



Local Food Purchasing Assistance Grant Program Plus **Fiscal Year 2024**

Request for Response (RFR): RFR File: [AGR-LFPAPLUS-2024](#)

To maintain and improve food and agricultural supply chain resiliency through the purchase of domestic food from local and regional producers, by targeting purchases from Socially Disadvantaged farmers/producers and distribution to underserved communities

**Responses must be received by
3:00PM Friday, August 4th, 2023**

Email: LFPAGrant@mass.gov



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

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EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
 Grant Announcement. RFR ID: AGR-LFPAPLUS-2024. Dated: **June 6, 2023**
Rebecca L. Tepper, Secretary
Local Food Purchasing Assistance Grant Program Plus

1. GRANT OPPORTUNITY SUMMARY:	
Proposals Sought For:	The Massachusetts Department of Agricultural Resources (“MDAR”) is soliciting proposals for projects that specifically address the goals of the United States Department of Agriculture (“USDA”) Local Food Purchase Assistance Cooperative Agreement Program Plus (“LFPA Plus”). MDAR is seeking projects to purchase domestic food from local and regional producers, target purchases from Socially Disadvantaged farmers/producers, and distribute food to underserved communities. MDAR encourages applications that benefit Socially Disadvantaged farmers/producers and that provide food distribution to underserved communities, especially those not part of the traditional food distribution network. Applicants should engage and involve those beneficiaries when developing projects and applications. Preference will be given to applications that demonstrate how relationships and distribution channels will continue past the conclusion of this program.
Overview and Goals:	<p>The purpose of this program is to maintain and improve food and agricultural supply chain resiliency. The program achieves this purpose in the overarching goals below:</p> <ul style="list-style-type: none"> • Provide an opportunity for States and Tribal Governments to strengthen their local and regional food system. • Help to support local and Socially Disadvantaged farmers/producers through building and expanding economic opportunities. • Establish and broaden partnerships with farmers/producers, the food distribution community, and local food networks, including non-profits, to ensure distribution of fresh and nutritious foods in rural, remote, or underserved communities.
Funding Availability:	<p>MDAR intends to fund approximately \$7,100,000 in projects through this competitive RFR process. All funding is subject to appropriation. The suggested dollar value of projects is between \$50,000 and \$1,000,000. This program does not have a Federal cost sharing or matching requirement.</p> <p>A successful respondent will enter into a contract with MDAR. MDAR reserves the right to fund the project in part, add and delete tasks, and ask for clarification on the work plan, timeline and budget. MDAR may ask grantees to acknowledge MDAR as a grantor where appropriate. No contract shall be entered into until MDAR is satisfied with all the specifications of the project.</p> <p>Any successful contractor will be required to follow all the applicable federal and state regulations that pertain to the LFPA Plus.</p> <p>Program recipients must spend the majority of awarded funds on food purchases. LFPA Plus funding may only be used for the purchase of unprocessed or minimally processed food, as well as food storage and food distribution costs directly related to the purchase of food. Funds used for food purchases must be used exclusively for domestic food products (also known as commodities) that are unprocessed or minimally processed. Applicants may not request direct or indirect costs associated with developing or administering the program. All food purchased must be unprocessed or minimally processed and must meet the definitions of domestic and local, as defined in “Definitions” section below.</p>

Contact Information:	Email: LFPAGrant@mass.gov
Deadline:	<p>Applications must be received by 3:00PM Friday, August 4th, 2023. Late email submissions will not be considered. You may submit proposals via email to LFPAGrant@mass.gov</p> <p>Applications that are sent by fax will <u>NOT</u> be accepted. If you do not receive an email confirmation of receipt from MDAR, do not assume the application was received. Please reach out to Keri Cornman at Keri.Cornman@mass.gov if you do not receive a confirmation of receipt email for your application submission. MDAR will not accept any late submissions and will not consider late applications due to technical difficulties, so please be mindful of your submission timeliness.</p>
Single Contract	<p>Each applicant may submit a single (1) proposal. Multiple applications from the same entity will not be considered.</p> <p>Applicants may not receive funds through multiple proposals and/or contracts. Proposals are encouraged to create multiple partnerships to facilitate local food purchasing but any collaboration between entities must result in a single application and may not be submitted as separate proposals. MDAR reserves the right to determine funding needs based on regional dispersion and equitable dollar sharing.</p>
Single or Multiple Departments	All contracts awarded under this RFR will be utilized solely by MDAR. MDAR anticipates between 10-20 contracts to be awarded.
Questions and Webinar	<p>Applicants may submit questions regarding the RFR and application process. Please submit questions by email to: LFPAGrant@mass.gov. The deadline for questions is 5:00PM Friday, July 21, 2023.</p> <p>Please note that 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.</p> <p>An informational webinar where questions may be asked will be held for interested applicants on the date listed below. Please contact Rebecca Davidson at Rebecca.Davidson@mass.gov to request access to the webinar. The webinar will be 1 to 1.5 hour(s) in length, and cover the LFPA+ Grant Program and provide information on accessing the MassGrown Exchange platform. Please note: This webinar will be recorded and made publicly available on MDAR's LFPA web page prior to the application deadline so that all potential applicants who are unable to attend the webinar live or who wish to further review the webinar's content may do so before submitting an application.</p> <ul style="list-style-type: none"> • Thursday, June 22, at 6:00pm • Tuesday, July 11, at 12:00pm
Definitions	<p>Local or regional producers. Farmers, ranchers, producers, processors or distributors and other businesses involved in food production or distribution that are located in the state or tribal region or within 400 miles of the delivery destination.</p> <p>Local or regional food. Locally and Regionally Produced Food means food that is raised, produced, aggregated, stored, processed, and distributed in the locality or region where the final product is marketed to consumers, so that the total distance that the product travels between the farm or ranch where the product originates and the point of sale to the end consumer is at most 400 miles, or both the final market and the origin of the product are within the same State, territory, or tribal land.</p>

	<p>Domestic Food. “Agricultural Commodity” means a product grown, processed, and otherwise prepared for sale or distribution exclusively in the United States or its territories, except with respect to minor ingredients. Minor ingredients from nondomestic sources will be allowed to be utilized as a United States product if such ingredients are not otherwise:</p> <p>(1) produced in the United States; and</p> <p>(2) commercially available in the United States at fair and reasonable prices from domestic sources.</p> <p>The following ingredients are determined by AMS Commodity Procurement as not available at fair and reasonable prices and are waived from U.S. origin restrictions: (1) Vitamin A (Retinol Palmitate), (2) Vitamin D, (3) Carageenan (stabilizing agent), (4) Sorbic Acid (preservative), (5) Potassium Sorbate (preservative), (6) Rennet (coagulant), (7) Items excepted from the Buy American Act under FAR 25.104 Nonavailable Articles.</p> <p>Socially Disadvantaged producers, including Farmers or Ranchers. Socially Disadvantaged Farmer or Rancher is a farmer or rancher who is a member of a Socially Disadvantaged Group. A Socially Disadvantaged Group is a group whose members have been subject to discrimination on the basis of race, color, national origin, age, disability, and, where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual’s income is derived from any public assistance program.</p> <p>Underserved communities. Those communities defined in accordance with federal Executive Order 13985, Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, Jan 20, 2021:</p> <ul style="list-style-type: none"> • Sec. 2. Definitions. For purposes of this order: (a) The term “equity” means the consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality. • The term “underserved communities” refers to populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, as exemplified by the list in the preceding definition of “equity.”
<p>Additional Information</p>	<p>To the extent applicable at the time a project is commenced under the terms of any contract, projects must be conducted in accordance applicable federal, state, and local public health orders, regulations, ordinances, or other guidance issued related to COVID-19.</p>

2. PERFORMANCE AND CONTRACT SPECIFICATIONS

A. Eligible Applicants:

Applicants must be part of the local food production and distribution system, including entities that are principally and substantially engaged in the business of production agriculture, farming, or seafood production, processing and distribution, the emergency food distribution network, community and food organizations, school meal programming (including summer meal sites), and including organizations that provide business planning, technical assistance and information technology services. Eligible applicants must be legally recognized entities within the Commonwealth and must have the ability to enter a legally binding agreement with the Commonwealth. Applicants are limited to a single proposal.

Open to food hubs and other Massachusetts aggregators, food pantries, soup kitchens, and pantry networks, municipalities, producer cooperatives or informal groups of producers with a fiduciary agent, community health centers, mutual aid networks, faith-based organizations, senior centers, for-profit and non-profit grocery stores, as well as food cooperatives, small food retailers such as corner stores, convenience stores, farmers' markets, mobile food markets, or retail food outlets operated by an emergency food program or food hub.

B. Eligible Project Areas:

While all projects that meet LFPA Plus requirements will be considered, the categories listed below are examples of eligible projects. The goal is for the food to primarily reach underserved communities. This is not a comprehensive or exhaustive list, and applicants may suggest projects that differ from these suggestions. Applicants have flexibility in determining a project that works for the region and their community(ies).

Examples of Eligible Projects:

- Food box benefit delivery
 - Benefit is per individual, with a suggested \$40-50 benefit per individual
- Distribution through non-profit organizations, schools, or other groups engaged in food distribution
- Choice-based benefit delivery, as long as there is no food instrument, such as coupons or vouchers.

C. Ineligible Project Areas:

Examples of Ineligible Projects:

- Proposals that require participants to sign up or have conditions for participation.
- Proposals that do not include 51% or more of their budget allocated for food purchases.
- Proposals that don't include local or regional food, and local or regional producers as defined in the RFR.
- Proposals that include costs not directly related to the purchase, distribution, or storage of food (i.e. personnel, indirect, etc.)
- Distribution of meals with local foods. Please note, recipients can include schools as food distribution points, however the food distributed is not intended to supplement the National School Lunch Program ("NSLP"). Prepared meals are unallowable under USDA LFPA Plus rules.
- Projects that do not meet the goals of the LFPA Plus program as outlined in the RFR.

D. Project Requirements

Project Requirements

- Purchases and distribution of food and farm products grown in Massachusetts ("MA Grown") must occur within program dates of October 1, 2023, through May 31, 2025.
- A majority of farm products purchased must be MA grown. The remaining products may be sourced from up to 400 miles from the point of distribution per the USDA definition of local in this RFR. Projects that include a higher percentage of Massachusetts grown and produced foods will be prioritized.
 - Examples of allowable food products include fruits and vegetables (including 100% juices); grain products such as pastas and rice; meats (whole, pieces, or food items such as ground meats); meat alternates such as beans or legumes, and fluid milk and other dairy foods such as cheese and yogurt. Foods in a wide variety of minimal processing states (e.g., whole, cut, pureed, etc.) and/or forms (e.g., fresh, frozen, canned, dried, etc.) are also allowable.
 - Foods that are generally understood to be significantly processed or prepared are unallowable. Examples of unallowable products would include baked goods such as breads, muffins, or crackers; prepackaged sandwiches or meals; other prepared and/or pre-cooked items that come ready-to-eat or that require no further preparation beyond heating (eg. chicken nuggets, fish sticks, pre-made pizzas, etc).
- At least 51% of project funds must be spent directly on food purchases. LFPA Plus funding may only be used for the purchase of unprocessed food or minimally processed food, as

	<p>well as food storage and food distribution costs directly related to the purchase of food. Projects dedicating a higher percentage of funds on food purchasing will be prioritized.</p> <ul style="list-style-type: none"> • Applicants are not required to procure food from multiple producers/vendors; however, projects procuring food and farm products from multiple producers/vendors will be prioritized. • Applicants should target populations for distribution and include any low-income food insecure household, citizen or non-citizen, who is at or below the federal poverty level. • Required Reporting on a quarterly basis (see Reporting Requirements below).
<p>Awarding Priorities</p>	<ul style="list-style-type: none"> • Commitment to procure from Socially Disadvantaged producers, small producers, and/or vendors. The higher the proportion of producers and total percentage of procurement funds that will be allocated to Socially Disadvantaged producers, the greater consideration will be provided. • Producers may self-identify if they are considered Socially Disadvantaged. Please note that awardees are encouraged to add on more producers throughout the lifetime of the project and assistance may be provided in making those connections • Community organizations in a region that cooperatively apply for funding to create a more comprehensive project. However, there needs to be one primary applicant who will hold the agreement as a project lead or fiduciary agent with MDAR. This lead entity shall be responsible for project administration and reporting. • Regional impact of project to ensure geographic and demographic diversity. Projects that can show regional collaboration and partnership within the regions listed below will receive prioritization. <ul style="list-style-type: none"> ○ Southeastern MA/Cape & Islands ○ Greater Boston MA ○ Northeastern MA ○ Central MA ○ Western MA ○ Berkshires
<p>E. Funding Availability, Allowable Expenditures & Additional Information</p>	
<p>Type of Procurement</p>	<p>Both advanced payment and reimbursable payment grant.</p>
<p>Max Reimbursement</p>	<p>Suggested dollar value of projects is \$50,000 to \$1,000,000.</p>
<p>Invoicing and Disbursement of Grant Funds</p>	<p>Payment will be made to applicants in using the following payment schedule:</p> <ul style="list-style-type: none"> • Disbursement of 40% of project funds upon contract signing and approval of a disbursement request. • Disbursement of 40% of project funds after proper documentation and reporting is approved from the first disbursement and approval of a second disbursement request. • The remaining 20% of project funds will reimbursed upon project completion and submission of final report. Please note that the burden of this remaining 20% must lie with the contract holder and cannot be at the expense of producers and/or vendors. • Use of funds inconsistent with the terms of any contract may result in loss of additional funds or require reimbursement of funds already dispursed by MDAR. <p>All final invoices at a minimum must include:</p> <ul style="list-style-type: none"> • Date(s) of service covered; • Invoice number; • Invoice date; • Full contact information for the contracted entity; and

	<ul style="list-style-type: none"> • Sufficient supporting documentation to show that all reimbursed costs are allowable, reasonable/necessary, and allocable. Supporting documentation may include, but is not limited to, canceled checks, receipts, paid bills, payroll, and contracts. <p>Invoices and reports that are incomplete, fail to meet the invoicing schedule, and/or include unauthorized charges will not be paid, and may result in a site visit by MDAR staff to review financial and programmatic documents. Repeated invoicing issues may result in ineligibility for future MDAR grants.</p> <p>Awarded entities must provide quarterly financial reports with paid invoices to producers and other receipts as necessary to MDAR program manager, templates and guidance will be provided.</p>
Food Purchasing	<p>A predominance of funding requested must be spent on food purchases. LFPA Plus funding may only be used for the purchase of unprocessed or minimally processed food, as well as food storage and food distribution costs directly related to the purchase of food. Applicant must demonstrate within the budget that 51% or more of requested funds will be used to make food purchases, with a preference to purchasing from Socially Disadvantaged farmers.</p> <p>Applicants that show a higher percentage of food purchases will receive higher priority.</p>
Allowable Expenses	<p>Funding is intended to primarily cover food procurement. Storage and distribution expenses directly associated with food procurement under this program are allowable and can be subsumed in the overall procurement with LFPA Plus funding. Examples of allowable storage and distribution costs under LFPA Plus if directly associated with the food procurement under this program include lease or rental of delivery trucks or other equipment (forklifts, refrigerators, freezers, etc); payments/fees for common carriers for transporting or storing commodities; lease or rental of warehouse space; or supplies used in the storage and handling of commodity products (boxes, pallets, etc).</p> <p>Applicants can review the AMS General Terms and Conditions section 8.2 Allowable and Unallowable Costs and Activities for more details.</p> <p>Additional Allowable Expenses:</p> <ul style="list-style-type: none"> • Food purchases • Food storage and packaging costs are eligible expenses if they are part of distribution expenses. Rental of equipment (such as cooler/warehouse space, vehicles, etc.) are allowed during the lifetime of the grant. • Supply costs related to food procurement related to this project. • Lease or rental of delivery trucks or other equipment • Lease or rental of warehouse space • Payments/fees for common carriers for transporting or storing commodities
Unallowable Expenses	<p>Costs that are not inherent parts of the procurement cannot be covered with LFPA Plus funding. Examples of costs that cannot be covered include separate coverage of utility costs for leased or owned space; employees to pack food or prepare boxes for delivery; or administrative costs for managing storage and distribution.</p> <p>Unallowable costs include:</p> <ul style="list-style-type: none"> • Indirect costs or contingency costs of any percentage • Administrative costs • Outreach and program development • Capital purchases • Construction costs

	<ul style="list-style-type: none"> • General purpose equipment purchased to own (see below) • Funds cannot be used for individuals to purchase product • Any expense incurred prior to contract execution • Land acquisition/mortgages • Cost of borrowing (points and other fees) • Expenses related to establishing a new organization/business • Any portion or expense for which the applicant pays a contractor in merchandise or service in lieu of cash • Tuition/tuition reimbursement or career-related/scholarship funds • Routine business expenses (utilities, office supplies, etc.) • Legal expenses related to litigation • Any expense related to lobbying • Food storage and infrastructure for producers • Purchase of vehicles outright, however vehicle modifications for distribution is allowed • Food safety certification and training (ex. GAP certification) • Seed or crop insurance <p>Equipment:</p> <ul style="list-style-type: none"> • Unallowable for acquisition costs of general-purpose equipment or lease agreements to own (i.e., lease-to-own or rent-to-own) • Allowable for rental costs of general-purpose equipment when provided in the approved budget or with prior written approval. Vehicles may be leased but not purchased. The lease or rental agreement must terminate at the end of the grant cycle. For vehicle and equipment leases or rentals with an acquisition cost that equals or exceeds \$5,000, rates should be in light of factors such as: rental costs of comparable vehicles and equipment, if any; market conditions in the area; alternatives available; and the type, life expectancy, condition, and value of the vehicle or equipment leased. • Equipment is defined as tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000. • General Purpose Equipment means equipment that is not limited to technical activities. Examples include office equipment and furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles. • Special Purpose Equipment is equipment used only for research, scientific, or technical activities
Matching Costs	Match costs are not required.
F. Environmental Justice Policy	
Environmental Justice Policy	<p>For the purposes of this RFR, “Environmental Justice” is defined as the equal protection and meaningful involvement of all people and communities with respect to the development, implementation, and enforcement of energy, climate change, and environmental laws, regulations, and policies and the equitable distribution of energy and environmental benefits and burdens. Environmental Justice is based on the principle that all people have a right to be protected from environmental hazards and to live in and enjoy a clean and healthful environment regardless of race, color, national origin, income or English language proficiency.</p> <p>“Environmental Justice Population” is defined by the Environmental Justice Policy, issued by the Massachusetts Executive Office of Energy and Environmental Affairs in 2017, as neighborhoods where one or more of the following criteria are met:</p>

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

G. Reporting

Reporting Requirements

- Recipients will be required to track the following reporting measures on a quarterly basis:
- Number of producers sourced from including business name, product type, quantity, price, and if the producer self-identifies as Socially Disadvantaged.
 - Number of distributions made including organization or community distributed to, and number of individuals served.
 - Financial reports with paid invoices to producers and other recipients as necessary to MDAR Program Manager. Awardees must show sufficient and appropriate documentation for all expenses incurred during the quarter. If appropriate supporting documentation is not provided, the awardee will not receive additional funding or final invoice reimbursement.
 - As part of Final Reporting, the number of partnerships that existed prior to project start date and those that were developed as a result of funding. In addition, recipients will be asked to report on the number of partnerships that are expected to continue beyond the life of the project.

H. Application Submission Instructions

A narrative description of the proposal is required. Narratives must not exceed 20 pages, exclusive of supporting documents*. The required format is single-spaced, 11-point font. Number the pages in the right-hand bottom corner.

*Supporting documents are notated by an asterisk.

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

- **Cover Page*** – Include proposal title (no more than 10 words), name and contact information of the project leader.
- **Table of Contents*** – All pages must be numbered.
- **Executive Summary*** – Include a summary of 250 words or less suitable for dissemination to the public. This summary should include a concise outline of the project’s outcome(s) and description of the general tasks to be completed.
- **Narrative** – Must include the following sections, and must be in a paragraph form:

Project Description – Describe how this project meets the purpose of the LFPA Plus program. How will the project:

1. Strengthen the local and regional food system,
2. Help to support local and Socially Disadvantaged farmers/producers through building and expanding economic opportunities, and
3. Establish and broaden partnerships with farmers/producers, the food distribution community, and local food networks, including non-profits, to ensure distribution of fresh and nutritious foods in rural, remote, or underserved communities.
 - Clearly identify goals/objectives, outcomes/measures to evaluate project performance.
 - Areas Affected by Project – List the regional area (municipalities, counties, states, etc.), that your project will affect.

Project Details -- Provide project details that expand upon the project goals/objectives listed in the Project Description to address the considerations listed below. Some considerations may not be relevant to each applicant’s project. Applicants may include and expand upon additional project details not listed below.

Farmer/Producer Engagement

1. Describe your plan for facilitating connections between farmers, processors, and distributors, including at the community level. How will the applicant engage with partners, including at the municipal level to connect farms and communities?
2. How will the applicant and partners equitably include small farms or farms owned by Socially Disadvantaged farmers?
3. If applicable, how will projects navigate negotiating prices between the applying organization and producers? How will you ensure prices for farmers reflect cost of production, reflect farm-level commodity prices, packaging, processing, transportation, and other marketing costs, along with competitive factors?
4. Explain how the project will support Socially Disadvantaged farmers and producers, including Black, Indigenous, People of Color (“BIPOC”) and minority and woman owned businesses, including outreach strategies and any existing farm and producer relationships already established.

Community Engagement

1. How will the project address personal and cultural preferences of communities that are receiving food? Considerations include understanding product availability, variety, and client choice.
2. What is the applicant’s plan to reach and/or serve underserved communities (as defined in this RFR)?
3. Explain how the proposed project will increase equitable access to food, particularly healthy local food for residents of the Commonwealth who have historically experienced food insecurity and lack access to local food options and culturally relevant food particularly for communities of color, Gateway Cities, low-income residents, and Environmental Justice neighborhoods.

Benefit Distribution

1. Provide information on how the applicant will identify recipients of food, including any information on partnerships with participant-facing organizations. Outline details of expected benefit level. Outline details on participant eligibility and expected benefit level.

Food Distribution

1. Outline a plan of how and where food will be distributed. Include descriptions of any partnerships between the applicant and distributing organizations.
2. Describe the applicants experience with and capacity for: 1) handling the safe storage and distribution of food, including information as to how all applicable local, state, and federal requirements associated with the handling, storage, and distribution of food will be met; and 2) farmer support for invoicing, including language services.

Areas Impacted

1. How will the project address Environmental Justice goals? www.mass.gov/environmental-justice.
2. Describe the region your project will serve, including any historical presence within the communities served . MDAR reserves the right to determine funding needs based on regional dispersion and equitable dollar sharing

Work Plan and Timeline – Provide a Work Plan that describes the activities and timeline associated with each project goal/objective. Include the following information for each objective mentioned in the Project Description section above: a timeline for each activity and major output including the anticipated date of completion; how and where the activities will take place; required resources; milestone(s) for assessing progress and success; the person(s) responsible for completing the activity, including collaborative arrangements or subcontractors.

Collaboration

1. Provide the project applicant or organization’s qualifications to perform the work. List relevant work; projects and qualifications or those of any external partnering entities.
2. Describe your management plan for coordinating, communicating, and sharing data and information among collaborating members/organizations of the Project and stakeholder groups.
3. Describe how the project, and its partnerships and collaborations, will be sustained beyond the project’s period of performance (without grant funds).

- **Budget and Budget Narrative*** – Applicants must provide a Budget and accompanying Budget Narrative. The Budget must show the relevant expenditure categories (see below) in the far left column and, proceeding across the page, there must be a column showing the dollar amount of LFPA funds requested.

The Budget Narrative must explain how the dollar amounts for each budget category shown on the Budget were derived and what they cover. For a full listing of allowable and unallowable costs, see [AMS General Terms and Conditions](#) section 8.2 Allowable and Unallowable Costs and Activities.

Relevant cost categories must include: Equipment (rental), Supplies, Contractual/Consultants, Program Income, and Other. Food purchases should fall under “Contractual” and provide description/justification for the purchases.

The Fiscal Plan and Resources do not count toward the 20-page Project Narrative maximum.

- **Personnel Qualifications*** – Provide a one- to two-page resume of relevant experience and/or qualifications of lead personnel.
- **Letters of Support and/or Intent*** - Provide letters of support and/or intent from community and organizational partners that you will work with to distribute the food, if applicable.

Recommended* - Documentation of interest from producers and/or vendors interested in selling product through your project. Please note that you are not limited to source from the producers/vendors who express interest, and MDAR with other partners can provide additional resources to connect with producers/vendors. Documentation can come in the form of a letter or an email.

***Do not count toward page limit**

The LFPA Grant Program Plus is a competitive grant. Only complete applications, as outlined above and submitted on time will be evaluated. The evaluation will be weighted heavily on the project explanation in the grant project narrative as well as the awarding priorities listed above. Project applications should clearly present the impact of their project on the region and community.

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

I. Evaluation Criteria

MDAR will conduct an administrative review and applications will be evaluated by a MDAR panel representing multiple facets of the food supply chain. The review panel will make award recommendations to the Commissioner of MDAR for a final decision. The evaluation will be weighted heavily on the project explanation in the grant project narrative as well as the awarding priorities listed in this RFR. Project applications should clearly present the impact of their project on the region and community.

- **Project Description (20 points) –**
 - The extent to which the application provides a clear and concise description how the project meets the purpose of the LFPA program
 - The extent to which the project clearly identifies goals/objectives, outcomes/measures to evaluate project performance
 - The extent to which the applicant identifies the regional impact of the project.
- **Project Details (50 points) –**
 - The extent to which the application presents clear, well-conceived, and suitable project details that meets project goals/objectives
 - The extent to which project detail considerations are appropriate and clearly addressed.
 - The extent to which the applicant demonstrates improved food and agricultural supply chain resiliency through the purchase of domestic food from local and regional producers, by targeting purchases from Socially Disadvantaged farmers/producers and distribution to underserved communities.

- The application successfully meets Project Requirements (Section D. Project Requirements) outlined in the RFR.
- **Work Plan and Timeline (15 points) -**
 - The extent to which the application presents a realistic schedule for implementing the proposed project during the award project period.
 - The extent to which the work plan and timeline appropriately and feasibly address project goal/objectives.
- **Collaboration (20 points)**
 - Proposal includes the project applicant or organization's qualifications to perform the work, including relevant work; projects and qualifications or those of any external partnering entities
 - Proposal describes a management plan for coordinating, communicating, and sharing data and information among collaborating members/organizations of the Project and stakeholder groups.
 - Describe how the project, and its partnerships and collaborations, will be sustained beyond the project's period of performance (without grant funds).
- **Budget and Budget Narrative (20 Points) -**
 - The extent to which the application Budget Narrative/justification provides a clear, detailed description for each budget line item, and:
 - Budget is consistent with the size and scope of the project.
 - Budget relates logically to the Project Narrative describing the project.
 - Applicant successfully demonstrates that 51% or more of awarded funds will be used for food purchasing. Applicants with higher food purchasing percentages will be prioritized
 - The extent to which the budget meets needs based on regional dispersion and equitable dollar sharing.
- **Personnel Qualifications and Letters of Support/Intent (15 points)**
 - Applicant provides all supporting documentation for personnel qualifications and includes Letters of Support/Intent from community and organizational partners that applicant will work with to distribute the food.
 - The extent to which the personnel qualifications and Letters of Support/Intent support the goals/objectives and demonstrates a collaborative approach of the project.

The project narrative and any supporting documents must be completed and received by the Massachusetts Department of Agricultural Resources by the response deadline. **Applicants must submit proposals via EMAIL to LFPAGrant@mass.gov by the deadline of 3:00PM Friday, August 4, 2023.** Applications that are sent by fax will **NOT** be accepted. **If you do not receive an email confirmation of receipt from MDAR, do not assume the application was received.** Please reach out to Keri Cornman (keri.cornman@mass.gov) if you do not receive a confirmation of receipt email for your application submission. MDAR will not accept any late submissions, and will not consider late applications due to technical difficulties, so please be mindful of your submission timeliness.

No application will be accepted after the due date. All project narrative submissions are competitively ranked and scored by a Review Panel.

Email project submission to:

LFPAGrant@mass.gov

J. Additional Required Documentation and Responsibilities

If selected, the applicant(s) will be required to submit the following forms to complete the contract: Commonwealth Standard Contract Form and Commonwealth Terms and Conditions, filled out and signed by the applicant(s); Scope and Budget Form; Commonwealth W-9 tax information form filled out and signed by the applicant(s); Completed Contractor Authorized Signature Verification Form; Completed Electronic Funds Transfer Form; Proof of entity good standing in Massachusetts and IRS letter of Determination as 501 entity, if applicable. Assistance to complete these forms will be provided to Respondents selected to participate in the Program. These forms are available for review at www.mass.gov/osd or by request.

Applicants of awarded projects will be responsible for the following

- Signing an agreement with the Commonwealth of Massachusetts,
- Completing the contract within the contractual timeframe,
- Submitting a final project report including a sustainability plan in the required format per the executed contract,
- Submitting a final financial report itemizing actual expenses. Copies of invoices and proof of payment must be submitted with the payment request at the conclusion of the project,
- Agreeing to a site inspection once the project is complete and prior to final payment being released (if applicable,)
- Other requirements as outlined in the Commonwealth of Massachusetts contract,
- Quarterly check-in calls with MDAR program manager,
- Participation in bi-yearly meetings with other grant awardees to share best practices and concerns,
- Presentation of final project results and lessons learned to interested stakeholders at the conclusion of the project period, and
- If awarded, the Contractor shall be required to follow food safety requirements, maintain or acquire proper insurances.

3. DEADLINES AND PROCUREMENT CALENDAR

A. Release of RFR:	Tuesday, June 6, 2023
B. Application Deadline:	3:00PM Friday, August 4, 2023
C. Estimated Contract Start Date:	The grant period is estimated to begin on October 1, 2023 or later. Eligible costs are those incurred only after an award is issued and a final scope of services has been negotiated and executed by all parties. Costs incurred prior to the executed contract shall not be eligible for reimbursement. The effective start date of a contract shall be the latest of the following dates: the date the Standard Contract Form has been executed by an authorized signatory of the contractor and the procuring department; the date of secretariat or other approval(s) required by law or regulation; or a later date specified in the Standard Contract Form.
E. Webinars	Informational Webinars where questions may be asked will be held for interested applicants on Thursday, June 22 at 6:00pm and Tuesday, July 11 at 12:00pm, 2023 . Please contact Rebecca Davidson at Rebecca.Davidson@mass.gov to request access to the webinar. Webinar will be 1 to 1.5 hours in length and cover the LFPA program. Please note: This webinar will be recorded and made publicly available on MDAR’s LFPA web page to the application deadline so that all potential applicants who are unable to attend the webinar live or who wish to further review the webinar’s content may do so before submitting an application. <ul style="list-style-type: none"> • Thursday, June 22, at 6:00pm • Tuesday, July 11, at 12:00pm

4. RFR SPECIFICATIONS

A. Type of Procurement: Grant

- Grant

B. Use of This Procurement by Single or Multiple Departments:

- This RFR is single department procurement. Contracts awarded under this RFR will be utilized solely by MDAR.

C. Number of Grantees

- MDAR is looking to award multiple grants.

D. Anticipated Contract Duration

- MDAR will negotiate with all successful respondents within the established 19 month grant period. The grant period may begin on October 1, 2023 or later. Projects must be completed within 19 months of contract execution, and no later than May 31, 2025. Final project reports are due 30 days prior to the end of the contract period

E. RFR Distribution Method:

- 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.
- 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.
- 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.

5. ADDITIONAL RESOURCES

A. Helpful Maps

- [Environmental Justice Map Viewer](#)
- [Massachusetts SNAP Gap Map](#) - Presented by The Food Bank of Western Massachusetts (www.foodbankwma.org) and Massachusetts Law Reform Institute (www.mlri.org)
- [Massachusetts Food Systems Map](#)

RFR Attachments
Appendix A: Required Specifications

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

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

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

1. COMMBUYS Market Center. COMMBUYS is the official source of information for this Bid and is publicly accessible at no charge at www.commbuys.com. 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 Orders [523](#) and [565](#), the Commonwealth supports the use of diverse and small businesses through the Small Business Purchasing Program (SBPP) and the Supplier Diversity Program (SDP). Based on the estimated value of the procurement, one of the above-mentioned programs shall be applicable to this RFR. For more information on the program that applies to this solicitation, see the body of this RFR.

6. Small Business Purchasing Program (SBPP)

Program Background. The Massachusetts [Small Business Purchasing Program](#) (SBPP) was established pursuant to [Executive Order 523](#) to increase state contracting opportunities with small businesses having their principal place of business within the Commonwealth of Massachusetts. Pursuant to the SBPP, it is the intention of the issuing department to award this Small Procurement to one or more SBPP participating business(es) as described below.

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

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

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

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

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

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

7. Supplier Diversity Program (SDP)

Program Background. Pursuant to [Executive Order 565](#), the Commonwealth's [Supplier Diversity Program](#) (SDP) promotes business-to-business relationships between awarded Contractors and diverse businesses and non-profit organizations ("SDP Partners") certified or recognized (see below for more information) by the [Supplier Diversity Office \(SDO\)](#).

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

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

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

Eligible SDP Partner Certification Categories

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

- Minority-Owned Business Enterprise (MBE)
- Minority Non-Profit Organization (M/NPO)
- Women-Owned Business Enterprise (WBE)

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

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

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

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

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

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

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

Bidders may propose SDP Partners that are:

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

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

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

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

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

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

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

SDP Spending Reports and Compliance. After contract award, Contractors shall be required to provide reports demonstrating compliance with the agreed-upon SDP Commitment as directed by the department, which in no case shall be less than annually.

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

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

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

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

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

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

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

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

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

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

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

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

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

23. Acceptable Forms of Signature

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

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