certified Businesses](#) or in the [U.S. Dept of Veterans Affairs VetBiz Vendor Information Pages](#) 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 and Compliance.** After contract award, Contractors shall be required to provide reports demonstrating compliance with the agreed-upon SDP Commitment as directed by the department, which in no case shall be less than annually.

Only spending with SDP Partners that appear in the [SDO Directory of Certified Businesses](#) or in the [U.S. Dept of Veterans Affairs VetBiz Vendor Information Pages](#) directory shall be counted toward a Contractor's compliance with their SDP Commitment. Spending with SDP Partners that do not appear in the directories above shall not be counted toward meeting a Contractor's SDP Commitment.

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

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

**Program Resources and Assistance.** Contractors seeking assistance in the development of their SDP Plans or identification of potential SDP Partners may visit the SDP webpage, [www.mass.gov/sdp](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](#).

**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**

Department will instruct contractor on what form of Signature will be required for this procurement.

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.