



Division of Agricultural Conservation & Technical Assistance

State Owned Farmland Licensing Program

Western Massachusetts Hospital, Westfield, MA
Fiscal Year 2020

Request for Response (RFR): RFR File: AGR-SFLPWESTDPH-2020

For proposals for the agricultural use of multiple parcels totaling approximately 43 +/- acres of farmland located on East Mountain Road in Westfield, Massachusetts.

Responses must be received by MDAR no later than 3:00 PM, December 19, 2019.

Contact: Barbara Hopson
Regional Planner
Telephone: 413-726-2003
Email: barbara.hopson@mass.gov



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

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EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Kathleen A. Theoharides, Secretary

RFR Announcement: RFR ID: AGR-SFLPWESTDPH-2020

November 21, 2019

1. LAND LICENSING OPPORTUNITY SUMMARY:

A.	Proposals Sought For:	The agricultural use of approximately 43+/- acres of farmland located on East Mountain Road in Westfield, MA.
B.	Overview and Goals:	The Commonwealth of Massachusetts Department of Agricultural Resources (MDAR) on behalf of the Department of Public Health is soliciting proposals for the agricultural use of approximately 43 +/- acres of state-owned property consisting of 10 field areas located at the Western Massachusetts Hospital in Westfield, Massachusetts.
C.	Eligible Applicants:	Agricultural operations as defined by M.G.L. c. 128, Sec. 1A that are principally and substantially engaged in the business of production agriculture or farming for commercial purposes.
D.	Application Deadline:	December 19, 2019 at 3:00pm.
E.	Total Anticipated Duration of Contract:	5 years with the option to renew for up to five years
F.	Regulations, Statutes, or Authorization Governing this Grant Program:	330 CMR 18.00; M.G.L. c.128, s. 7A-7F
G.	Contact Information:	Barbara Hopson, Regional Planner Department of Agricultural Resources 138 Memorial Avenue, Suite 42 West Springfield, MA 01089 (413) 726-2003; barbara.hopson@mass.gov

2. PERFORMANCE AND CONTRACT SPECIFICATIONS

A. Eligible Applicants:

Eligible Applicants	<ul style="list-style-type: none">• Agricultural operations as defined by M.G.L. c. 128, Sec. 1A that are principally and substantially engaged in the business of production agriculture or farming for commercial purposes and:<ul style="list-style-type: none">○ are legally recognized entities within the Commonwealth and have the ability to enter a legally binding agreement with the Commonwealth;○ have demonstrated the capacity to implement and administer projects and programs as defined in the responsive proposals to this RFR;○ if the applicant is not an individual doing business under his/her own name, the proposal must describe the status of the organization (whether a non-profit or charitable institution, a partnership, a business association, or a joint venture) and indicate the jurisdiction under whose laws it is organized and operating.• Applicants must be residents of the Commonwealth or entities doing business in the Commonwealth, which have over half of their ownership or trusteeship held by residents of the Commonwealth or must meet this requirement within 60 days of awarding the bid and prior to entering a license agreement.• Only proposals for agricultural uses will be considered. Uses must comply with the regulations promulgated under M.G.L. Chapter 128, Sections 7A-7F.• Applicants must be in compliance with other federal, state, and local statutes, regulations, ordinances, and bylaws.• Applicants who have existing agricultural operations shall be subject to a site visit.
Ineligible Proposals	<ul style="list-style-type: none">• Proposals from applicants whose operation is out of compliance with any Department programs or regulations.• Proposals from applicants failing to meet requirements for previous or existing MDAR Standard Contracts, such as licenses, permits, certificates of approval, certificates of completion, including APR and/or assistance programs or from applicants with poor past contract performance as determined by MDAR.• Proposals for the growing of marijuana and hemp are not eligible.

B. Contract Specifications.

Agricultural Field Descriptions: Please refer to the enclosed map for individual fields (Attachment B). All soil type acreages are approximate. Photographs of the property may be viewed at the following website: <https://www.mass.gov/media/2070256/download> or by calling Barbara Hopson:

<u>FIELD NAME</u>	<u>ACREAGE AND SOILS DESCRIPTION</u>
Field 1	7.0 +/- acres used previously for sweet corn/vegetable production. Soils consist of 71.6% [5 acres] prime farmland soils.
Field 2	3.7 +/- acres used previously for sweet corn/vegetable production. Soils consist of 100% [3.7 acres] prime farmland soils.
Field 3	2.6 +/- acres used previously for sweet corn/vegetable production. Soils consist of 100% [2.6 acres] prime farmland soils.
Field 4	1.3 +/- acres used previously for vegetable production. Soils consist of 100% [1.3 acres] prime farmland soils.
Field 5	5.1 +/- acres used previously for vegetable production. Soils consist of 0% [5.1 acres] prime or state farmland soils.
Field 6	5.1 +/- acres used previously for vegetable production. Soils consist of 79% [4 acres] state farmland soils.
Field 7	8.4 +/- acres used previously for vegetable production. Soils consist of 94.8% [8 acres] prime farmland soils.
Field 8	2.2 +/- acres used previously for vegetable production. Soils consist of 100% [2.2 acres] state farmland soils.
Field 9	4.0 +/- acres used previously for vegetable production. Soils consist of 72.8% [2.9 acres] prime farmland soils.
Field 10	4.2 +/- acres used previously for vegetable production. Soils consist of 81% [3.4 acres] prime farmland soils.

NOTE: Field 1 and 7 may be used by DPH for development of additional facilities although no definitive plans have been developed at this time. A minimum of one (1) growing season notice will be given in the event that Field 1 and/or Field 7 is to be developed.

<p>Condition of the Licensed Premises</p>	<ul style="list-style-type: none"> • Licensee accepts the Licensed Premises in “as-is, where-is” condition. • Licensor is under no obligation to make any repairs, renovations, or alterations to the Licensed Premises. • Licensor has made no representations or warranties whatsoever regarding the Licensed Premises, including, without limitation, no representations or warranties regarding fitness of the Licensed Premises for Licensee’s intended purpose or use. • Licensee shall neither cause nor suffer any waste of the Licensed Premises and shall maintain the Licensed Premises in good order at all times. Licensee’s responsibilities shall include, but not be limited to, the repair of any and all damage or breakage resulting from acts of vandalism or the intentional or negligent acts of Licensee or others, but excluding damage or breakage caused by employees, agents, or contractors of Licensor. All repairs made by Licensee shall be performed in a manner satisfactory to Licensor. Licensor shall have the option to make such repairs for the account of Licensee, in which event Licensee shall reimburse Licensor for any and all costs incurred by Licensor to make such repairs. Licensee shall make payment within ten business days after written demand by Licensor.
<p>Utilities</p>	<ul style="list-style-type: none"> • The Licensed Premises are not served by any utilities. • Construction of structures or utilities, with the exception of water lines will not be allowed. Installation of water lines will only be allowed with prior approval of DPH and MDAR. Any payment for city water shall be the sole responsibility of the Licensee(s).
<p>Minimum Acceptable Rent</p>	<ul style="list-style-type: none"> • No minimum acceptable rent has been established for the agricultural fields and license areas. Acceptable rent will be based on the proposed use of the fields and license areas and will reflect current market rates. • All rent shall be payable to the Department of Public Health.
<p>C. Proposal Terms</p>	
<p>Use Guidelines and Eligibility</p>	<ul style="list-style-type: none"> • A license agreement will be negotiated and executed between the Commonwealth and the selected applicant(s) to outline the terms and conditions of use. Rental period shall be for up to five (5) years with an option to renew for an additional period of up to five (5) years.
<p>Insurance</p>	<ul style="list-style-type: none"> • Licensee shall keep in force, at Licensee’s sole cost and expense during the full term of this License and during such other times as Licensee occupies the Licensed Premises or any part thereof, the following insurance policies:

Comprehensive General Liability Insurance insuring Licensee against all claims and demands for personal injury or damage to property that may be claimed to have occurred upon or about the Licensed Premises. Said insurance shall be written on an occurrence basis to afford protection in the amount of not less than fifty thousand dollars, combined single limit for personal and bodily injury and death and for property damage, with a so-called "broad-form" endorsement and contractual liability coverage insuring the performance by Licensee.

Vehicle Liability Insurance covering each vehicle of Licensee entering the Licensed Premises in an amount not less than the compulsory coverage required in Massachusetts.

Workers Compensation Insurance covering Licensee's employees upon the Licensed Premises in such amounts as are required by law.

- All insurance coverage required shall be by standard policies obtained from financially sound and responsible insurance companies authorized to do business in Massachusetts.
- Each said insurance policy shall name the Commonwealth of Massachusetts as an additional insured and shall contain a provision stating that such coverage shall not be cancelled, reduced, or otherwise materially altered without at least ten days prior written notice to Licensor.
- Licensee shall provide to the Commonwealth a Certificate of Insurance evidencing compliance with this provision prior to signing a License Agreement and upon the annual anniversary of the start date of the License.

3. INSTRUCTIONS FOR APPLICATION SUBMISSIONS

A. Evaluation Criteria: Each response will be scored using the following measures:

MDAR will select proposals that best fit each location based on the following criteria:

- Only proposals for agricultural uses will be considered. Uses must comply with the regulations promulgated under M.G.L. Chapter 128, Sections 7A-7F.
- Applicants must be in compliance with other federal, state, and local statutes, regulations, ordinances, and bylaws.
- Applicants who have existing agricultural operations shall be subject to a site visit.
- Project application is in compliance with the submission requirements and format presentation for this RFR.
- Past experience and demonstrated capacity (e.g. access to farm machinery etc.) to manage land for commercial agricultural purpose as defined in M.G.L. Chapter 128 Section 1A
- Adequate supporting proposal documentation.
- Land use plans which promote sustainable agricultural practices and contain the following at a minimum:
- Activities to improve the property for agricultural use (e.g. improvement of soil fertility, implementation of Best Management Practices (BMPs)).
- Provisions for soil conservation measures recommended by the County Conservation District and the Natural Resources Conservation Service (e.g. crop rotation, cover cropping).
- Commitment to reducing pesticide use (e.g. implementation of an Integrated Pest Management Plan (IPM))
- Measures to prevent soil erosion and build soil fertility, such as cover-cropping.
- How well the response best fits the Commonwealth's management plan for commercial agricultural use of the property, stewardship of the agricultural resource and is compatible with nearby and abutting land use.

- Demonstrated skill/experience of applicant as documented in resume or qualification statement of applicant and a copy of the resumes/qualification statements of all parties involved in the farming operation.
- Proposed license fee per year.
- Proposal includes plan to comply with MDAR policies to reduce the use of pesticides.
- Applicant has provided a Farm Plan sufficient to determine that the land will be farmed to its maximum possible commercial extent.
- Applicant is a farmer who leases, owns or operates a farm.
- Preference will be given to new entry farmers (less than two years' experience managing and owning a farm) who has taken relevant courses and workshops.
- Results of Site Visit for applicants with an existing agricultural operation.

B. Proposal Submission Information Deadline

A proposal form is attached and must be completed and mailed/delivered to Agricultural Resources by the response date deadline. Envelopes must be marked in the lower left-hand corner with the following:

“Proposal for use of state-owned farmland at Western Mass. Hospital-Westfield”

Envelopes not so marked are likely to be opened before that time and will be returned to the sender. Proposals received by 'MDAR's Land Use Administrator later than 3:00 PM. on December 19, 2019 will be returned to their respective owners.

Applicants are cautioned to allow sufficient time for their proposals to be received by the Land Use Administrator as only proposals RECEIVED by MDAR by the response date will be reviewed and considered. Electronic or facsimile proposals are acceptable provided that the proposal is successfully received by the Land Use Administrator prior to the opening date and time.

All materials must be sent to the attention of:

**Barbara Hopson
Regional Planner
Department of Agricultural Resources,
138 Memorial Avenue, Suite 42, West Springfield, MA 01089
Telephone: 413-726-2003
Email: barbara.hopson@mass.gov**

C. Additional Required Documentation

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

- A License Agreement which will be adapted to the specific licenses area and to reflect the terms agreed upon by the parties to accomplish the purposes of the RFR.
- EEA Scope and Budget Form
- Commonwealth W-9 tax information form filled out and signed by the Respondent (if not already on file)
- Completed Contractor Authorized Signature Verification Form
- A deposit of one year's rent in the form of a **certified** personal check, cashier's check, or money order made payable to: The Commonwealth of Massachusetts Department of Public Health.

Respondents are encouraged to review these forms prior to submission of a Response. They are available as attachments to this document.

4. DEADLINES AND PROCUREMENT CALENDAR

A. Release of RFR:	November 26 2019
B. Information Sessions:	No information session will be held but questions can be directed to Barbara Hopson at 413-726-2003 or barbara.hopson@mass.gov
C. Application Due Date:	December 19 2019 at 3:00 PM
D. Estimated Award Date:	Awards are estimated to be announced by January 10, 2020
E. Estimated Contract Start Date:	Notwithstanding any verbal representations by the parties, or an earlier start date listed in the Standard Contract Form, and only after an award is issued and a final scope of services has been negotiated, the effective start date of a contract shall be the latest of the following dates: the date the Standard Contract Form has been executed by an authorized signatory of the contractor and the procuring department; the date of secretariat or other approval(s) required by law or regulation; or a later date specified in the Standard Contract Form.

5. MISCELLANEOUS

A. Type of Procurement:
<ul style="list-style-type: none">• License
B. Use of This Procurement by Single or Multiple Departments:
<ul style="list-style-type: none">• This RFR is for single department procurement. All licenses awarded under this RFR will be utilized solely by MDAR
C. Request for Single or Multiple Contractors:
<ul style="list-style-type: none">• Multiple
D. RFR Distribution Method:

- This RFR has been distributed by the Department’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.

E. List of Attachments:

Attachment A: Proposal to License State-Owned Agricultural Fields- Western Mass. Hospital, Westfield
Attachment B: License Areas

Official Use Only
Date Received: _____
Received By: _____

Attachment A: PROPOSAL TO LICENSE STATE-OWNED AGRICULTURAL FIELDS- WESTFIELD

All of the information on this application must be completed or identified as Not Applicable.

1. Agricultural Operation Information:			
Applicant Name	<input type="text"/>		
Operation Name	<input type="text"/>		
Legal Structure	<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> LLC <input type="checkbox"/> Other _____		
Or	_____		
Employer	<input type="checkbox"/> I do not currently own or lease land but am an experienced farm worker seeking to lease land		
Mailing Address	<input type="text"/>		
City, State, Zip	<input type="text"/>		
Home Phone	<input type="text"/>	Mobile Phone	<input type="text"/>
E-mail	<input type="text"/>	County	<input type="text"/>

2. Current Agricultural Operation Details:			
Type of Operation:	<input type="checkbox"/> Maple <input type="checkbox"/> Beef <input type="checkbox"/> Produce <input type="checkbox"/> Cranberry <input type="checkbox"/> Greenhouse <input type="checkbox"/> Livestock		
	<input type="checkbox"/> Dairy <input type="checkbox"/> Nursery <input type="checkbox"/> Other	<input type="text"/>	
Acreage Owned	<input type="text"/>	Acreage Leased	<input type="text"/>
		Acreage in Production	<input type="text"/>

3. Site Address for Current Operation (if different from above):	
Site Address	<input type="text"/>
City, State, Zip	<input type="text"/>

4. Proposal Details: Complete each section.

a. Identify which parcels and / or license areas you wish to license (farmers may seek licenses for more than one parcel and/ or license area)

PARCEL	YES	NOT INTERESTED
Field 1	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 2	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 3	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 4	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 5	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 6	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 7	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 8	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 9	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Field 10	<input type="checkbox"/> Yes	<input type="checkbox"/> No

4. Proposal Details: Complete each section.

AGRICULTURAL LAND USE PLAN- WESTFIELD

b. Provide a clear description of how you intend to use the licensed parcels for agricultural purposes including crops grown and/or livestock raised and a planting/ growing/ harvesting schedule. Where will the agricultural products be sold? (Submit separate information for each parcel if necessary). This will be considered your “land use plan” and granted a license, you will be required to maintain the land according to this plan:

b. Describe your farming experience

c. Provide any other relevant information

d. Describe equipment you possess to allow you to utilize, maintain and work the agricultural resource to its fullest potential?

e. Please provide the name, address and phone number of three references, at least one of which shall be from a landowner from whom you currently rent/use land

Reference 1

NAME:	
POSITION/ TITLE	
RELATIONSHIP TO YOU:	
PHONE:	
EMAIL:	

Reference 2

NAME:	
POSITION/ TITLE	
RELATIONSHIP TO YOU:	
PHONE:	
EMAIL:	

Reference 3

NAME:	
POSITION/ TITLE	
RELATIONSHIP TO YOU:	
PHONE:	
EMAIL:	

e. What is the proposed rent per parcel?

5. 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 decision is made. All site visits will be arranged with you in advance.

Signature: _____

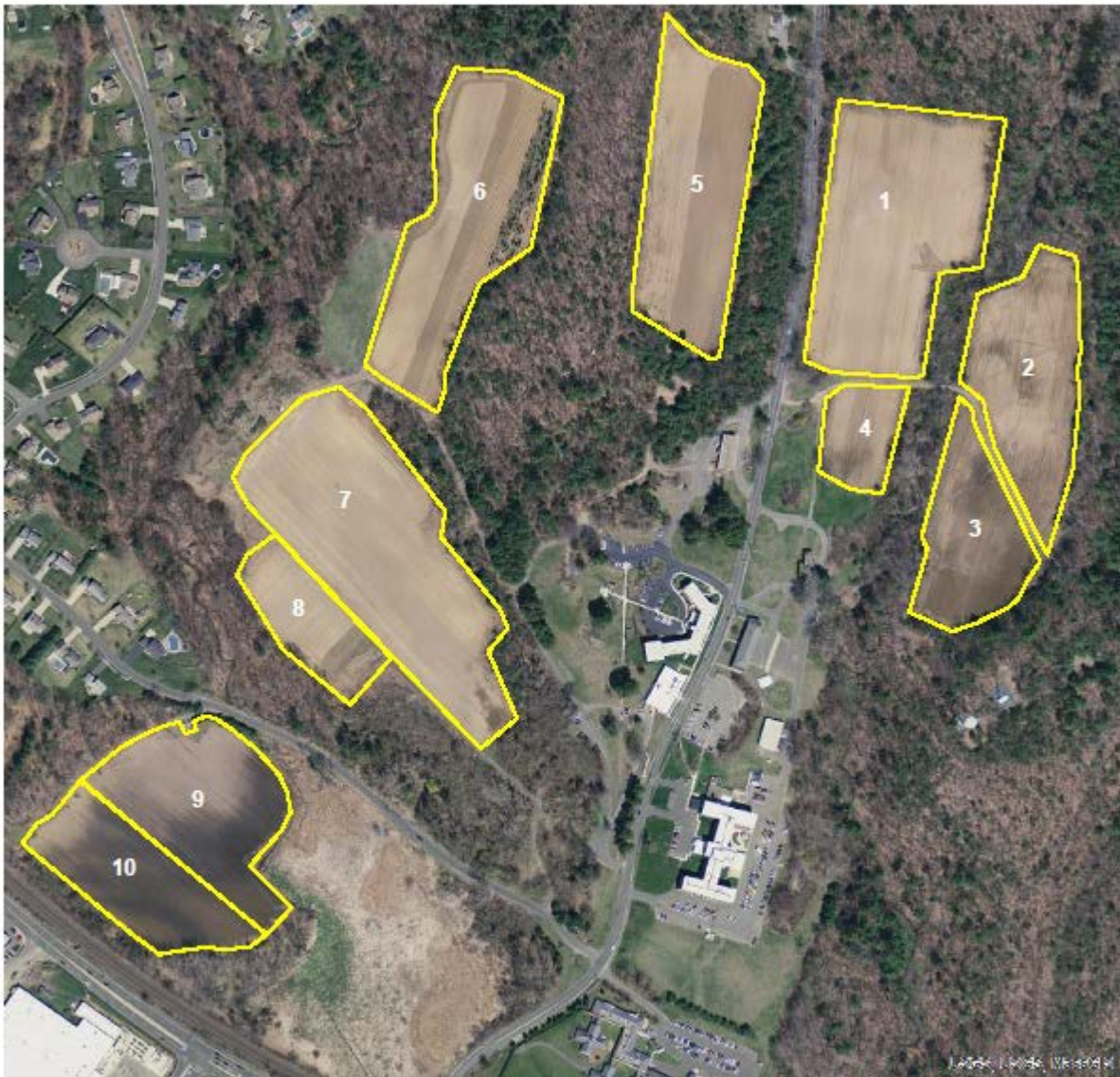
Date: _____

Print Name: _____


Please complete and return the proposal response form along with your resume and a resume for all others involved in the farming operation by the appropriate deadline as described on page 8.

Attachment B: License Area

Western Massachusetts State Hospital
Agricultural Land Units - Westfield
46 +/- Acres



Legend

 Western MA Hospital

Imagery: 2013-2014 USGS ColorOrtho, MassGIS

Disclaimer: This map is for informational purposes only and does not constitute a survey.

