

**NEW YORK STATE  
DEPARTMENT OF AGRICULTURE AND MARKETS**

**RFP0279**

**REQUEST FOR PROPOSALS**

**for the**

**Implementation of Agricultural Environmental Management (AEM) Plans on New York State Grown  
and Certified Farms (NYS G&C) – Round 3**

Ecosystem Based Management (EBM) funds to promote the advancement of environmentally and sustainably produced agricultural products.

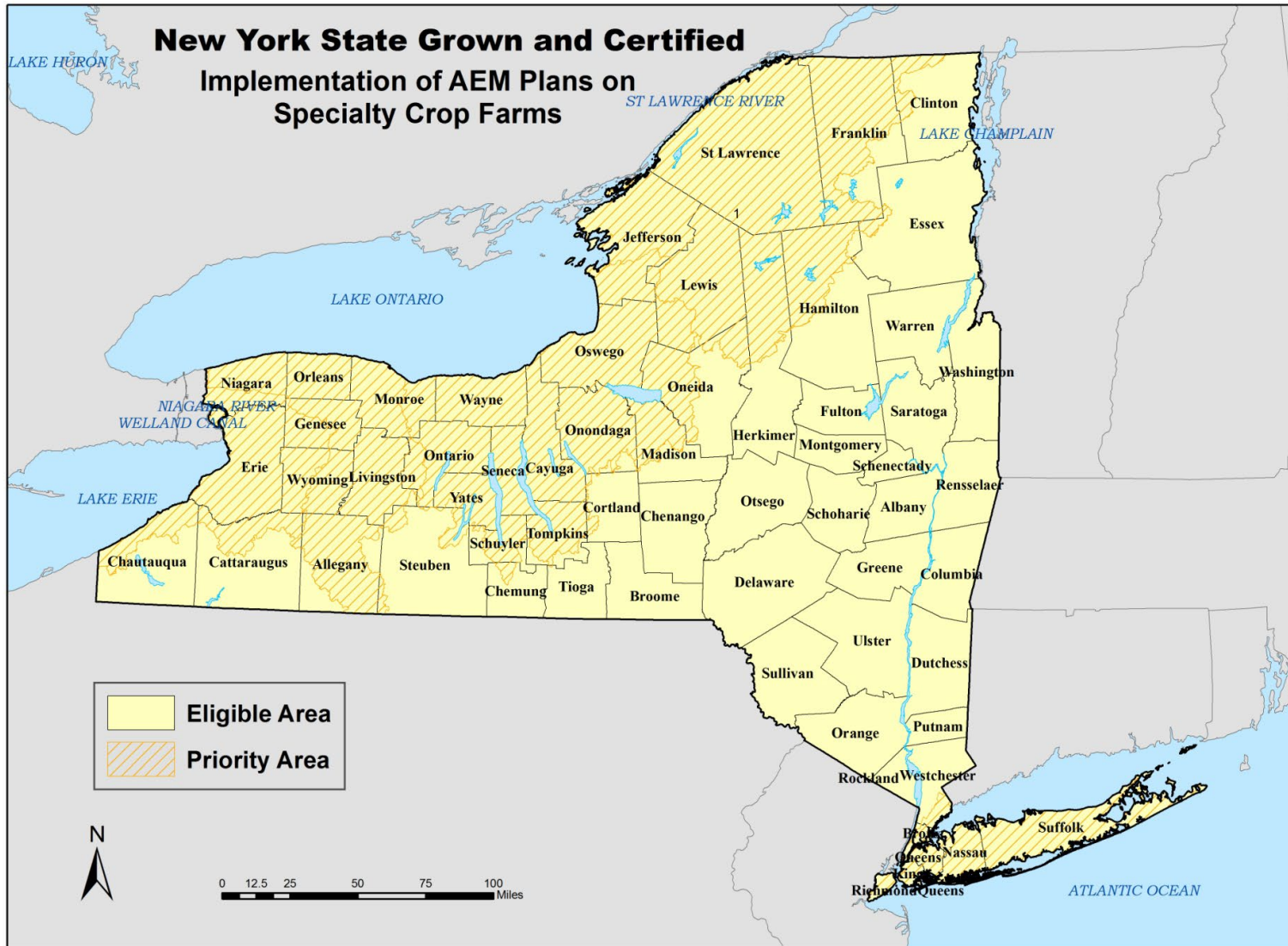
**TIMELINE**

Release RFP	August 24, 2022
Deadline for Questions	October 7, 2022
Final Questions and Answers Posted	October 12, 2022
<b>Deadline for Proposals</b>	<b>October 24, 2022; 4 p.m.</b>
Announce and Award Grants	January 9, 2023

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### Boundaries for Eligible Projects and Priority Area



## 1. INTRODUCTION

### 1.1 Overview

The New York State Department of Agriculture and Markets and the New York State Soil and Water Conservation Committee are pleased to announce the availability of funds to support implementation of Agricultural Environmental Management (AEM) Plans on New York State Grown and Certified (NYS G&C) farms. Funding for this Request for Proposals comes from the Environmental Protection Fund (EPF), as part of the Ocean and Great Lakes Initiative. The goal of the implementation of AEM Plans on NYS G&C farms is to assist growers in producing products using the highest environmental standards in order to protect and improve New York's natural resources, including the water quality of its ocean and Great Lakes. Environmental stewardship and safe handling of foods are the goals of the NYS G&C Program. Funding provided under this RFP will support environmental stewardship by providing financial assistance to implement Conservation Practice Systems on NYS G&C farms.

### 1.2 Questions and Answers

Prospective applicants with questions concerning this RFP should present those questions in writing to:

Lauren Prezorski  
New York State Department of Agriculture and Markets  
10B Airline Drive  
Albany, New York 12235  
[Lauren.prezorski@agriculture.ny.gov](mailto:Lauren.prezorski@agriculture.ny.gov)

Applicants should note that all clarifications are to be resolved prior to the submission of a proposal. A list of questions about the RFP and answers to those questions, as well as any addenda to the RFP, will be added to the Frequently Asked Questions document posted on the New York State Department of Agriculture and Markets (Department) website along with the electronic version of this RFP and other program attachments. All questions must be received by 4:00 p.m., October 7, 2022. Questions and responses will be posted starting no later than September 6, 2022, through October 12, 2022. All questions and answers shall be incorporated into the RFP as a formal addendum.

### 1.3 Eligible Applicants

Eligible applicants are New York County Soil and Water Conservation Districts.

### 1.4 Available Grant Funding

Funding in the amount of \$1,400,000 is available for the Implementation of Agricultural Environmental Management (AEM) Plans on farms enrolled in the NYS G&C program or farms that provide commodities to NYS G&C processors. The maximum award level is \$50,000 per farm. Districts are not limited to the number of applications that may be submitted, however, only one application per farm is allowed.

### 1.5 Proposal Submission Requirements

**Proposals must be submitted online through the [Grants Gateway](#) by 4:00 p.m. local time on Monday, October 24, 2022 to be considered for funding.** Applicants, and not computers or servers, are responsible for the timely submission of proposals. Proposals received after the scheduled date and time will not be accepted. Faxed, mailed or e-mailed proposals will not be accepted.

## 2. PROJECT REQUIREMENTS

### 2.1 Eligible Projects

Proposed projects must meet the following project eligibility criteria to be fully evaluated and scored:

- Proposed projects must be for the implementation of AEM Tier 3 plans. Tier 3 plans must be complete at the time of application.
- Proposals must be for a single farm but may include multiple Best Management Practice (BMP) Systems.
- Farms must be enrolled in the NYS G&C Program or a supplier of commodities to a NYS G&C processor at the time of application. Proposed projects must address acreage used for the enrolled crop(s).
- The [Agricultural Best Management Practice Systems Catalogue](#) should be used as guidance for BMP system selection. This catalogue is available as a download on the NYSSWCC Sharepoint®. Funds may be requested for preventative or remediation practices, or both.
- All BMPs proposed for implementation must meet the New York State Natural Resources Conservation Service (NRCS) Standards and Specifications; if no NYS NRCS Standards or Specifications exist then the practice must be designed to meet nationally recognized standards. All practices implemented must be approved by an individual with appropriate approval authority.
- BMP Systems with an annual lifespan such as Soil Conservation – Cultural – Cover Crops that have been previously funded under the Agricultural Nonpoint Source Abatement and Control Program or other State funding source are not eligible for consideration under this RFP.

Eligible projects must be located within the geographic boundaries of New York State. Within the State, priority will be given to farms that are located in a Great Lakes Watershed or farms with direct drainage to the Ocean.

### 2.2 Eligible Costs

Eligible costs must be associated with the implementation of conservation practices on NYS G&C farms.

Eligible expenses include:

- architectural and/or engineering services;
- consultant and legal services;
- personal services to implement individual farm-level BMP systems; and
- other direct expenses related to implementation (e.g., funding for erosion and sediment control plans).

State assistance payments may not be used to cover the lease or purchase of equipment not directly related to the function of the BMP. If the equipment is directly related to the function of the BMP state assistance payments can be used. Equipment costs may also be an eligible match contribution. It is advisable for applicants to request clarification on the eligibility of specific equipment during the open questions and answers period and all determinations will be added to the Frequently Asked Questions Document.

- The landowner and/or operator is solely responsible for the costs associated with the operation and maintenance of BMPs. These costs cannot be reimbursed by the State or used as a match to State funding.

- BMPs to be implemented on rented property should not be submitted for funding unless there is a written lease for the use of the property for the life span of the BMP (see BMP Operation & Maintenance Guidelines, page 17).

*Ineligible Expenses*

Ineligible expenses include costs paid from other State resources and costs incurred prior to contract approval from the Department. These expenses will not be reimbursed by the State. In addition, costs associated with becoming or maintaining NYS G&C (e.g., Good Agricultural Practices Certification) are not eligible for State funding or project match.

**2.3 Match Requirements**

The State may fund up to 75 percent of the total eligible costs for BMP implementation. Eligible forms of match include cash or in-kind services, including other grants from non-state funding sources; SWCD personnel salaries devoted to the project, if not funded with other State grant sources; overhead expenses; consultant services; supplies; materials; farmer time and labor; and equipment use. The cash value of services must be reasonable and is subject to adjustment by the Department. The State-funded portion of the project cannot be increased as a result of budget changes or variations.

A written commitment for all matching funds or resources must be obtained and on file with the SWCD at the time of application (see Appendix C). Sponsor and landowner contributions and expenditures that were made or incurred prior to the contract start date or after contract completion as designated by the Department may not be used as matching funds or reimbursed by the State.

**2.4 Project Duration**

It is anticipated that the Department of Agriculture and Markets will announce grant awards by January 2023. A proposed project must be capable of completion within three years after signing a contract with the Department.

**3. PROPOSAL FORMAT**

**3.1 Grants Gateway Registration**

Applicants must register in the Grants Gateway and establish users in the system. To start this process, please read the instructions found here: <https://grantsmanagement.ny.gov/register-your-organization>.

The following table provides a snapshot of which roles are allowed to Initiate, Complete, and Submit the Grant Application(s) in the Grants Gateway.

Role	Create and Maintain User Accounts	Initiate Application	Complete Application	Submit Application
Grantee Delegated Administrator	X			
Grantee		X	X	
Grantee Contract Signatory		X	X	X
Grantee Payment Signatory		X	X	
Grantee System Administrator		X	X	X

For existing NYS vendors, there is only one step to complete the registration process in the Grants Gateway. You must submit a Registration Form for Administrators identifying a Delegated Administrator responsible for managing your organization's profile and users. To find out if your organization has already registered, go to the [Grant Opportunity Portal](#) under Registration, click "Request Access Now!", enter your organization's SFS Vendor ID number and search. If your organization is registered, the search result will include contact information for the delegated administrator, and you can contact this individual to request access to the system. If your organization is not registered, the search result will provide a link to the Request Form for Administrator, which you will need to complete and submit pursuant to the instructions provided.

### **3.2 Completing an Application in Grants Gateway**

After registering in Grants Gateway, applicants may begin the application by following these steps:

1. Log into the Grants Gateway as either a "Grantee", "Grantee System Administrator", or "Grantee Contract Signatory."
2. On the Grants Gateway home page, click the "View Opportunities" button.
3. Use the search fields to locate an opportunity; search by State agency (AGM) or by the name or partial name. Searching for "NYS G&C" will locate the Grant Opportunity.
4. Click on the "Search" button to initiate the search.
5. Click on the name of the Grant Opportunity from the search results grid and then select the "APPLY FOR GRANT OPPORTUNITY" button located bottom left of the Main page of the Grant Opportunity.
6. Work through the "Forms Menu". Everything that is required of you will be found in the "Forms Menu" of the application. The Forms Menu includes several pages of forms and documents that you must complete and save. This includes your project address, questions to be answered (Program Specific Questions), your budget, a work plan, and required attachments (Pre-submission Uploads).

#### Program Specific Questions

The Application Questions starting on page 14 of this RFP provides an outline of all the information that you will need to enter in the Program Specific Questions section of the Forms Menu.

#### Budget

#### **\*\*IMPORTANT INFORMATION FOR COMPLETING THE BUDGET IN GRANTS GATEWAY\*\***

Applicants are required to fill out and upload their detailed project budget by using the "Project Budget and Budget Narrative Form" document located in the Pre-Submission Uploads section of the Forms Menu (see Appendix A of this RFP and the Pre-Submission Uploads section below).

Applicants must then enter the project totals in the Grants Gateway budget in the "Other Expenses Detail" category as follows:

- (1) Enter "See Project Budget and Budget Narrative Form" in the Type/Description and Justification fields in the Details section.
- (2) Enter the Total State Request (cell B16 in the worksheet) into the "Total Grant Funds" field in the Financial section.

(3) Enter the Total Match amount (cell C16 plus cell D16) into the “Total Match Funds” field in the Financial section.

(4) No other details need to be included in the Grants Gateway budget section.

### Work Plan

The Grants Gateway application will utilize an open project work plan. You must follow the instructions below when completing the work plan for each application.

**Project Description** – List farm name followed by a narrative description of the project. Only describe what is to be implemented. Justifications of the benefits of the project should be addressed in the *Program Specific Questions* section of the application.

**Organizational Capacity** – Provide a description of the ability and experience of your District and partners to complete this project.

### **Objectives**

*Objective Name:*

- List the BMP Practice System to be implemented (refer to the Agricultural Non-Point Source Practice Catalog).
  - Each BMP Practice System should be listed as a separate objective. You will need to repeat the system name in the description.

*Objective Description:*

- Repeat the BMP Practice System listed in the Objective Name.

### **Tasks**

*Task Name:*

- List the name of the BMP to be implemented.
  - Each BMP practice should be listed as a separate task.

*Task Description:*

- Enter the NRCS Practice Code under the description.

### **Performance Measures**

*Performance Measure Name:*

- Repeat the NRCS Practice Code from the task followed by a comma and the unit of measurement. (e.g., NRCS practice code 595, acres)

*Performance Measure Description:*

- Enter the numeric quantity to be implemented (if the project will implement 50 acres, type “50”).

**NOTE:** The project work plan must include all the deliverables of your project. Other sections of the Grants Gateway application are used to describe, support and reinforce the project documented in the work plan.

### Pre-submission Uploads

The following attachments must be uploaded as part of a complete application in the Grants Gateway:



- A completed Project Budget and Budget Narrative Form (see Appendix A of this RFP). This budget form must be completed in detail, including a description of the source of matching funds.
- SWCD Board Resolution authorizing the submittal of the project application for the Implementation of Agriculture Environmental Management (AEM) Plans on New York State Grown and Certified Farms.
- High resolution map of the watershed depicting the boundary of the watershed, location of the impacted natural resource, location of the farm participating in the grant and names of townships within the watershed boundary.
- High resolution topographical map of the project site (the map must have the north arrow depicted).
- Farmstead or field map from the AEM Plan that shows the proposed project area and distance to the impacted natural resource area.
- Certification that Letters of Commitment from all landowners/operators and employers of all partners and entities providing monetary or technical assistance are current and on file in the District office at time of application (see Appendix C).
- Cultural Resource Certification (see Appendix D).
- Photographs documenting the current need for BMP implementation (optional).

### **3.3 Submitting an Application in Grants Gateway**

1. Only individuals with the roles “Grantee Contract Signatory” or “Grantee System Administrator” can submit an application.
2. Review and confirm all information requested in the “Forms Menu” of the application is provided.
3. Upload all required documents.
4. Submit the application. Click on Status Changes and apply the status of Application Submitted.

### **3.4 Technical Assistance with Grants Gateway**

Reference materials and videos are available for Grantees applying to funding opportunities on the NYS Grants Gateway. Please visit the Grants Management website at the following web address: <https://grantsmanagement.ny.gov/>. and <https://grantsmanagement.ny.gov/resources-grant-applicants>.

Grants Gateway Videos are available at: <https://grantsmanagement.ny.gov/videos-grant-applicants>.

Training webinars are also provided by the Grants Gateway Team. Dates and times for webinar instruction can be located at the following web address: <https://grantsmanagement.ny.gov/live-webinars>.

#### **To reach the technical assistance team contact:**

Grants Gateway Help Desk

Email: [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov) (fastest method of contact) Phone: 518-474-5595

Hours: Monday thru Friday 8am to 4pm

(User roles, prequalification, and registration questions)

## **4. PROJECT EVALUATION AND SCORING**

### **4.1 Receipt of Proposals**

Applications will be screened for completeness and eligibility. All proposals deemed eligible by the Department will be further evaluated and scored by a review team of at least three (3) evaluators.

### **4.2 Scoring Criteria**

Consideration will be given to the following factors in rating proposals:

1. Extent to which project reduces the impairments or potential impairments of natural resources. (20 points)
2. Adequacy of the scope of work and project time frame. (10 points)
3. Cost effectiveness. (10 points)

In addition, one-time preference points will be awarded to Priority Projects that meet the following criteria:

1. Project helps to implement the goals of the New York State Ocean and Great Lakes Initiative by being within the Great Lakes Basin or direct drainage area of the Atlantic Ocean. (5 points.)

All proposals must include sufficient information to allow the above factors to be evaluated. Please review the detailed Project Evaluation Score Sheet in Appendix B prior to writing your proposal. The Department reserves the right to conduct site reviews of the proposed project areas as part of the selection process.

### **4.3 Awards**

The scores of the evaluators will be aggregated and preference points will be assessed on the aggregated score to make up proposal's grand total score. All proposals will then be ranked by their grand total score from highest to lowest to makeup the final ranked list for awards. Proposals that receive a score of less than 50% of the maximum available aggregate score will not be considered for funding. Proposals will be funded in the order of rank until eligible funding is exhausted or until no eligible proposals remain.

If there is a numerical tie after the proposals are scored, the project with the greatest percentage of leveraged overall grant funds will determine placement on the ranking list. For example, if two applications have an aggregate score of 75 points, and one leverages 25%, the other 20%, the one with greater (25%) match contribution will be funded first. In the event that two projects are still equal, the final determination will be made by a coin toss.

Applicants whose proposals are selected for funding will be notified as soon as possible. Selected proposals must comply with all applicable federal, State and local laws and rules and regulations for funding to be awarded. Evidence of such compliance may be required. Please review Section 7.3: NYS Office Of Parks, Recreation and Historic Preservation Requirements.

### **4.4 Debriefing**

Upon request, the Department will provide a debriefing to any unsuccessful applicant as to the reasons that the proposal submitted was not selected for an award. To request a review of an unsuccessful application, contact the Division of Fiscal Management via e-mail at [procurement.info@agriculture.ny.gov](mailto:procurement.info@agriculture.ny.gov). A debriefing must be requested within fifteen (15) calendar days of the date of the notice of non-award.

## 5. REPORTING REQUIREMENTS

Department staff will monitor the progress of each funded project. The Department reserves the right to modify the reporting requirements during the course of the project. At a minimum, progress reports will be required two (2) times per year as specified by Department. In addition, an electronic copy of a comprehensive final report will be required within sixty (60) days following completion of the project. For all projects, the final report shall include a final budget report detailing expenditures and expenditure documentation, a detailed description of the work completed, problems encountered, if any, and lessons learned, as well as such other information as the Department may deem necessary. In addition, the Department reserves the right to visit any or all of the projects during or after project completion.

- Final reports for projects shall also include photographs of the work site before and after practice implementation, BMP Procurement Records, and Consultant Engineer's Certification of BMPs (if needed).
- The Department reserves the right to make all final reports available to the NYS Ocean and Great Lakes Ecosystem Conservation Council and the general public.
- The Department reserves the right to conduct a follow-up evaluation of funded projects in order to determine long-term impacts.
- The Department and Comptroller's Office reserves the right to audit the Project Sponsor's books and records relating to the performance of the project during and up to six (6) years after the completion of the project.

## 6. CONTRACT & PAYMENT TERMS

### 6.1 Contracts

Once an application has been selected for funding, the Department will notify the sponsor of the need to provide information necessary to complete the contract with the Department. Payments cannot be made until the contract is fully executed. Once executed, sponsors may request a 25% advance funding payment. **All other payments are reimbursement based.** A minimum of 10 percent of the State assistance payment will be withheld pending satisfactory completion of the contract.

If the Department is unsuccessful in negotiating a contract which will achieve the deliverables in a manner consistent with the proposal as approved and any applicable laws or regulations, the Department reserves the right to rescind its approval of the proposal for funding and instead award the funding to other eligible unfunded project proposals.

The standard term for all projects will be three full construction years plus two months for project administration and completion of the final report. The project start date will be the date of issue on the contract. Funding of proposals that extend over more than one State fiscal year will be subject to the reappropriation of funds.

### 6.2 New York State Master Contract

New York State has developed a standard "Master Contract" containing standard clauses required in all State Contracts. The Master Contract will be executed for all projects awarded under this RFP, and applicants are responsible for complying with the terms and conditions contained therein.

### **6.3 Payment**

Payment for invoices submitted by the SWCD shall be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in 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 Comptroller of the State of New York's procedures to authorize electronic payments. Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the Comptroller of the State of New York's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

### **6.4 Workers' Compensation & Disability Requirements**

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.

Recipients of grants under this RFP will be required to produce proof of Workers' Compensation and Disability Insurance in a form satisfactory to the New York State Workers' Compensation Board prior to the execution of the contract.

Please 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 Workers' Compensation Board's Bureau of Compliance with any questions related to workers' compensation or disability insurance at (866) 298-7830.

### **6.5 Liability**

The State will not be held liable for any costs incurred by any District for work performed in the preparation of and production of a proposal, or for any work performed prior to the formal execution of an agreement.

## **7. CONSIDERATIONS**

### **7.1 Reserved Rights**

The Department reserves the right to:

- reject any or all proposals received with respect to this RFP;
- waive or modify minor irregularities in proposals received after prior notification and concurrence of the applicant;
- 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 to all potential applicants;
- select only certain portions of proposals for State funding;
- negotiate the terms of any agreement proposed by the applicant; and
- make all final decisions with respect to the amount of State funding and the timing of payments to be provided to an applicant.

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

## **7.2 Freedom of Information**

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

## **7.3 NYS Office Of Parks, Recreation and Historic Preservation Requirements (see Appendix D)**

Projects which include ground-disturbing activities, construction of new buildings, or modification of buildings over 50 years old are subject to further review by the NYS Office of Parks, Recreation and Historic Preservation (OPRHP). Cultural Resource determinations must be made prior to application and a certification that projects will have no impact on historical sites or artifacts is required at time of application. The Department reserves the right to request such additional information as is necessary.

## **7.4 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.

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and Certified Farms – RFP0279**

**Application Questions**

**Please Answer ALL Program Specific Questions in the Grants Gateway.**

**Part 1: Applicant Information**

1. Applicant Soil and Water Conservation District: [Click here to enter text.](#)
2. Federal ID#: [Click here to enter text.](#)
3. Contact Person: [Click here to enter text.](#)
4. Mailing Address: [Click here to enter text.](#)
5. Phone: [Click here to enter text.](#)
6. Email: [Click here to enter text.](#)

**Part 2: General Project Information**

1. Project Name: [Click here to enter text.](#)
2. Farm Name: [Click here to enter text.](#)
3. Project Address: [Click here to enter text.](#)
4. AEM ID Number: [Click here to enter text.](#)
5. Project GPS Coordinates:  
    Easting: [Click here to enter text.](#)
6. Project GPS Coordinates:  
    Northing: [Click here to enter text.](#)
7. NYS G&C Crop/Product: [Click here to enter text.](#)
8. If the farm is a supplier to a NYS G&C processor, please provide the processor name or enter N/A:  
    [Click here to enter text.](#)
9. Total Farm Acres Operated: [Click here to enter text.](#)
10. Acres Associated with NYS G&C Crop/Product: [Click here to enter text.](#)

**Part 3: Project Description**

1. Project Summary (up to 500 characters):
2. Project Description, including: what will be done, how it will be accomplished and the environmental need. The description should include how the proposed project fits into the farms' environmental goals and the NYS G&C Program:
3. Describe the farm benefits, including: how the proposed project fits into the farm's business goals, environmental goals, and their NYS G&C status: [Click here to enter text.](#)

**Part 4: Project Timing and Costs:**

1. Provide a timeline description for how the project will be completed in three years or less. This should include design, implementation and certification of implemented practices (tables and charts may be used): [Click here to enter text.](#)

**Part 5: Specific Project Information:**

1. List the date of completion of the Tier 3A (or higher) plan for the resource concern to be addressed by this project: [Click here to enter text.](#)
2. Does this project address a goal(s) of a State approved Watershed Plan?  
 Yes       No  
2a. If yes, what is the name of the Watershed Plan to be addressed: [Click here to enter text.](#)  
2b. Goal(s) being addressed: [Click here to enter text.](#)
3. Please provide the HUC12 number of the watershed for which the project is located: [Click here to enter text.](#)
4. If the farm has received State funding in the past for any of the BMP systems or components thereof, please list the practices: [Click here to enter text.](#)
5. Are any of the proposed practice systems intended to prevent pollution from a farm expansion related project:  
 Yes       No

**Part 6: Budget**

1. Complete the Grants Gateway Project Budget as directed in section 3.2 of this RFP.
2. Complete and attach the Project Budget and Budget Narrative Form (Appendix A), which can be found in the pre-submission uploads section of Grants Gateway. Source of matching funds from sponsor and landowner must be documented in the budget narrative column if they are to be considered as part of the application.

**Part 7: SWCD Resolution**

Please attach a SWCD Board resolution authorizing the submission of this application pursuant to the Implementation of AEM Plans on New York State Grown and Certified Farms RFP.

**NOTE:** If the project application includes participating landowner(s) that are either SWCD Board Members or Employees, please attach a copy of the official Board Meeting minutes that reflect the process for the selection of the farm(s), disclosure of interests, and necessary recusals from the authorizing resolution.

**Part 8: Maps**

Please attach required maps as outlined in Section 3.2 of this RFP.

**Part 9: Letters of Commitment**

The submission of this application by the Grantee Signatory serves as a commitment to all deliverables and expenses within the project proposal by the Soil and Water Conservation District. Please attach a certification that written commitments have been obtained, and are on file, for all other project partners, including landowners, listed in the application. (See Appendix C.)

**Part 10: Cultural Resources Certification**

Please attach a signed certification that the District has obtained a “no impact” cultural resource determination from the State Historic Preservation Office (SHPO) within the Office of Parks, Recreation and Historic Preservation (OPRHP); or has determined that the project site is outside of any archaeologically sensitive areas based on the Cultural Resources Information System (CRIS) database. (See Appendix D.)

**Part 11: Photographs (optional)**

Please attach photographs documenting the project need.



### BMP Operation and Maintenance Guidelines

A BMP that is funded by this Implementation of Agriculture Environmental Management (AEM) Plans on New York State Grown and Certified Farms opportunity must be maintained and properly operated for the conservation purposes for which the practice was approved. The project sponsor must ensure that active BMPs, at a minimum, be operated and maintained by the Landowner and/or Operator for the lifespan period. For information on BMPs including life spans please refer to the Agricultural Best Management Practices Catalogue.

### Hourly Rate Recommendations

The following rates were acquired from SWCDs as a result of our inquiry as part of the 2021 annual reports submitted.

The hourly rates which can be used by SWCDs, in lieu of providing justification for calculating their actual salary, benefit and overhead, to calculate total personnel services costs are as follows:

	Hourly Rate	Overhead	Total
<b>Managerial</b>	\$ 64.00	\$ 5.00	\$ 69.00
<b>Technical</b>	\$ 41.00	\$ 5.00	\$ 46.00
<b>Senior Tech*</b>	\$ 48.00	\$ 5.00	\$ 53.00
<b>Engineer</b>	\$ 69.00	\$ 5.00	\$ 74.00
<b>Secretarial</b>	\$ 41.00	\$ 5.00	\$ 46.00

\*Senior Tech rate is the average salary for technicians with 10 years or more experience.

Districts may use their actual salary, benefit and overhead figures in lieu of the above set rates. In those cases, full documentation must be provided to obtain payment. In cases where interns, seasonal or part-time employees are used, actual hourly rates will have to be used and justified.

These rates, including overhead expenses, can also be used for local agency personnel (NRCS, CCE) as well as private sector consultants. These individuals will also have the option to use and fully justify their own actual rates. Overhead expenses cannot be used for actual rates.

**Appendix A: Project Budget and Budget Narrative Form**

**Implementation of Agriculture Environmental Management (AEM) Plans on New York State Grown and Certified Farms**

<b>EXPENDITURE</b>	<b>STATE REQUEST</b>	<b>SPONSORS CONTRIBUTION*</b>	<b>LANDOWNER CONTRIBUTION*</b>	<b>TOTAL PROJECT COSTS</b>	<b>NARRATIVE (Include Source, and detailed description of expense)</b>
PERSONAL SERVICES				0	
CONTRACTUAL SERVICES				0	
ENGINEERING SERVICES				0	
SUPPLIES				0	
OTHER DIRECT EXPENSES RELATED TO PROJECT CONSTRUCTION/PROJECT DELIVERABLES				0	
OVERHEAD EXPENSES (Derived From Using the Recommended Rates)				0	
BMPs				0	
<b>TOTALS</b>	0	0	0	0	
Cost Share Percentages (% of Total Project Cost)	0.00%	0.00%	0.00%	0.00%	

**APPENDIX B**

**Implementation of Agriculture Environmental Management (AEM) Plans on NYS G&C Farms**

**EVALUATION SCORE SHEET**

*Each component of the proposal will be evaluated, per criteria described in the left hand column. Numbers in **BOLD** are the maximum score for the category. Numbers that are not bold reflect how points are apportioned within each category.*

Preference Points	Max Points	Score
<b><i>Project is located within the Great Lakes Basin or direct drainage area of the Atlantic Ocean</i></b>	<b>5</b>	

**Scoring Key**

Total Points Available	Exceeds All or Most Criteria	Exceeds Some Criteria	Meets Criteria	Meets Some But Not All Criteria	Does Not Meet Most Criteria	Meets No Criteria
20	17-20	13-16	9-12	5-8	1-4	0
10	9-10	7-8	5-6	3-4	1-2	0

<i>Review Criteria</i>	Max Points	Score
<p><b><i>Project reduces the impairments or potential impairments of natural resources associated with a State approved watershed plan. -- How well does the applicant address the following:</i></b></p> <ul style="list-style-type: none"> <li>• Project addresses or prevents a significant source of environmental pollution.</li> <li>• Pollutant addressed is listed as an environmental threat in a State approved watershed plan.</li> <li>• The proximity to the natural resource being addressed suggests a close relationship between the farm resource concern and the potential pollutant source to the environment.</li> <li>• The BMP selection is appropriate for the concern and is based on a recommendation from a conservation plan.</li> </ul>	<p><b>20</b></p> <p>4</p> <p>4</p> <p>6</p> <p>6</p>	
<p><b><i>Adequate Scope of work and Time Frame -- How well does the applicant address the following:</i></b></p> <ul style="list-style-type: none"> <li>• Project deliverables are clearly defined and consistent with RFP objectives. Proposal clearly identifies the project as a priority for the farm and clearly defines what is to be done, how it will be done, who will do it and when it will be done.</li> <li>• There is demonstrated experience and ability of the sponsor and project staff to undertake the proposed activity.</li> </ul>	<p><b>10</b></p> <p>5</p> <p>2</p>	

EVALUATION SCORE SHEET

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<ul style="list-style-type: none"> <li>• Project is well planned and clearly outlines a path to completion within 3 years.</li> </ul>	3	
<p><b><i>Project is cost effective -- How well does the applicant address the following:</i></b></p> <ul style="list-style-type: none"> <li>• BMP(s) to be implemented are cost effective relative to the natural resource benefits.</li> <li>• Estimated time to complete and hourly rates being charged for technical/engineering services and administration are reasonable. (e.g., reflect average costs documented in the NRCS Field Office Technical Guide; administrative, technical, and engineering services reflect an appropriate percentage of the total project cost)</li> <li>• Lifespan of the completed project enhances the cost effectiveness of the project.</li> </ul>	<p><b>10</b></p> <p>4</p> <p>3</p> <p>3</p>	
<p><b>TOTAL Points</b></p>	<p><b>40</b></p>	

**APPENDIX C**

**Implementation of Agricultural Environmental Management (AEM) Plans on New York State Grown and Certified Farms (NYS G&C)**

**Certification of Letters of Commitment**

County Soil and Water Conservation District: [Click here to enter text.](#)

Project Proposal Name: [Click here to enter text.](#)

The undersigned certifies that Letters of Commitment for the above reference project proposal are current and on file at the Soil and Water Conservation District office. These written commitments include a separate letter for each project partner, including landowners, and the specific level of commitment to be provided for the project; as stated in the proposal.

I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits are true and accurate. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

(Title) \_\_\_\_\_ of (entity)

(date) \_\_\_\_\_ (signature) \_\_\_\_\_ (print name)

**APPENDIX D**  
**Cultural Resource Requirements**

**Implementation of AEM Plans on New York State Grown and Certified Farms**

**NYS OFFICE OF PARKS, RECREATION AND HISTORIC PRESERVATION REQUIREMENTS**

For ground disturbing or potentially ground disturbing implementation activities, please consult the NYS Cultural Resource Information System website to determine if the project is located in an archeologically sensitive area <https://cris.parks.ny.gov/Login.aspx?ReturnUrl=%2f>.

- For self-determination, please see the *Instructions for Using NYS Cultural Resource Information System website*. If the project is not located in a shaded area, copy and paste the map into a Microsoft document (i.e. Word, Publisher, etc.) and include the following information:
  - SWCD and SWCD Contact Person
  - Project Title (Farm Name/BMP to be implemented)
  - Landowner Name

Retain a copy of each map necessary and note if the project is not located in an archeological sensitive area on the cultural resource certification.

- If the project is located in an archeological sensitive area, you will need to submit the project for review through the CRIS website.
- Part of NRCS's current agreement with SHPO identifies the potential of each BMP to disturb the ground. The list of BMPs is attached as SHPO Ground Disturbing Potential. SHPO has agreed that BMPs identified on that list as NG (not ground disturbing) need not be submitted to their office for review. If you do not submit a project to SHPO for this reason, please note this on the Cultural Resource Certification. Practices listed as Potentially Ground Disturbing (PG) will need to be submitted through the CRIS website.
- Projects that are ground disturbing or PG within an archaeological sensitive area must be submitted to NYS OPRHP. Letters from NYS Office of Parks, Recreation and Historical Preservation with "no impact" determinations should be noted on the cultural resource certification and copies of the letters must be kept on file in the District office.

**Implementation of Agricultural Environmental Management (AEM) Plans on New York State Grown and Certified Farms (NYS G&C)**

**Cultural Resource Certification**

County Soil and Water Conservation District: [Click here to enter text.](#)

Project Proposal Name: [Click here to enter text.](#)

The undersigned certifies that the above reference project (check all the apply):

- Does not include any ground disturbing or potentially ground disturbing practices.
- Has been self-determined to be outside of all archaeological sensitive areas using the New York State Cultural Resource Information System. A map with the project name and landowner name is on file in the District office.
- The project has been reviewed by the New York State Office of Parks, Recreation and Historical Preservation and has been determined to have no impact on archaeological and/or historic resources listed in or eligible for the New York State and National Registers of Historic Places. A copy of this letter is on file in the District office.

I hereby affirm under penalty of perjury that information provided on this form are true and accurate. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

(Title) \_\_\_\_\_ of (entity)

(date) \_\_\_\_\_ (signature) \_\_\_\_\_ (print name)

## SHPO Ground Disturbing Potential

(G=Ground Disturbing, NG=Not Ground Disturbing, PG=Potentially Ground Disturbing)

Code	Name	Rating
560	Access Road	G
311	Alley Cropping	NG
575	Animal Trails and Walkways	PG
310	Bedding	G
314	Brush Management	PG
322	Channel Vegetation	PG
324	Deep Tillage	G
326	Clearing & Snagging	G
397	Commercial Fishponds	G
317	Composting Facility	PG
327	Conservation Cover	NG
328	Conservation Crop Rotation	NG
656	Constructed Wetland	G
360	Closure of Waste Impoundments	PG
332	Contour Buffer Strips	NG
330	Contour Farming	NG
331	Contour Orchard and Other Fruit Area	PG
585	Contour Stripcropping	NG
335	Controlled Drainage	G
340	Cover Crop	NG
342	Critical Area Planting	PG
589A	Cross Wind Ridges	NG
589B	Cross Wind Stripcropping	NG
589C	Cross Wind Trap Strips	NG
348	Dam, Diversion	G
402	Dam, Floodwater Retarding	G
349	Dam, Multiple Purpose	G
356	Dike	G
362	Diversion	G
432	Dry Hydrant	PG
647	Early Successional Habitat Development/Mgt.	NG
382	Fence (high-tensil)	NG
382	Fence (all other)	G
386	Field Border	NG
393	Filter Strip	PG
394	Firebreak	PG
398	Fish Raceway or Tank	PG
Bio 395	Fish Stream Improvement	PG
Bio 399	Fishpond Management	N G
400	Floodwater Diversion	G
404	Floodway	G
511	Forage Harvest Management	NG



655	Forest Harvest Trails & Landings	G
490	Forest Site Preparation	PG
666	Forest Stand Improvement	NG
410	Grade Stabilization Structure	G
412	Grassed Waterway	G
548	Grazing Land Mechanical Treatment	PG
561	Heavy Use Area Protection	PG
422	Hedgerow Planting	PG
422A	Herbaceous Wind Barriers	NG
423	Hillside Ditch	G
320	Irrigation Canal or Lateral	G
388	Irrigation Field Ditch	G
464	Irrigation Land Leveling	G
552A	Irrigation Pit or Regulating Reservoir - Irrigation Pit	G
552B	Irrigation Pit or Regulating Reservoir - Regulating Reservoir	G
436	Irrigation Storage Reservoir	G
442	Irrigation System - Sprinkler	G
443	Irrigation System - Surface & Subsurface	G
441	Irrigation System - Microirrigation	G
447	Irrigation System, Tailwater Recovery	G
428A	Irrigation Water Conveyance,Ditch and Canal Lining - Nonreinfor Concrete	G
428B	Irrigation Water Conveyance,Ditch and Canal Lining - Flexible Membrane	G
428C	Irrigation Water Conveyance,Ditch and Canal Lining - Galvanized Steel	G
430AA	Pipeline - Aluminum Tubing	PG
430BB	Pipeline - Asbestos-Cement	G
430CC	Pipeline - Nonreinfor Concrete	G
430DD	Pipeline - High-pressure, Underground, Plastic	G
430EE	Pipeline - Low-pressure, Underground, Plastic	G
430FF	Pipeline - Steel	PG
430GG	Pipeline - Reinfor Plastic Mortar	G
430HH	Pipeline - Rigid Gated Pipeline	PG
449	Irrigation Water Management	PG
460	Land Clearing	G
451	Land Reclamation-Fire Control	G
453	Land Reclamation-Landslide Treatment	G
454	Land Reclamation-Subsidence Treatment	G
455	Land Reclamation-Toxic Discharge Control	G
456	Land Reclamation-Highwall Treatment	G
543	Land Reconstruction, Abandoned Mined Land	G
544	Land Reconstruction, Currently Mined Land	G
466	Land Smoothing	G
468	Lined Waterway or Outlet	G
634	Manure Transfer	G
457	Mine Shaft & Adit Closing	PG

482	Mole Drain	G
484	Mulching	NG
590	Nutrient Management	NG
500	Obstruction Removal	G
582	Open Channel	G
512	Pasture & Hay Planting	NG
595A	Pest Management	NG
516	Pipeline	PG
378	Pond	G
521A	Pond Sealing or Lining - Flexible Membrane	PG
521B	Pond Sealing or Lining - Soil Dispersant	PG
521C	Pond Sealing or Lining - Bentonite Sealant	PG
521D	Pond Sealing or Lining - Cationic Emulsion-Waterborne Sealant	PG
521E	Pond Sealing or Lining - Asphalt-Sealed Fabric Liner	PG
462	Precision Land Forming	G
338	Prescribed Burning	PG
528A	Prescribed Grazing	NG
532	Pumped Well Drain	PG
533	Pumping Plant for Water Control	PG
550	Range Planting	NG
562	Recreation Area Improvement	PG
566	Recreation Land Grading & Shaping	G
568	Recreation Trail & Walkway	PG
554	Regulating Water in Drainage Systems	NG
329A	Residue Management, No-till & Strip Till	NG
329B	Residue Management, Mulch till	NG
329C	Residue Management, Ridge Till	nG
344	Residue Management, Seasonal	NG
643	Restoration and Management of Declining Habitats	NG
391A	Riparian Forest Buffer	PG
390	Riparian Herbaceous Cover	NG
555	Rock Barrier	PG
558	Roof Runoff Management	PG
570	Runoff Management System	PG
646	Shallow Water Management for Wildlife	G
350	Sediment Basin	G
571	Soil Salinity Management-Nonirrigated	NG
572	Spoil Spreading	G
574	Spring Development	G
580	Streambank & Shoreline Protection	PG
584	Stream Channel Stabilization	G
585	Stripcropping, Contour	NG
586	Stripcropping, Field	NG
587	Structure for Water Control	G
606	Subsurface Drain	G
607	Surface Drainage, Field Ditch	G

608	Surface Drainage, Main or Lateral	G
609	Surface Roughening	NG
600	Terrace	G
610	Toxic Salt Reduction	NG
612	Tree/Shrub Establishment	PG
660A	Tree/Shrub Pruning	NG
614	Trough or Tank	PG
620	Underground Outlet	G
645	Upland Wildlife Habitat Management	PG
472	Use Exclusion	PG
630	Vertical Drain	G
312	Waste Management System	PG
313	Waste Storage Facility	G
359	Waste Treatment Lagoon	G
633	Waste Utilization	NG
636	Water Harvesting Catchment	G
638	Water & Sediment Control Basin	G
640	Waterspreading	G
641	Water Table Control	G
642	Water Well	G
351	Well Decommissioning	PG
658	Wetland Creation	G
659	Wetland Enhancement	G
657	Wetland Restoration	G
644	Wetland Wildlife Habitat Management	PG
648	Wildlife Watering Facility	G
380	Windbreak/Shelterbelt Establishment	PG
650	Windbreak/Shelterbelt Renovation	PG