**STATE OF MAINE**

**Department of Agriculture, Conservation and Forestry**

*Bureau of Agriculture, Food and Rural Resources*

**RFP#201904076**

**Maine Farms for the Future Program: Phase 1 - Business Plan Development grants and Phase 2 - Investment Support grant and low-interest rate for Agricultural Marketing Loan Fund (AMLF).**

|  |  |
| --- | --- |
| **RFP Coordinator** | *All communication regarding this RFP must be made through the RFP Coordinator identified below*.**Name:** Stephanie Gilbert **Title:** Farm Viability and Farmland Protection Specialist**Contact Information:** Stephanie.gilbert@maine.gov |
| **Pre-Application Conference** | Refer to the appropriate Application for information pertaining to Pre-Application Conference location, time and date, if applicable. |
| **Submitted Questions Due** | *All questions must be received by email to the RFP Coordinator identified above by:***Date:** For Spring 2019, submitted questions are due **Monday, June 10, 2019,** **no later than 5:00 p.m.**, local time. For future application submission deadlines, submitted questions are due the second Tuesday in March and September, no later than 5:00local time, of the application year. |
| **Initial****Application Submission** | *Applications must be received by the Division of Procurement Services by:***Submission Deadline:** **Monday, June 24th, 2019, no later than 4:00 p.m.,** local time *Applications must be submitted electronically to the following address:***Electronic (email) Submission Address:** Proposals@maine.gov |
| **Semi-Annual Application Submittals** | After the **initial RFP Application (Spring 2019) submission deadline on** **June 24, 2019**, Applications may be submitted for evaluation semi-annually in the Spring and the Fall. While this RFP is active, the new Phase 1 and Phase 2 application forms will be available semi-annually on the 3rd Tuesday of February and August at <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants> The semi-annual application submission deadlines will be 4:00 p.m. on the second Tuesday of May and October while this RFP is active. Applications are required to be submitted prior to the submission date and time to be considered for each semi-annual enrollment period.**Electronic (email) Submission Address:** Proposals@maine.gov |

TABLE OF CONTENTS

 **Page**

**PUBLIC NOTICE 4**

**RFP DEFINITIONS/ACRONYMS 5**

**PART I INTRODUCTION 7**

1. PURPOSE AND BACKGROUND
2. GENERAL PROVISIONS
3. ELIGIBILITY TO SUBMIT BIDS
4. CONTRACT TERMS
5. NUMBER OF AWARDS
6. SPRING AND FALL - SEMI-ANNUAL APPLICATION SUBMITTAL PERIODS

**PART II SCOPE OF SERVICES TO BE PROVIDED 10**

**PART III KEY RFP EVENTS 11**

1. QUESTIONS
2. REVISIONS
3. SUBMITTING THE PROPOSAL

**PART IV APPLICATION SUBMISSION REQUIREMENTS 12**

1. APPLICATION FORMAT
2. APPLICATION CONTENTS

**PART V APPLICATION EVALUATION AND SELECTION 13**

1. EVALUATION PROCESS – GENERAL INFORMATION
2. SCORING WEIGHTS AND PROCESS
3. SELECTION AND AWARD
4. APPEAL OF CONTRACT AWARDS

**PART VI CONTRACT ADMINISTRATION AND CONDITIONS 15**

1. CONTRACT DOCUMENT
2. STANDARD STATE AGREEMENT PROVISIONS

# **PUBLIC NOTICE**

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**Department of Agriculture, Conservation and Forestry**

*Bureau of Agriculture, Food and Rural Resources*

**RFP#201904076**

**Maine Farms for the Future Program: Phase 1 - Business Plan Development grants and Phase 2 - Investment Support grant and low-interest rate for Agricultural Marketing Loan Fund (AMLF)**

The State of Maine, Department of Agriculture, Conservation and Forestry, Bureau of Agriculture, Food and Rural Resources, is required to offer grants for business plan development (Phase 1) and investment support (Phase 2) as authorized in the Maine Farms for the Future Program (Title7, MRS Chapter 10-B).

For the current 2019 application, and beyond, the RFP, current applications, and Question & Answer Summary and all revisions/amendments related to this RFP can be obtained at the following website: <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants>

Refer to the appropriate application for information pertaining to Pre-Application Conference location, time and date, if applicable.

Applications must be submitted to the State of Maine Division of Procurement Services, via e-mail, to the following email address: Proposals@maine.gov. Application submissions must be received no later than 4:00 pm, local time, on **Monday, June 24th, 2019**, when they will be opened. Future applications may be submitted per the semi-annual submission deadlines. Applications will be opened at the Burton M. Cross Office Building, 111 Sewall Street - 4th Floor, Augusta, Maine. Applications not submitted to the Division of Procurement Services’ aforementioned email address will not be considered for contract award.

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**RFP DEFINITIONS/ACRONYMS**

The following terms and acronyms shall have the meaning indicated below as referenced in this RFP:

1. **RFP**:Request for Proposals
2. **State**:State of Maine
3. **Department**:Department of Agriculture, Conservation and Forestry
4. **DACF**:Department of Agriculture, Conservation and Forestry
5. **Review Panel**: A panel appointed by the DACF Commissioner to review applications and recommend them to the Commissioner.
6. **FFF**:Maine Farms for the Future Program
7. **The Program**:Maine Farms for the Future Program
8. **FAME**:Finance Authority of Maine
9. **Applicant:** Farm Owner/Operator that is applying for Phase 1 Business Planning Assistance and is a private, for-profit company that is owned by individuals, partners or corporations, that grows or produces agricultural products for commercial sale (excluding marijuana farms, except as permitted under 7MRS Ch.406A, Section 2231)
10. **Farm Vitality**: Means an increase in long-term, maintainable, farm profitability and net worth.
11. **Business Plan:** Means a document that identifies changes in farm management practices and investments in equipment and property that would increase the profitability and net worth of the farm (vitality). A typical plan identifies ways to increase on-farm income through such methods as improved management practices, direct marketing, and value-added initiatives; and describes current operations and future plans for the business, including but not limited to sections on mission/vision, legal organization, management team, product descriptions, market research, market promotion, customer profiles, financial statements, financial analysis of planned changes in the business and long-term goals for the business.
12. **Idea(s) for Change**:Ideas the Applicant proposed to research to improve Farm Vitality.
13. **Selected Farm**:Is a farm that previously applied to, and was selected for Phase 1 between January 1, 2000 and December 31, 2018.
14. **Phase 1 Business Plan Development**:A grant awarded to conduct research on proposed Idea(s) for Change, that if found to be feasible are developed into a project or projects that are described in a written business plan.
15. **Phase 2 Investment Support – Cash Grant**: The cash grant is for an amount not to exceed the lesser of $25,000 or 25% of the total investments identified by the Business Plan. Prior to the disbursement of cash grant funds, the Department may require the grantee to provide documented evidence of a proportionate amount of match equaling 75% of the total investments identified by the Business Plan. The match must be directly related to the implementation of the Business Plan and must have a real market value. Match may include, but is not limited to, in-kind labor and farm resources such as timber, sand, gravel or other natural resource materials used to implement the Business Plan; personal cash resources; loans, including a reduced-interest (2%) loan from the Agricultural Marketing Loan Fund; other grants; and other resources relevant to the Business Plan.
16. **7-Year Farmland Protection Agreement (FPA)**: means a written agreement between a farm selected to receive an investment support cash grant and the Maine Department of Agriculture, Conservation and Forestry, wherein the farm agrees to keep an area of farmland of no less than 5 acres in active agricultural use and to protect that land from non-agricultural development for a period of seven (7) years.
17. **Phase 2 Investment Support – AMLF Loan Recommendation**: The Review Panel may recommend and the Department may provide a selected applicant with a recommendation to apply for a reduced-interest (2%) loan from the Agricultural Marketing Loan Fund. If the total cost to implement the Business Plan is less than $100,000 then the reduced-interest loan may be up to 90% of that cost. If the total cost to implement the Business Plan is more than $100,000 then the reduced-interest loan may be up to 75% of that cost. In either case, the total amount of the reduced-interest loan may not exceed $250,000. The reduced- interest loan may be used as match for the cash grant.
18. **Services Package** - Means a number of specific tasks to be accomplished by a team of Service Providers and the owner or operator of the selected farm to develop a Business Plan. Services may include, but are not limited to, analyzing markets, developing financial data, creating production or processing efficiencies and registration for instruction or classroom training in economics and business planning for the owner or operator of the farm. All tasks must result in planning potential changes of the farm’s production, management or marketing practices and investments in equipment and/or property that would increase the future profitability and net worth (vitality) of the farm.
19. **Service Provider** - Means the following entities: including but not limited to, individuals, private organizations, public organizations and agencies of the State, marketing consultants, accounting firms, business support organizations, farm support organizations and other organizations that the Department determines may provide valuable services such as, but not limited to, analyzing markets or developing financial data and instruction or classroom training in economics and business planning for the owner or operator of a farm.

**State of Maine - Department of Agriculture, Conservation and Forestry**

*Bureau of Agriculture, Food and Rural Resources*

**RFP#201904076**

**Maine Farms for the Future Program: Phase 1 - Business Plan Development grants and Phase 2 - Investment Support grant and low-interest rate for Agricultural Marketing Loan Fund (AMLF)**

# **PART I INTRODUCTION**

##

## Purpose and Background

The Department of Agriculture, Conservation and Forestry (Department) is seeking applications for the Maine Farms for the Future Program.

All general instructions for submitting the applicable application are provided in this document, RFP #201904076 in accordance with the Department’s Program statute [*http://www.mainelegislature.org/legis/statutes/7/title7ch10-Bsec0.html*](http://www.mainelegislature.org/legis/statutes/7/title7ch10-Bsec0.html); and rules [*https://www.maine.gov/sos/cec/rules/01/chaps01.htm*](https://www.maine.gov/sos/cec/rules/01/chaps01.htm) 01-001 Chapter 36.

The **Phase 1 Application Form** located at <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants> describes Phase 1 eligibility criteria, scope of services and scoring criteria and provides the Phase 1 Application Form. Applicants selected for **Phase 1** receive assistance in assembling a services package to develop a detailed business plan to increase Farm Vitality.

ONLY a *Selected Farm*, that has currently or previously completed Phase 1, and that has a current business plan to increase Farm Vitality may compete for Phase 2 investment support to implement the plan. The **Phase 2 Application Form** located at <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants> describes Phase II eligibility criteria, scope of services and scoring criteria, and provides a Phase 2 Application Form, and an outline for the contents of the Business Plan and Appendices.

A Review Panel appointed by the Commissioner will follow a consensus process to score all submitted applications in accordance with this RFP; specific eligibility criteria, scope of services and scoring criteria described in the applicable application form located at <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants>; and the Program’s

Statute [*http://www.mainelegislature.org/legis/statutes/7/title7ch10-Bsec0.html*](http://www.mainelegislature.org/legis/statutes/7/title7ch10-Bsec0.html);

Rules [*https://www.maine.gov/sos/cec/rules/01/chaps01.htm*](https://www.maine.gov/sos/cec/rules/01/chaps01.htm) 01-001 Chapter 36.

## General Provisions

1. From the time this RFP is issued until award notification is made, all contact with the State regarding this RFP must be made through the aforementioned RFP Coordinator. No other person/ State employee is empowered to make binding statements regarding this RFP. Violation of this provision may lead to disqualification from the bidding process, at the State’s discretion.
2. Issuance of this RFP does not commit the Department to issue an award or to pay expenses incurred by an applicant in the preparation of a response to this RFP.
3. All applications should adhere to the instructions and format requirements outlined in this RFP and all written supplements and amendments (such as the Summary of Questions and Answers), and the applicable applications, issued by the Department. Applications are to follow the format and respond to all questions and instructions specified below in the “Application Submission Requirements” section of this RFP.
4. Applicants shall take careful note that in evaluating an application submitted in response to this RFP, the Department will consider materials provided in the application, information obtained through interviews (if any), and internal Departmental information of previous contract history with the applicant (if any). The Department also reserves the right to consider other reliable references and publicly available information in evaluating an applicant’s experience and capabilities.
5. The application shall be signed by a person authorized to legally bind the applicant.
6. The RFP and the selected applicant’s application, including all appendices or attachments, shall be the basis for the final contract, as determined by the Department.
7. Following announcement of an award decision, all submissions in response to this RFP will be considered public records available for public inspection pursuant to the State of Maine Freedom of Access Act (FOAA) (1 M.R.S. §§ 401 et seq.).

<http://www.mainelegislature.org/legis/statutes/1/title1sec401.html>

1. The Department, at its sole discretion, reserves the right to recognize and waive minor informalities and irregularities found in applications received in response to this RFP.
2. The State of Maine Division of Procurement Services reserves the right to authorize other Departments to use the contract(s) resulting from this RFP, if it is deemed to be beneficial for the State to do so.
3. All applicable laws, whether or not herein contained, shall be included by this reference. It shall be the Applicant’s responsibility to determine the applicability and requirements of any such laws and to abide by them.

## Eligibility to Submit Bids

All farms that meet the specific eligibility criteria detailed in the applicable application, i.e. Phase 1 Application Form or Phase 2 Application Form, are invited to submit the appropriate application in response to this RFP.

## Contract Term

The Department is applications(s) to provide services, as defined in this RFP, for the anticipated contract periods defined in the tables below. Please note that the dates below are estimated and may be adjusted, as necessary, in order to comply with all procedural requirements associated with this RFP and the contracting process. For each contract resulting from this RFP, the actual contract start date will be established by a completed and approved contract.

The term of the anticipated contract, resulting from the Initial Spring 2019 Application RFP, is defined as follows:

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Initial Period of Performance | July 22, 2019 | June 30, 2021 |

The terms of the anticipated contracts, resulting from the Semi-Annual Application Submittals are defined as follows

|  |  |  |
| --- | --- | --- |
| **Period** | **Start Date** | **End Date** |
| Fall 2019 | November 15, 2019 | November 30, 2021 |
| Spring 2020  | July 10, 2020 | June 30, 2022 |
| Fall 2020 | November 15, 2020 | November 30, 2022 |

 NOTE: Each contract end date may be extended for additional years to complete projects or other

 allowable extensions based on Department approval, continued availability of funding and satisfactory

 performance. The maximum contract extension is 2 years from the initial contract end date.

## Number of Awards

The Department anticipates making multiple award(s) to top scoring applicants depending on the availability of Program funds.

* Phase 1 Business Plan Development Grants are capped at $6,000
* Phase 2 Investment Support – Cash Grants for 25% of a project cost are capped at $25,000 with a 75% match required.
* Phase 2 Investment Support – AMLF Loan Recommendations for the 2% interest rate are subject to all project cost, eligibility and loan application requirements for the Agricultural Marketing Loan Fund described at:

<http://www.maine.gov/dacf/ard/grants/agricultural_marketing.shtml>

1. **Semi-Annual Application Submittals**

Beginning in 2019, this RFP offers semi-annual application submittal deadlines in the Spring and the Fall of each year. Applicants must submit the appropriate application form for each new submission opportunity. All new application forms will be released and available to prospective applicants at <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants> on the 3rd Tuesday of February and August while this RFP is active.

# **PART II SCOPE OF SERVICES TO BE PROVIDED**

# The Scope of Services to be provided are application specific. Please see details in Phase 1 Application Form and Phase 2 Application Form found at <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants>.

**PART III KEY RFP EVENTS**

##

## Questions

**1. General Instructions**

a. It is the responsibility of all applicants and other interested parties to examine the entire RFP and to seek clarification, in writing, if they do not understand any information or instructions.

b. Submitted questions must be submitted by e-mail and received by the RFP Coordinator, identified on the cover page of this RFP, as soon as possible but no later than the date and time specified on the RFP cover page.

c. Submitted questions must include the RFP Number and Grant Title in the subject line of the e-mail. The Department assumes no liability for assuring accurate/complete/on time e-mail transmission and receipt.

**2. Question & Answer Summary:** No question or their responses will be posted during the 7-days prior to the application due date <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants>. It is the responsibility of all interested parties to go to this website to obtain a copy of the Question & Answer Summary. Only those answers issued in writing on this website will be considered binding.

## Revisions

Any revision/amendment to this RFP such as contact information, submission requirements, etc. will be posted on the following website: <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants>. It is the responsibility of all interested parties to go to this website to obtain amendments. Only those revisions/amendments posted on this website are considered binding. Applicants should utilize the most current RFP revision document posted on the web-site. The revision date will be posted in the footer of the RFP and match the application file attachment.

## Submitting the Application

1. **Applications Due:** Applications must be received by email no later than 4:00 p.m. local time, on the date listed on the cover page of this RFP. Applications received **after** the 4:00 p.m. deadline will not be considered.
2. **Delivery Instructions:** Email application submissions are to be submitted to the State of Maine Division of Procurement Services, via email to Proposals@maine.gov.
3. Only applications received by email will be considered. The Department assumes no liability for assuring accurate/complete e-mail transmission and receipt.
4. Applicants are to insert the following into the subject line of their email submission:

“**RFP#201904076** followed by **“Farm Name”** followed by **“P1” or “P2”**.

1. Applicant’s submission files are to be named as follows:

 **File #P1 – “Farm Name” “Phase 1 Application”.** *PDF format preferred*

or

 **File #P2 – “Farm Name” “Phase 2 Application”.** *PDF format preferred*

**PART IV APPLICATION SUBMISSION REQUIREMENTS**

The applicant’s application for Phase 1 or Phase 2 must include the contents outlined below. Failure to follow the outline specified in this section may result in the application being disqualified as non-responsive or receiving a reduced score. The Department, and its Review Panel for this RFP, has sole discretion to determine whether a variance from the RFP specifications should result in either disqualification or reduction in scoring of an application.

## Application Formats

 **Phase 1 Application** *includes Parts A, B and C as described in the Phase 1 Application Form*

 OR

 **Phase 2 Application** *includes Parts A, B and C as described in the Phase 2 Application Form*

An application shall be dated and signed by a person authorized to enter into contracts on behalf of the applicant. It is the responsibility of the applicant to provide all information requested in the RFP package and the specific application form at the time of submission. Failure to provide information requested in this RFP and application may, at the discretion of the Department’s Review Panel, result in a lower rating for the incomplete sections and may result in the application being disqualified for consideration.

# **PART V APPLICATION EVALUATION AND SELECTION**

Evaluation of the submitted applications shall be accomplished as follows:

## Evaluation Process - General Information

* + - 1. An evaluation team, comprised of qualified reviewers (the Review Panel), will judge the merits of the applications received in accordance with the criteria defined in the RFP.
			2. Officials responsible for making decisions on the selection of a grantee shall ensure that the selection process accords equal opportunity and appropriate consideration to all who are capable of meeting the specifications. The goals of the evaluation process are to ensure fairness and objectivity in review of the applications and to ensure that the contract is awarded to the applicant whose application provides the best value to the State of Maine.
			3. The Department reserves the right to communicate with applicants, if needed to obtain clarification of information contained in the applications received. And the Department may revise the scores assigned in the initial evaluation to reflect those communications. Interviews/presentations are not required. Therefore, applicants should submit the applicable application and present all requested information as clearly and completely as possible.

## Scoring Weights and Processes

## Scoring Weights: The score for each phase will be based on a 100-point scale and will measure the degree to which the submitted application meets the criteria set forth in that specific application form. Please refer to the specific application - Phase 1 Application Form, Phase 2 Application Form - for the scoring weight criteria and point details. These are located at <https://www.maine.gov/dafs/bbm/procurementservices/vendors/grants>

1. **Scoring Process:** A Review Panel appointed by the Commissioner will use a consensus approach to evaluate and score applications in accordance with the applicable criteria for that phase. The Review Panel, will arrive at a consensus as to assignment of points for each criterion.
2. **Scoring the Application Cost Proposal:** Regarding the grant funds requested and the proposed work, the review team will consider the degree to which the project represents a good return for the investment (money, time, etc.) as well as whether the project work and cost estimates (tasks and budget) are reasonable for the expected outcomes, along with the amount and quality of proposed matching funds or services.
3. **Negotiations:** The Department reserves the right to negotiate with the successful applicant to finalize an awarded grant contract as described in this RFP and the applicable application. Such negotiations may not significantly vary from the content, nature or requirements of the application or the Department’s Request for Proposals. The Department reserves the right to terminate contract negotiations with selected applicants. In the event that an acceptable contract cannot be negotiated with the highest ranked applicants, the Department may withdraw and award and may negotiate with the next-highest ranked applicant, and so on, until an acceptable contract has been finalized. Alternatively, the Department may cancel the RFP, at its sole discretion.

## Selection and Award

**1.** The final decision regarding the award of the contract will be made by representatives of the Department subject to approval by the State Procurement Review Committee.

**2.** Notification of grantees selection or non-selection will be made in writing by the Department.

**3.** Issuance of this RFP in no way constitutes a commitment by the State of Maine to award a contract, to pay costs incurred in the preparation of a response to this request, or to pay costs incurred in procuring or contracting for services, supplies, physical space, personnel or any other costs incurred by the applicant.

**4.** The Department reserves the right to reject any and all applications or to make multiple awards.

##

## Appeal of Contract Awards

Any person aggrieved by the award decision that results from this RFP may appeal the decision to the Director of the Bureau of General Services in the manner prescribed in 5 MRSA § 1825-E and 18-554 Code of Maine Rules, Chapter 120 (found here: <https://www.maine.gov/dafs/procurementservices/policies-procedures/chapter-120>).  The appeal must be in writing and filed with the Director of the Bureau of General Services, 9 State House Station, Augusta, Maine, 04333-0009 within 15 calendar days of receipt of notification of contract award.

#

# **PART VI CONTRACT ADMINISTRATION AND CONDITIONS**

## Contract Document

**1.**  The awarded applicant will be required to execute a State of Maine Service Contract. The Service Contract form and all other forms may be found on the Division of Procurement Service website at the following link: <https://www.maine.gov/dafs/bbm/procurementservices/forms>

**2.** Allocation of funds is final upon successful negotiation and execution of the contract, subject to the review and approval of the State Procurement Review Committee. Contracts are not considered fully executed and valid until approved by the State Procurement Review Committee and funds are encumbered. No contract will be approved based on an RFP which has an effective date less than fourteen (14) calendar days after award notification to Applicants. (Referenced in the regulations of the Department of Administrative and Financial Services, Chapter 110, § 3(B)(i):

 https://www.maine.gov/dafs/bbm/procurementservices/policies-procedures/chapter-110

 This provision means that a contract cannot be effective until at least 14 days after award notification.

**3.** The State recognizes that the actual contract effective date depends upon completion of the RFP process, date of formal award notification, length of contract negotiation, and preparation and approval by the State Procurement Review Committee. Any appeals to the Department’s award decision(s) may further postpone the actual contract effective date, depending upon the outcome. The contract effective date listed in this RFP may need to be adjusted, if necessary, to comply with mandated requirements.

1. In providing services and performing under the awarded contract, the successful applicant(s) shall act as an independent contractor and not as an agent of the State of Maine.

## Standard State Agreement Provisions

**1.** Agreement Administration

a. Following the award, an Agreement Administrator from the Department will be appointed to assist with the development and administration of the contract and to act as administrator during the entire contract period. Department staff will be available after the award to consult with the successful applicant in the finalization of the contract.

**2.** Payments and Other Provisions

The State anticipates paying the Grantee on the basis of net 30 payment terms, upon the receipt of an accurate and acceptable invoice. An invoice will be considered accurate and acceptable if it contains a reference to the State of Maine contract number, contains correct pricing information relative to the contract, and provides any required supporting documents, as applicable, and any other specific and agreed-upon requirements listed within the contract that results from this RFP.