

**Division of Agricultural Conservation & Technical Assistance**

Farm Viability Enhancement Program

Fiscal Year 2019

Request for Response (RFR): RFR File: AGR-FVEP-19

*For the implementation of agricultural projects that improve economic viability, help with environmental sustainability, and provide for short term farm land preservation*

**Responses must be received by MDAR no later than 4:00 PM on April 10, 2018**

Contact: Craig Richov

Telephone: 617-626-1725

Email: Craig.Richov@state.ma.us

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

EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS

Matthew A. Beaton, Secretary

Grant Announcement

RFR ID: AGR-FVEP 19-26

Dated: February 1, 2018

Farm Viability Enhancement Program (FVEP)

1. Grant Opportunity Summary:

**A. Proposals Sought For:** The Massachusetts Department of Agricultural Resources (“Department”) invites responses from Massachusetts farmers who raise and sell agricultural products who wish to participate in the Farm Viability Enhancement Program (“Program”). This Program provides technical assistance, business planning, and farm improvement implementation funding.

### B. Overview and Goals: The purpose of the Program is to assist farmers in improving their economic viability and environmental integrity through the development and implementation of a Farm Viability Enhancement Plan (“Plan”) and to place short term agricultural covenants on farmland to protect agricultural resources. A comprehensive business plan is developed in Phase I by a team comprised of farmers and other agricultural, economic and environmental consultants engaged by the Department. The Plan suggests ways for a farmer to increase on‑farm income through such methods as improved management practices, diversification, direct marketing, value‑added initiatives, and agritourism. Farmers, who develop Plans with the Department in Phase I, are eligible to participate in Phase II of the Program upon a declaration of interest by the farmer and upon a favorable decision of the Department. Phase II of the Program requires the execution of a new contract between the Department and the farmer. The owner of the property is required to grant an Agricultural Covenant to the Commonwealth of Massachusetts for a term of years. In exchange, the Department provides the farmer with funding to implement specific portions of the Farm Viability Plan.

**C. Eligible Projects:** New farm structures, or improvements to existing structures, new or used farm equipment, food processing and marketing improvements. (See further detail on eligible projects in section 2B). Unless otherwise registered with the Department as an Agricultural Research Pilot Program under M.G.L. c. 128, Sections 116 through 123 and in accordance with the Agricultural Act of 2014, all projects involving marijuana or hemp shall not be eligible for funding from the Department at this time.

**D. Eligible Applicants:** To be eligible for participation in the Program, a Responder must own, or be a Co-Responder with the owner, who has a legal interest in the land whether by deed or written agreement and approval to implement the Plan, of at least five (5) acres of land, which must be in active agricultural use and managed as a commercial enterprise by the Responder for at least the three (3) previous years.

**E. Application Deadline:** 4:00 P.M. April 10, 2018

F. Funding Availability: For Fiscal Year 2019, the total amount available is expected to be around $650,000. Grant sizes may vary from $25,000 up to $125,000 per applicant and shall be made at the discretion of the Department. Exceptions to these funding limitations may be made at the Department’s discretion (see further detail on Funding Availability in section 2C).

G. Match Requirement: For grants up to $75,000 there is no match requirement. Higher awards require an applicant match for additional levels of funding provided. (See further detail on the match requirement in section 2D).

**H. Total Anticipated Duration of Contract(s):** Contracts usually last about a year, beginning in March/April/May 2019 and ending around April/May/June 2020. (See further detail on anticipated duration of contract(s) in section 2F).

**I. Regulations, Statutes, or Authorization Governing this Grant Program:** Authorized in M.G.L. Chapter 20: Section 22.

**J. Contact Information:** Craig Richov

Massachusetts Department of Agricultural Resources

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[www.mass.gov/agr](http://www.mass.gov/agr)

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| **2. Performance and Contract Specifications** |
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| 1. **ELIGIBLE APPLICANTS:** |
| * To be eligible for participation in the Program, a Responder must own, or be a Co-Responder with the owner, who has a legal interest in the land whether by deed or written agreement and approval to implement the Plan, of at least five (5) acres of land, which must be in active agricultural use and managed as a commercial enterprise by the Responder for at least the three (3) previous years. This three (3) year management requirement may be waived if the operator has substantial direct management experience in farming. * Farms that have previously participated in the Program are eligible to apply if the 5-year or 10-year Covenant has already expired, or the farm was placed under a Covenant prior to July 1, 2010. * Cranberry operators must own, or be a co­-applicant with the owner of, a minimum of twenty (20) acres total, with at least three (3) acres of cranberry bogs currently in production and at least ten (10) acres of non-wetland (upland). Responders must have an NRCS Farm Conservation Plan dated no earlier than 2011, or be actively involved in a planning process with the County Conservation District and, prior to responding to this RFR, have signed a Co-operator’s Agreement with the District showing intent to complete an up-to-date Conservation Plan. The acreage as defined in the Farm Conservation Plan, if any, will govern farm eligibility.   Applicants must be in good standing with all applicable local, state, and federal laws, ordinances, bylaws and/or programs at the time the application is made, prior to, and at all times during the terms of the contract. Unless otherwise registered with the Department as an Agricultural Research Pilot Program under M.G.L. c. 128, Sections 116 through 123 and in accordance with the Agricultural Act of 2104, all projects involving marijuana or hemp shall not be eligible for funding from the Department at this time.   * Ineligibility: Farmers with farm land acreage already restricted by an Agricultural Preservation Restriction (“APR”), or Conservation Restriction, or other encumbrance are not eligible to apply to this Program. Non-restricted acreage, owned by an APR owner or owners of similarly encumbered lands, can be used to qualify for funding in the Program and could be placed under a Covenantand could be eligible for funding in the Program. * Ineligibility: Farm operators who participated in the Matching Enterprise Grants for Agriculture Program (MEGA) shall be ineligible to submit a Response to this Program for a period of three (3) years following the start date of their MEGA contract. Previous participants in the APR Improvement Program are ineligible to apply to this Program. * Ineligibility: Non-profit organizations are ineligible for this Program. * Ineligibility: Previous FVEP participants who have been accepted into the Program and received   funding twice are not eligible for consideration a third time. |
| 1. **Eligible Project(s)/Scope(s) of Work:** |
| Typical FVEP improvement projects include new farm structures or improvements to existing structures (e.g., barns, sheds, greenhouses, farm stands); new or used farm equipment (tractors, field equipment), delivery vans, food processing and marketing improvements. |
| 1. **Funding Availability, Budgeting Guidelines & Allowable Expenditures:** |
| The total amount available is expected to be around $650,000. Grant sizes are from $25,000 up to $125,000. |
| 1. **Match Requirement:** |
| While most participants choose to contribute some of their own funds towards identified project costs, there is no match required by program participants except for those participants eligible for the highest grant award amounts of $100,000 to$125,000, if these funding levels are available and offered. The $100,000 funding level requires a 50% farmer contribution of $50,000 towards a total project cost of at least $150,000. Similarly, a farmer with a contribution of $75,000 towards a $200,000 project may be eligible for a $125,000 award. |
| 1. **Project Terms:** |
| If awarded, all projects will be required to abide by the Standard Commonwealth of Massachusetts Terms and Conditions. In addition, all final contracts are subject to successful negotiation of a Final Scope of Services. Please note that EEA does not guarantee that any contracts may result from this RFR or that any particular funding level will be awarded. It is anticipated that projects could commence following completion of Phase I. The awarded contracts will be reviewed during their course and, upon request by the Contractor, may be extended or otherwise amended at the sole discretion of EEA. Any extensions granted will not necessarily change, or increase, the monetary value of the contract. |
| 1. **Anticipated duration of contracts:** |
| Most contracts are expected to be approved in March/April/May 2018 and will terminate about a year later. |
| 1. **Deliverables, Ownership, and Credit Due:** |
| Participants who sign a contract must complete approved upon elements of the Farm Viability Plan and provide documentation for expenses incurred. |
| 1. **Reporting and documentation:** |
| Once the project is complete and all funds spent, a closeout visit will be conducted by program staff or consultant to view improvements made through program participation and interview participants to complete a program evaluation form.   1. Program Participants must provide the Department with all the records and receipts of the expenditures made at a date specified in the contract with the funds received. 2. In order to evaluate the impact of the Program and upon request from the Department, Participants must submit any and all information and financial data pertaining to their farming operation to the Department for a period of up to five (5) years following the termination date specified on the contract. All such financial data shall be considered confidential to the extent permitted by M.G.L. c. 4, Section 7(26). |
| 1. **Invoicing/funding:** |
| Once a Farm Viability Plan has been developed and approved by the Department at the completion of Phase I, funding for Plan implementation may be available. Funding from the Program is optional and awards may be rescinded at any time during the technical assistance and business plan development phase prior to the grant of an Agricultural Covenant. Prior to proceeding on to Phase II, both the farmer and the Department must agree upon which selected elements from the improvement plan will be implemented. Depending on the availability of funding, the Department may offer the Participants one (1) of five (5) funding options. Participants must agree to all the conditions contained in either (1), (2), (3), (4) or (5) below:   |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | | Funding Option | Award | Covenant Term | Scale of Operations (based on Gross Farm Income) | Covenant Acres Required | Matching Funds Required | | 1. | $25,000 | 5 years | Up to $50,000 | 5 acres or more | None | | 2. | $50,000 | 10 years | Min $50,000 | 5 acres or more | None | | 3. | $75,000 | 10 years | Min $100,000 | 75 acres | None | | 4. | $100,000 | 10 years | Min $150,000 | 100 acres | $50,000 | | 5. | $125,000 | 10 years | Min $200,000 | 125 acres | $75,000 |   Matching funds are defined as cash invested by the farm operator. The sources of that capital may be savings or operating funds, loans or other grants. In kind services, farm labor or farm materials are not eligible as a match. Costs incurred prior to the contract and execution of the Covenant in Phase II cannot be reimbursed and shall not qualify as Program expenditures. |
|  |
| **3. Instructions for Application Submission** |
|  |
| 1. **Evaluation Criteria:** |
| Applications will be evaluated and selected based on the following criteria. They are listed in order of importance.  (1) Degree of threat to the continuation of the agricultural activity. A threat can include, but is not limited to: financial instability, urban encroachment, market forces, or management changes that may negatively impact continuing agricultural activity. This factor is the most important consideration in reviewing applications and selecting farms to participate in the Program under this RFR.  (2) Number of acres of land to be protected by the Covenant. Higher acreage is more competitive. Intensity of use on the land, and its significance and contribution to the state’s agricultural industry will be considered. As a guideline, a farm with a gross farm income of at least $10,000 will have additional consideration in the review process over smaller gross income amounts.  (3) Number of years and type of agricultural experience and training of Responders, and their willingness to explore improved management and efficiency methods. Identification of problems, needs, and examples of opportunities for growth or possible solution paths for farm viability are contained in the application.    (4) Whether Responders, who are reapplying and have received Department funding in the past, have demonstrated a need for additional support and have proven to be a good investment in the past.  (5) Degree to which the project would accomplish environmental objectives, such as the protection or conservation of water resources. Those responses that rate the need for an environmental assessment as ‘High’ will be more competitive in the review process.  (6) Whether the agricultural operation has diversified into retail or value-added activities or there are plans to diversify into retail and value-added activities.  (7) The suitability and productivity of the land for agricultural use based on its current or historic use, physical features, and location.    (8) Other unique factors that tend to support eligibility such as historical, open space, or aesthetic amenities, and providing farm employment.  The Department reserves the option to interview some or all of those submitting an application ONLY for the purpose of clarifying information already provided in an application prior to making a final decision. |
| 1. **Application Submission Instructions:** |
| Anyone interested in submitting an application to this Request for Response must submit a completed Section II - Application and a completed Section III - Financial Statement show as Attachment A to this RFR. |
| 1. **Additional Required Documentation:** |
| In addition to Section II and Section III, a Responder must submit an aerial photo, with the farm property bounds outlined. An additional map or plan to show farm area or boundaries would also be welcome. Aerial photos are available on line, or can be prepared by your USDA-NRCS field office once you provide them with an outline of your farm’s boundaries. Maps and photos provided by USDA-NRCS are a free service provided to farmers. Responders should plan on contacting NRCS as soon as possible as it may take several weeks before you receive any map or photo. If you already have an up-to-date NRCS Farm Conservation Plan, you may submit copies of maps and aerial photos from the plan. It is not necessary to include the entire plan unless you operate cranberry bogs.  Instructions for Previous Participants in the Farm Viability Program  In addition to submitting required materials described in the instructions above, Responders who wish to be reconsidered for participation in the Program a second time must include a separate one (1) page addendum to their response and provide the Department with the following information that will be used to evaluate the response: When did you receive FVEP funds? How much did you receive? How did you spend the funds? What effect did the planning and grant have on your operations? How did it affect your gross farm income? Knowing we do not wish to fund normal on-going operational improvements, upgrades or maintenance, what new enterprise or activity are you considering for use of the grant funds?  Prior participants who wish to be reconsidered should demonstrate a need for additional services and funding such as starting a new enterprise on the farm or a new processing or marketing effort. Farms applying for normal equipment upgrades, needed repairs or other routine operational improvements will be less competitive in the selection process. |
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| **4. Deadlines and Procurement Calendar** |
| 1. **Release of RFR:** February 1, 2018 |
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| 1. **Information Session:** None planned at this time. |
|  |
| 1. **Application Due Date:** Responses (Attachment A - Section II and Section III) with all requested supporting documents, noted in Section 3C, must be received no later than 4:00 P.M. on April 10, 2018 at the following address:   Craig Richov, Massachusetts Department of Agricultural Resources  251 Causeway Street, Suite 500, Boston, MA 02114-2151.  Electronic files and facsimiles shall not be accepted. Postmarks shall not be considered. |
|  |
| 1. **Estimated Award Date:** Selection for participation in the Program is estimated to be announced on or about September 26, 2018. Responders will be informed which option the Department intends to offer when notified of acceptance. However, notification of acceptance into the Program is not notification of a grant award. A final determination of award amount to be offered to each participant will be made by the Department during or at the completion of the business and technical assistance process. |
|  |
| 1. **Estimated Contract Start Date:**     1. **Phase I:**   Review of responses to this RFR- through August 2018. Subject to the availability of funds, notification of acceptance into Phase I – September 10, 2018. Orientation for farmers who are accepted into the Program will be during September and October 2018. The Plans will be developed between November 2018 and March 2019 (Phase I).   * 1. **Phase II:**   The earliest possible payment under Phase II of the Program is January 2019 but most payments will be made in April through June. Once a Plan is complete, a contract, Covenant and other required documents are prepared and executed. Depending on the availability of funds, the Department’s approval of contracts and release of funds is expected to take place between January 2019 and June 2019. |
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| 5. Miscellaneous |
|  |
| **Type of Procurement**: Grant |
|  |
| 1. **Use of This Procurement by Single or Multiple Departments:** This RFR is a single department procurement. All contracts awarded under this RFR will be utilized solely by DAR. |
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| 1. **Request for Single Or Multiple Contractors:** Multiple |
|  |
| 1. **RFR Distribution Method:** 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. |
|  |
| 1. **List of Attachments:** At the beginning of Phase II, a Participant must be willing to execute an Agricultural Covenant, a sample of which is available upon request. Any Participant (also called a Contractor or Bidder on the attachment forms) who is accepted for participation in Phase II of the Program must complete the following: 2. Standard Contract Form and Instructions 3. Authorized Signatory Listing 4. Commonwealth Standard Terms and Conditions 5. W-9 Form 6. Authorization of Electronic Funds Payment form 7. Property Description Form\* (accompanied by a copy of the deed(s) for your farm property that will be placed under the Agricultural Covenant) 8. An executed recordable Agricultural Covenant\*   *\*Please consult the RFR Contact to request a sample of items F and G. All other Attachments are available at http://www.mass.gov/osd under Key Resources.*  It is not necessary to complete any of the above forms as part of the response to this RFR. Once a Responder has been selected to be a Participant in the Program, the Department shall provide a copy of these Attachments to the Participant for completion and execution in the contract approval process. |

**Attachment A**

REQUEST FOR RESPONSE – AGR-FVEP-19

**MASACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES**

Farm Viability Enhancement Program

Section II - APPLICATION

*It is important that you read the Section I entitled Program Description before completing this Section II entitled Application. Key information is contained in Section I. Please read carefully and respond to each question. Attach up to two (2) additional sheets if necessary (letter size paper, font size no smaller than 12).*

*Please type or print clearly in ballpoint pen.* Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

|  |  |
| --- | --- |
| Municipality: | Date received: (official use only) |
| County: | Received by: (official use only) |

1. Applicant(s):

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name: | | | | |
| Mailing Address: | | | | |
| Town: | | Zip: | E-Mail: | |
| Phone: | Other Phone(s): | | | Website: |

2a. Farm location if different from above:

|  |
| --- |
| Address: Town: Zip: |
| Phone: |
| Name of person in residence: |

2b. Owner(s) of record if different from applicant(s):

|  |  |
| --- | --- |
| 1. Name: | 2. Name: |
| Address: | Address: |
|  |  |
| Phone: | Phone: |

Is the owner a Trust or Corporation? Yes \_\_\_\_\_ No \_\_\_\_\_

2c. Farm name, Corporate, Trust or Business name (DBA), if any:

|  |
| --- |
|  |

3a.What are the primary farm businesses and/or crops currently on the farm? Check all that apply.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Dairy | Vegetable | | Orchard | | Nursery | | Greenhouse | Value-added |
| Forest products | | Maple | | Livestock | | Other: specify | | |

List the agricultural activities carried out on the farm in 2017. (Crops grown with number of acres for each crop, livestock produced with kind and number, number of taps and gallons of maple syrup per year, square feet of green house space, etc.

|  |  |
| --- | --- |
|  |  |
|  |  |
|  |  |
|  |  |

3b. Is there a retail or value-added operation? Check all that apply.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Wholesale | Farmstand | PYO | Farmers Mkts. | CSA | Other: specify |

Describe how you sell your products (retail, percentage wholesale – customer type, number of farmers markets, or CSA memberships, livestock auction, etc.).

|  |  |
| --- | --- |
|  |  |
|  |  |
|  |  |

4. How many acres of land does the applicant own? \_\_\_\_\_\_\_\_\_Acres.

*Please note: Larger amounts of acreage proposed for restriction under the Covenant is more competitive in the review process. It is Program policy that the entire farm (all land under the name of the applicant) must be placed under the Covenant.*

How many acres are you willing to place under Covenant? \_\_\_\_\_\_\_Acres. Copies of deeds for these acres are not needed for your response. Selected Responders shall have to provide a copy of their deed(s) to the Department during Phase I of the Program. For complex ownership situations, it may be the responsibility of the selected Responder and their legal representative to provide a description of the property.

5. How many acres of farmland do you rent, lease or use *from* other people? \_\_\_\_\_\_\_\_\_Acres.

Do you rent land *to* others? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, indicate # of acres \_\_\_\_\_\_\_ and how the land is used \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The Department needs details on the total acreage of the farm that will be placed under Covenant. Provide an approximate outline of your property on a (1) United States Geological Survey topographical map and (2) on an aerial photo.

6. Please complete this table.

|  |  |  |  |
| --- | --- | --- | --- |
| LAND TYPE OR USAGE | Acres owned | Acres rented | TOTAL acreage |
| Example: Tillable cropland | 70 | 30 | 100 |
| A. Tillable cropland |  |  |  |
| B. Non-tillable cropland |  |  |  |
| C. Nursery – Orchard – Cranberry Bog |  |  |  |
| D. Pasture |  |  |  |
| E. Managed woodland |  |  |  |
| F. Non-managed woodland |  |  |  |
| G. Ponds, Wetlands |  |  |  |
| H. Land occupied by farm buildings |  |  |  |
| I. Land occupied by buildings or residences |  |  |  |
| Totals |  |  |  |

7. Is your land under Farmland (Chapter 61A) or Forest (Chapter 61) Assessment or Agricultural Preservation Restriction (APR)?

|  |  |  |
| --- | --- | --- |
| 61A  Yes No | 61  Yes No | APR  Yes No |
| # of acres | # of acres | # of acres |

8. Excluding existing residences, approximately how many feet of road frontage does the farm property

have on a public way? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Is municipal sewer available at the farm property? Yes \_\_\_\_\_ No \_\_\_\_\_

If no, what is the likelihood that existing soils will support septic systems? High \_\_\_ Medium \_\_\_ Low \_\_\_

How would you describe recent development (new construction) in your immediate neighborhood?

Heavy \_\_\_\_ Moderate \_\_\_\_ Light\_\_\_\_

9. How many people earn full-time income(s) from the farm? \_\_\_\_

Of these, how many are immediate family members? (children, spouses, siblings) \_\_\_\_\_\_

How many people are employed part time? \_\_\_\_ Of these, how many are immediate family? \_\_\_\_\_

Who are the current managers on the farm and what are their roles? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Who are the managers expected to be on the farm at the conclusion of the covenant term? \_\_\_\_\_\_\_\_\_\_\_\_\_\_

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10. How high would you rate the importance of an environmental assessment at your farm?

High \_\_\_\_\_ Moderate \_\_\_\_\_ Low \_\_\_\_\_ Check any of the following issues that apply.

|  |  |
| --- | --- |
| Erosion & sediment control | Water Management (wells, rivers) |
| Nutrient & manure management | Pesticide management |
| Facility wastewater and runoff control | Other (describe) |

How many feet of frontage does your farm have along a river, pond, or lake? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*All landowners of record and those who will receive the grant award must sign this application.* S*ubstitutes or signatures initialed by another person shall not be accepted. Applicants who are not owners of the land to be restricted must have all owners sign this Section II – Application, otherwise the Department will not process it.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

Request for Response AGR-FVEP-19

MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES

Farm Viability Enhancement Program

## SECTION III - FINANCIAL STATEMENT

*It is important that you read Section I entitled Program Description before completing this Financial Statement. Key information is contained there. In the Financial Statement below, special instructions are in bold and Italics. Please read carefully. This section must be completed by the farm operator(s). ALL QUESTIONS MUST BE ANSWERED.*

1. List any and all liens or encumbrances, and the amounts, on the farm as described in the Application –

Section II.

|  |  |
| --- | --- |
| Encumbrance(s) (to whom is the money owed) | Amount owed |
|  |  |
|  |  |
|  |  |

Do any of these include a lien on your residence, or a mortgage on the property including your home?

\_\_\_\_\_\_ Yes \_\_\_\_\_\_ No \_\_\_\_\_ Check here if there is no debt associated with the farm.

1. To complete this section, applicants should use their 2015, 2016 and 2017 Schedules F or 1120S or 1120C tax forms. Copies of these records are not required by the Department at this time, but will need to be presented to representatives of the Department during Phase I of the Program.

Please complete the following summary. If taxes for 2017 are not completed, estimate gross and net income.

|  |  |  |  |
| --- | --- | --- | --- |
| Tax Year | Gross Farm Income | Net Farm Income | Other Farm Income  (rent, custom work, gravel sales) |
| 2015 |  |  |  |
| 2016 |  |  |  |
| 2017 |  |  |  |

Do you live solely off the farm income now? Yes \_\_\_\_ No \_\_\_\_

1. Please include any off-farm income/jobs that immediate farm family members have.

|  |  |
| --- | --- |
| Relationship Name | Off-farm income that contributes to family farm |
| Operator | $ estimated annual |
| Partner/Spouse | $ estimated annual |
| Other: | $ estimated annual |

4a. The Program’s goal is to provide farmers with a plan of action to make their farms more viable. The Department wants to know what challenges and opportunities you see for your operation. Some examples include: 1) regulations that must be met, 2) development pressures, 3) need to expand, 4) succession issues, 5) moving from wholesale to retail, 6) debt, and/or not making enough money, 7) environmental concerns. *Please note: this is the most important consideration in reviewing applications, so please be thorough in explaining your circumstances.* The following information is critical. Attach one additional sheet if necessary.

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4b. What do you think should be done to improve the economic viability and/or the environmental condition of your farm and what are your plans for keeping the land in agricultural use? What is the possibility you will be investing additional capital beyond the grant award amount for proposed improvements?

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4c. How many years of agricultural experience does the farm manager have? \_\_\_\_\_ Years.

4d.Has the manager completed the Department’s Agricultural Business Training Program? Yes \_\_\_\_ No\_\_

If yes, which course(s)? Tilling the Soil (long course) \_\_\_\_\_\_\_ Year completed \_\_\_\_\_\_\_\_\_

Planning for Startup \_\_\_\_\_\_\_ Year completed \_\_\_\_\_\_\_\_\_

Exploring the Small Farm Dream \_\_\_\_\_\_\_ Year completed \_\_\_\_\_\_\_\_\_

Can you provide the plan you developed in these courses? Yes\_\_\_\_ No \_\_\_\_

List any other business/management training relevant to your farming enterprise: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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5. Have you participated previously in the Farm Viability Program? Yes \_\_\_\_\_ No \_\_\_\_\_

Previous participants must attach a one-page addendum. (See instructions, Section (3C).)

6. The following must be included with your application:

* Aerial photograph with your farm property outlined
* Map or plan with your property location outlined (optional)
* Farm Conservation Plan or Co-operator’s Agreement (requirement for Cranberry farmers only).

By signing below, you are authorizing the Department to conduct a field inspection of the land to be considered for inclusion in the Covenant. In addition, those signing below are expressing a willingness to execute an Agricultural Covenant. *All farm operators and owners must sign Section III.* S*ubstitutes or signatures initialed by another person shall not be accepted.*

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_* Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature

Send to: Massachusetts Department of Agricultural Resources

Attn: Craig Richov

251 Causeway Street Suite 500

Boston, MA 02114-2151

*The deadline is* 4*:00 P.M., April 10, 2018.*

**Attachment B**

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 may also be identified in this RFR. Other terms not defined elsewhere in this document may be defined in OSD’s [Glossary of Terms](http://www.mass.gov/anf/budget-taxes-and-procurement/oversight-agencies/osd/glossary-of-terms.html). 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.

COMMBUYS Market Center. COMMBUYS is the official source of information for this Bid and is publicly accessible at no charge at [www.commbuys.com](http://www.commbuys.com). Information contained in this document and in COMMBUYS, including file attachments, and information contained in the related Bid Questions and Answers (Q&A) are all 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.

COMMBUYS Registration. Bidders may elect to obtain a free COMMBUYS Seller registration which provides value-added features, including automated email notification associated with postings and modifications to COMMBUYS records. However, in order 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; (4) Bidder understands and acknowledges that all references to the Comm-PASS website or related requirements throughout this RFR, shall be superseded by comparable requirements pertaining to the COMMBUYS website; and (6) in the event the Commonwealth adopts an alternate market center system, 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).

The COMMBUYS system introduces new terminology, which bidders must be familiar with in order to conduct business with the Commonwealth. To view this terminology and to learn more about the COMMBUYS system, please visit the [COMMBUYS Resource Center](http://www.mass.gov/anf/budget-taxes-and-procurement/procurement-info-and-res/conduct-a-procurement/commbuys/quick-click-resource-center.html).

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.

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.

Supplier Diversity Program (SDP). Massachusetts [Executive Order 524](http://www.mass.gov/courts/docs/lawlib/eo500-599/eo524.pdf)established a policy to promote the award of state contracts in a manner that develops and strengthens Minority and Women Business Enterprises (M/WBEs) that resulted in the Supplier Diversity Program in Public Contracting. M/WBEs are strongly encouraged to submit responses to this RFR, either as prime vendors, joint venture partners or other type of business partnerships. Similarly, [Executive Order 546](http://www.mass.gov/courts/docs/lawlib/eo500-599/eo546.pdf) established the Service-Disabled Veteran-Owned Business Enterprise (SDVOBE) Program to encourage the participation of businesses owned and controlled by service-disabled veterans in all areas of state procurement and contracting, thereby including them in the SDP. All bidders must follow the requirements set forth in the SDP section of the RFR, which will detail the specific requirements relating to the prime vendor’s inclusion of M/WBEs and/or SDVOBEs. Bidders are required to develop creative initiatives to help foster new business relationships with M/WBEs and/or SDVOBEs within the primary industries affected by this RFR. In order to satisfy the compliance of this section and encourage bidder’s participation of SDP objectives, the Supplier Diversity Program (SDP) Plan for large procurements greater than $150,000 will be evaluated at 10% or more of the total evaluation. Once an SDP commitment, expressed as a percentage of contract revenues, is approved, the agency will then monitor the contractor’s performance, and use actual expenditures with SDO certified M/WBE contractors and the Center for Veterans Enterprise certified SDVOBEs to fulfill their own SDP expenditure benchmarks. M/WBE and SDVOBE participation must be incorporated into and monitored for all types of procurements regardless of size; however, submission of an SDP Plan is mandated only for large procurements over $150,000.

Unless otherwise specified in the RFR, the following SDP forms are required to be submitted by the deadlines noted below in order to meet the mandatory participation requirements of the SDP:

| SDP Plan Form #/Name | Submitted By | When Submitted |
| --- | --- | --- |
| SDP Plan Form #1 – SDP Plan Commitment | All Bidders | With Bid Response |
| SDP Plan Form #2 – Declaration of SDP Partners | Newly Awarded Contractors | Within 30 days of contract execution |
| SDP Plan Form #3 – SDP Spending Report | Contractors | Within 45 days of the end of each quarter |

Supplier Diversity Program (SDP) Resources:

* Resources available to assist Prime Bidders in finding potential Minority Business Enterprises (MBE) and Women Business Enterprises (WBE) partners can be found at: [www.mass.gov/sdp](http://www.mass.gov/sdp)
* Resources available to assist Prime Bidders in finding potential Service-Disabled Veteran-Owned Business Enterprise (SDVOBE) partners can be found on the Operational Services Division’s SDO webpage at: [www.mass.gov/sdo](http://www.mass.gov/sdo)
* The Operational Services Division’s Supplier Diversity Program offers training on the SDP Plan requirements. The dates of upcoming trainings can be found at: <http://www.mass.gov/anf/budget-taxes-and-procurement/procurement-info-and-res/osd-training-events-and-outreach/osd-training-and-outreach.html>. In addition, the SDP Webinar can be located on the SDP website at [www.mass.gov/SDP](http://www.mass.gov/SDP).

Supplier Diversity Program Subcontracting Policies. In addition to the Subcontracting Policies (See Subcontracting Policies section below and see Section 9, Subcontracting By Contractor, in the Commonwealth Terms and Conditions) that apply to all subcontracted services, agencies may define specific required deliverables for a contractor’s SDP Plan, including, but not limited to, documentation necessary to verify subcontractor commitments and expenditures with Minority- or Women-Owned Business Enterprises (M/WBEs) and Service-Disabled Veteran-Owned Business Enterprises (SDVOBE) for the purpose of monitoring and enforcing commitments madein a contractor’sSupplier Diversity Program (SDP) Plan.

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, fur-bearing animals and any forestry or lumbering operations.

Best Value Selection and Negotiation. The Strategic Sourcing Team or SST (formerly referred to as Procurement Management Team or PMT) may select the response(s) which demonstrates the best value overall, including proposed alternatives that will achieve the procurement goals of the department. The SST 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.

Bidder Communication. Bidders are prohibited from communicating directly with any employee of the procuring department or any member of the SST 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.

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.

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.

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 SST, including requests for clarification. The SST 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 SST to be lost or rejected by any means including email or spam filtering.

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 can 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 are able to track and verify payments made electronically through the Comptroller’s Vendor Web system. A link to the EFT application can be found on the [OSD Forms](http://www.mass.gov/anf/budget-taxes-and-procurement/oversight-agencies/osd/osd-forms.html) page ([www.mass.gov/osd](http://www.mass.gov/osd)). Additional information about EFT is available on the [VendorWeb](https://massfinance.state.ma.us/VendorWeb/vendor.asp) site ([www.mass.gov/osc](http://www.mass.gov/osc)). Click on MASSfinance.

Successful bidders, upon notification of contract award, will be required to enroll in EFT as a contract requirement by completing and submitting the *Authorization for Electronic Funds Payment Form* to this department for review, approval and forwarding to the Office of the Comptroller. If the bidder is already 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 SST 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 SST will consider such requests on a case-by-case basis and communicate the findings with the bidder.

Environmental Response Submission Compliance. In the event that paper submissions are required and in an effort to promote greater use of recycled and environmentally preferable products and minimize waste, all required paper responses that are submitted should comply with the following guidelines:

* All copies should be printed double sided.
* All submittals and copies should be printed on recycled paper with a minimum post-consumer content of 30% or on tree-free paper (i.e. paper made from raw materials other than trees, such as kenaf). To document the use of such paper, a photocopy of the ream cover/wrapper should be included with the response.
* Unless absolutely necessary, all responses and copies should minimize or eliminate use of non-recyclable or non-reusable materials such as plastic report covers, plastic dividers, vinyl sleeves and GBC binding. Three ringed binders, glued materials, paper clips and staples are acceptable.
* Bidders should submit materials in a format which allows for easy removal and recycling of paper materials.
* Bidders are encouraged to use other products which contain recycled content in their response documents. Such products may include, but are not limited to, folders, binders, paper clips, diskettes, envelopes, boxes, etc. Where appropriate, bidders should note which products in their responses are made with recycled materials.
* Unnecessary samples, attachments or documents not specifically asked for should not be submitted.

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](http://www.mass.gov/eohhs/gov/departments/dph/programs/community-health/mass-in-motion/about-mim/components/tools-and-resources-for-executive-order-509.html).

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.

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.

Prompt Payment Discounts (PPD). All bidders responding to this procurement must agree to offer discounts through participation in the Commonwealth Prompt Payment Discount (PPD) initiative for receiving early and/or on-time payments, unless the bidder can provide 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 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 can be tracked and verified through the Comptroller’s Vendor Web system. The PPD form can be found as an attachment for this Bid on [COMMBUYS](http://www.commbuys.com/).

Bidders must submit agreeable terms for Prompt Payment Discount using the PPD form within their proposal, unless otherwise specified by the SST. The SST 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 SST 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.

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 shall be disregarded.

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 SST reserves the right to reject unreasonable requests.

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.

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 contractor.