

**REQUEST FOR RESPONSE:**  
**Matching Enterprise Grants for Agriculture Program (MEGA)**  
MASSACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES

**RFR No: AGR-MEGA-4**

**Due Date: June 18, 2013**

**Contact:**

Massachusetts Department of Agricultural Resources  
MEGA Coordinator  
101 University DR, Suite C-4  
Amherst, MA 01002  
413-559-0949

**This Request for Response (RFR) contains two sections; Section I - Program Description, Section II - Application. Those responding (“Responders”) must complete Section II - Application and mail or deliver it to the contact noted above by no later than 3:00 PM on June 18, 2013, in order to be considered for participation in the program. Postmarks will not be considered.**

**SECTION I – PROGRAM DESCRIPTION**

**(1) Purpose:**

The Massachusetts Department of Agricultural Resources (“Department”) invites responses from Massachusetts’ farmers who wish to participate in the Matching Enterprise Grants for Agriculture Program (“MEGA Program”).

Enlisting and supporting new farmers and new farm businesses is essential to the future of family farms, continued use of farm resources in the Commonwealth of Massachusetts, the farm economy and healthy communities. The purposes of the MEGA Program are to:

- Help beginning farmers acquire equipment and other non-land assets required for financially viable farm businesses;
- Support the special needs of beginning farmers by providing technical assistance, business planning and capital;
- Bring new ideas, products, skill sets and enthusiasm to the Massachusetts food and agriculture industry.

It is the objective of the MEGA Program to assist farmers who aspire to develop their farms into commercially viable operations. Priority will be given to farms that can use program investment to increase farm production, marketing and income in the 2014 season. It is not the objective of the MEGA Program to support “hobby” or rural lifestyle enterprises where only minor consideration is given to the success of the business of agriculture.

## **(2) Contract and Performance Specifications**

### **A. Eligibility**

Responders to the MEGA Program must meet all of the following criteria:

1. Have operated their farm business for at least one (1) year, but no more than five (5) years. Farmers who have just begun production and sales may be accepted into the MEGA Program during their first year of operation if they can demonstrate at the time they are accepted that the farm produced revenue in the current year, and is on track to meet income projections.
2. Have secure access (own, lease) to land on which the operator is farming. If renting, lease must be in writing, and have a term long enough for the farmer to complete the proposed improvement project and see a return on the investment.
3. Have ability to raise matching funds from personal resources, loans or other grants.

Non-profit organizations and farms are ineligible for funding from this program.

Farm operators who own five (5) acres or more of agricultural land and have operated for three (3) years or more are encouraged to apply to the Department's Farm Viability Enhancement Program ("FVEP"). Former participants of the FVEP or the APR Improvement Program ("AIP") are ineligible for this Program. Former MEGA Program grant recipients may not apply to the MEGA Program for a second award.

Farm operators who participate in MEGA shall be ineligible to apply for FVEP or AIP for a period of three (3) years following the start date of their MEGA Program contract.

### **B. Criteria for Selection**

Priority will be given to beginning farmers who:

1. Have direct experience in, and knowledge of, agricultural production and marketing related to what the farm plans to produce and sell.
2. Demonstrate they have markets for their products/services.
3. Demonstrate the potential to expand farm productivity, marketing and farm income in 2014.
4. Clearly identify how the MEGA Program grant will help improve farm success.
5. Demonstrate they have invested cash and/or sweat equity into the farm.
6. Have successfully completed a farm planning and/or business training program such as those offered through the Department's Agricultural Business Training Program, the New England

Small Farm Institute, New Entry Sustainable Farming Project, or other recognized farm education and training course or degree program.

### **C. Funding**

Technical assistance and/or business planning on the part of program consultants, with farm operator's active participation and agreement, shall determine the use of grant funds. Both the farmer and the Department must agree to the planned use of funds.

Funding provided by the MEGA Program will be made available on a one to one matching basis. The maximum grant award shall be \$10,000. The Department and the MEGA Program participant shall invest equal funding into the agreed upon improvement project(s). Copies of bank statements, loan agreements, grant award letters or other similar documents shall be required to demonstrate available matching funds at the time of contract signing. In-kind services (e.g., labor) or prior investment will not be acceptable as a match.

Use of grant and matching funds is limited to fixed capital improvements (e.g., barns, sheds, greenhouses, farm stands) and equipment (e.g., tractors, field equipment, fencing, farm vehicles) that will enhance the farm's viability. Grant and matching funds may not be used to purchase land or livestock, pay off debt, or be used for normal operating costs or overhead. Consultants and planners provided by the Department are an additional program benefit and the value of their services is in addition to the grant award. The Department reserves the right to offer funding to selected projects at an amount less than requested in the application budget. To receive funding a farm must operate in compliance with all applicable federal, state, and local regulations.

### **D. Process**

In order to receive funding, the successful responder must participate in a process of individual technical assistance and business planning that identifies farm improvement strategies that will be implemented with program funds and operator/matching funds. The planning process may confirm the project proposed in the responder's application or identify an alternate use of funds.

The planning process involves meeting with program consultants to discuss farm production and marketing and working with a plan writer to integrate ideas and draft specific strategies for farm growth and viability. The process will also determine the ability of program participants to provide matching funding. Sources of matching funds must be secure. Technical assistance and planning efforts will conclude with the completion of a financial analysis of the enterprise that focuses on a measurable outcome to determine if the farm will be better off with the use of program funds.

The expected program timeline follows:

- Pending the availability of Department funds, successful responders shall be notified of their potential for program participation on or about September 15, 2013.

- Orientation for farmers who are accepted into the MEGA Program will be during October 2013.
- The technical assistance will be provided and plans will be developed between November 2013 and March 2014.
- Selected elements and cost estimates from the planning strategies will be identified and become required activities in a service contract with the Department. Contracts will be executed between January 2014 and May 2014. The participant must provide proof of matching funds before contract execution.
- A one-time, up-front grant payment is made four (4) to six (6) weeks following contract approval. However, the participant may begin to spend their matching funds on the contract start date.
- Contracts will terminate by December 31, 2014, for most farms. A Department representative shall then collect receipts and document the expenditure of grant and matching funds on contracted purchases and improvements. Costs incurred prior to the contract start date or after contract termination cannot be reimbursed and shall not qualify as MEGA Program expenditures.

### **(3) Instructions for Submission of Responses**

Anyone interested in submitting a response to this Request for Response must submit the completed **Section II – Application by the deadline date.**

#### **A. Application Evaluation**

A staff review team (“Review Team”) shall consider all complete responses and rank them according to the stated criteria. The Review Team shall be comprised of the Department’s staff and Program consultants. Their ranking and recommendations shall be conveyed to the Commissioner of Agricultural Resources for final decisions. The Department shall make notifications of acceptance and rejection to applicants, in writing. A Responder may withdraw a response at any point. The Department reserves the right to consider geographic distribution of awards and/or agricultural diversity as additional criteria. All acceptances shall be conditional upon the availability of funding.

#### **B. Deadline For Responses**

Responses (Section II Application) must be received by no later than 3:00 PM on June 18, 2013, at the following address: MEGA Coordinator, Massachusetts Department of Agricultural Resources, 101 University Drive, Suite C-4, Amherst, MA 01002.

**Electronic files and Facsimiles shall not be accepted. Postmarks will not be considered.**

#### **(4) RFR Attachments**

Any Participant (also called a Contractor or Bidder on the attachment forms) who is accepted for participation in the Program must complete the following:

1. Commonwealth Terms and Conditions. If the Bidder already has executed and filed the Commonwealth Terms and Conditions, please indicate this in your Response. The Commonwealth Terms and Conditions shall be incorporated by reference into any Contract for Commodities and Services executed pursuant to this RFR. A Bidder is required to execute the Commonwealth Terms and Conditions only once.
2. Request for Taxpayer Identification Number and Certification (W-9)
3. Commonwealth of Massachusetts Standard Contract Form.
4. Electronic Funds Transfer Form (EFT).
5. Contractor Authorized Signatory Listing
6. Scope of Services and Budget

*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 MEGA Program, the Department shall provide a copy of these Attachments to the Participant for completion and execution in the contract approval process.

#### **(5) Notice to Responders**

Responders may not alter the RFR language or any RFR component files. Responders must respond in accordance to the RFR directions and complete only those sections, which prompt the Responder for Response. Modifications to the body of this RFR, specifications, terms, and conditions, or which change the intent of this RFR are prohibited. Any unauthorized modifications shall disqualify a Response.

**(6) Contract Type:** Maximum Obligation

**(7) Acquisition Methods:** Purchase\Fee for Service

**(8) Number of Vendors Required (Single or Multiple):** Multiple

**(9) Single or Multiple Department Users:** Single

**(10) Anticipated Contract Duration:** Through December 31, 2014, with 1 (one) 1 year option to renew.

**(11) Anticipated Expenditures, Funding or Compensation:** Maximum of \$10,000 per Program Participant.

#### **(12) RESERVES:**

**This RFR is an open enrollment solicitation, which means** the Department of Agricultural

Resources reserves the right to re-open this solicitation and add new contractors at any time during the life of this contract (which includes any options to renew). Open enrollment solicitation will have a defined open period during which a bidder may submit a response.

This solicitation may be re-open for the following reasons;

1. For special projects that are compelling and that happen “out of cycle” for the program. Special projects may be very large tracks of land, individual emergencies or disasters, or special opportunities for agricultural development to an industry or region. Out of cycle projects shall be subject to the same review of staff, shall be required to meet all thresholds of the MEGA Program, and shall be subject to the same approval of the Commissioner.
2. Increased funding.
3. Changing needs of the Department.

### **(13) RFR Required Specifications**

In general, most of the required contractual stipulations are referenced in the *Standard Contract Form and Instructions* and the *Commonwealth Terms and Conditions* (either version). 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* (and *808 CMR 1.00: Compliance, Reporting and Auditing for Human and Social Services*, if applicable) are incorporated by reference into this RFR. Words used in this RFR shall have the meanings defined in 801 CMR 21.00 (and 808 CMR 1.00, if applicable). Additional definitions may also be identified in this RFR. 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.

Items with the text, "☞ *Required for POS Only*" specify a requirement for Purchase of Service (POS) human and social services procured under *801 CMR 21.00, Procurement of Commodities or Services, Including Human and Social Services* and *808 CMR 1.00, Compliance, Reporting and Auditing for Human and Social Service*.

Supplier Diversity Program (SDP). Massachusetts Executive Order 524 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. 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. Bidders are required to develop creative initiatives to help foster new business relationships with M/WBEs 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 Plan is submitted, negotiated and approved, the agency will then monitor the contractor’s performance, and use actual expenditures with SDO certified contractors to fulfill their own SDP expenditure benchmarks. M/WBE 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.

This RFR will contain some or all of the following components as part of the Supplier Diversity Program Plan submitted by bidders:

- Sub-contracting with certified M/WBE firms as defined within the scope of the RFR,
- Ancillary use of certified M/WBE firms,
- Growth and Development activities to increase M/WBE capacity,

A Minority Business Enterprise (MBE), Woman Business Enterprise (WBE), M/Non-Profit, or W/Non-Profit, is defined as such by the Supplier Diversity Office (SDO). All certified businesses that are included in the bidder’s SDP proposal are required to submit an up to date copy of their SDO certification letter. The purpose for this

certification is to participate in the Commonwealth's Supplier Diversity Program for public contracting. Minority- and Women-Owned firms that are not currently certified but would like to be considered as an M/WBE for the purpose of this RFR should submit their application at least two weeks prior to the RFR closing date and submit proof of documentation of application for consideration with their bid proposal. For further information on SDO certification, contact their office at 1-617-502-8851 or via the Internet at [mass.gov/SDO](http://mass.gov/SDO).

Supplier Diversity Program Subcontracting Policies. Prior approval of the agency is required for any subcontracted service of the contract. Agencies may define required deliverables including, but not limited to, documentation necessary to verify subcontractor commitments and expenditures with Minority- or Women-Owned Business Enterprises (M/WBEs) for the purpose of monitoring and enforcing compliance of subcontracting commitments made in a bidder's Supplier Diversity Program (SDP) Plan. Contractors are responsible for the satisfactory performance and adequate oversight of its subcontractors.

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 Procurement Management Team (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 PMT 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 PMT 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 Comm-PASS.

Comm-PASS. Comm-PASS is the official system of record for all procurement information which is publicly accessible at no charge at [www.comm-pass.com](http://www.comm-pass.com). Information contained in this document and in each tab of the Solicitation, including file attachments, and information contained in the related Bidders' Forum(s), are all components of the Solicitation.

Bidders are solely responsible for obtaining all information distributed for this Solicitation via Comm-PASS, by using the free Browse and Search tools offered on each record-related tab on the main navigation bar (Solicitations and Forums). Forums support Bidder submission of written questions associated with a Solicitation and publication of official answers. All records on Comm-PASS are comprised of multiple tabs, or pages. For example, Solicitation records contain Summary, Rules, Issuer(s), Intent or Forms & Terms and Specifications, and Other Information tabs. Each tab contains data and/or file attachments provided by the Procurement Management Team. All are incorporated into the Solicitation.

It is each Bidder's responsibility to check Comm-PASS for:

- Any addenda or modifications to this Solicitation, by monitoring the "Last Change" field on the Solicitation's Summary tab, and
- Any Bidders' Forum records related to this Solicitation (see Locating a Online Bidders' Forum for information on locating these records).

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

Comm-PASS SmartBid Subscription. Bidders may elect to obtain an optional SmartBid subscription which provides value-added features, including automated email notification associated with postings and modifications to Comm-PASS records. When properly configured and managed, SmartBid provides a subscriber with:

- A secure desktop within Comm-PASS for efficient record management
- A customizable profile reflecting the subscriber's product/service areas of interest
- A customizable listing in the publicly accessible Business Directory, an online "yellow-pages" advertisement
- Full-cycle, automated email alert whenever any record of interest is posted or updated
- Access to Online Response Submission, when allowed by the Issuer, to support:
  - paperless bid drafting and submission to an encrypted lock-box prior to close date
  - electronic signature of OSD forms and terms; agreement to defer wet-ink signature until Contract award, if any
  - withdrawal of submitted bids prior to close date
  - online storage of submitted bids

Every public purchasing entity within the borders of Massachusetts may post records on Comm-PASS at no charge. Comm-PASS has the potential to become the sole site for all public entities in Massachusetts. SmartBid fees are only based on and expended for costs to operate, maintain and develop the Comm-PASS system.

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.

Debriefing. ☞ *Required for POS Only. This is an optional specification for non-POS RFRs.* Non-successful bidders may request a debriefing from the department. Department debriefing procedures may be found in the RFR. Non-successful POS bidders aggrieved by the decision of a department must participate in a debriefing as a prerequisite to an administrative appeal.

Debriefing/Appeals: Administrative Appeals to Departments. ☞ *Required for POS Only. Not applicable to non-POS bidders.* Non-successful bidders who participate in the debriefing process and remain aggrieved with the decision of the department may appeal that decision to the department head. Department appeal procedures may be found in the RFR.

Debriefing/Appeals: Administrative Appeals to OSD. ☞ *Required for POS Only. Not applicable to non-POS bidders.* Non-successful bidders who participate in the department appeal process and remain aggrieved by the selection decision of the department may appeal the department decision to the Operational Services Division. The basis for an appeal to OSD is limited to the following grounds:

1. The competitive procurement conducted by the department failed to comply with applicable regulations and guidelines. These would be limited to the requirements of 801 CMR 21.00 or any successor regulations, the policies in the OSD Procurement Information Center, subsequent policies and procedures issued by OSD and the specifications of the RFR; or
2. There was a fundamental unfairness in the procurement process. The allegation of unfairness or bias is one that is easier to allege than prove, consequently, the burden of proof rests with the bidder to provide sufficient and specific evidence in support of its claim. OSD will presume that departments conducted a fair procurement absent documentation to the contrary.

Requests for an appeal must be sent to the attention of the State Purchasing Agent at Room 1017, One Ashburton Place, Boston, MA 02108 and be received within fourteen (14) calendar days of the postmark of the notice of the department head's decision on appeal. Appeal requests must specify in sufficient detail the basis for the appeal.



Sufficient detail requires a description of the published policy or procedure which was applied and forms the basis for the appeal and presentation of all information that supports the claim under paragraphs 1 or 2 above. OSD reserves the right to reject appeal requests based on grounds other than those stated above or those submitted without sufficient detail on the basis for the appeal.

The decision of the State Purchasing Agent shall be rendered, in writing, setting forth the grounds for the decision within sixty (60) calendar days of receipt of the appeal request. Pending appeals to the State Purchasing Agent shall not prohibit the department from proceeding with executing contracts.

Electronic Communication/Update of Bidder's/Contractor's Contact Information. It is the responsibility of the prospective bidder and awarded contractor to keep current 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 PMT, including requests for clarification. The PMT 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 PMT 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 page ([www.mass.gov/osd](http://www.mass.gov/osd)). Additional information about EFT is available on the VendorWeb site ([www.mass.gov/osc](http://www.mass.gov/osc)). Click on MASSfinance.

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

Environmental Response Submission Compliance. In an effort to promote greater use of recycled and environmentally preferable products and minimize waste, all responses 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 re-usable 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: Executive Order # 509 Guidance.

Filing Requirements. *☞ Required for POS Only. Not applicable to non-POS bidders.* Successful bidders must have filed their Uniform Financial Statements and Independent Auditor's Report (UFR), as required for current contractors, with the Operational Services Division via the Internet using the UFR eFiling application for the most recently completed fiscal year before a contract can be executed and services may begin. Other contractor qualification/risk management reporting requirements and non-filing consequences promulgated by secretariats or departments pursuant to 808 CMR 1.04(3) may also apply. In the event immediate services are required by a department, a contract may be executed and services may begin with the approval of OSD and the appropriate secretariat. However, unless authorized by OSD and the appropriate secretariat, the contractor will not be paid for any such services rendered until the UFR has been filed.

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 Bid Duration. Bidders responses/bids made in response to this RFR must remain in effect for at least 90 days from the date of bid submission.

Pricing: Price Limitation: The bidder must agree that no other state or public entity customer within the United States of similar size and with similar terms and conditions shall receive a lower price for the same commodity and service during the contract period, unless this same lower price is immediately effective for the Commonwealth. If the Commonwealth believes that it is not receiving this lower price as required by this language, the bidder must agree to provide current or historical pricing offered or negotiated with other state or public entities at any time during the contract period in the absence of proprietary information being part of such contracts.

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 under the Forms and Terms tab of this solicitation.

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

Provider Data Management. *☞ Required for POS Only. Not applicable to non-POS bidders.* The Executive Office of Health and Human Services (EOHHS) has established a Provider Data Management (PDM) business service that is integrated into the Virtual Gateway. PDM is accessible by providers with current POS contracts. Departments may require that bidders with current POS contracts submit certain RFR-required documents through PDM. These documents have been specified in the RFR. When submitting documents via PDM, bidders are required to print and sign a PDM Documentation Summary. PDM users should verify that all information is accurate and current in PDM. Bidders are required to include the signed PDM Documentation Summary in their RFR response.

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 PMT 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 contractors.

*The Department of Agricultural Resources is an Affirmation Action/Equal Opportunity Employer. Women, Minorities, Veterans and Handicapped persons are encouraged to apply. This RFR is available in alternative formats upon request.*

**REQUEST FOR RESPONSE – AGR-MEGA-4**  
**MASACHUSETTS DEPARTMENT OF AGRICULTURAL RESOURCES**  
**Matching Enterprise Grants for Agriculture Program (MEGA)**

**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. Please ensure your name is on any attachments.*

*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(s):		
Mailing Address:		
Town:	Zip:	E-Mail:
Preferred Phone:	Alternate Phone:	

**2. Farm Name and Location:**

Farm Name:		
Address:	Town:	Zip:
Website:	Name of farm land owner:	
When did you begin your farm business?		
How long have you been operating a farm business at the above location?		
How is your business structured? (sole proprietor, partnership, S corporation, corporation, LLC, Other)		
How many acres do you own?	How many acres do you rent or lease to other farmers?	How many acres do you rent or lease from others?
If renting, when does the lease expire? (Your lease must be in writing and available for review if you are accepted)		Is the land you are farming under an Agricultural Preservation Restriction?
Describe the farm resource you use: total acres, acres cropland, acres woodland, acres wetland.		

3. Farm Business Information:

Describe your farm business.

What products, and how much did you produce for sale in 2012? (e.g., acres, square feet, number of bales of hay, gallons of maple syrup, dozens of eggs, number of animals, crops harvested – be specific)

What products, and how much do you plan to produce for sale in 2013?

Markets – Where or how did you market/sell your products in 2012? (e.g., number of farmers markets, CSA memberships, wholesale customers, farm stand)

Where or how will you market/sell your products in 2013?

What was the gross farm income from the sale of farm products in 2012?

What is your projected gross farm income for 2013? (Note: if you are accepted into the program in Fall 2013 and this is your first year selling product, you will need to show that you had farm income in 2013 and that you are on track to meet your projections in order to participate)

What investments have you made in your farm to date? (e.g., purchased land and/or equipment, built farm stand, made improvements to barn, purchased livestock, installed fencing for livestock, dug well, cleared land for planting, planted fruit trees)

How much farm debt do you have currently?

Do you have off-farm income? If yes, from what sources?

What are the opportunities for your farm business to grow and succeed? How will MEGA Program investment help improve your farm's success in 2014 and the future?

In addition to business planning, what area of technical assistance would be most helpful for your business to receive (e.g., small fruit production, pasture management, determining needs for equipment purchase or building improvement, finding new markets)? How would this assistance help improve or grow your business?

4) Preliminary project budget.

If accepted into the Program, how would you propose to invest your grant and matching funds in your farm business in 2014? *(Note: Final determination of use of funds is made upon completion of the business planning process.)* Estimated cost should reflect out of pocket expenses. List only eligible items. Do not include any "sweat equity," donated labor or materials, or pre-purchased materials or equipment. Source(s) of matching funds must be in cash (e.g., personal savings, loans, other grants). Maximum grant amount is \$10,000. *(Note: MDAR may offer less than the amount requested, but may not increase the request.)*

Item (equipment or fixed capital improvement)	Estimated Cost
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
<b>Total Estimated Costs</b>	_____

**Amount Requested from MEGA (\$10,000 maximum)** \_\_\_\_\_

**Matching Funds (must equal or exceed amount requested from MEGA)** \_\_\_\_\_

**Source(s) of Matching Funds:** \_\_\_\_\_

**5. Applicant Business Background:**

List (with dates) all key farm partners and their farming experience and business operating experience.

List (with dates) business planning courses or workshops you have completed (e.g., courses offered through the Department's Ag Business Training Program, the New England Small Farm Institute, New Entry Sustainable Farming Project, or other recognized farm education and training course or degree program).

Name any trade groups or commodity associations you belong to.

Do you have a written business plan?

Date of plan:

Is the plan available in an electronic file?

***\*Up to two (2) additional pages may be attached to this application to provide more detailed answers to questions. If typed, font size of no smaller than 12 pts. should be used. For those who lease land, copies of a written agreement or lease are not required by the Department at this time, but will have to be presented to representatives of the Department during Phase I of the Program.***

***Application Signatures: Those who would receive the grant award must sign this application. Substitutes or signatures initialed by another person will not be accepted***

\_\_\_\_\_  
Signature

Date \_\_\_\_\_

\_\_\_\_\_  
Signature

Date \_\_\_\_\_

Send responses to: Massachusetts Department of Agricultural Resources, MEGA Coordinator,  
101 University Drive – Suite C4, Amherst, MA 01002. ***The deadline is 3:00 PM on June 18, 2013.***