



Division of Agricultural Conservation & Technical Assistance

The Climate Smart Agriculture Program (CSAP)

Includes the following grants:

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

RFR Number: AGR-CSAP-FY25

**For Fiscal Year 2025
(July 1, 2024 to June 30, 2025)**

For the implementation of projects that help the agricultural sector adapt to climate change, mitigate climate change, safeguard natural resources, increase energy efficiency, and adopt renewable energy, while improving economic resiliency and advancing general goals identified in the Massachusetts Local Action Food Plan

**Applications must be received by
4:00 pm on Friday, May 31st, 2024.**

**Proposals must be submitted as instructed on page 15 or they will
not be accepted.**



Massachusetts Department of Agricultural Resources
30 Riverside Drive, Suite 202
Lakeville, MA 02347

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GRANT OPPORTUNITY SUMMARY

Executive Office of Energy & Environmental Affairs Rebecca L. Tepper, Secretary The Climate Smart Agriculture Program (CSAP) - RFR ID: AGR-CSAP-FY25	
Proposals Sought For	The Massachusetts Department of Agricultural Resources (“MDAR”) invites Massachusetts agricultural operations to submit proposals for reimbursement grant funds for the implementation of practices that address the agricultural sector’s vulnerability to climate change, mitigate climate change, safeguard natural resources, increase energy efficiency, promote renewable energy, and improve economic resiliency.
Overview & Goals	The Climate Smart Agriculture Program (“Program”) links MDAR’s separate water, climate, and energy grants together into one application process. The goal of the Program is to help agricultural operations to adapt and build resiliency while improving sustainability and increasing productivity. By providing reimbursement directly to agricultural operations that implement eligible projects, the program will achieve its purpose of helping the agricultural sector cultivate climate resiliency, mitigate climate change, safeguard natural resources, increase energy efficiency, promote renewable energy, and improve economic resiliency.
Eligible Projects	Projects that help the agricultural sector reduce vulnerability to expected impacts from climate change (adaptation), reduce emissions or sequester carbon (mitigation), and projects that safeguard the Commonwealth’s natural resources. Proposals including, but not limited to, projects that improve soil health, improve water use efficiency and availability, promote efforts to reduce or limit greenhouse gas emissions, enhance greenhouse gas sequestration, improve energy efficiency and facilitate clean energy adoption will all be considered. Projects are broken into two categories; Section I: Environmental Projects and Section II: Energy Efficiency & Renewable Energy Projects.
Eligible Applicants	Agricultural operations engaged in production agriculture as defined under Massachusetts law, M.G.L. c. 128, Section 1A (See further detail on eligible applicants in Section 2A). The property must be in active agricultural use and managed by the applicant for at least the three previous years to the date of the application.
Application Deadline	Applications must be <u>received</u> by 4:00 pm on Friday, May 31, 2024. (See further detail on Deadlines and Grant Program Calendar in Section 8).
Funding Availability	Section I: Maximum funding per applicant is 80% of total project costs up to \$50,000. Section II: Maximum funding per applicant is 80% of total project costs up to \$50,000. (See further details on Funding Availability in Section 4A).
Match Requirement	Section I: Minimum of 20% of total project costs including materials and off-farm contracted labor. Section II: Minimum of 20% of total project costs including materials and off-farm contracted labor. (See further detail on the Match requirement in Section 4C).
Duration of Contract	Contract end date is June 30, 2025 with no extension.
Contact Information	Section I: Environmental: Laura Maul – (857) 507-5972, Laura.Maul@mass.gov Section II: Energy: Gerry Palano – (617) 571-4969, Gerald.Palano@mass.gov

DEFINITIONS

Applicant – Individual or organization requesting grant funding.

Production Agriculture – Farming as defined by M.G.L. c. 128.1A that focuses on agricultural production that will ultimately be sold in the retail market and not for subsistence purposes.

Technical Assessment Renewable Energy– An assessment that estimates the capacity, annual generation, and suitable area for the development of a renewable energy technology after accounting for topographic limitations, land-use constraints, and system performance resulting in a system design and specifications and quotes using calculations and models that project consumption, cash flows and cost reduction for the operation.

Technical Assessment Energy Efficiency– A targeted energy efficiency assessment that focuses on the cost-benefit savings of an energy efficiency technology, including quotes, and system performance resulting in a system design and specifications using calculations and models that project energy consumption and savings and cost reduction for the operation.

Energy Audit – Assessment of all the energy use of systems, equipment, and facilities for the agricultural operation. The assessment documents a typical year of the energy use required to operate the agricultural operation, and the strategies by which the operation can prioritize on-farm opportunities to increase energy efficiency and reduce energy use.

Conservation Plan – A voluntary plan developed by the Natural Resources Conservation Service (NRCS) that identifies the farm's conservation objectives and assesses and analyzes the natural resources issues on the land related to soil, water, animals, plants, air, energy, and human interaction.

Grantee - an individual or organization that has been awarded financial assistance under the Program that will enter into a contract with MDAR in order to receive funding.

1. INTRODUCTION

MDAR is pleased to announce the open application period for the Climate Smart Agriculture Program ("CSAP") which combines MDAR's water, energy, and climate grants into one application. The three grant programs combined in this application are the Agricultural Climate Resiliency & Efficiencies ("ACRE") Grant, the Agricultural Environmental Enhancement Program Grant ("AEEP") and the Ag-Energy Program Grant ("ENER") (collectively referred to as the "Program"). By bringing the three grants under the Program, MDAR seeks to simplify the application process.

This round of funding combines the applications for ACRE and AEEP into Section I: Environmental Projects. This section will provide financial incentives to allow agricultural operations to proactively address risks and strengthen their economic and environmental resiliency. This includes agricultural operations implementing projects to safeguard natural resources, as well as projects that work towards mitigating climate change. This section also includes projects that help agricultural operations address vulnerabilities to expected impacts from climate change. These impacts may result from more frequent and severe storm events, increased precipitation followed by periods of drought, higher overall temperatures, and increased evaporation rates. By providing financial incentives to Massachusetts agricultural operations for practices that work towards improving soil health, ensuring the efficient use of water, preventing impacts on water quality, reducing greenhouse gas ("GHG") emissions, and sequestering carbon, Massachusetts agricultural operations will work towards the goal of mitigating climate change and safeguarding natural resources. By providing financial incentives that help operations proactively adapt to a changing climate, Massachusetts agricultural operations will increase resiliency while ensuring their continued contribution to the Commonwealth's food supply.

Applications for ENER, previously under the Agricultural Energy Grant Program, are in Section II: Energy Efficiency & Renewable Projects. Projects include energy efficiency projects and renewable energy projects that help agricultural operations become more sustainable and resilient while also working towards the interim goals of the Massachusetts Clean Energy and Climate Plan ("CECP") for 2030 and long-term goals of the Clean Energy and Climate Plan for 2050 (2050 CECP). These plans are part of the overall MA Decarbonization Roadmap to ensure GHG reductions of at least 85% by 2050 while also achieving net zero emissions. This means renewable heating & cooling technologies are a priority and there is a preference for no longer funding new or replacement fossil fuel (oil, propane, natural gas) fired equipment.

This Request for Response ("RFR") will consist of two Sections:

- Section I: Environmental Projects under ACRE and AEEP, and
- Section II: Agricultural Energy Efficiency & Renewable Projects under ENER.

Applicants can apply to either section, or to both sections of this RFR. As the sections are reviewed separately there is an opportunity to be funded under one or both sections. MDAR reserves the right to determine the appropriate section under which to fund any proposal submitted in response to this RFR.

2. APPLICANTS

2A. Eligible Applicants

Applicant must be an agricultural operation as defined by M.G.L. c. 128, Section 1A that is engaged in the business of production agriculture within the Commonwealth and the property must be in active agricultural use and managed by the applicant for a minimum of the previous three years to the date of the application.

2B. Size of Operation

There is no minimum acreage requirement. Projects that demonstrate providing the most state benefits per grant dollar are more likely to receive funding.

2C. Leased Property

If the proposed project is on a property not owned by the applicant, a lease agreement must demonstrate a long-term, legal right to use the property by the applicant. This typically means a lease agreement for not less than three years from the date a response is submitted. The proposed project must also be allowed under the terms of the lease agreement. MDAR may request a copy of the lease agreement as part of its review.

2D. Locator Maps

Proposals should include a map or aerial photo with the property boundaries drawn and the exact location of the project described in the application. Maps are available on-line or if you already have an up-to-date NRCS Farm Conservation Plan, you may submit copies of maps and aerial photos from the plan. Locator Maps are not required for Ag-Energy proposals.

2E. Previously Funded Applicants

Proposals from individuals/operations that have been previously funded under MDAR funding programs are eligible for funding under this Program. Applicants that have not been funded in the past five years under MDAR's environmental or energy programs will receive additional points in the review.

2F. Applicants with an Agricultural Preservation Restriction (APR)

Before applying to the Program, APR landowners should consult with the APR Program to determine if there are any requirements that apply to the proposed project under the terms of their APR. APR applicants must obtain, or be in the advanced stages of receiving, all approvals required under their APR and must be in compliance with the terms of the APR or resolve any outstanding compliance or legal issues with MDAR prior to submitting their proposal. Failure to do so will render proposals ineligible. The APR Program is not able to provide technical assistance with the development or drafting of any proposal. To find your APR contact, please call or email Jill Ward at jill.ward@mass.gov or (413) 726-2011.

2G. Environmental Justice Policy

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

For more information, please review the Environmental Justice Policy in Attachment B of this RFR. We also encourage you to complete the Environmental Justice Questions form also contained in Attachment B.

2H. Energy Audit & Technical Assessment

Applicants submitting proposals under Section II: Energy Efficiency & Renewables must have received a general overall farm operation energy efficiency audit (within the last five years) or demonstrate the initiation of such which shall be completed as part of Program fulfillment. A copy of completed energy audits should be included with the application. Applicants that have conducted an energy audit and include a copy with their application will receive additional points in the review.

Applicants should have a specific technical assessment (i.e., cost-benefit, energy savings, etc.) performed for the energy project being applied for if the proposed project is not included in the general efficiency audit specified above. A copy of the assessment should be included with the application.

2I. Conservation Plan

Applicants that are eligible operations should provide proof of a MACD/Natural Resources Conservation Service (“NRCS”) Conservation Plan that has been completed or updated within the last five years. Providing a Conservation Plan is optional but applicants providing proof of a Conservation Plan will receive additional points during the review. It is not necessary to include the entire Conservation Plan with the response. A Conservation Plan is not required for Ag-Energy proposals.

2J. Produce Farm Registration

All responses and information submitted in response to this RFR from Applicants engaged in Production Agriculture are subject to registration under Produce Safety & Market Access 330 CMR 34.03, regardless of whether the farm is a Covered Farm or a Non-Covered Farm as defined in the regulation. Registration will be included as a condition of funding in any contract. More information on MDAR’s Produce Safety Program can be found here:

www.mass.gov/produce-safety-program

3. PROJECTS

Examples of projects are listed below. Projects that still meet Program goals but are not listed below **will still** be considered in the review process. Energy priority projects receive additional points during the review process.

A. SECTION I: ENVIRONMENTAL

Adaptation

Sector	Projects
Cranberry	<ul style="list-style-type: none">• Management systems to accommodate increased precipitation or drought• Cranberry irrigation engine upgrades to lower emission propane pumps, or Tier 4 diesel pumps
Dairy & Livestock	<ul style="list-style-type: none">• Infrastructure changes to reduce heat stress – improve ventilation• Installation of fans for improved air-flow• Sprinklers or misters to improve evaporative cooling• Structures for pasture shading• Increase water availability for livestock
Crops	<ul style="list-style-type: none">• Updated water management techniques (improve/add irrigation)• Install hoop houses, high tunnels for a controlled environment and season extension• Install/enhance drainage systems
Maple Sugaring	<ul style="list-style-type: none">• High vacuum tubing• Maple monitoring systems

Mitigation

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

B. SECTION II: ENERGY EFFICIENCY & RENEWABLES

Energy Efficiency

Sector	Priority Projects
Cranberry	<ul style="list-style-type: none"> • Cranberry irrigation engine upgrades to new electric pumps
Dairy	<ul style="list-style-type: none"> • Plate Cooler • Variable Speed Vacuum Pumps • Refrigeration Heat Recovery / Free-Heaters
Greenhouse & Nurseries	<ul style="list-style-type: none"> • Thermal Blankets / Energy Screens • Envelope Insulation • Natural Ventilation • Root Zone Heating • Electronic Temperature Controls
Maple Sugaring	<ul style="list-style-type: none"> • High Efficiency Evaporators • Reverse Osmosis (RO) Systems • Heat Recovery & Steam Enhanced Units
Other Technologies*	<ul style="list-style-type: none"> • Process Heat Recovery • High Efficiency Refrigeration (optimally with heat recovery) • Cold Storage Systems • New energy efficient electrical equipment including heating and cooling • Building envelope efficiency and insulation improvements

Renewable & Alternative Energy

Sector	Priority Projects
All	<ul style="list-style-type: none"> • Photovoltaics (PV) with island capable battery storage for new or existing PV • Integrated greenhouse solar PV glazing • Solar irrigation systems • Renewable clean heating and cooling technologies* • Wind systems • Solar thermal technologies • High efficiency air source/ground source heat pumps/Geothermal • High efficiency advanced gasification wood biomass heating systems • Advanced biomass (gasification) Outdoor Wood Boilers (OWB) • All-electric agricultural farm tractors
<p>* Renewable heating & cooling technologies will be a priority and there is a preference for no longer funding fossil fuel (oil, propane, or natural gas) equipment per the goals of the Massachusetts interim 2030 Clean Energy & Climate Plan (see Section 1. Introduction)</p>	

3C. Ineligible Expenditures

- Projects requesting funding for audits or feasibility studies.
- Labor performed by the agricultural operation in completing the proposed project is not an eligible reimbursement expense.
- Non-labor costs (e.g., management) and fees associated with project oversight, consultations, and administration costs.
- Projects requesting funding for used equipment and/or materials.
- Projects requesting funding for work that has been started or been completed for which the applicant seeks reimbursement.
- All projects involving marijuana shall not be eligible for funding from MDAR at this time. Projects involving hemp may be eligible to receive funding provided they demonstrate compliance with all applicable federal, state, and local requirements and be in good standing with MDAR's Hemp Program.
- Any costs associated with proposals from applicants whose operation is out of compliance with any federal, state, or local laws or regulations.
- Any costs associated with proposals from applicants that do not meet eligibility requirements listed in Section 2A.
- Subscription based services (software or monthly costs).
- Extended warranties costs.
- Projects serving residential structures.
- Electric vehicles other than agricultural farm tractors.

4. FUNDING AVAILABILITY, BUDGETING GUIDELINES, & ALLOWABLE EXPENDITURES

4A. Maximum Funding

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

Section I: Environmental	Maximum funding per applicant is 80% of total project costs, up to \$50,000.
Section II: Energy Efficiency & Renewables	Maximum funding per applicant is 80% of total project costs, up to \$50,000. Maximum funding for solar PV shall be \$2,000/kW without battery storage; and \$2,500/kW with battery storage

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

4B. Appropriation

- All contracts shall be subject to available funding, whether through the appropriation and authorization of sufficient funds or the receipt of sufficient revenues. If available funding ceases for any reason, a contract shall be deemed under suspension and contract performance must halt. A contractor will not be entitled to compensation for any performance provided during the period of contract suspension. MDAR may lift the suspension if available funding is received. In the absence of foreseeable available funding, MDAR may terminate the contract.
- Funding for Water Management and Water Quality projects will be funded under amounts appropriated for AEEP. Funding for soil health and adaptation specific projects will be funded under amounts appropriated for ACRE. ENER projects will be funded under the amounts appropriated for the Agricultural Energy Program. In the absence of funding for one of these Programs, projects will be funded through allocated funds from the other Programs.

4C. Budgeting Guidelines

- Proposals must include an adequate budget for the proposed project. Preliminary budgets are acceptable for the evaluation process, but applicants must receive quotes from vendors or contractors before a contract will be given. Applicants who provide quotes from a vendor or contractor with their response will receive additional points in the review.
- MDAR has the option to negotiate the budget and award amount before entering into a contract with the applicant.
- As this is a reimbursement program, applicants who demonstrate having the balance of funding needed to implement the proposed project by providing bank credit reference letters, line of credit reference letters, demonstration of other grant funds for the project, or an executed loan will receive additional points in the review.
- If awarded a contract, funding must be used for payment toward the initial cost of materials and sub-contractor installation to implement the project prior to reimbursement.
- Applicants are required to contribute a minimum of the match required by project category being applied for. The ability to contribute the cost share commitment must be demonstrated as part of the response.

Section I: Environmental	Applicants are required to contribute a minimum of 20% towards total project costs. In-kind labor is not an eligible match.
Section II: Energy Efficiency & Renewables	Applicants are required to contribute a minimum of 20% towards total project costs. In-kind labor is not an eligible match.

5. PROJECT TERMS

5A. Terms

If awarded, all projects will be required to execute and abide by the standard Commonwealth of Massachusetts Terms and Conditions. In addition, all final contracts are subject to successful negotiation of a Final Scope of Services. No project may commence until a contract has been executed by all parties. Inter-connection Service Agreements (ISAs) for solar PV projects may be initiated prior to an executed contract although the costs for doing such will not be reimbursable.

5B. Review Process

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

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

Step I: An initial review to evaluate eligibility and completeness to determine if all required information is provided. The application will then be reviewed, and a point score will be given based on the criteria listed in Evaluation Criteria, Section 7D.

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

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

MDAR staff may modify the scope of the proposed project to more effectively achieve program goals. MDAR may request additional project information.

5C. Duration of Contracts

All projects must be completed by June 30, 2025, with no options for extensions.

6. DELIVERABLES, OWNERSHIP, AND CREDIT DUE

6A. General Installation Standards & Permits

- The funded contractual activity will be evaluated prior to full reimbursement. Work will be evaluated for satisfactory completion and compliance to standards. Spot inspections may be conducted at MDAR's discretion on all work for the life of the project. Only work that satisfies the terms and conditions for this RFR, contract, and any other instructions by MDAR shall be eligible for reimbursement.
- ACRE & AEEP funded projects must use USDA-NRCS Standards & Specifications as installation standards when receiving funding under both NRCS and ACRE/AEEP, or when required by MDAR.
- Proposals which are favorably reviewed and awarded a contract must apply for and receive all required permits, licenses, and any other federal, state, or local approvals necessary for the project prior to any reimbursement from MDAR. Failure to obtain or remain in compliance with any federal, state, or local approvals (including but not limited to, permits, licenses, regulations, ordinances, bylaws, or regulations) necessary for the project may result in termination of the contract.
- All construction shall be completed and installed in accordance with all applicable federal, state, and local codes, ordinances, and regulations. Equipment and materials must be considered new and shall meet relevant IEEE certifications and must be UL listed. All equipment must be provided with at least a 1-year warranty.

6B. Installation Standards & Permits - Environmental Projects

Irrigation Engines:

- Equipment must replace a stationary or portable in-use agricultural irrigation engine with a new electric motor, propane engine, or with a new nonroad diesel engine meeting current model-year Tier 4 emissions certification.
- Equipment must be new and must be covered under the manufacturer's warranty.
- Old engine either must be destroyed and scrapped, or used as back-up, but cannot be resold. Priority will be given to destroyed and scrapped.
- New equipment must be stationary.

Reduced Tillage/No-Till Equipment:

- Equipment must be new and be covered under the manufacturer's warranty.
- Equipment must be purchased in-full and cannot be financed or leased.

6C. Installation Standards & Permits - Energy Projects

- Solar PV, Solar Thermal, Renewable Energy Heating and Cooling, Wind, Hydro and Woody Biomass projects shall meet any applicable Massachusetts Clean Energy Center (MassCEC) equipment and installation program requirements, the applicable Regulations and Guidelines of the Renewable Portfolio and Alternative Portfolio Standards, as administered by the Massachusetts Department of Energy Resources (DOER), and all relevant regulations administered by the Massachusetts Department of Environmental Protection (MassDEP) and the Massachusetts Department of Public Utilities (MADPU), and shall be installed by contractors engaged, licensed and certified in the relevant technology and meet the same contractor requirements for installing these technologies as originally or currently established by DOER and MassCEC.
- Third party financial arrangements such as leases are acceptable **provided MDAR Ag Energy Grant funds are used toward the initial total cost of materials and sub-contractor installation for the proposed project, prior to any financial or lease agreement, thereby reducing the project amount to be financed or leased, and subsequent loan or lease payments, and possibly term and buyout stipulations. Ag-Energy Grant funds SHALL NOT BE used for lease, mortgage, or loan payments.**
- Higher priority will be given to non-utility scale or non-large scale commercial energy projects that demonstrate predominately behind-the-meter agricultural related renewable energy usage.
- Utility-scale and large-scale renewable energy projects shall be considered those that are greater than 500kW D.C. and/or generate more than 200% of average annual or projected agriculturally related energy usage.
- New construction and new equipment incentives, i.e., not replacement of existing, shall be based on incremental costs from minimum code and standard efficiency baselines.
- All Solar PV projects, e.g. ground-mounted, Agricultural Solar Tariff Generation Units (dual use), etc., must comply with all requirements set forth under DOER's SMART Program Regulations and Guidelines.
- Solar battery storage shall be sized in collaboration with the farm's critical load needs.
- All wind turbine products shall comply with and be certified under American Clean Power (ACP) Standard 101-1.
- New maple syrup evaporators must be installed in strict accordance with the manufacturer's instructions and satisfy any local permitting or other requirements.
- New electric tractors may also include retrofit kits for existing tractors.
- Any Woody Biomass System must meet the eligibility criteria and requirements for qualifying a Woody Biomass system in the Alternative Portfolio Standard. www.mass.gov/service-details/qualifying-woody-biomass-in-the-aps

- Any wood-fired hydronic heater rated at 1 MMBTU/hr or greater that is hand fed, or any automatic feed outdoor wood-fired hydronic heater that is rated at 3 MMBtu/hr or higher shall comply with the MassDEP Air Pollution Control Regulations cited at 310 CMR 7.02(5) for a non-major Comprehensive Plan Application “Permit” requirements including a BACT determination prior to construction. The MassDEP requires a hand-fed solid fuel device rated equal to or greater than 1 MMBtu/hr heat input, to be permitted. The MassDEP requires an applicant to get a permit for an automatic feed wood fired device rated at 3 MMBtu/hr heat input or greater as well.
- The MassDEP regulates Residential outdoor wood-fired hydronic heaters for setbacks and stack height and a requirement to submit a compliance certification (but not indoor Residential hydronic heaters) , however both indoor and outdoor hydronic heaters **must be on EPA’s list of certified hydronic heaters to be installed and operated in MA** (www.epa.gov/compliance/epa-certified-wood-heater-database). From this link, you can obtain the EPA certified list of not only Residential hydronic heaters but also Residential certified wood stoves. Any project component with a wood-fired outdoor hydronic heater rated at 350,000 BTU/hr output or greater (defined as a commercial sized hydronic heater), and below the applicable heat input permitting thresholds of 1 MMBTU/hr or greater hand fed or alternatively 3 MMBtu/hr or greater automatic feed, shall meet the requirements of MassDEP outdoor wood-fired hydronic heater regulation cited at 310 CMR 7.26(50)-(54). The manufacturer requirements include meeting the PM standard; testing at an EPA certified lab, and the operator requirements for setbacks, and stack height requirements. In addition, the MassDEP requires under this regulation that the manufacturer of a hydronic heater proposed for the project, submit a compliance certification for a particular model in order for that hydronic heater to be installed and operated in MA. See this link for certified hydronic heaters: www.mass.gov/service-details/massachusetts-certified-outdoor-hydronic-heaters. The hydronic heater would still have to be certified by EPA and on their step 2 certified list, as well as on the MassDEP list of step 2 certified hydronic heaters.
- High Efficiency Advanced Gasification Biomass - thermal boilers or furnaces intended for indoor and outdoor use utilizing wood pellets, wood chips, or cordwood, shall meet all current federal, state and/or local construction laws and regulations, including the New Source Performance Standards (NSPS). For the NSPS for hydronic heaters both indoors and outdoors, compliance with: 40 CFR Part 60 Subpart QQQQ. www.ecfr.gov/cgi-bin/text-idx?node=sp40.8.60.qqqq&rgn=div6. This section is applicable for indoor and outdoor wood fired hydronic heaters and indoor force air furnaces.
Advanced Biomass (gasification) Outdoor Wood Boilers (OWB) -Requirements that must be met include a demonstration that the OWB system shall:
 - meet all local Board of Health requirements
 - be installed and certified under Mass DEP regulations for outdoor wood-fired hydronic heaters cited as 310 CMR 7.26(50-54) or if meeting permitting heat input thresholds prior to construction, comply with 310 CMR 7.02 Plan Approval and Emission Limitations requirements.
 - comply with all certified equipment requirements; MassDEP certified OWB equipment is listed at: www.mass.gov/service-details/massachusetts-certified-outdoor-hydronic-heaters or www.epa.gov/compliance/epa-certified-wood-heater-database
 - Existing OWB must be recycled or destroyed – not reused.
- New High Efficiency, Single-or Multi-Temperature, Walk-In Coolers include new, replacement or consolidation of on-site refrigeration needs; walk-in refrigeration systems can be field fabricated or modular; all walk-ins 3,000 ft² or less and manufactured after the compliance date below shall comply with the DOE’s 2020 commercial refrigeration equipment Annual Walk-In Energy Factors (AWEFs):

Compliance Date	Product Type	Unit Capacity Range (BTU/h)	Minimum AWEF (BTU/W-h)
January 1st, 2020	Dedicated CDU & Packaged Systems - Medium Temp Indoor	All	5.61
	Dedicated CDU & Packaged Systems - Medium Temp Outdoor	All	7.6
	Dedicated CDU & Packaged Systems - Low Temp Indoor	0 – 6,499	1.81 to 2.39
	Dedicated CDU & Packaged Systems - Low Temp Outdoor	6,500+	2.4
July 10th, 2020	Dedicated CDU & Packaged Systems - Low Temp Indoor	0 – 6,499	2.73 to 3.14
	Dedicated CDU & Packaged Systems - Low Temp Outdoor	6,500+	3.15
	Unit Cooler - Medium Temp	All	9
	Unit Cooler - Low Temp	0 – 14,999	3.91 to 4.14
	Unit Cooler - Low Temp	15,000+	4.15

- Higher priority will be given to those proposals complying with as many high efficiency components as feasible including but not necessarily limited to: DOE's 2020 Annual Walk-in Energy Factors (AWEFs); infiltration reduction on doors; higher panel insulation values; floating head pressure controls; high efficiency compressors and those capable of operating at low condensing temperatures; variable speed compressor; electronically commutated evaporator and condensing fan motors (ECMs) and controls; and advanced defrost controls. Incorporating heat recovery will be a plus.
- Funding for replacing older, inefficient equipment, with new higher efficiency equipment will require that the old equipment be taken out of use and scrapped for recycling of components. Old equipment cannot be resold.

6D. Reporting

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

6E. Invoicing

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

7. INSTRUCTIONS FOR APPLICATION SUBMISSIONS

7A. Application Submission Instructions

An application form **must** be completed in its entirety. Once completed, a copy of the application form **must** be emailed, mailed or hand-delivered to the Massachusetts Department of Agricultural Resources by the response date deadline. Postmarked applications will **not** be accepted for consideration.

- Applications must be **received** by MDAR by 4:00PM on Friday, May 31, 2024.
- Applications may be sent via either:
 - Email to: MDARGRANTS@mass.gov **or**
 - Hard Copy sent by Mail or Hand Delivered to:

**Laura J. Maul – Program Coordinator
Department of Agricultural Resources
30 Riverside Drive, Suite 202
Lakeville, MA 02347**

This RFR allows for the submission of hard copy or email proposals. All Bidders are advised to allow adequate time for submission of their proposal by considering potential mail or shipping company delays online impediments like Internet traffic, internet connection speed, file size, and file volume.

MDAR is not responsible for delays encountered by Bidders or their agents, mail or package delivery issues, or for a Bidder's local hardware failures, such as computers or related networks, associated with bid compilation or submission. Bids submitted via email will be deemed received by the time indicated by MDAR's OUTLOOK system clock which is considered the official time of record, and which may be different than the time sent by the Bidder. All email submissions will receive an email confirmation of submission.

Special Note:

All State agencies are subject to 815 CMR 2.00, State Grants, Federal Grants Awards, Federal Sub-grants and Subsidies as well as the [Office of the Comptroller's policy on State Grants, Federal Sub-Grants, and Subsidies](#). Departments must use COMMBUYS to publicly post the availability of a discretionary Grant or Grant Program and publish the results of the grantee selections. Use of COMMBUYS to receive electronic quotes for grant opportunities is optional; however, state agencies are encouraged to require grantees to register and submit quotes (applications) through COMMBUYS, which provides a central repository for receipt of electronic applications. As more grantees use COMMBUYS to identify grant opportunities, they will have a single location to apply for grants from multiple state agencies, resulting in efficiencies for both the grantees and the state agencies.

For more information regarding the benefits of registering in COMMBUYS, you may go to [COMMBUYS](#) support pages.

7B. Additional Application Documentation

Section I: Environmental Projects

- Balance of funding needed to implement the proposed project by providing bank credit reference letters, line of credit reference letters, demonstration of other grant funds for the project, or an executed loan will receive additional points in the review (See Section 4C).
- Vendor or contractor quotes (See Section 4C).
- Applicants that are eligible operations should provide proof of a MACD/Natural Resources Conservation Service ("NRCS") Conservation Plan. A copy of the entire plan is not required (See Section 2I).
- Proposals should include a map or aerial photo with the property boundaries drawn and the exact location of the project described in the application (See Section 2D).

Section II: Energy Efficiency & Renewables Projects

- A project specific technical assessment, or energy audit with same detail for the project proposed, attached to the application, that provides back-up and supporting documentation required within the application (See Section 2E).
- The completion of a general energy audit for the agricultural operation, or the commitment to complete such prior to proposed project completion and funding reimbursement (See Section 2H).
- Vendor or contractor quotes (See Section 4C).
- Balance of funding needed to implement the proposed project by providing bank credit reference letters, line of credit reference letters, demonstration of other grant funds for the project, or an executed loan will receive additional points in the review (See Section 4C).
- Proposed projects should include quantification of equivalent CO₂ greenhouse gas savings calculations in the project's respective energy audit or technical assessment, as well as stated in Section II – Energy Application.

7C. Additional Contract Documentation

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

- Commonwealth Standard Contract Form with Commonwealth Terms & Conditions filled out and signed by the Respondent
- Scope and Budget Form
- Commonwealth W-9 tax information form filled out and signed by the Respondent
- Completed Contractor Authorized Signature Verification Form
- Completed Electronic Funds Transfer Form

These forms do not need to be completed as part of the response. Assistance to complete these forms will be provided to Respondents selected to participate in the Program. These forms are available for review at www.mass.gov/osd or by request.

7D. Evaluation Criteria

All Proposals

- Proposal follows the submission requirements and format presentation for this RFR.
- Provides supporting documentation as identified.
- Adequate project economics are presented and are supported by quotes. Applicant demonstrates the balance of funding resources needed to implement the project are secured.
- Adequate project implementation schedule is presented, including a clear and reasonable timeframe for completion before 06/30/2025.
- Adequate identification of any on-going operation & maintenance and/or periodic replacement needs and how they will be accomplished to ensure project longevity. This includes warranties and guarantees where applicable.
- Adequate identification of permit needs is presented.
- Team makeup, experience and demonstrated capacity and ability to administer project of the type, scope, and value described in the RFR.
- Priority will be given to applicants who are established in production agriculture and whose primary source of income is derived from the agricultural operation.

Section I: Environmental

- Operation is located in a drinking water protection zone or overlying an aquifer.
- Applicant adequately identifies a resource concern and/or environmental goal and the proposal demonstrates how implementing the proposed project will address this concern and/or goal.
- Proposed project will help mitigate or prevent negative impacts to natural resources that may result from agricultural practices,
- Proposal demonstrates how the proposed project will increase sustainability and productivity for their agricultural operation.
- Proposal demonstrates increasing the production, sales, and consumption of Massachusetts grown food.
- Project increases farm resiliency to impacts from a changing climate.
- Project demonstrates the capacity to improve soil health, ensure efficient use of water, prevent impacts on water quality, reduce emissions, and/or sequester carbon.
- Proposal demonstrates need and describes goals/outcomes while presenting a plan for evaluation and measuring success.
- Where applicable, an applicant who demonstrates that they have a written and updated Conservation Plan with NRCS will receive additional points in the review.
- For equipment proposals, applicant demonstrates receiving technical assistance with soil health practices.
- For equipment proposals, applicant demonstrates prior equipment and practice experience and plans to increase practice implementation.
- Where applicable, an applicant who demonstrates that they have a written and updated Conservation Plan with NRCS will receive additional points in the review.
- Applicants who have not received a prior award for an AEEP/ACRE project in the past five years will receive additional points in the review.

Section II: Energy Proposals

- Applicant has submitted a technical assessment or energy audit demonstrating costs and savings calculations and equivalent CO₂ reductions specific to the project being proposed and requested for funding.
- Applicants who include a copy of an overall general energy audit for the total farm operation will receive additional points in the review.
- Project application economics are presented and supported by quotes and savings calculations provided in an attached technical assessment and/or energy audit.
- Proposal demonstrates a realistic opportunity to be a successful implementation given the scope, budget, necessary permits, and timeline.
- Proposal demonstrates a realistic opportunity to be a successful long-term implementation given the expected life of the project and the resulting cost savings, cost avoidance, and other revenue streams contributing to the project cash flow.
- Preference shall be given to applicants with projects that have completed design engineering, received quotes for materials and labor from qualified professionals engaged in the field of work specified, and intends to begin and complete the construction/implementation stage.
- Applicants who have not received a prior award for an energy project in the past five years will receive additional points in the review.
- Applicants who demonstrate they have installed energy efficiency practices prior to this application will receive additional points in the review.
- Priority-technologies listed in Section 3B, will receive additional points in the review.

8. DEADLINES & PROCUREMENT CALENDAR

Release of RFR	Wednesday, March 27, 2024
Application Due Date	Applications must be received by 4:00 pm on Friday, May 31, 2024.
Estimated Award Date	October 2024
Estimated Contract Start Date	October 2024. 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.

9. MISCELLANEOUS

Type of Procurement	Grant
Use of This Procurement by Single or Multiple Departments	This RFR is a single department procurement. All contracts awarded under this RFR will be utilized only by MDAR.
Request for Single or Multiple Contractors	Multiple Contractors
RFR Distribution Method	<p>This RFR has been distributed by MDAR's Farm and Market Newsletter, posted to the program's website at www.mass.gov/agr, and by a distribution list of requested applicants.</p> <p>This RFR has been distributed electronically via COMMBUYS. It is the responsibility of every applicant to check COMMBUYS for any addenda or modifications to an RFR to which they intend to respond. The Commonwealth of Massachusetts and its subdivisions accept no liability and will provide no accommodations to applicants who fail to check for amended RFRs and submit inadequate or incorrect responses. Potential Respondents are advised to check the "last change" field on the summary page of RFRs for which they intend to submit a response to ensure they have the most recent RFR files.</p> <p>Respondents may not alter RFR language or any RFR component files. Those submitting a proposal must respond in accordance to the RFR directions and complete only those sections that prompt a Respondent for a response. Modifications to the body of this RFR, specifications, terms and conditions, or which change the intent of this RFR are prohibited. Any unauthorized alterations will disqualify response.</p>
List of Attachments	<ul style="list-style-type: none"> A. Application Form B. Environmental Justice Policy & Questions C. RFR Required Specifications

ATTACHMENT A

CLIMATE SMART AGRICULTURE PROGRAM (CSAP) - GRANT RESPONSE FORM (FY 2025)

1. Agricultural Operation Information

Applicant Name: First Name Last Name

Operation Name:

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

Mailing Address:

City, State, Zip:

County:

Home Phone: **Mobile Phone:**

E-Mail: **Website:**

☐ Site address same as above

Site Address

Site City, State, Zip

Is this property leased? ☐ Yes ☐ No

Do you have the lease in writing? ☐ Yes ☐ No

What year does the lease end?

Who is the owner of the property?

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

How many years have you been in business on this property?

Estimated Sales ☐ \$0 - \$25,999 ☐ \$25,000 - \$259,999 ☐ \$250,000 - \$499,999 ☐ \$500,000 +

Is the applicant's primary income from the sales of the organization's agricultural products? ☐ Yes ☐ No

2. Agricultural Operation Details

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

Acreage: Owned Leased In Production

3. Involvement with Other Programs

My operation has an Agricultural Preservation Restriction (APR): ☐ Yes ☐ No

APR Contact Person:

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

I have contacted the APR Program to determine if this proposal needs a Certificate of Approval (COA): ☐ Yes ☐ No

This project needs an approval from the APR Program: ☐ Yes ☐ No

Year the APR was recorded: Name on APR:

MACD/NRCS Contact Person:

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

Year Conservation Plan was Created:

I have applied to USDA's REAP or to NRCS for costs associated with this project? ☐ Yes ☐ No

I have applied to the Food Security Infrastructure Grant (FSIG) for costs associated with this project? ☐ Yes ☐ No

4. Project

List what this application is for: Section I:
Section II:

Specify what is being applied for:

<input type="checkbox"/> Section I: Environmental Projects Complete Pages 22-29	<input type="checkbox"/> Adaptation <input type="checkbox"/> Mitigation	<input type="checkbox"/> Soil Health <input type="checkbox"/> Water Conservation <input type="checkbox"/> Water Quality
<input type="checkbox"/> Section II: Agricultural Energy Projects Complete Pages 30-40	<input type="checkbox"/> Energy Efficiency <input type="checkbox"/> Renewable Energy	

SECTION I – ENVIRONMENTAL PROJECTS

Application for the Agricultural Environmental Enhancement Program (AEEP) & the Agricultural Climate Resiliency & Efficiencies (ACRE) Program

1. Project Details

1A. Overview of Business:

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

1B. Project Description:

Describe your proposed project and how your project will address one or more of the CSAP goals in terms of soil health, water conservation, water quality, and addressing climate mitigation and/or climate adaption.

Check all areas that your proposed project would address:

☐ Soil Health ☐ Water Quality ☐ Water Conservation ☐ Climate Mitigation ☐ Climate Adaptation ☐ Other

Project Description Details:

1C. Equipment Applications:

If you are applying for equipment, complete the table below. Otherwise, leave blank.

A Are you applying for equipment? **If no, please skip questions A-H** ☐ Yes ☐ No

B What type of equipment are you applying for? ☐ Conservation Tillage ☐ Cover Crop Management
☐ Precision Agriculture ☐ Waste Management ☐ Other

C Equipment details and cost:

	EQUIPMENT	MAKE/MODEL	EQUIPMENT USE	TOTAL COST
	<i>example: no-till grain drill</i>	<i>Esch No-Till 5612</i>	<i>Cover Crop Management</i>	<i>\$43,900</i>
1.				
2.				
3.				

D How many acres in MA do you anticipating using this equipment on in each of the following seasons?

	2024	2025	2025	2026	2027	2028
1.						
2.						
3.						

E Have you operated this type of equipment before? ☐ Yes ☐ No

F How many acres of this this conservation practice have you done on your farm in the past year?

G Do you have access to technical assistance to help with the implementation of conservation practices from the use of this equipment on your farm? ☐ Yes ☐ No
If so, please list their name or the organization name:

H How often do you get a soil analysis?

2. Project Need:

How will this project improve sustainability and productivity for your operation? Summarize the need for the project, describe the goals and outcomes, and present a plan for evaluating and measuring the success of the project. If this project will increase the production, sales, and consumption of Massachusetts grown food, state how.

3. Timeline:

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

4. Team Members:

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

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

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

Does your proposed project require any permits to implement the project?
If so, please list them.

☐ Yes ☐ No

Describe how your proposed project will be maintained for maximum longevity:

Does your proposed project come with any warranties and/or guarantees?
If so, please list them.

☐ Yes ☐ No

6. Environmental Budget:

ACRE & AEEP may reimburse applicants for the costs of a project up to a maximum of 80% of total project costs up to \$50,000. A 20% minimum contribution towards the project must come from the applicant.

Materials				
	Description	Amount	Qty	Total Costs
1				
2				
3				
4				
Contractual Costs/Labor (expenses for services performed by someone other than the applicant)				
	Description	Rate	Hours	Total Costs
1				
2				
3				
Equipment (Equipment to be purchased under the CSAP grant)				
	Description	Amount	Qty	Total Costs
1				
2				
3				
Equipment Rental (Rented equipment required to complete the project)				
	Description	Rate	Hours	Total Costs
1				
2				
Other Costs				
	Description	Amount	Qty	Total Costs
1				
2				
3				
4				
Total Project Costs:				\$
Applicant Amount (20% minimum):				\$
Eligible Project Costs (80% of Total Project Costs up to \$50,000)				\$

7. Amount Requested:

State your requested ACRE/AEEP funding request. MDAR has the option to negotiate the requested amount before entering into a contract with the applicant. Any project costs incurred prior to an executed contract with MDAR are not eligible for reimbursement from MDAR.

Amount Requested Through ACRE/AEEP Grant:

\$

8. Attestation:

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

Signature

Date

Print Name

APR Landowners:

I have contacted the APR Program to determine if I need a Certificate of Approval (COA): ☐ Yes ☐ No ☐ N/A

Signature

Date

SECTION II – AGRICULTURAL ENERGY EFFICIENCY & RENEWABLE PROJECTS

Application for the Agricultural Energy Traditional Grant Program

1. Project Details

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

1B. Provide a list of the major energy uses for your agricultural operation.

Type of Use	Description	Type of Energy (wood, electricity, propane, diesel, fuel oil)
Example - Refrigeration	Example – Milk bulk tank cooling	Example – electricity

For electrical use, does your residence have a separate meter? ☐ Yes ☐ No

1C. List what energy efficiency or renewable/alternative energy measures, if any, you have implemented to reduce energy use on your farm.

Energy Efficiency Measure	Description
Example – Dairy hot water “free” heater	Example - Bulk tank refrigeration heat recovery

Were the installed efficiency measures in response to an energy audit? ☐ Yes ☐ No

1D. Provide a clear description of the proposed energy project and how the project will beneficially impact the agricultural activities of the operation in terms of reducing energy use or providing a renewable energy source for the operation. Describe how the project will help your operation mitigate and/or adapt to a changing climate.

2. Energy Efficiency Audit

Date general efficiency audit was conducted for this site:

Name of auditor:

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

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

☐ Scheduled

☐ Will Schedule

3. Permits:

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

4. Schedule:

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

5. Warranties:

Provide a list of all project warranties and guarantees.

6. Operation & Maintenance:

Provide operation and maintenance necessary to maintain equipment.

7. Team Members:

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

8. Ag-Energy Budget: Ag-Energy may reimburse applicants for the costs of a project up to a maximum of 80% of total project costs up to \$50,000. A 20% minimum contribution towards the project must come from the applicant. See Section 4D for Maximum Funding details.

Energy Efficiency Projects				
Materials				
	Description	Amount	Qty	Total Costs
1				
2				
3				
4				
Contractual Costs/Labor				
	Description	Rate	Hours	Total Costs
1				
2				
3				
Renewable Energy Projects				
Maximum funding for solar PV shall be \$2,000/kW without battery storage and \$2,500 with battery storage.				
Materials				
	Description	Amount	Qty	Total Costs
1				
2				
3				
4				
Contractual Costs/Labor				
	Description	Rate	Hours	Total Costs
1				
2				
3				
Total Project Costs:				\$
Applicant Amount (20% minimum):				\$
Eligible Project Costs (80% of Total Project Costs up to \$50,000)				\$

Energy Efficiency Project Details

9. Agricultural Energy Grant – Energy Efficiency

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

Is the proposed energy efficiency project contained within the general energy audit conducted for the farm? If yes, please attach to the application. ☐ Yes ☐ No

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

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

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

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

9A. Project Economics – Energy Efficiency

A	Total Project Costs (from Budget)		\$
B	Expected Annual Cost Saving		\$
C Other Funding			
	1	Electric/Gas Utility Energy Efficiency Incentive	\$
	2	USDA REAP or EQIP	\$
	3	Other (Please List): _____	\$
C. Total (1+2+3)			\$
D	MDAR Ag Energy Request (\$50,000 or less)		\$
Simple Payback Years = [Total Project Costs (A) – (Other Funding + Ag-Energy Request (C+D))] / (Annual Cost Savings (B)) <input type="text"/>			
Simple Payback Years = A – (C+D) / B			

Renewable Energy Project Details

10. Agricultural Energy Grant – Renewable Energy

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

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

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

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

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

10A. Project Economics – Renewable Energy

A	Total Project Costs (from Budget)		\$
B	Expected Annual Cost Saving		\$
C	Annual Average Renewable/Alternative Energy Incentives/Credits (RECs, AECs, SMART, Net Metering Credits)		\$
D Other Funding			
	1	MA Clean Energy Center (MassCEC)	\$
	2	USDA REAP or EQIP	\$
Federal tax deduction equal up to 30% of the total cost of a solar energy system. Please state the amount you would be able to claim based on your taxes filed for the 2023 calendar year.	3	Federal Investment Tax Credit (ITC)	\$
	4	Other (Please List): _____	\$
D. Total (1+2+3+4)			\$ _
E	MDAR Ag Energy Request (\$50,000 or less)		\$
Simple Payback Years = [Total Project Costs (A) – (Other Funding + Ag-Energy Request (C+D))] / (Annual Cost Savings (B) + Incentives/Credits (C))			<input type="text"/>
Simple Payback Years = [A – (D+E)] / (B+C)			

11. Amount Requested:

State your requested Agricultural Energy funding request. MDAR has the option to negotiate the requested amount before entering into a contract with the applicant. Any project costs incurred prior to an executed contract with MDAR are not eligible for reimbursement from MDAR.

Amount Requested Through Ag-Energy Grant

\$

12. Attestation:

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

Signature

Date

Print Name

APR Landowners:

I have contacted the APR Program to determine if I need a Certificate of Approval (COA): ☐ Yes ☐ No ☐ N/A

Signature

Date

ATTACHMENT B

Environmental Justice Policy

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

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

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

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

☐ Yes ☐ No ☐ I don't know

Has the applicant received funding from any MDAR funding programs?

☐ Yes ☐ No ☐ I don't know

Questions for Farmer or Individual Applicants:

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

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

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

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

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

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

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

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

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

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

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

ATTACHMENT B

RFR - Further Information on MDAR's Environmental Justice Goals

Revision Date: February 23, 2024

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

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

A. Environmental Justice Populations

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

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

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

B. MA Environmental Justice Map Viewer

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

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

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

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OPERATIONAL SERVICES DIVISION

RFR - Required Specifications for Commodities and Services

Revision Date: July 13, 2023

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

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

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

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

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

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

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

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

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

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

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

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

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

6. Small Business Purchasing Program (SBPP)

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

Sensitivity level - low

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

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

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

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

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

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

7. Supplier Diversity Program (SDP)

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

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

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

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

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

Eligible SDP Partner Certification Categories

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

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

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

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

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

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

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

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

Bidders may propose SDP Partners that are:

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

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

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

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

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

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

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

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

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

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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, or contact the SDP Help Desk at 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). Additional information about EFT is available on the [VendorWeb](#) site (www.mass.gov/osc). Click on MASSfinance.

Successful bidders, upon notification of contract award, will be required to enroll in EFT as a contract requirement by completing and submitting the *Authorization for Electronic Funds Payment Form* to this department for review, approval, and forwarding to the Office of the Comptroller. If the bidder 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](#).

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

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

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

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

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

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

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

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

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

23. Acceptable Forms of Signature

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