



New York State  
Department of Agriculture & Markets

**REQUEST FOR APPLICATIONS**

for the

**FRESH CONNECT PROGRAM  
Mini-Grants**

**INTRODUCTION**

The New York State Department of Agriculture and Markets, in cooperation with Empire State Development, invites application(s) that will improve access to locally grown, fresh food by low-income and/or underserved communities across New York State.

**PROPOSAL SUBMISSION REQUIREMENTS**

Proposals must conform to the format and content specified in Section 3 of this Request For Applications (RFA). Applicants must submit four (4) copies of each proposal plus a completed and signed Checklist for Proposal Eligibility and Completeness.

Envelopes should be clearly marked: "RFA– Fresh Connect Mini-grants".

Proposals must be submitted to:

Lucy Roberson  
NYS Department of Agriculture and Markets  
10B Airline Drive  
Albany, New York 12235

**Proposals meeting the requirements for the Fresh Connect Mini Grants Program will be funded on a first come, first served basis up until the time at which program funds are exhausted.**

**Proposals must be received by the Department by 4:30 p.m. EDT on Friday May 31, 2013.**

**Applicants, not delivery services or other intermediaries are responsible for the timely submission of proposals. Faxed and e-mailed proposals will not be accepted.**

## QUESTIONS CONCERNING THE RFA

All questions about requirements contained in this RFA must be submitted in writing (facsimile or e-mail will be accepted) to:

Meg McCabe  
NYS Department of Agriculture and Markets  
10B Airline Drive  
Albany, NY 12235  
Fax: (518) 457-2716  
E-mail: [meg.mccabe@agriculture.ny.gov](mailto:meg.mccabe@agriculture.ny.gov)

All questions must be submitted to Ms. McCabe. Applicants should note that all clarifications are to be resolved prior to the submission of an application. A list of questions about the program which are received from potential applicants, and answers to those questions, as well as any changes, additions or deletions to the RFA, will be posted in the “Funding Opportunities” section of the Department's website, [www.agriculture.ny.gov](http://www.agriculture.ny.gov) under the heading: Frequently Asked Questions, FAQ, along with the electronic version of this RFA. Questions and responses will be posted as questions are received. **Applicants are urged to check the Department’s website frequently for notices of any changes, additions or deletions to the RFA.** If you are unable to access the website, please contact Ms. McCabe to arrange for alternate delivery. All questions and answers shall become a formal addendum to the RFA.

### 1. GENERAL PROGRAM INFORMATION

#### 1.1 Program Description

The New York Fresh Connect Program enhances nutrition and economic health in New York State residents by increasing access to locally grown, fresh foods in low-income and/or underserved communities across New York State. To achieve this goal in 2013, the Fresh Connect Program will partner and contract with local entities to develop and administer projects that will increase access to locally grown, fresh foods in low-income and/or underserved communities in New York State through direct marketing activities.

Article 23 of the Agriculture and Markets Law authorizes the Department to provide assistance to local government entities and not for profit organizations for the purpose of direct marketing activities in areas having poor consumer access to high quality and reasonably priced food and farm products.

Objectives of the New York State Fresh Connect Program are:

1. To serve residents in low-income and/or underserved communities in New York State;
2. To provide additional opportunities for New York farmers to sell locally grown products;
3. To establish a framework that will make funded projects viable and replicable; and

4. To complement existing nutrition program objectives with respect to serving nutritionally at-risk consumers and benefitting New York farmers;
5. To achieve geographic diversity.

The Mini-grants component of Fresh Connect will provide up to \$2,500 in funds for Farmers' Markets to purchase needed capital items (e.g. physical improvements, signs, tents, lighting, cooking equipment, etc.) specific to their location.

## **1.2 Funding Available**

There is a total of \$25,000 available statewide for the program.

Grants shall not exceed the lesser of seventy-five percent (75%) of the total project cost or two thousand five hundred dollars (\$2,500). *Example; A request of \$2,500 would require a total project cost of at least \$3,333 and a minimum match of \$833, (25 percent of \$3,333).*

## **1.3 Match Requirements**

Grant recipients must provide a match of at least twenty-five percent (25%) of the total project cost with cash and/or in-kind services. The match may be provided by the applicant or other supporters of the project.

The cost of previous work leading to the proposed project, and costs unrelated to the proposed project, may not be considered as an applicant match. New York State funds may not be used as matching funds.

## **2. ELIGIBILITY & SCOPE**

### **2.1 Applicant Eligibility**

Eligible applicants include:

- local government entities;
- regional market authorities;
- public benefit corporations; and
- not-for-profit corporations.

### **2.2 Ineligible Applicants**

The following entities are not eligible to apply for funding:

- for-profit entities; and
- individuals.

### **2.3 Definitions**

For the purposes of this grant program:

- “Farm and food products” shall mean any agricultural, horticultural, forest or other product of the soil or water, including but not limited to, fruits, vegetables, eggs, dairy products, meat and meat products, poultry and poultry products, fish and fish products, grain and grain products, honey, nuts, preserves, maple sap products, apple cider, fruit juice, wine, ornamental or vegetable plants, nursery products, flowers, firewood and Christmas trees.

- “Direct marketing” means the sale of farm and food products directly from producers to consumers and food buyers.
- A “farmers’ market” is any building, structure, or place, the property of a municipal corporation or under lease to or in the possession of a private or public agency, individual or business used or intended to be used by two or more producers for the direct sale of a diversity of farm and food products from producers to consumers and food buyers.
- A low income or underserved community in New York State is any community for which it can be shown quantitatively that the residents lack access to fresh farm products and/or using census or other data sources that a substantial portion of the population would qualify for the federal Supplemental Nutrition Assistance Program, (SNAP).

## **2.4 Project Eligibility**

Eligible projects must increase access to New York farm and food products by low-income and/or underserved communities in New York State. Eligible projects must meet all of the following criteria:

- Capital project
- Project must be located at a new or existing market
- Benefit all farmers at a new or existing farmers’ market
- New or existing market must serve low-income and/or underserved communities;

## **2.5 Project Duration**

Proposed projects must be completed by December 31, 2013.

## **2.6 Eligible Costs**

Grant funds must be used for any of the following purposes directly related to completion of an eligible project:

- physical improvements
- equipment
- signs

All costs will be evaluated for reasonableness.

## **2.7 Ineligible Costs**

Grant funds may not be used for the following, including but not limited to:

- salaries and wages
- indirect and overhead costs
- computer equipment
- rolling stock
- fringe benefits
- costs associated with preparing an application
- costs incurred prior to the award of a grant
- supplies

## **3. DOCUMENT REQUIREMENTS**

The following documentation should be provided with the Application Form at the time of submittal. Applications not containing the required documents will be determined to be incomplete and ineligible for funding.

### **3.1 Farmers' Market Ownership & Control**

1. Applicant must provide evidence of authority to execute the proposed project by signing the Application Checklist.
2. Applicant must provide proof of authority to operate a farmers' market at the proposed location, including copies of all necessary permits, proof of permit application(s), or a signed letter of consent addressed to the applicant and signed by the property owner.
3. If the project involves permanent improvements to property, including new and/or existing facilities, not owned by the applicant, an executed (signed) written agreement between the landowner and the applicant to retain the farmers' market and permanent improvements on said property through the year 2015 must be provided with the application.

### **3.2 Acceptance of Government Benefits**

Applicants or affiliated markets must be a certified Food Stamp vendor, agree to accept Food Stamps as part of the proposed project, and provide proof of certification at the time of application.

If the applicant or market is not a certified vendor at the time of application, proof of intent to participate, such as a completed application form, must be provided instead.

### **3.3 Workers' Compensation & Disability Insurance**

New York State Workers' Compensation Law sections 57 and 220 require that the Department not enter into a contract unless proof of Workers' Compensation and Disability Insurance in a form satisfactory to the New York State Workers' Compensation Board has been secured.

Please refer to the Workers' Compensation and Disability Insurance Requirements posted on the Department's website, [www.agriculture.ny.gov](http://www.agriculture.ny.gov), under the heading of this RFP or visit the New York State Workers' Compensation Board website, [www.wcb.ny.gov](http://www.wcb.ny.gov), for more information. You may contact the Board's Bureau of Compliance with any questions related to workers' compensation or disability insurance at (866) 298-7830.

### **3.4 New York State Charities Bureau Registration**

All not-for-profits organizations contracting with the State must be registered with the New York State Charities Bureau, unless a proper exemption is obtained. All applicants must, therefore provide either one of the following at the time of application:

- The organization's charitable registration number and written documentation from the Office of the Attorney General that the charitable organization is currently up-to-date with its Charities Registration; or
- A statement from the applicant that the organization is exempt pursuant to one of the categories indicated on the [Office of Attorney General's Request for Registration Exemption \(Schedule E\)](#). The statement must identify the specific category under which the charitable organization is exempt.

To obtain written documentation of an organization's charities registration status, or if you have questions regarding the statutory requirements for registration, contact the New York State Office of the Attorney General, Bureau of Charities Registration, 120 Broadway, New York, NY 10271-0332, or call (212) 416-8402, email [charities.bureau@oag.state.ny.us](mailto:charities.bureau@oag.state.ny.us) or visit their website at <http://www.oag.state.ny.us/bureaus/charities/charities.html>.

Eligible 501(c)(3) not-for-profit corporations acting as the applicant must have a New York State Attorney General Charities Bureau Registration number or an Exemption Certificate issued by the New York State Attorney General Charities Bureau explaining why the organization is exempt from registering with the Charities Bureau.

### **3.5 New York State Office of the State Comptroller Substitute Form W-9**

All applications should include New York State form AC 3237-S, New York State Office of the State Comptroller Substitute Form W-9 completed in full. This form is available along with the Mini Grants application in the Funding Opportunities section of the Department of Agriculture and Markets website [www.agriculture.ny.gov](http://www.agriculture.ny.gov).

## **4. PROPOSAL FORMAT**

### **Application Form**

Submit proposals using the attached Application Form, following these instructions.

#### **Required – failure to complete the following will result in rejection of the application**

1. Provide all information and answer all questions on the application form.
2. Submit four (4) copies of the proposal.
3. Sign and Date the Application Checklist

#### **Please follow the additional instructions below**

1. Type or print legibly.
2. Staple each copy of the proposal in the upper left hand corner of the Application Form. Do not use binders, folders, report covers, etc.
3. Attach all required attachments, drawings, photos, support letters, etc. at the end of the Application Form.

The Department and State Comptroller's Office reserve the right to audit the applicant's books and records relating to the performance of the project during and up to six years after the completion of the project.

## **5. FUNDING CRITERIA**

The Department shall review all requests for grant funding for completeness and determine acceptability in consultation with Empire State Development. In determining approval of applications the Department will consider the following:

1. Applicant eligibility
2. Project eligibility
3. Cost eligibility

## **6 FUNDING PRIORITY**

Priority for funding will be determined by the date an application is determined eligible and complete. Applications that are incomplete or ineligible will be rejected. Applications rejected for incompleteness or eligibility may be corrected by the applicant and resubmitted under a new application and will be considered as such by the Department.

## **7. AWARDS**

All applications will be reviewed for eligibility and completeness based upon the attached checklist.

All eligible applicants shall receive funding for approved project costs until all funds designated for this purpose are exhausted.

A Purchase Order defining all terms, conditions and responsibilities shall be developed by the Department upon the Department's receipt and approval of a complete and eligible application.

The Purchase Order will incorporate the project plan of work application and a budget approved by the Department, among its provisions.

## **8. REIMBURSEMENT FOR FUNDING**

Once the Purchase Order is issued, grant funds will be disbursed on a reimbursement basis.

The Department shall retain ten percent (10%) of the budget amount to be disbursed to the contractor until such time as the final report is accepted.

A New York State Claim for Payment Form must be submitted to the Department in order for the contractor to be reimbursed for funds expended.

Payment to the contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, at the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary state procedures and practices. The Contractor shall comply with the State Comptroller of New York's procedures to authorize electronic payments. Contractor acknowledges that it will not receive payment on any Claim for Payment Form submitted under this agreement if it does not comply with the State Comptroller of New York's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

## **9. REPORTING REQUIREMENTS**

### **9.1 Reimbursement Request Reports**

An interim progress report that summarizes work completed on the project shall accompany each Claim for Payment Form request for reimbursement of project expenses.

### **9.2 Final Report**

A final report will be required within thirty (30) days following completion of the project. The final report shall include a reasonably detailed description of the work completed; an assessment of the potential for future viability of the project; and a description of problems encountered, if any, which affected completion of the project.

## **10. LIABILITY**

The Department shall not be held liable for any costs incurred by any party for work performed in the preparation of and production of a proposal or for any work performed prior to the formal execution of a contract.

## **11. NYS OFFICE OF PARKS, RECREATION & HISTORIC PRESERVATION REQUIREMENTS**

Projects which include ground disturbing activities, construction of new buildings, or modification of buildings over 50 years old will be subject to further review by the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). The Department reserves the right to request such additional information as is necessary to allow OPRHP to make a determination regarding the potential impacts of the project on historical sites or artifacts and possible alternatives which avoid or mitigate adverse impacts.

## **12. NYS ENVIRONMENTAL QUALITY REVIEW ACT REQUIREMENTS**

Some projects may be subject to review under the New York State Environmental Quality Review Act (SEQRA). The Department reserves the right to request additional information as needed to comply with SEQRA requirements.

## **13. OTHER CONSIDERATIONS**

The Department reserves the right to:

- \* reject any or all proposals received with respect to this RFA;
- \* waive or modify minor irregularities in proposals received after prior notification and concurrence of the applicant;
- \* utilize any or all ideas submitted in the proposals received unless those ideas are covered by legal patent or proprietary rights;
- \* request from an applicant additional information as deemed necessary to more fully evaluate its proposal;
- \* amend the program's specifications after their release, with appropriate written notice posted on the Department's website;
- \* select only certain portions of proposals for state funding;
- \* make all final decisions with respect to the amount of State funding and the timing of payments to be provided to an applicant; and
- \* negotiate the terms of the budget.

All proposals submitted in response to this RFA will become the property of the New York State Department of Agriculture and Markets.

## **14. FREEDOM OF INFORMATION**

All proposals submitted and all related contracts and reports may be subject to disclosure under the Freedom of Information Law.



**15. APPENDIX A**

Appendix A, which is posted on the Department's website at [www.agriculture.ny.gov](http://www.agriculture.ny.gov) contains standard clauses which are required in all State contracts. Appendix A will be a part of any contract awarded under the Fresh Connect Mini Grants Program, and successful applicants will be responsible for complying with the terms and conditions contained therein.