



**STATE OF MAINE REQUEST FOR PROPOSALS
RFP SUBMITTED QUESTIONS & ANSWERS SUMMARY**

RFP NUMBER AND TITLE:	RFA # 202403071 Maine Resilient Food Systems Infrastructure Program
RFP ISSUED BY:	State of Maine Department of Agriculture, Conservation and Forestry
SUBMITTED QUESTIONS DUE DATE:	April 10, 2024
QUESTION & ANSWER SUMMARY ISSUED:	April 17, 2024
PROPOSAL DUE DATE:	April 29, 2024
PROPOSALS DUE TO:	Proposals@maine.gov

Provided below are submitted written questions received and the Department’s answer.

	RFP Section & Page Number	Question
	Part I Overview of the Grant Opportunity C. Eligibility to Submit Applications Page 8	Are small businesses able to submit two separate applications?
		Answer
1		<p>Yes, one applicant entity may submit more than one RFSI Infrastructure Project application. However, only one RFSI award will be made per applicant UEI (Unique Entity ID). However, an applicant will not be offered more than one USDA RFSI-funded contract award. This is true for both RFA # 202403071 Maine Resilient Food Systems Infrastructure Program and the future RFSI Equipment-only RFA, which is anticipated to open in the fall.</p> <p>For example, an RFSI Infrastructure Project Grant awarded subrecipient may NOT also apply for an RFSI Equipment-only grant. However, an RFSI Infrastructure Project Grant applicant that is not awarded a project grant is eligible to submit an equipment-only grant application. Only one RFSI award will be made per Unique Entity ID (UEI). RFSI Infrastructure Project Grant applicants should include the eligible equipment that is necessary for their proposed Project within their Project Grant application.</p>

	RFP Section & Page Number	Question
	Part II Activities and Requirements D. Allowable Use of Funds for Middle of the Supply Chain Activities and Investments Page 13	I noticed that for any construction of new buildings, a Licensed Contractor must be used. From my research, in Maine General Construction Contractors do not need to be licensed so how will this requirement be fulfilled? Is Maine going to be exempt from this requirement for General Contractors? On the State of Maine Professional and Financial Regulation Professions and Occupations I can see plumbers and electricians that need and have a license in Maine but I specifically would like to know about General Contractor/builders.
2		<p style="text-align: center;">Answer</p> <p>Applicants will not be required to request/require a license that is not required by Maine state, county, or other local jurisdiction.</p> <p>Applicants must ensure that facility improvements comply with all applicable license and permit requirements by the state, county, or other local jurisdiction for their type of facility (for example, food processing, dairy, food storage, etc.). Applicants must also ensure there is no conflict of interest in contracting or purchasing of goods and services.</p> <p>An applicant cannot conduct, employ, or contract with a business or individual that is conducting work without the appropriate license and/or permit that is required by the state, county, or local jurisdiction. If a license is not required for the work to be performed, then a license and/or permit will not be required by the RFSI program.</p> <p>Please see the current State professional licensing requirements from the State of Maine Professional and Financial Regulation Professions and Occupations and visit the Maine Office of Professional and Occupational Regulation with further questions regarding state licensing requirements. Please consult with you county, town, and/or city officials with further questions regarding applicable local license and permit requirements.</p>

RFP Section & Page Number	Question
Part II Activities and Requirements E. Matching Funds Page 14	If the infrastructure project requires pieces of special-purpose equipment to implement, can this equipment be applied to the match? (eg. an ice generator to operate within a room-sized cooler)
Answer	
3	<p>Possibly. Special-purpose equipment may be eligible for matching requirements if the equipment is purchased by the applicant prior to the subaward being awarded, was not funded by a federal grant, and is special purpose that’s critical for the success of the project. The applicant must calculate match value using the fair market value for the equipment. If this equipment is solely for RFSI project, the entire value may serve as a matching contribution. If this equipment is used in a variety of activities, it would need to be prorated based on the amount of time used with the RFSI Project.</p> <p>Cost sharing or matching is the portion of Project costs not paid by State or Federal funds, which could be cash and/or in-kind contributions. Cash can be a financial outlay, or cash donations from non-Federal third parties. In-kind can be the value of non-cash contributions, typically in the form of the value of personnel, goods, and services, including direct and indirect costs. Other State and Federal funds cannot be used as a match. (See 2 CFR §§ 200.1 and §§ 200.306).</p> <p>In-kind contributions are defined, when used as a cost share or match for a grant, as the value of goods or services provided for the benefit of the Project, where no funds transferred hands. For example, a partner, such as a tribal community member, may volunteer their professional expertise as a match contribution to the project as described in 2 C.F.R. § 200.306(e). These contributions cannot satisfy a cost sharing or matching requirement for this grant program if they are used toward satisfying a match requirement under any other Federal grant agreement to which the applicant is a party. All matching contributions must be committed or secured at the time an applicant is recommended for an award.</p> <p>Contributions cannot satisfy a cost sharing or matching requirement for this grant program if they are used toward satisfying a match requirement under any other Federal grant agreement to which the applicant is a party. All matching contributions must be committed or secured at the time an applicant is recommended for an award. Indirect costs may count toward the Infrastructure Grant applicant’s match.</p> <p>Equipment may be eligible for matching requirements. If the equipment is purchased by (or donated to) the applicant prior to the subaward being awarded and is special purpose that’s critical for the success of the project, it can be used as match. All matching contributions must be committed or secured at the time an applicant is recommended for an award. The applicant would calculate match value using the fair market value for the equipment. If this equipment is solely for RFSI project, they can use the entire value. If this equipment is used in a variety of projects, it would need to be prorated based on the amount of time with the RFSI Project.</p>

		Question
4	RFP Section & Page Number Part II Activities and Requirements J. Reporting Requirements Page 17	If the installation work is completed by the end of 2024, is there flexibility of three years to complete the reporting requirements?
	Answer	
		<p>Grant subrecipients will be required to submit annual performance reports as required by the Department and the USDA throughout the duration of the awarded Project.</p> <p>Quarterly and/or biannual reports may be required, per the executed contract terms.</p> <p>Grant subrecipients will be required to submit a final performance report within 30 days of completion of the project.</p> <p>The Department or its designee(s) reserves the right to perform site monitoring visits to any and all awardees to ensure that work is progressing within the required time frame and that fiscal procedures are being followed accurately and appropriately. Monitoring includes both financial and program information as well as site visits.</p>

		Question
5	RFP Section & Page Number Part IV Evaluation Process- General Information C. Scoring Criteria 7). USDA RFSI Priorities Pages 11-12	If a farm relies on migrant labor, as do many northern Maine farms where local workers are less available/reliable, would these workers qualify as being part of an "underserved" community"? (B.) and/or workforce/economic impact (C.)
	Answer	

The “underserved community” question relates to the following section of the RFA:

Part IV Evaluation Process-General Information

C. Scoring Criteria

7). USDA RFSI Priorities

a. Demonstrated in the Maine RFSI Application Form Project Narrative section.

iii. Diversity of processing infrastructure

1. Projects that increase diversity in processing options in terms of business model approaches, geography, and availability to **underserved communities**.
2. Applications that are submitted by cooperatives, farmer- and worker-owned enterprises
3. Projects that offer more and better market opportunities and new streams of revenue to small and mid-sized agricultural producers, including those who may not have access to value-added opportunities or processing to meet market demand for premium or value-added products, such as underserved producers.

In this case, the employment of migrant labor may be described in a Project application that is aimed to increase diversity in processing options in terms of business model approaches, geography, and availability to **underserved communities** (see RFA Part II Activities and Requirements Section C USDA RFSI Infrastructure Grant Priorities Page 11 bullet point 3 “Diversity of processing infrastructure”).

The “workforce/economic impact” question relates to the following section of the RFA:

Part IV Evaluation Process-General Information

C. Scoring Criteria

7). USDA RFSI Priorities

ii. Workforce/economic impact

4. Projects that support proposals that provide fair prices, fair wages and new and safe job opportunities that keep profits in rural communities.
5. Projects that offer family-supporting job quality and treatment/safety of workers;

In this case, the employment of migrant labor may be described in a Project application that is aimed to address **workforce/economic impact** via a Project that will provide fair prices, fair wages and new and safe job opportunities that keep profits in rural communities and/or a Project that will offer family-supporting job quality and treatment/safety of workers.

See RFA Part II Activities and Requirements Section C USDA RFSI Infrastructure Grant Priorities Page 11 bullet point 2 “Workforce/economic impact.”

- Projects that support proposals that provide fair prices, fair wages and new and safe job opportunities that keep profits in rural communities.
- Projects that offer family-supporting job quality and treatment/safety of workers;

		Question
6	RFP Section & Page Number Part II Activities and Requirements B. Maine RFSI Infrastructure Grant Priorities Page 11	If the infrastructure improvement is located in a building that the farm is leasing (ie. on property it doesn't own) is this considered to be an "on farm facility infrastructure improvement"?
	Answer	
	<p>That depends. If the Applicant's farm headquarters are the leased facility then yes. However, if the leased building is not on the farm headquarters site, then no, the leased building would not be considered a part of "on farm facility infrastructure improvement." However, the Applicant could describe other ways in which the Project aligns with one or more of the state Maine RFSI Infrastructure Project Grant priorities listed on pages 11-12.</p> <p>The Applicant does not need to own the land; a formal lease agreement is permissible. Rentals and leases are permissible RFSI expenditures.</p> <p>Applications that include improvements to leased space may score more favorably if they demonstrate a reasonable return to the grant subrecipient on the RFSI-funded investment, such as documentation of a long-term lease agreement that goes beyond the grant performance period (ending May 2027).</p>	

		Question
7	RFP Section & Page Number Part IV Evaluation Process- General Information C. Scoring Criteria 10). Stakeholder Support Page 24	By definition, "middle of the supply chain" involves a range of stakeholders. Under Stakeholder Support (p. 26 of the scoring rubric), what is meant by "organizations involved in the project" as opposed to other stakeholders benefitting from the project.
	Answer	
	<p>The Application must clearly demonstrate stakeholder support for the Project. Successful applicants will effectively demonstrate community impact and support. Applicants must describe</p>	

the external stakeholders that support the need for the Project and why (other than the Applicant and organizations involved in the project). Up to three letters of support are encouraged and may be assigned points.

For this purpose, “other than the Applicant and organizations involved in the project” refers to the external stakeholders that are not employed by the Applicant and who will not be engaged in implementing and administering the Project. For example, if organization ABC is the Applicant, those employed by ABC would not be considered an external stakeholder in this section. Further, if organization XYZ will have a consulting, contracting, or partnership role in implementing the Project, XYZ would not be considered an external stakeholder in this section.

However, if organization 123 will benefit from the overall infrastructure improvement that the Project may have on the state or region but will not have a financial or human resources role in implementing or administering the Project, 123 would be considered an external stakeholder. Examples may include farms where produce will be purchased for the Project. Commodity groups, grower and/or producer organizations, agricultural service providers, food hubs, institutions, retailers, cooperatives and other individuals and/or entities that are not the Applicant and will not have a role in Project implementation and administration are also examples of external stakeholders.

RFP Section & Page Number	Question
USDA RFSI INFRASTRUCTURE GRANT PROPOSAL TEMPLATE Page 5	Under Expected Performance Measures (p. 5) there are specific measures outlined for Outcomes 2 and 3. Where is Outcome 1? How are these Outcomes related to the Objectives requested on p. 4?
Answer	
8	<p>The USDA AMS created this form. They did not provide an Outcome 1.</p> <p>On page 4 of the USDA RFSI Infrastructure Grant Proposal Template, Applicants are asked to provide a list of the objectives that the Project hopes to achieve. Think of the objectives as the Project’s action plan. What action steps are necessary to complete the Project purpose? What specific allowable activities will be completed that relate to the overall Project purpose? What challenges, gaps, or barriers will the Project resolve?</p> <p>Think of the Outcomes as the expected performance measures. The outcomes provide a framework for subrecipients to collect and monitor Project data and evaluate and report on Project activities.</p>

RFP Section & Page Number	Question
<p>Under Expected Performance Measures (p. 5) there are specific measures outlined for Outcomes 2 and 3. Where is Outcome 1? How are these Outcomes related to the Objectives requested on p. 4?</p>	<p>Pre-harvest activities and expenses are listed as NOT eligible for funding for this grant; are any of these pre-harvest activities/expenses allowable as part of the match?</p>
Answer	
<p>9</p>	<p>No. See RFA Part II Section D Page 12 Allowable Use of Funds for Middle of the Supply Chain Activities and Investments</p> <p>Pre-harvest activities and expenses are ineligible for funding and thus ineligible for matching contributions as all matching contributions must also meet the requirements for Allowable Use of Funds for Middle of the Supply Chain Activities and Investments.</p> <p>Also See RFA Part II Section E Non-allowable Use of Funds page 13.</p> <p>“Activities that only support existing capacity and/or market value and do not expand processing and middle of the supply chain capacity in the state or region are ineligible for RFSI funding.</p> <p>Additionally, activities and expenses that are NOT eligible include but are not limited to:</p> <ul style="list-style-type: none"> • Any pre-harvest activities and expenses (for example, green houses, tractors, row covers, irrigation equipment, soil amendments, seed, livestock animals, feed, or other agricultural inputs).” <p>Further guidance:</p> <p>RFSI funds are for project expenses related to the building of infrastructure and not the purchasing of food products to be processed.</p> <p>It is unallowable for the project to purchase raw ingredients (e.g. tomatoes) to be processed and thus the value of the raw ingredients would not be eligible to meet the match requirement.</p>

[RFSI Program Scope and Requirements](#), Section 1.5.6 states that a project is a set of interrelated tasks with a defined goal, a definitive beginning and end and are different from other ongoing operations in an organization. RFSI Infrastructure Grant projects should expand capacity and infrastructure for the aggregation, processing, manufacturing, storing, transporting, wholesaling, or distribution of targeted agricultural products.

The intent of RFSI Infrastructure Grants (i.e., subawards) is for projects to expand capacity and infrastructure for the aggregation, processing, manufacturing, storing, transporting, wholesaling, or distribution of targeted local and regional agricultural products. Matching funds must be necessary and reasonable for the accomplishment of project or program objectives. The funds used to purchase tomatoes as described in the email does not seem necessary for expanding capacity and infrastructure, and thus are unallowable as match. See [2 CFR 200.306\(b\)](#) for additional information on matching fund requirements.

RFSI funds may not be used to cover daily operational business expenses nor the purchase of agricultural products for production. Applications should include only the costs necessary for the completion of the proposed project activities and not operational costs for the period of performance.

RFP Section & Page Number	Question
Part I, Sec. C pg. 8	We had a question on the “Domestic Ownership” requirement. We are a U.S. corp, owned by another U.S. corp, that is owned by a Canadian firm. In the past we have been allowed to receive grants due to our US corp status and that we pay taxes, our facility is located in the U.S. (Maine), and all employees live in the state....we wanted to see if we were eligible for this grant before we go through the application?
Answer	
10	<p>If the Applicant entity has been assigned a Unique Entity Identifier number (UEI) and meet the RFA Part 1 Section C Eligibility to Submit Applications requirements, they are likely to be deemed as an eligible applicant subject to USDA review and final determination.</p> <p>All subrecipients of RFSI funds must have a Unique Entity Identifier number (UEI) in SAM.Gov prior to being issued a subrecipient contract. There is NO cost to register in SAM.gov.</p> <p>See Resilient Food Systems Infrastructure Program Scope and Requirements</p> <p>All applicant businesses and organizations must be domestically owned, and applicants’ facilities must be physically located within the 50 States of the United States, the Commonwealth of Puerto Rico, the District of Columbia, the U.S. Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands.</p> <p>Domestically owned: An entity organized in the United States under the law of the State, the states, or under Tribal jurisdiction where the entity operates, and a majority of the entity is owned by US citizens.</p>

RFP Section & Page Number	Question
Part IV Application Evaluation and Selection E Contract Administration and Conditions Page 27	We were curious if any funds could be applied retroactively for facilities or equipment that have been purchased?
Answer	
11	<p>No. the Department will pay grant funds to the awarded subrecipient on a reimbursement-only basis. Subrecipients will receive reimbursement for only eligible and approved costs listed in the contract that results from the RFA.</p> <p>Sub-awardees must not start their project before receiving notice of AMS approval/award. This includes activities funded by RFSI and all connected actions. If they start their project before receiving AMS approval their project cannot be approved/awarded. This includes, but is not limited to, site preparation, construction, clearing of land, etc.</p> <p>All activities funded under this RFA must comply with the National Environmental Policy Act (NEPA) and related applicable agency regulations and instructions, Section 106 of the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA), other laws and regulations as outlined therein, and any applicable state, local, or tribal laws. A review for NEPA compliance is required prior to the award of grant funds. If selected for an award, applicants must provide all requested information to support compliance with NEPA, NHPA, ESA, and all other federal environmental laws and regulations.</p> <p>States/Territories must ensure subaward recipients comply with all relevant laws, regulations, and policies regarding environmental management and protection and that no component of the proposed action be implemented prior to the completion of AMS’s environmental review and final decision, or AMS’s approval for that proposed action, consistent with 40 CFR 1506.1.</p> <p>This includes determinations that the Agency is not able to fulfill its consultation and other obligations under NEPA that during the environmental review process, ...no action concerning the proposal shall be taken which would: (1) Have an adverse environmental impact; or (2) Limit the choice of reasonable alternatives” (40 CFR 1506.1). NEPA and associated case law prohibits “segmentation” of actions whereby smaller portions of actions are evaluated to minimize the overall impact of otherwise connected actions.</p> <p>Connected actions are “closely related” to the Project and are subject to the same NEPA review as the RFSI-funded Project proposed activities. Proposed actions are connected if they automatically trigger other actions that may require an environmental impact statement; cannot or will not proceed unless other actions are taken previously or simultaneously; or if the actions are interdependent parts of a larger action and depend upon the larger action for their justification.</p>

	RFP Section & Page Number	Question
	RFA Part II Section E Non-allowable Use of Funds Page 13	Can RFSI funds be used for business operations expenses?
12	Answer	
	<p>No. Resilient Food Systems Infrastructure Program Scope and Requirements, Section 1.5.6 states that a project is a set of interrelated tasks with a defined goal, a definitive beginning and end and are different from other ongoing operations in an organization. RFSI Infrastructure Grant projects should expand capacity and infrastructure for the aggregation, processing, manufacturing, storing, transporting, wholesaling, or distribution of targeted agricultural products. RFSI funds should not be used to cover daily operational business expenses nor the purchase of agricultural products for production. Applications should include only the costs necessary for the completion of the proposed project activities and not operational costs for the period of performance.</p> <p>On-going operating costs that do not directly support completion of the proposed Project are not allowable in RFSI.</p>	

Additional Question and Answer Information:

The Maine Department of Agriculture, Conservation and Forestry held five online office hours between February 12 and March 13, 2024 and then received additional information from the USDA AMS RFSI team on 3/28/24 and 4/8/24. The question and answer summaries from these office hours and USDA AMS RFSI team communication can be found on the [Maine RFSI program webpage](#) and are linked individually here:

- [RFSI Office Hours Questions and Answers from 2/12/24 \(PDF\)](#)
- [RFSI Office Hours Questions and Answers from 2/20/24 & 2/26/2024 \(PDF\)](#)
- [RFSI Office Hours Questions and Answers from 3/05/24 \(PDF\)](#)
- [RFSI Office Hours Questions and Answers from 3/13/24 \(PDF\)](#)
- [RFSI Follow-up Questions 3/28/2024 \(PDF\)](#)
- [RFSI Follow-up Questions 4/8/2024 \(PDF\)](#)